

REV052314

Return to:  
Rocky Mountain Power  
Lisa Louder/L. Baker  
1407 West North Temple Ste. 110  
Salt Lake City, UT 84116

Ent: 410669 - Pa 1 of 4  
Date: 03/26/2015 02:09 PM  
Fee: \$16.00  
Filed By: c  
Jerry Houghton, Recorder  
Tooele County Corporation  
For: ROCKY MOUNTAIN POWER

Project Name: Wright Development Group, Inc. Zaxby's  
WO#: 5964595  
RW#:

**UNDERGROUND RIGHT OF WAY EASEMENT**

For value received, **WDG Tooele, LLC** ("Grantor"), hereby grants to PacifiCorp, an Oregon Corporation, d/b/a Rocky Mountain Power its successors and assigns, ("Grantee"), an easement for a right of way 20 feet in width and 160 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 **Tooele** County, State of **Utah** more particularly described as follows and as more particularly described and/or shown on Exhibit(s) **A** attached hereto and by this reference made a part hereof:

Legal Description:

The land referred to herein is situated in the County of Tooele, State of Utah, and is described as follows:

Beginning North 467.6 feet and West 1207.63 feet from the Southeast Corner of Section 16, Township 3 South, Range 4 West, Salt Lake Base and Meridian; being on the East line of State Highway 36, and the Southwest corner of Flinders Industrial Park; and running thence South 80°29' East 160 feet; thence South 6°50' West 240 feet; thence North 83°10' West 160 feet to said Right of Way Line; thence North 6°50' East 240 feet to the point of beginning.

Assessor Parcel No. 02-127-0-0006

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.

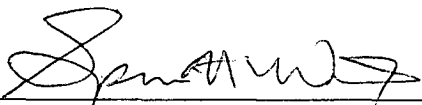
At no time shall Grantor place or store any flammable materials (other than agricultural crops), or light any fires, on or within the boundaries of the right of way. Subject to the

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.

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 17 day of March, 2015.



**WDG Tobeles, LLC GRANTOR**

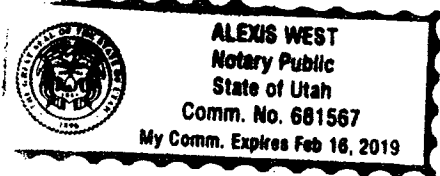
**Acknowledgment by a Corporation, LLC, or Partnership:**

STATE OF Utah )  
 ) ss.  
County of DAVIS )

On this 17 day of March, 2015, before me, the undersigned Notary Public in and for said State, personally appeared Spencer Wright (name), known or identified to me to be the \_\_\_\_\_ (president / vice-president / secretary / assistant secretary) of the corporation, or the (manager / member) of the limited liability company, or a partner of the partnership that executed the instrument or the person who executed the instrument on behalf of WDG Toole, LLC (entity name), and acknowledged to me that said entity 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.

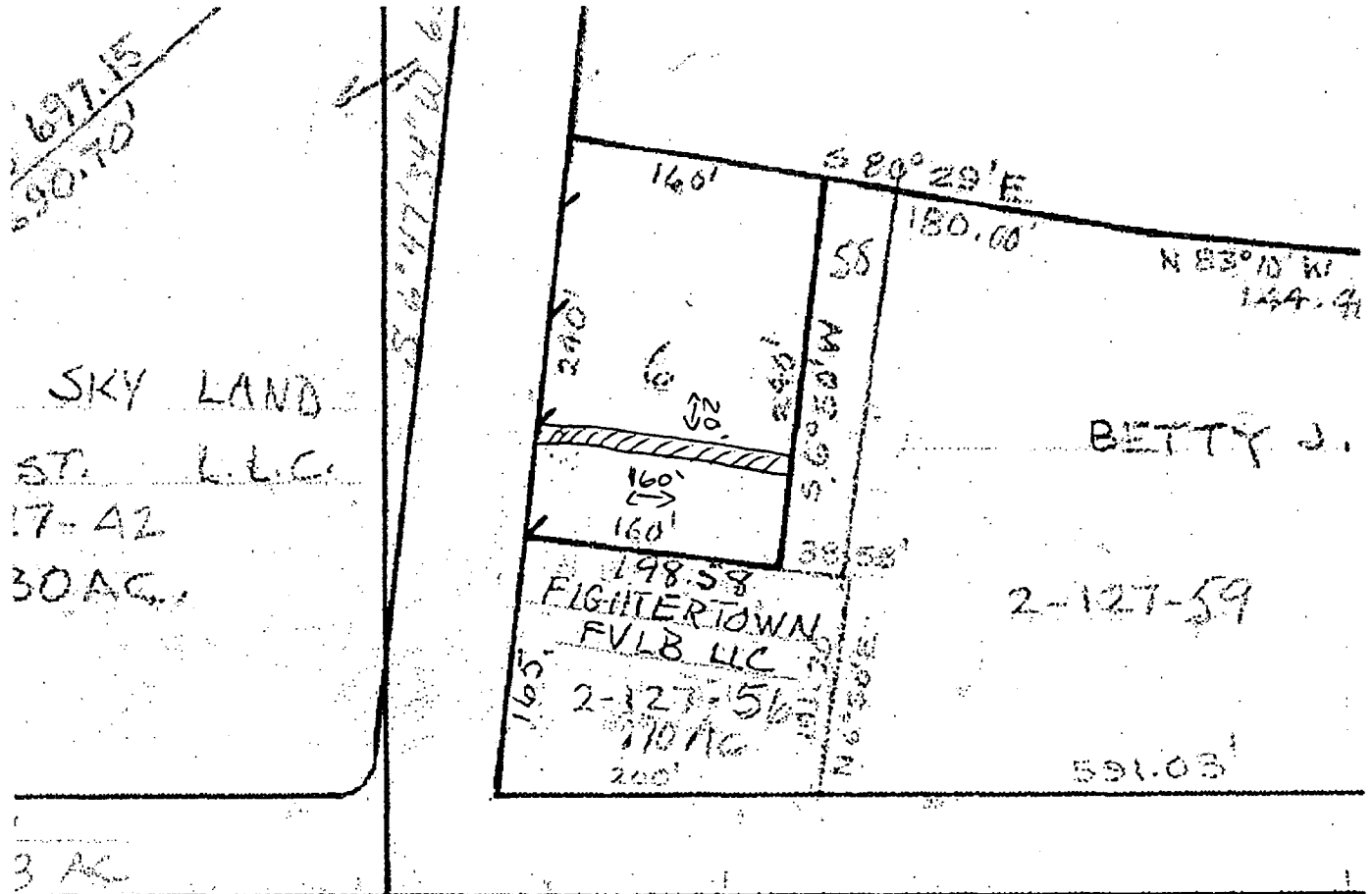
Alexis West  
\_\_\_\_\_  
(notary signature)



NOTARY PUBLIC FOR Utah (state)  
Residing at: Fruit Heights, Utah (city, state)  
My Commission Expires: 16 Feb 2019 (d/m/y)

### Property Description

Quarter: SE Section: 16 Township 3S, Range 4W,  
Salt Lake Base Meridian  
County: Tooele State: Utah  
Parcel Number: 02-127-0-0006



CC#: 11446 WO#: 5964595

Landowner Name: WDG Tooele, LLC

Drawn by: Lisa Baker

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: NTS