

DIST BF 1-97

Return to: \_\_\_\_\_

RC: \_\_\_\_\_ WO: 1779707

### **DISTRIBUTION RIGHT OF WAY EASEMENT**

For value received, Upper BC Partnership, a Pa. limited partnership (Grantor) hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns (Grantee), an easement for a right of way 10 feet in width for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power distribution lines and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guys and anchors, including guys and anchors outside of the right of way; wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, vaults and cabinets, along the general course now located by Grantee on, over or under the surface of the real property of Grantor in Summit County, State of Utah, more particularly described as follows or as more particularly described and/or shown on Exhibit "A" attached hereto and by this reference made a part hereof:

A right of way 10 feet in width, being 5 feet on each side of the following described survey line:

Beginning at the westerly boundary fence of the Grantor's land at a point 561 feet north and 1072 feet east, more or less, from the southwest corner of Section 29, T.1 S., R.5 E., S.L.M., thence N.68°11'E. 60.0 feet, more or less, to the northerly boundary fence of said land and being in the SW1/4 of the SW1/4 of said Section 29.

Assessor's Map No. \_\_\_\_\_ Tax Parcel No. SS-78-12

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 and adjacent lands clear of all brush, trees, timber, structures and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor erect or permit the erection of any buildings or structures of any kind or nature, or place or use or permit any equipment or material of any kind that exceeds 12 feet in height, or light any fires, or place or store any flammable materials (other than agricultural crops), on or within the boundaries of the right

---

\* But Grantor does not represent, warrant, accept or admit accuracy of title, title lines, or other data contained in or inferred from Exhibit "A" or the description that follows.

**00616897 Bk01445 Pg01752-01754**

gary\2000easements\01779707.8

1

ALAN SPRIGGS, SUMMIT CO RECORDER  
2002 APR 23 11:32 AM FEE \$14.00 BY DMG  
REQUEST: PACIFICORP

of way. Subject to the foregoing limitations, the surface of the right of way may be used for roads, agricultural crops and other purposes not inconsistent 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; and this easement shall terminate if and when Grantee shall have abandoned all use of the right of way and no longer has any future need therefor.

Signed this 18th day of May, 2001.

Upper BC Partnership

By: Michael M. Dean

Michael M. Dean  
General Partner

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_  
County of \_\_\_\_\_ ss.

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_

Notary Public  
My Commission Expires \_\_\_\_\_

**PARTNERSHIP ACKNOWLEDGMENT**

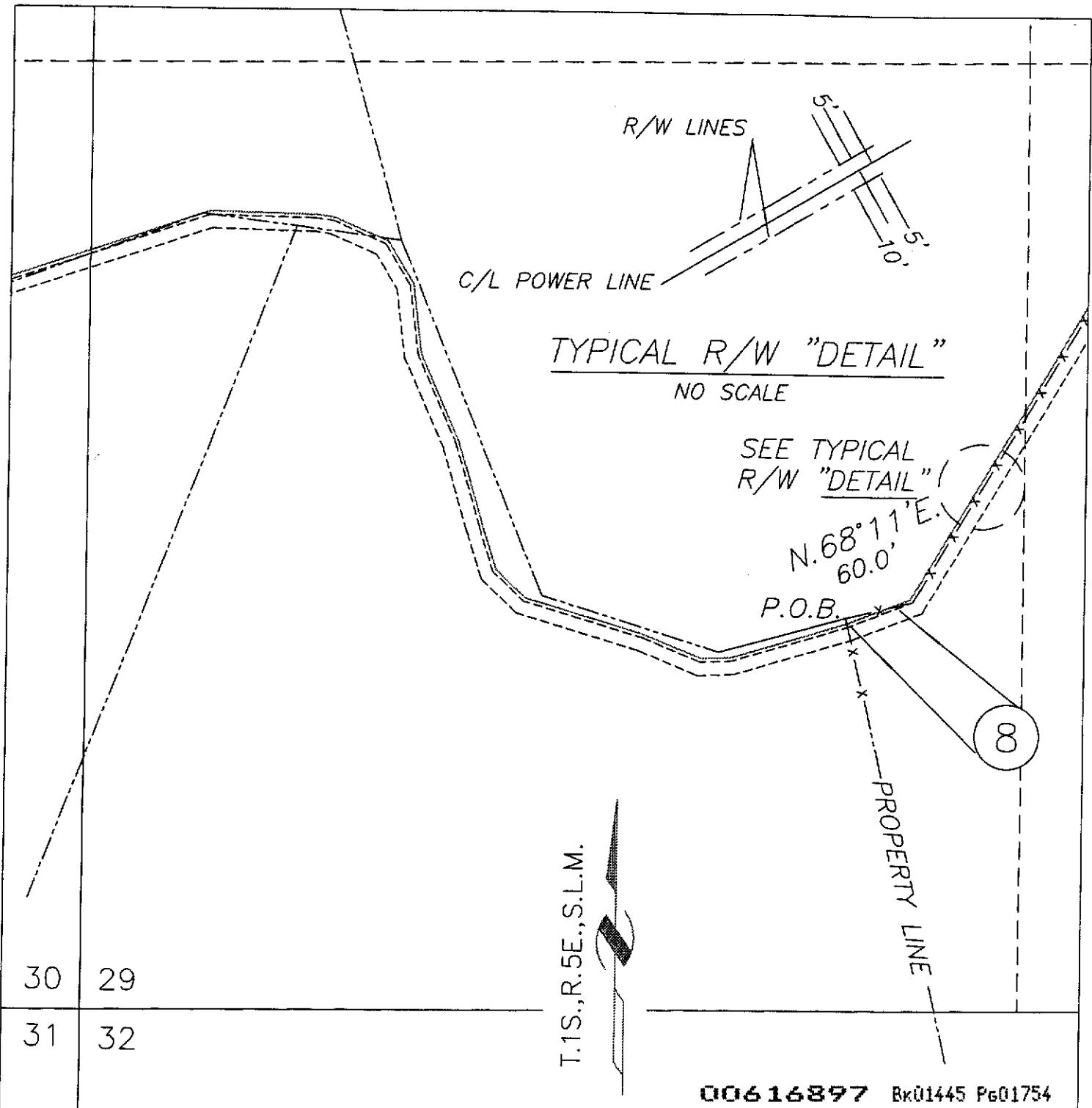
STATE OF PENNSYLVANIA )  
ss.  
County of Philadelphia )

On the 18th day of MAY, 2001, personally appeared before me Michael M. Dean, who being by me duly sworn, did say that he is a general partner of Upper BC Partnership, a Pennsylvania limited partnership, and duly acknowledged to me that he is authorized to sign the foregoing instrument on behalf of said partnership and that he executed the same on behalf of said partnership.

Johanna M. Kucinski  
Notary Public

My Commission Expires \_\_\_\_\_

NOTARIAL SEAL  
JOHANNA M. KUCINSKI, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires March 28, 2005



NOVEMBER 27, 2000	<b>EXHIBIT "A"</b> DISTRIBUTION LINE TO SERVE TOMMY KIRCHOFF EASEMENT NO.8 BROWNS CANYON, PEOA, SUMMIT COUNTY, UTAH		
SPONSOR: LAYNE SARGENT			
SURVEYED BY: U.P.&L.			
DRAWN BY: PIZZA			
CHECKED BY:			
PLOT SCALE: 1 = 1			
CAD No: R:\ROW\00731Y00.DWG			
APPROVAL RONALD G. OLSEN <i>RGO</i> SUPERVISOR RIGHT OF WAY DESIGN	<b>PACIFICORP</b> PROPERTY MANAGEMENT SCALE: 1" = 200' SHEET 1 OF 1 WO 1779707 REV.		

*mark*