

REV05042015
Return to:
Rocky Mountain Power
Lisa Louder/Kristy Harris
1407 West North Temple Ste. 110
Salt Lake City, UT 84116

E 3306940 B 7622 P 542-545
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
10/22/2020 11:49 AM
FEE \$40.00 Pgs: 4
DEP RT REC'D FOR ROCKY MOUNTAIN POW
ER

Project Name: SimonCRE, JC ASU V, LLC
WO#: 6805505
RW#:

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, SimonCRE JC ASU V, LLC, an Arizona limited liability company ("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 115 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, 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: BEG 5 CHAINS W & S 00°48'10" W 33.00 FT FR NE COR SEC 18-T4N-R2W, SLM; S 231.00 FT, M/L, TO A PT 1.98 FT W OF POB OF BNDRY LINE AGMT RECORDED 08/16/2007 AS E# 2298074 BK 4347 PG 1463; TH E 1.98 FT TO POB OF SD BNDRY LINE AGMT; TH ALG SD AGMT THE FOLLOWING 2 COURSES & DIST: S 0°08'28" W 61.50 FT ALG A FENCE & N 89°32'10" W 132.00 FT ALG A FENCE TO A PT ON BNDRY LINE AGMT RECORDED 08/16/2007 AS E# 2298075 BK 4347 PG 1467; TH ALG SD LINE S 0°00'11" W 8.17 FT; TH W 1.39 FT; TH N 231.00, M/L, TO A PT W OF THE POB; TH S 89°11'50" E 132.00 FT TO BEG. CONT. 0.882 ACRES (NOTE: THIS REMAINING LEGAL WAS WRITTEN IN THE DAVIS COUNTY RECORDER'S OFFICE FOR I.D. PURPOSES. IT DOES NOT REFLECT A SURVEY OF THE PROPERTY.)

Assessor Parcel No. 120920146

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 or store any flammable materials (other than agricultural crops), or light any fires, 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.

Dated this 13th day of October, 2020.



SimonCRE JC ASU V, LLC GRANTOR

SimonCRE JC ASU V, LLC GRANTOR

Acknowledgment by a Corporation, LLC, or Partnership:

STATE OF Arizona)
County of Maricopa) ss.

On this 13th day of October, 2020, before me, the undersigned Notary Public in and for said State, personally appeared Joshua Simon (name), known or identified to me to be the manager (~~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 LLC (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.

Roxanne Knight
(notary signature)



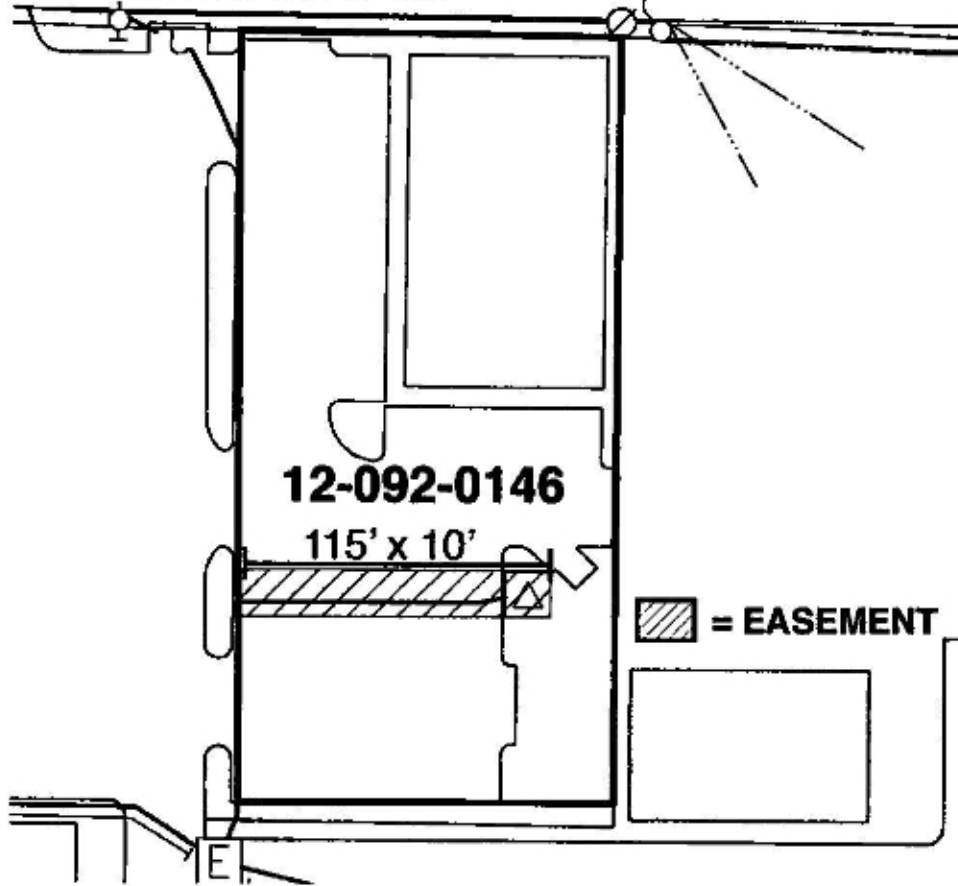
NOTARY PUBLIC FOR Arizona (state)
Residing at: Phoenix AZ (city, state)
My Commission Expires: 1-31-23 (d/m/y)

Property Description

Quarter: NE Section: 16 Township: 4N, Range: 2W, Salt
Lake Meridian
County: Devis State: Utah
Parcel Number: 120920146



ANTELOPE DRIVE (1700 SOUTH)
STATE ROAD 127



CCR: 11458 WOP: 6809505

Landowner Name: BlinCore JC ASU V, LLC

Drawn by: Kristy Harris

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: _____