

18
4

REV05042015

Return to:
Rocky Mountain Power
Lisa Louder/Jemar
1407 West North Temple Ste. 110
Salt Lake City, UT 84116

E 3113187 B 7085 P 859-862
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
08/24/2018 01:15 PM
FEE \$18.00 Pgs: 4
DEP RT REC'D FOR ROCKY MOUNTAIN POW
ER

Project Name: SKY11 KOBALT CONST. TRUCK WAREHOUSE 480V
WO#: 6523682
RW#:

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **MAVERIK INC**, (“Grantor”), hereby grants Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, (“Grantee”), an easement for a right of way 10 feet in width and 424 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement and removal of underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, and vaults on, across, or under the surface of the real property of Grantor in **Davis** 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:

Legal Description: PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 10 FOOT WIDE UNDERGROUND POWER LINE EASEMENT FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT, SAID POINT BEING S89°56'39"E ALONG THE SECTION LINE, 1074.98 FEET AND S00°03'21"W 930.98 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 26; THENCE S06°10'58"E 216.83 FEET; THENCE S16°48'27"E 206.36 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF 1500 SOUTH STREET AND THE POINT OF TERMINUS. SIDES OF SAID EASEMENT EXTEND TO OR TERMINATE AT GRANTOR'S PROPERTY LINE.

CONTAINING 4,232 SQUARE FEET OR 0.097 ACRES

Assessor Parcel No. 06-076-0005 & 06-076-0049

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 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 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.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party 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.

If and when the utility for which this easement has been created is removed, this easement may be terminated at the request of Grantor.

Dated this 8th day of August, 2018.

MAVERIK INC

06-076-0005 & 06-076-0049

Lance Binkley
Signature

VP Real Estate
Title

STATE OF Utah)
) ss.
County of Davis)

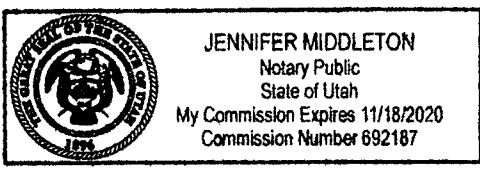
On this 8th day of August, 2018, before me, the undersigned Notary Public in and for said State, personally appeared Lance Dinkley (name), known or identified to me to be the VP Real Estate (president / vice-president / secretary / assistant secretary) of the corporation, or the (manager / member) of the limited liability company, or a partner of the partnership that executed the instrument or the person who executed the instrument on behalf of Maverik, Inc. (entity name), and acknowledged to me that said entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]

(notary signature)

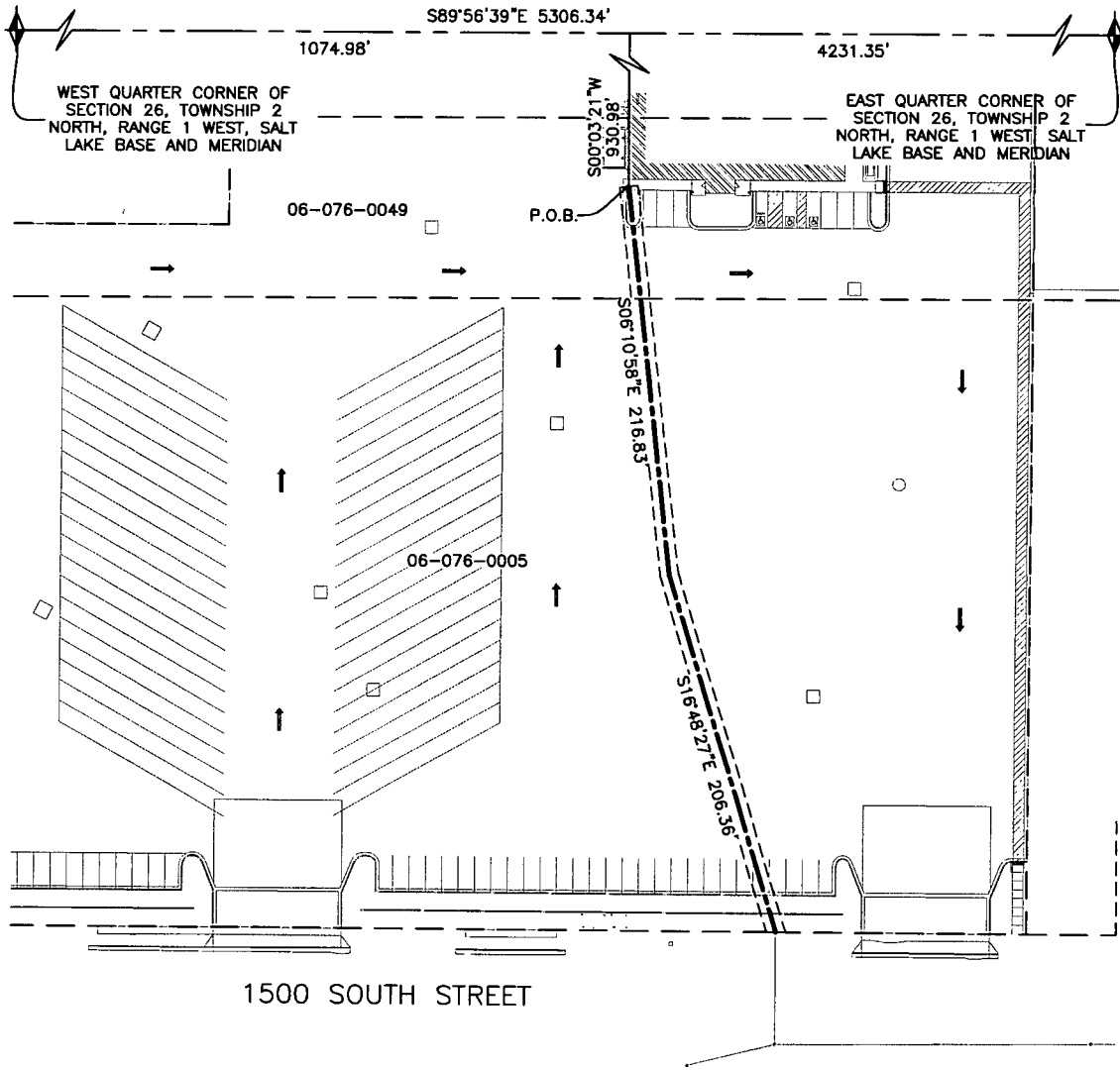
NOTARY PUBLIC FOR Utah (state)
Residing at: Clearfield UT (city, state)
My Commission Expires: 11/18/20 (d/m/y)





Property Description

Quarter: _____ Quarter: **SW** Section: **26** Township **2N** (N or S),
Range **1W** (E or W), **SALT LAKE** Meridian
County: **DAVIS** State: **UTAH**
Parcel Number: **06-076-0005 & 06-076-0049**



CC#: WO#:
Landowner Name: **MAVERIK, INC.**
Drawn by: **NKA**

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

EXHIBIT A



SCALE: **1"=100'**