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Please return to:

Lisa Louder/PacifiCorp/Utah Power
1407 WN Temple, Site 110
Property Management
Salt Lake City, Utah 84116
WO: 1892408.68

8372144
10/01/2002 12:08 PM 14.00
Book - 8658 Pg - 6411-6413
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
PACIFIC POWER
1407 WN TEMPLE STE.110
SLC UT 84116
BY: RDJ, DEPUTY - MA 3 P.

8372144

RIGHT OF WAY EASEMENT

For value received, Nova Development Inc.
("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way six (6) feet in width and 78 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guys and anchor, 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 Salt Lake 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:

A right of way over the westerly six (6) feet of the Grantor's land being six (6) feet easterly of and adjacent to the following described westerly boundary line of the Grantor's land:

Beginning at the southwest corner of the Grantor's land at a point 479 feet north and 827 feet east, more or less, from the southwest corner of Section 28, T. 1 S., R. 1 E., S.L.M., thence Northwesterly 78 feet, more or less, along the westerly boundary line of said land said boundary line also being the easterly right of way line of Highland Drive to the northwest corner of said land and being in the SW 1/4 of the SW 1/4 of said Section 28.

Assessor's Map No. 16-33 Tax Parcel No 16-28-354-002

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, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place, use or permit any equipment or material of any kind that exceeds twelve (12) feet in height, light any fires, place or store any flammable materials (other than agricultural crops), on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of

BK 8658 PG 64 IIII

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.

DATED this 23rd day of Sept, 2002.

Thomas Frank _____ Grantor(s)
_____ Grantor(s)
_____ Grantor(s) _____ Grantor(s)

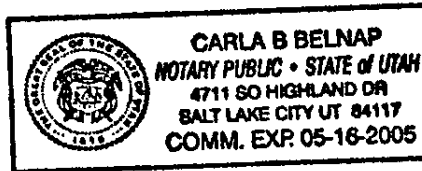
REPRESENTATIVE ACKNOWLEDGMENT

STATE OF Utah)

SS.

County of Salt Lake)

This instrument was acknowledged before me on this 23 day of Sept, 2002, by THOMAS FRANK, as owner of property.



Carla B Belnap Notary Public

My commission expires: 5-16-2005.

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3350 SOUTH

SW 1/4 of the SW 1/4
SECTION 28

68 NOVA DEVELOPMENT
INC.
1628354002

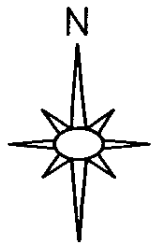
HIGHLAND DRIVE

NORTHWESTERLY
78.0'

200.0'
N.15°14'W.

223.7'

T.1S., R.1E., S.1M.



AUGUST 16, 2002
SPONSOR: W. CARTER
SURVEYED BY: U.P.&L.
DRAWN BY: W.T.L.
CHECKED BY:
PLOT SCALE: 1 = 1
CAD No: R:\ROW\HIGHLANDDRFINAL

EXHIBIT "A"

OVERHEAD DISTRIBUTION LINE RELOCATION
HIGHLAND DRIVE 3300 SO. TO 4500 SO.
CROSSING NOVA DEVELOPMENT INC. PROPERTY
SALT LAKE CITY, SALT LAKE COUNTY, UTAH



METRO AREA

APPROVAL
JERRY H. ISAACSON

LEAD SENIOR ENGINEER CIVIL & LINE LOCATION

SCALE: 1" = 40'

SHEET 1 OF 1

WO 1892408

REV.

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