

WHEN RECORDED MAIL TO:
Rosenberg Associates
Attn: Rob Reid
352 East Riverside Drive, Suite A2
St. George, Utah 84790

00730729 Ek 1421 Ps 0448
RUSSELL SHIRTS * WASHINGTON CO RECORDER
2001 AUG 07 15:14 PM FEE \$1.00 BY RS
FOR: ST GEORGE CITY - ATTORNEY

Overhead Power Easement

The Plantations at St. George L.L.C. and J. Burton & Evelyn H. Burgess Trustees, Grantors, of St. George, Washington County, State of Utah, hereby GRANTS AND CONVEYS to the City of St. George, a Utah Municipal Corporation, at 175 East 200 North, St. George, Utah 84770, Grantee, for the sum of Ten Dollars, a temporary easement exclusively for overhead power purposes, upon property in Washington County, Utah, for the purpose of constructing thereon an overhead power line and appurtenant parts thereof. No other public or private utilities may be located within the easement without the express written consent of the Grantors.

Said Overhead Power Easement is a 15-foot wide easement as shown by a drawing prepared by Rosenberg Associates titled POWER EASEMENT PLAT TO FUTURE BURGESS WELL, Rosenberg Associates Job Number 1760-7, File Number 1760-7PWR.dwg, dated Jan. 10, 2001. The basis of bearings of this easement is the North Section Line of Section 35, Township 42 South, Range 16 West of the Salt Lake Base and Meridian from the North 1/4 Corner to the Northwest Corner. The bearing is North 88°21'36" West and measures 2654.30 feet, corner to corner, based on the City of St. George Horizontal Control Network (HCN), dated August 3, 1998. Refer to the attached Exhibit A.

The following is a centerline description of the said 15-foot wide power easement, having 7.50 feet on each side of the centerline. All distances used in the following legal description are ground distances, all bearings used are HCN bearings. The side lines of this easement shall be lengthened or shortened as necessary to eliminate all gaps and overlaps at the beginning, end, and along said easement:

Beginning at a point which is North 88°21'36" West 1283.26 feet along the North Section Line of Section 35, Township 42 South, Range 16 West, Salt Lake Base and Meridian and South 01°38'24" West 2656.18 feet from the North 1/4 Corner of said Section 35; thence South 01°30'33" East 523.99 feet along the East Boundary Line of the property owned by The Plantations at St. George, L.L.C., as per book 1112, pages 655-657, of the Washington County Records Office, State of Utah; thence South 33°33'06" West 1001.17 feet to the point of termination.

Said overhead power and appurtenant parts thereof shall be constructed within the above described easement for the purpose of constructing and maintaining an overhead powerline across Grantors' land at the location described above. The City of St. George (Grantee) covenants and agrees to accept ownership of and maintain said overhead power, and appurtenant parts. Said overhead power easement is temporary only. Said Easement shall expire at the time that permanent underground power is installed to the Burgess well site and permanent easements are recorded for said permanent power.

Grantee agrees to survey the location of said easement prior to construction. Grantee agrees to install the overhead power and appurtenant parts thereof in such a manner as will reasonably cause the least possible damage or injury to Grantors' land, and will restore the land to substantially the same condition as exists immediately prior to Grantee's entry thereon.

Grantee shall have the right to enter upon Grantors' land for the purpose of maintaining, repairing, and replacing the overhead power and appurtenant parts thereof and will, immediately after such entry, restore said land to its condition as exists immediately prior to such entry. Grantor shall have the right to use the property affected by this easement for any purpose or use, so long as such use by Grantor does not interfere with or restrict Grantee's use of the said property as provided herein.

15-Foot Wide Overhead Power Easement

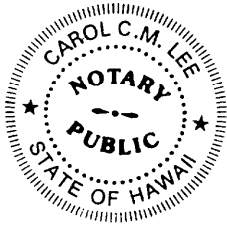
GRANTOR:

The Plantations at St. George, L.L.C.

Wesley K. Saito
Manager/Member

Limited Liability Company Acknowledgment

On the 4th day of March, 2001, personally appeared before me Wesley K. Saito, who being by me duly sworn did say that he/she is the manager/member of The Plantations at St. George, L.L.C. and that he/she executed the foregoing Overhead Power Easement in behalf of said limited liability company being authorized and empowered to do so by the operating agreement of The Plantations at St. George, L.L.C., and he/she did duly acknowledge to me that such limited liability company executed the same for the uses and purposes stated therein.



Carol CM Lee
Notary Public, State of Hawaii
Carol CM Lee
My commission expires: 11/8/03

GRANTOR:

00730729 Bk 1421 Pg 0450

The Plantations at St. George, L.L.C.

Manager/Member

Limited Liability Company Acknowledgment

On the ____ day of _____, 20____, personally appeared before me _____, who being by me duly sworn did say that he/she is the manager/member of The Plantations at St. George, L.L.C. and that he/she executed the foregoing Overhead Power Easement in behalf of said limited liability company being authorized and empowered to do so by the operating agreement of The Plantations at St. George, L.L.C., and he/she did duly acknowledge to me that such limited liability company executed the same for the uses and purposes stated therein.

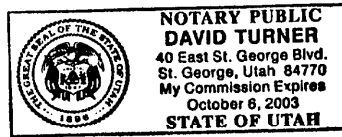
Notary Public

GRANTOR:

J. Burton and Evelyn H. Burgess Trust

J. Burton Burgess
J. Burton Burgess, trustee

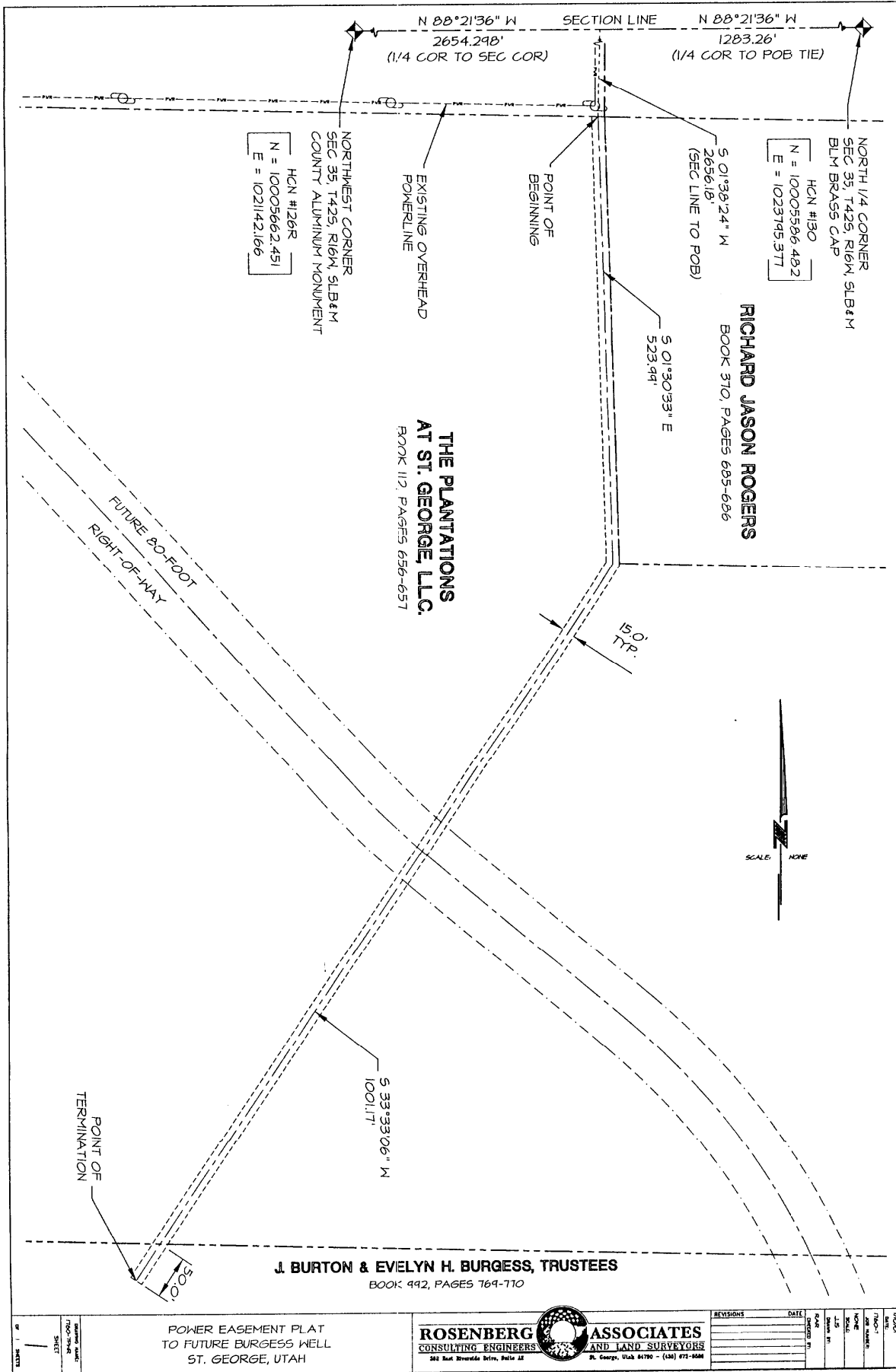
Evelyn H. Burgess
Evelyn H. Burgess, trustee



Trust Acknowledgment

On the 4th day of May, 2001, personally appeared before me J. Burton and Evelyn H. Burgess, who being by me duly sworn did say that they are the trustees of the J. Burton and Evelyn H. Burgess Trust and that they executed the foregoing Overhead Power Easement in behalf of said trust being authorized and empowered to do so by the trust agreement of the J. Burton and Evelyn H. Burgess Trust, and they did duly acknowledge to me that such trust executed the same for the uses and purposes stated therein.

David Turner
Notary Public



HCN #126R
 N = 10005662.451
 E = 10211421.166

HCN #130
 N = 10005586.482
 E = 1023745.377

**THE PLANTATIONS
 AT ST. GEORGE, LLC.**
 BOOK 112, PAGES 656-657

RICHARD JASON ROGERS
 BOOK 370, PAGES 685-686

J. BURTON & EVELYN H. BURGESS, TRUSTEES
 BOOK 492, PAGES 764-770



POWER EASEMENT PLAT
 TO FUTURE BURGESS WELL
 ST. GEORGE, UTAH

ROSENBERG ASSOCIATES
 CONSULTING ENGINEERS AND LAND SURVEYORS
 218 East Broadway Drive, Suite 112
 St. George, Utah 84770 • (435) 872-8888

NO.	DATE	REVISIONS

DATE: 11/11/11
 SHEET: 1
 OF: 1 SHEETS