

NOTICE OF EASEMENT

Ent 285549 Bk 768 Pg 232-233
Date: 12-JUL-2005 1:00PM
Fee: \$12.00 Check Filed By: MWC
ELIZABETH PALMIER, Recorder
WASATCH COUNTY CORPORATION
For: DUNBECK & GORDON PC

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:

Beginning on the west boundary line of the Grantor's land that lies 1350 feet South, more or less along the section line and 417 feet East more or less, from the N ¼ corner of Section 3, T. 4 S., R. 4 E., S.L.M., thence East 250 feet more or less to the east boundary line of said land, and being in the NE ¼ of said Section 3, 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 4th day of April 2005

Heber Light and Power

By [Signature]
Craig Broussard (General Manager)

STATE OF Utah
COUNTY OF Wasatch : SS

On the 26th day of April, 2005, 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

[Signature]
NOTARY PUBLIC

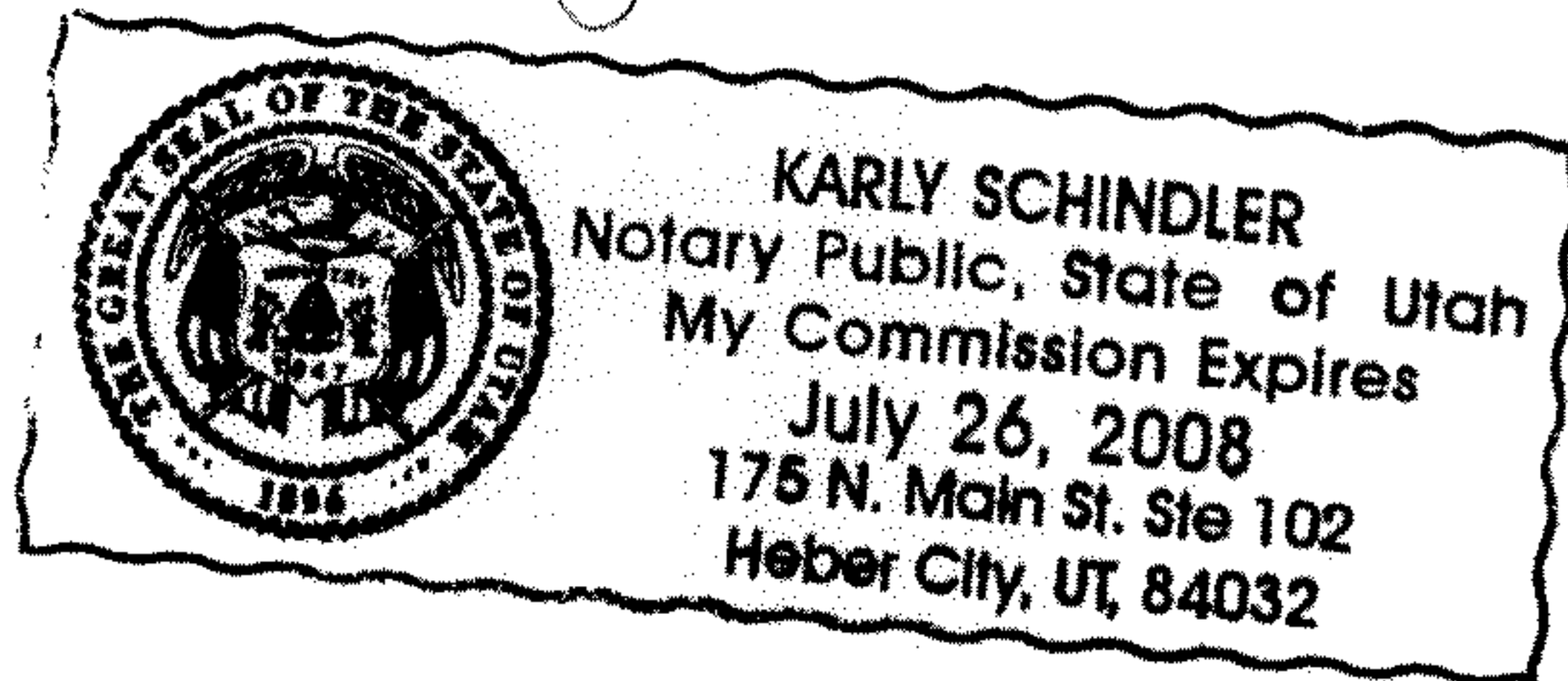


Exhibit "A"

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 NORTH 46 KV LINE 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 13TH day of April 2005.

Troy Klungervik (signature)

Subscribed and sworn to before me this 20th day of April, 2005.

My Commission Expires: 7/26/08
NOTARY PUBLIC

Karly Schindler (signature)

Residing at:

175 N. Main #102 Heber, UT 84032

