

REV05042015

Return to:

Rocky Mountain Power  
 Cathy Jackman/Steve Clingenpeel  
 1407 West North Temple Ste. 110  
 Salt Lake City, UT 84116

W2951431\*

E# 2951431 PG 1 OF 5  
 LEANN H KILTS, WEBER COUNTY RECORDER  
 09-NOV-18 955 AM FEE \$18.00 DEP DC  
 REC FOR: ROCKY MOUNTAIN POWER

Project Name: The Wash Factory

WO#: 6329959

RW#:

### UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **HAMMOND JR, DOUGLAS JOHN ETAL** ("Grantor"), hereby grants Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, ("Grantee"), an easement for a right of way 10 feet in width and 150 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, and vaults on, across, or under the surface of the real property of Grantor in **Weber County, State of Utah** more particularly described as follows and as more particularly described and/or shown on Exhibit "A" attached hereto and by this reference made a part hereof:

Legal Description: PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT WHICH IS SOUTH 743.50 FEET AND NORTH 89D55'30" WEST 883.03 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 10, AND RUNNING THENCE SOUTH 319.37 FEET, THENCE NORTH 89D18' WEST 356.92 FEET, THENCE NORTH 0D44'30" EAST 8.54 FEET, THENCE WEST 14.78 FEET, THENCE NORTH 115.00 FEET, THENCE NORTH 89D33' WEST 277.64 FEET TO THE EAST LINE OF MIDLAND DRIVE, THENCE NORTH 38D01' EAST 241.10 FEET ALONG SAID EAST LINE TO AN EXISTING FENCE, THENCE SOUTH 89D55'30" EAST 500.70 FEET TO THE POINT OF BEGINNING. -CONTAINING 3.58 ACRES. TOGETHER WITH AND SUBJECT TO A 16.5 FOOT RIGHT OF WAY DESCRIBED AS FOLLOWS: A 16.5 FOOT RIGHT OF WAY ACROSS A PART OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: SAID RIGHT OF WAY BEING 8.25 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: BEGINNING AT A POINT WHICH IS SOUTH 1072.37 FEET AND NORTH 89D18' WEST 1162.98 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 10; RUNNING THENCE NORTH 5D15' WEST 91.23 FEET, THENCE WESTERLY ALONG THE ARC OF 51.91 FOOT RADIUS CURVE TO THE LEFT 79.59 FEET, THENCE SOUTH 86D54' WEST 319.0 FEET TO THE EAST LINE OF

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**ORIGINAL**

E# 2951431 PG 2 OF 5

MIDLAND DRIVE (1161-679). EXCEPTING THEREFROM THE FOLLOWING: A PARCEL OF LAND IN FEE FOR THE WIDENING OF SR-108 (MIDLAND DRIVE) KNOWN AS PROJECT NO. S-0108(30)11, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE NORTHWEST QUARTER NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID ENTIRE TRACT WHICH IS 739.41 FEET (RECORD 743.50 FEET) SOUTH AND 1380.54 FEET (RECORD 1383.73 FEET) NORTH 89D55'30" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 10, AND RUNNING THENCE SOUTH 89D55'30" EAST 7.48 FEET ALONG THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT TO A POINT 55.00 FEET PERPENDICULARLY DISTANT SOUTHEASTERLY FROM THE RIGHT OF WAY CONTROL LINE OF SAID SR-108 (MIDLAND DRIVE) OPPOSITE APPROXIMATE ENGINEERS STATION 527+62.80; THENCE SOUTH 38D12'39" WEST 164.04 FEET TO THE POINT OF TANGENCY OF A 10,055.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 77.99 FEET ALONG THE ARC OF SAID CURVE, CONCENTRIC WITH SAID RIGHT OF WAY CONTROL LINE (CHORD BEARS SOUTH 38D25'59" WEST 77.99 FEET) TO THE SOUTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE NORTH 89D33'00" WEST 6.02 FEET ALONG SAID SOUTHERLY BOUNDARY LINE TO THE EXISTING EASTERLY HIGHWAY RIGHT OF WAY LINE OF SR-108 (MIDLAND DRIVE); THENCE NORTH 38D01'00" EAST 241.10 FEET ALONG SAID EXISTING EASTERLY HIGHWAY RIGHT OF WAY LINE TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 1315 SQUARE FEET IN AREA OR 0.030 ACRE. (NOTE: ROTATE ABOVE BEARINGS 00D00'38" CLOCKWISE TO EQUAL HIGHWAY BEARINGS). (E# 2683470) [NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THE RECORDERS OFFICE FOR TAX PURPOSES.]

Assessor Parcel No. 08-051-0249

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place or store any flammable materials (other than agricultural crops), or light any fires, on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

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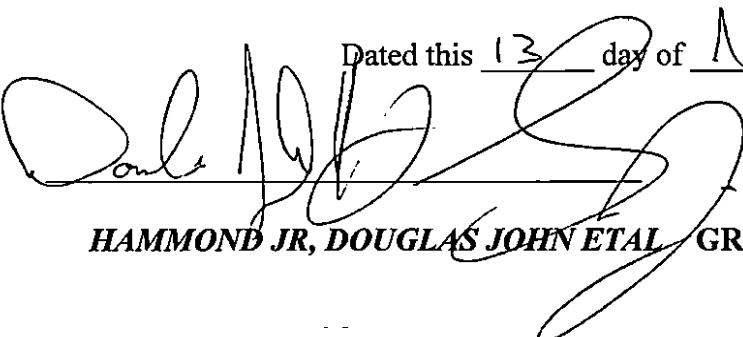
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The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

Dated this 13 day of November, 2017

  
**HAMMOND JR, DOUGLAS JOHN ETAL** GRANTOR

### **Acknowledgement by an Individual Acting on His Own Behalf:**

STATE OF Utah )  
County of Salt Lake ) ss.

On this 13 day of November, 2017, before me, the undersigned Notary Public in and for said State, personally appeared Douglas John Hammond Jr. (name), known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that (he/she/they) executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Broanna Smith

(notary signature)



NOTARY PUBLIC FOR Utah (state)  
Residing at: Cottonwood Heights, UT (city, state)  
My Commission Expires: 07/1/2019 (d/m/y)

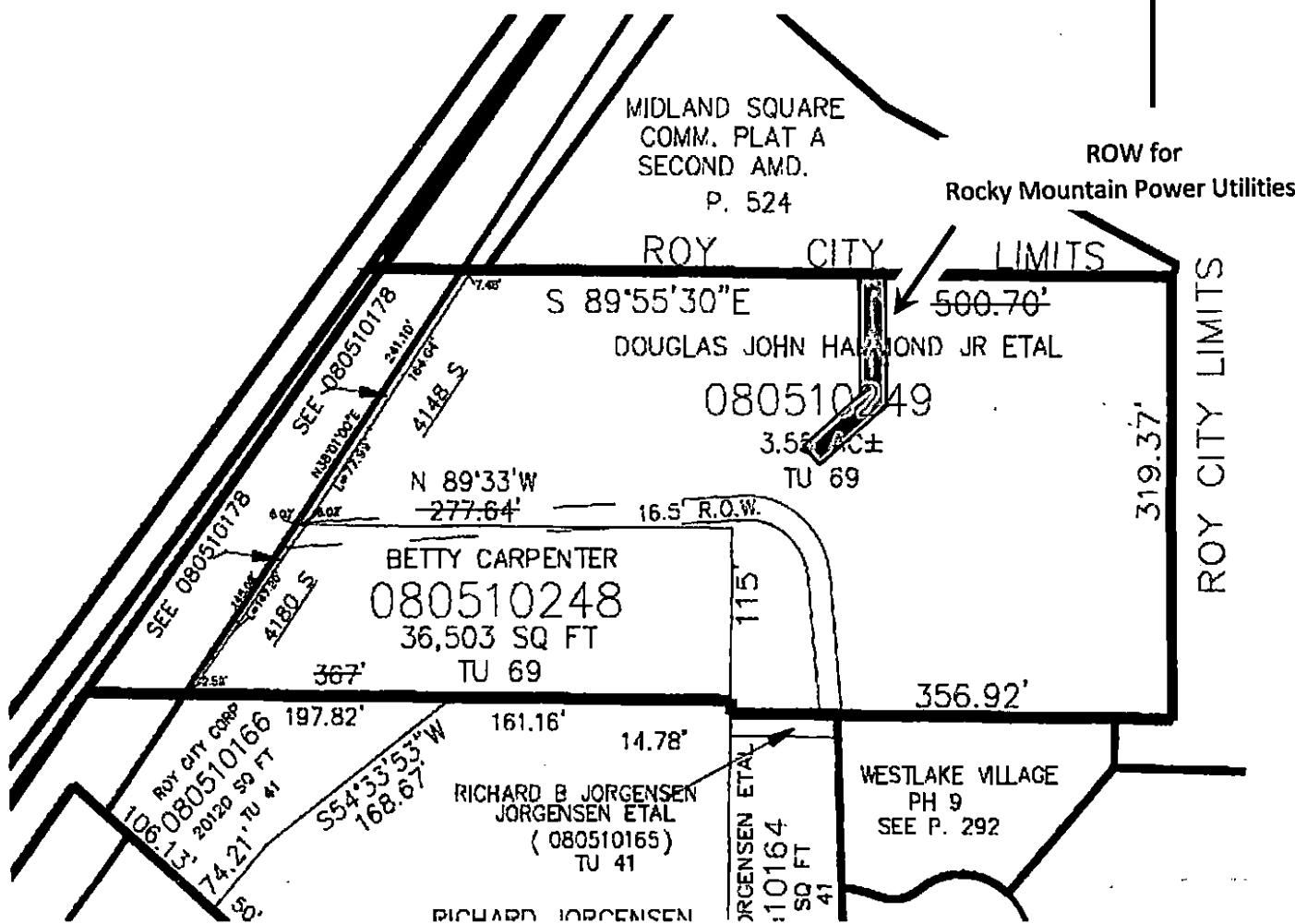
## Property Description

NE 1/4

SECTION 10, T.5N., R.2W., S.L.B. & M.

IN ROY CITY, WEST HAVEN CITY & WEBER COUNTY

N



CC#:11461 WO#: 6329959  
Landowner Name: John Hammond  
Drawn by: Steve Clingenpeel

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

# EXHIBIT A



SCALE: None