

**NOTICE OF EASEMENT**

Ent 297147 Bk 831 Pg 203-204  
Date: 22-FEB-2006 1:42PM  
Fee: \$12.00 Check Filed By: MWC  
ELIZABETH PALMIER, Recorder  
WASATCH COUNTY CORPORATION  
For: DUNBECK 105

TO WHOM IT MAY CONCERN: Please take notice that Heber Light and Power whose business address is 31 South 100 West, Heber City, UT 84032, claims an easement by prescription for its overhead power line and its associated facilities located in the County of Wasatch, State of Utah, more particularly described as follows:

**A right of way along the following described line:**

Being on an existing Right of Way on the Grantor's west property line. Said Right of Way described as follows; Beginning at a point on the Northerly line of an existing Public Highway, said point being East 1006.50 feet, South 896.30 feet and East 165 feet, more or less from the Northeast corner of the Southeast ¼ of Section 35, T. 3 S., R. 4 E., S.L.M., thence North 896.30 feet more or less, East 40 feet, South 896.30 feet more or less to North line said Public Highway, thence West 40 feet to point of beginning; and being in the SE ¼ of said Section 35, said easement to be further described by the as-built construction of the existing power line on the Grantor's land.

**See attached Affidavit Exhibit "A".**

DATED this 22 day of December 2005

Heber Light and Power

By Craig Broussard  
Craig Broussard (General Manager)

STATE OF Utah  
COUNTY OF Wasatch : SS

On the 1<sup>st</sup> day of February, 2006, personally appeared before me Craig Broussard, the signer of the foregoing and within instrument, who duly acknowledged to me that he/she executed the same.

My Commission Expires 7/26/08

Karly Schindler  
NOTARY PUBLIC

541.doc (Chad & Barbara Thacker OMI-0531-0, OMI-0529-1, OMI-0532-0 & OMI-0529-0)  
(Joseph & Kristi Ballstaedt OMI-0528-0 & OMI-0528-1)  
(Jacob C & Alisa Pella OMI-0530-0)



KARLY SCHINDLER  
Notary Public, State of Utah  
My Commission Expires  
July 26, 2008  
175 N. Main St. Ste 102  
Heber City, UT, 84032

Exhibit "A"

AFFIDAVIT

STATE OF Utah )
COUNTY OF Wasatch ) : SS.

I, Troy Klungervik, being first duly sworn upon oath, deposes and states as follows:

- 1. That my name is Troy Klungervik.
2. That I am over the age of twenty-one years, a citizen of the United States of America, and a resident of Wasatch County.
3. That I was employed by Heber Light & Power as a Lineman and have been involved with Heber Light & Power for 24 years.
4. That I am familiar with Heber Power & Light's Power Line know as PR201 CIRCUIT 700E MAIN NORTH BRANCH described in the foregoing Notice of Easement, which is located in Wasatch County & Heber City.
5. That I have personally inspected said facilities and have verified through Company records that said facilities have been existing in their present location, unchanged, for over 20 years.
6. That to my knowledge and to the best of my personal belief and knowledge, the subject facilities have remained in their present location, undisturbed, open and notorious, for longer than 20 years.

DATED this 25 day of JAN. 2006.

Troy Klungervik (signature)

Subscribed and sworn to before me this 18 day of February, 2006.

My Commission Expires: 7/26/08

NOTARY PUBLIC

Karly Schindler (signature)

Residing at:

175 N. Main #102, Heber, UT

