

When Recorded, please return to:
Rocky Mountain Power
Lisa Louder/Lisa Baker
1407 West North Temple Ste. 110
Salt Lake City, UT 84116

Tooele County Tax Parcel No.: a portion of 04-070-0-0021

SUBSTITUTE GRANT OF EASEMENT

July
THIS SUBSTITUTE GRANT OF EASEMENT ("GRANT OF EASEMENT") is entered into this 1st day of ~~June~~, 2022, by and between **CARY EDWARD TRATOS** (the "**Grantor**"), whose address is 4886 Choctaw, West Valley City, Utah 84120, and **ROCKY MOUNTAIN POWER, an unincorporated division of PacifiCorp, an Oregon corporation** ("**Grantee**"), whose address is 1407 West North Temple, Suite 110, Salt Lake City, Utah, 84116. The Grantor and Grantee are individually referred to herein as a "Party" and collectively as the "Parties".

RECITALS:

WHEREAS, the Parties are the Grantor and Grantee under that certain Grant of Easement dated October 13, 2021 and recorded October 15, 2021 as Entry No. 557432 in the Office of the Tooele County Recorder, State of Utah (the "Original Easement"); a copy of the Original Easement is attached hereto as Appendix "A" and by this reference made a part hereof;

WHEREAS, one or more pages of the Original Easement were inadvertently omitted from being recorded; and

WHEREAS, for the reason recited above, the Parties desire to execute and record this Substitute Grant of Easement in order release and extinguish, *ab initio*, the Original Easement and replace it with this Substitute Grant of Easement.

NOW, THEREFORE, in consideration of \$10.00 and other good and valuable consideration and by signing below, the Parties do hereby declare the Original Easement to be null and void, *ab initio*, and do hereby replace the Original Easement in its entirety with this Substitute Grant of Easement.

The Grantor hereby grants, sells, bargains, conveys and warrants, by all claiming by through or under Grantors but not otherwise, to the Grantee, a perpetual, non-exclusive easement (the "**Easement**"), solely for the purpose of the construction, reconstruction, operation, maintenance, repair, replacement, and removal of buried or underground electric powerlines,

together with all necessary or desirable (a) underground accessories and appurtenances thereto, including without limitation, wires, fibers, cables and other conductors and conduits therefore and (b) above ground pads, transformers, switches, vaults and cabinets, on, over, under, and across certain real property owned by Grantors, located in Tooele County, State of Utah and more particularly described on **Exhibit "A"** attached hereto and as graphically depicted on **Exhibit "B"** attached hereto.

Notwithstanding anything in this Substitute Grant of Easement to the contrary, nothing herein shall prohibit the Grantor from using the Easement or any other real property owned by Grantor adjacent thereto, for any lawful purpose, including, but not limited to any development thereon, so long as such use is not incompatible or inconsistent with the quiet enjoyment of the rights and easements granted herein.

This Substitute Grant of Easement shall be deemed to run with the real properties described on Exhibit "A" and as depicted on Exhibit "B" attached hereto and shall be binding upon and inure to the benefit of the successors and assigns of Grantor.

The provisions of this Substitute Grant of Easement shall be governed by and construed in accordance with the laws of the State of Utah. If any provision of this instrument or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this instrument and the application of such provision to other persons or circumstances shall not be affected thereby and shall be enforced to the extent permitted by applicable by law.

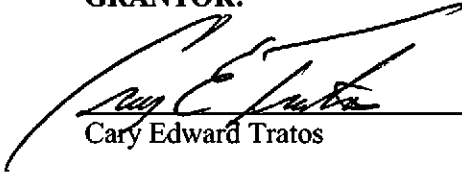
To the fullest extent permitted by law, the Grantor waives any right he may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this Grant of Easement. The Grantor further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

The person signing below hereby represents and warrants that he is authorized to execute this Grant of Easement.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK; SIGNATURES FOLLOW ON NEXT PAGE]

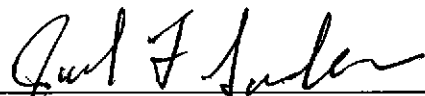
WITNESS the hand of the Grantor this 1 st day of ~~June~~ ^{July}, 2022.

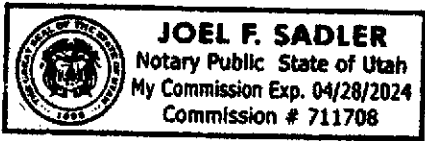
GRANTOR:


Cary Edward Tratos

STATE OF UTAH)
)
COUNTY OF Salt Lake)
 SS:

The foregoing instrument was acknowledged before me this 1 st day of ~~June~~ ^{July}, 2022, by Cary Edward Tratos.


NOTARY PUBLIC
Residing At: Morrisville



My Commission Expires:
4/28/24

WITNESS the hand of the Grantee this 1 day of ~~June~~ ^{July}, 2022.

GRANTEE:

ROCKY MOUNTAIN POWER,
an unincorporated division of PacifiCorp,
an Oregon corporation

By: [Signature]
Print Name: JEFF SHEPHERD

STATE OF UTAH)

:SS

County of Davis)

The foregoing instrument was acknowledged before me this 7 day of ^{July}~~June~~, 2022, by JEFF SHEPHERD, the PROPERTY AGENT of ROCKY MOUNTAIN POWER, an unincorporated division of PacifiCorp, an Oregon corporation.



[Signature]
NOTARY PUBLIC
Residing At: Davis

My Commission Expires:
April 6, 2026

APPENDIX "A"

TO

SUBSTITUTE GRANT OF EASEMENT

**COPY OF ORIGINAL EASEMENT
(WHICH IS BEING TERMINATED AND REPLACED IN ITS ENTIRETY BY THIS
SUBSTITUTE GRANT OF EASEMENT**

[SEE ATTACHED]

Entry #: 557432
10/15/2021 09:38 AM EASEMENT
Page 1 of 5
FEE: \$40.00 BY: FIRST AMERICAN - SALT LAKE ESCROW
Jerry Houghton, Tooele County, Recorder

When Recorded, please return to:
Rocky Mountain Power
Lisa Louder/Lisa Baker
1407 West North Temple Ste. 110
Salt Lake City, UT 84116

Tooele County Tax Parcel No.: a portion of 04-070-0-0021

GRANT OF EASEMENT

13th THIS GRANT OF EASEMENT ("GRANT OF EASEMENT") is entered into this day of October, 2021, by **CARY EDWARD TRATOS** (the "Grantor"), whose address is 4886 Choctaw, West Valley City, Utah 84120, in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants, sells, bargains, conveys and warrants, by all claiming by through or under Grantors but not otherwise, to **ROCKY MOUNTAIN POWER, an unincorporated division of PacifiCorp, an Oregon corporation** ("Grantee"), whose address is 1407 West North Temple, Suite 110, Salt Lake City, Utah, 84116, a perpetual, non-exclusive easement (the "Easement"), solely for the purpose of the construction, reconstruction, operation, maintenance, repair, replacement, and removal of buried or underground electric powerlines, together with all necessary or desirable (a) underground accessories and appurtenances thereto, including without limitation, wires, fibers, cables and other conductors and conduits therefore and (b) above ground pads, transformers, switches, vaults and cabinets, on, over, under, and across certain real property owned by Grantors, located in Tooele County, State of Utah and more particularly described on Exhibit "A" attached hereto and as graphically depicted on Exhibit "B" attached hereto.

Notwithstanding anything in this Grant of Easement to the contrary, nothing herein shall prohibit the Grantor from using the Easement or any other real property owned by Grantor adjacent thereto, for any lawful purpose, including, but not limited to any development thereon, so long as such use is not incompatible or inconsistent with the quiet enjoyment of the rights and easements granted herein.

This Grant of Easement shall be deemed to run with the real properties described on Exhibit "A" and as depicted on Exhibit "B" attached hereto and shall be binding upon and inure to the benefit of the successors and assigns of Grantor.

The provisions of this Grant of Easement shall be governed by and construed in accordance with the laws of the State of Utah. If any provision of this instrument or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this instrument and the application of such provision to other persons or

WITNESS the hands of the Grantor this ___ day of October, 2021.

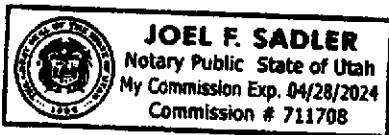
GRANTOR:

[Handwritten Signature]
 Cary Edward Tratos

STATE OF UTAH)
 ss :
 COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 13 day of October, 2021, by Cary Edward Tratos.

[Handwritten Signature]
 NOTARY PUBLIC
 Residing At: Centerville UT



My Commission Expires:

4/28/24

EXHIBIT "A"
TO
GRANT OF EASEMENT
LEGAL DESCRIPTION
OF
EASEMENT

An easement located in Tooele County, State of Utah, being more particularly described as follows:

Beginning at the southwest corner of that certain property conveyed to Kennecott Utah Copper Corporation (KUCC), recorded in the office of the Tooele County Recorder as Entry No. 47580, said point also being the southeast corner of that certain property conveyed to HPT TA Properties Trust, recorded in said office as Entry No. 279199, said point also being on the north line of that certain property conveyed to Cary Edward Tratos, recorded in said office as Entry No. 93664, said point lies South 00°16'05" West along the section line 132.00 feet and North 89°43'55" West along said north line of said Tratos property and its extension and the south line of said KUCC property and its extension 1,158.94 feet from the East Quarter Corner of Section 35, Township 1 South, Range 4 West, Salt Lake Base and Meridian (basis of bearing being South 00°16'05" West between the East Quarter corner and the Southeast Corner of Section 35, T1S, R4W, SLB&M), and running thence South 89°43'55" East along said north line of said Tratos property and said south line of said KUCC property 11.00 feet; thence South 00°16'05" West 15.00 feet; thence North 89°43'55" West 46.00 feet; thence North 00°16'05" East 15.00 feet to said north line of said Tratos property and the south line of said HPT TA Properties Trust property; thence South 89°43'55" East along said north and south lines 35.00 feet to the point of beginning.

Containing 690 square feet or 0.016 acres.

Tooele County Tax Parcel No.: a portion of 04-070-0-0021

EXHIBIT "B"
TO
GRANT OF EASEMENT
GRAPHIC DEPICTION OF EASEMENT
[SEE ATTACHED]

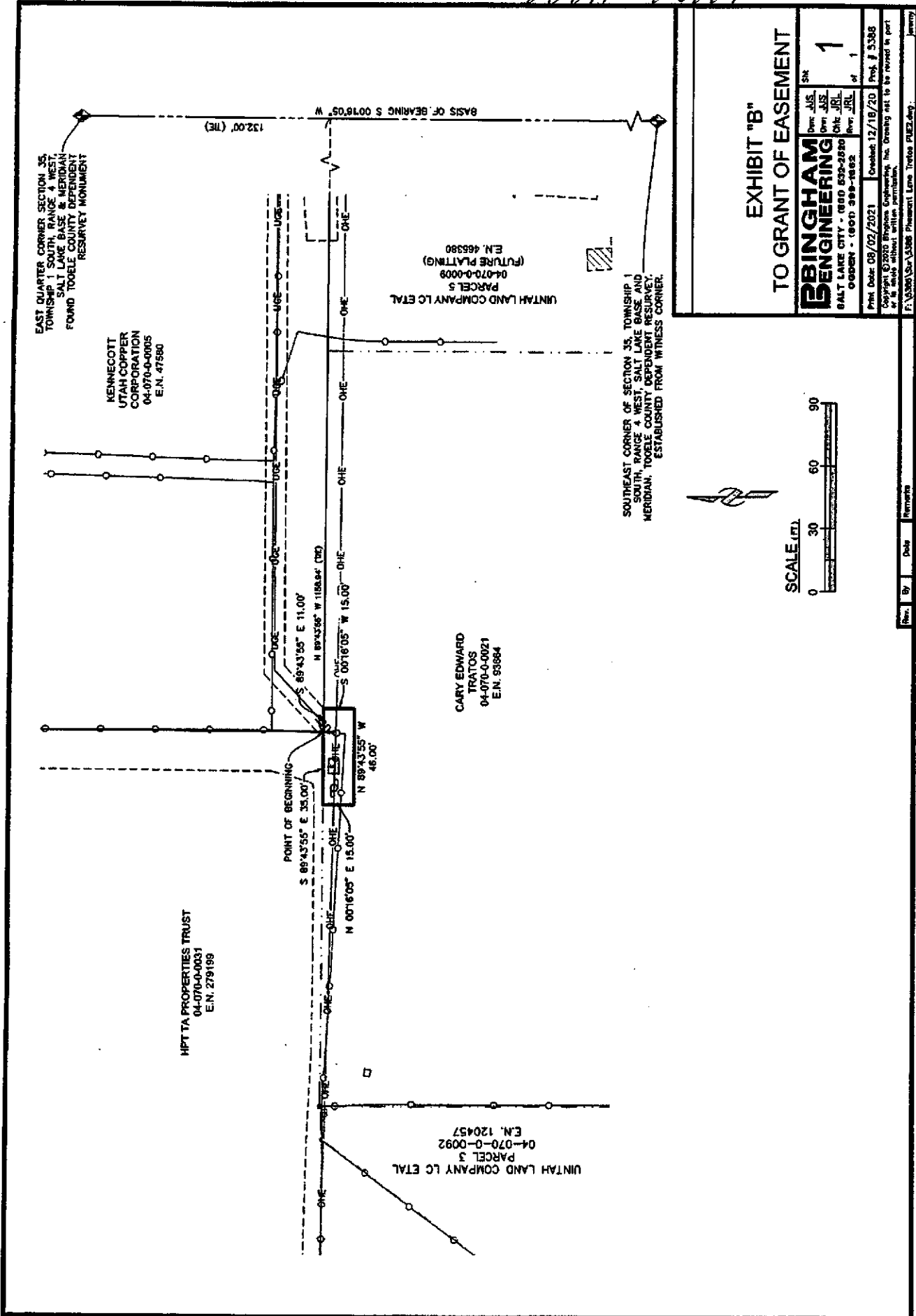


EXHIBIT "A"
TO
SUBSTITUTE GRANT OF EASEMENT

**LEGAL DESCRIPTION
OF
EASEMENT**

An easement located in Tooele County, State of Utah, being more particularly described as follows:

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Containing 690 square feet or 0.016 acres.

Tooele County Tax Parcel No.: a portion of 04-070-0-0021

EXHIBIT "B"
TO
SUBSTITUTE GRANT OF EASEMENT

GRAPHIC DEPICTION OF EASEMENT
[SEE ATTACHED]

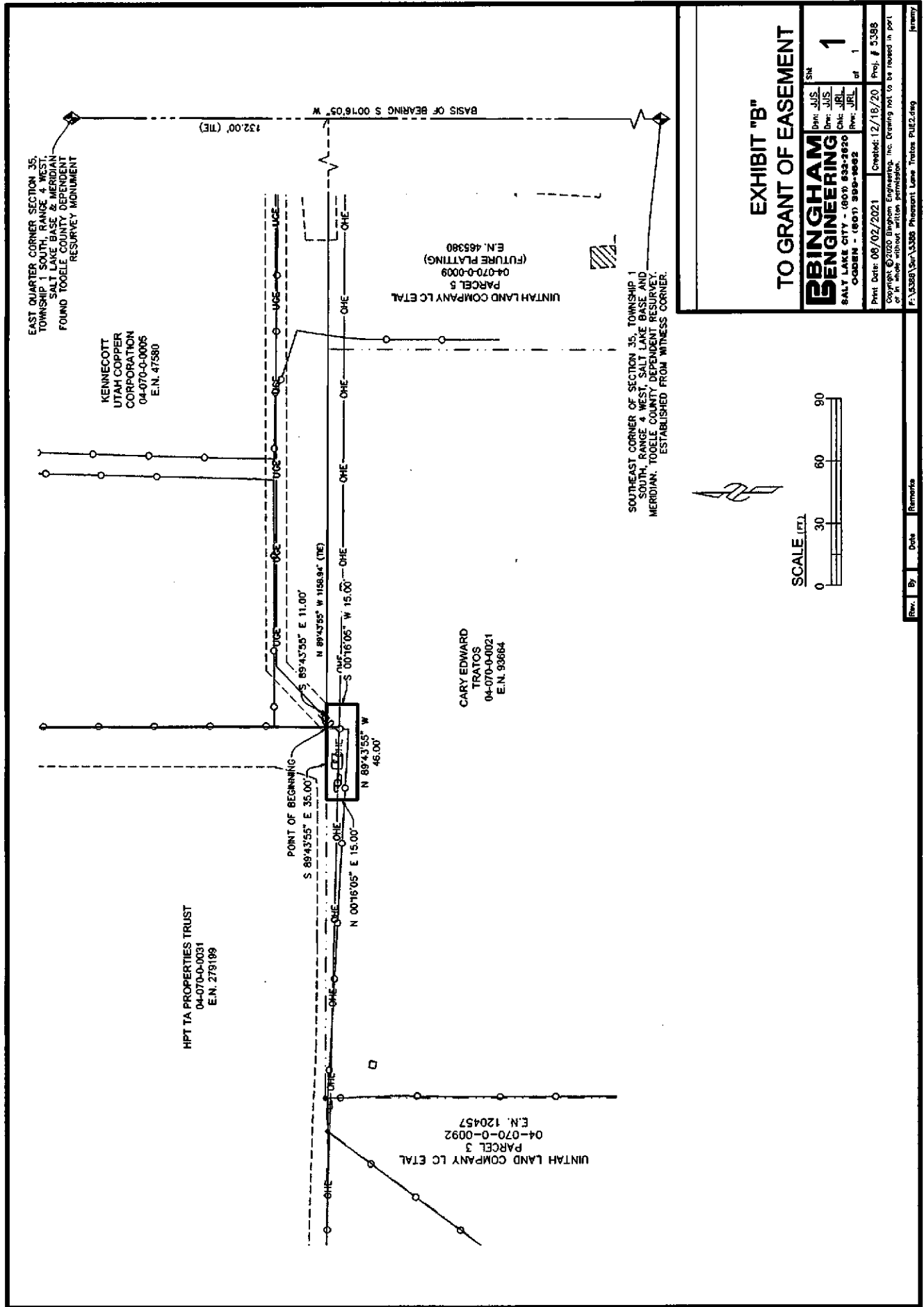


EXHIBIT "B" TO GRANT OF EASEMENT

P. BINGHAM ENGINEERING 8451 LAKE CITY - (801) 633-3030 COBBLEN - (801) 399-9602	Shk	1
	Date: 08/02/2021 Created: 12/18/20 Proj. # 5388	Date: JUS Date: JUS Date: JRI Date: JRI

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 P:\5388\5388 Phosphate Lane Tractor PUE2.dwg

Rev.	By	Date	Remarks