

4299772

## RIGHT OF WAY AND EASEMENT

Corporation of the Presiding Bishop of the Church of  
Jesus Christ of Latter-day Saints, a Utah Corporation

Grantor, hereby conveys and warrants to the University of Utah, a body corporate and politic of the State of Utah, its successors and assigns, Grantee, for the sum of One Dollar (\$1.00) and other valuable consideration, an easement and right of way for the construction, operation and continued maintenance, repair, alteration, inspection, relocation and replacement of the underground electric transmission and distribution circuits of the Grantee, under the following described real property located in Salt Lake County, Utah, being 5 feet in width, 2.5 feet each side of the following described center line:

A strip of land 5 feet wide lying in Section 4, Township 1 South, Range 1 East, Salt Lake Base and Meridian the centerline of which is more particularly described as follows:

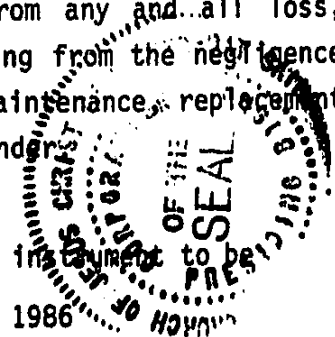
Beginning at a point South  $0^{\circ}00'00''$  East 1,513.55 feet and N  $90^{\circ}00'00''$  E 6.57 feet from the University of Utah Monument US-16 (Basis of bearing being the line from monument US-16 to U-44 S  $19^{\circ}14'00''$ E); and running thence S  $34^{\circ}56'12''$  E 163.20 feet; thence S  $130^{\circ}56'17''$  W 178.31 feet to an existing wood electrical pole and point of terminus.

TO HAVE AND TO HOLD the same unto the said University of Utah, its successors and assigns, so long as such facilities shall be maintained, with all necessary and reasonable rights of ingress and egress and the right to excavate and refill ditches and trenches for the location and repair of said facilities.

This easement is granted subject to the following conditions and limitations:

1. Grantor reserves the right to construct, use and maintain across, over and/or under the property hereby granted all facilities that it may choose so to do in such a manner as not to create any unreasonable interference with the use of the Grantee herein granted.
2. Should Grantor's future activities require the relocation of Grantee's line installed pursuant to this easement grant, such line will upon request of Grantor be relocated at Grantee's expense should Grantor so request, a new easement will be provided to the Grantee at no cost to the Grantee.
3. All installations of Grantee pursuant to this easement will be below ground.
4. The Grantee shall use all reasonable care installing and maintaining its facilities so as to not unduly disturb the existing roadways, trees, shrubs, landscaping, sprinkling system or other underground equipment. Grantee agrees to restore to original condition or replace any such landscape, plants, equipment or surface improvements damaged by such installation or maintenance.
5. Grantee shall construct, maintain and repair its said facilities and everything relating thereto without cost or expense to the Grantor and save harmless the Grantor from any and all loss, damage, expense, claims or demands resulting from the negligence of Grantee in the construction, repair, maintenance, replacement or operation of Grantee's facilities hereunder.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed this 14<sup>th</sup> day of August, 1986



Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole.

BY: Frederic A. Baker

AUTHORIZED AGENT

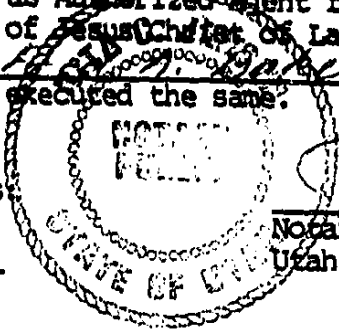
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STATE OF UTAH )  
 : SS  
COUNTY OF SALT LAKE )

On this 14 day of August, 1986, personally appeared before me W. A. Bards, personally known to me to be the Authorized Agent of the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, who acknowledged to me that he signed the foregoing instrument as Authorized Agent for the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, and the said W. A. Bards acknowledged to me that the said Corporation executed the same.

My commission expires

6/17 1988



Rita G. Jensen  
Notary Public in and for the State of Utah

Scott Duckworth  
SCOTT DUCKWORTH

REC'D OF \_\_\_\_\_  
DEP \_\_\_\_\_  
University of Utah

AUG 21 2 37 PM '86

KATIE L. DIXON  
RECORDER  
SALT LAKE COUNTY,  
UTAH

505 Ballena Way  
8/11/86