20060000883 02/01/2006 03:38:11 PM Washington County

ŘETURN TO: Washington City Attn: City Recorder \ 111 North 100 East Washington, UT 84780 RIGHT-OF WAY EASEMENT DEAN T. TERRY INVESTMENTS LLC, 3/14 INTERES

Lime No. R/W. No. Washington County, Utah

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Dean T. Derry ("Grantor"), for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants, conveys, bargains, sells, and warrants unto Washington City (Grantee"), a municipal corporation whose address is 111 North 100 East Washington Utan 84780, its successors and assigns, a perpetual right-of-way easement on, over, under above and across a strip of land thry seven (57) feet in width, located in Washington County, Utah, described as follows:

Parcel # W-209-B-3

See Exhibit "A" attached which is incorporated herein

to-construct, enlarge, reconstruct, rephase, repair, operate, maintain place, relocate and/or replace (i) electric transmission and distribution lines and facilities, (ii) communication lines and facilities, and (iii) other utthis lines and facilities of any nature, together with such other items as may be necessary or convenient for such uses.

Grantee may cut, trim and control the growth by chemical means, machinery or otherwise all trees, shrubbery, undergrowth and roots and other plants in the easement and clear the easement of all structures, obstructions or other objects that may interfere with or threaten to endanger the lines or facilities placed in the easement.

Grantee shall have a reasonable right of access to the easement from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted.

Grantor agrees that all times and facilities installed in the easement by Grantee shall remain the property of the Grantee, removable at Grantee's option."

Grantor warrants that Grantor is the owner of the real property described herein and that the real property is tree and clear of all encumbrances and liens of whatsoever character.

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Grantor shall have the right to fully use the surface of the casement, except for the purpose of erecting buildings and/or structures within, or starting or maintaining fires within the said easement, so long as such use does not interfere with or threaten to endanger the rights herein granted to, Grantee.

Grantee may release this grant of easement at any time by filing a release of the same with the Washington County Recorder. It is understood that the person securing this grant is without authority from Grantee to make any agreement in respect of the subject matter hereof not herein expressed, all prior or contemporaneous agreements, if any, whether verbal or written, being included herein.

Grantor agrees that, whenever necessary, words used in this instrument in the singular shall be construed to read in the plural.

IN WITNESS WHEREOF, Grantor has executed this instrument this Name STATE OF l 人大為)SS COUNTY OF LOW The foregoing instrument was acknowledged before me this day of

NOTARY PUBLIC

Address: My Commission Expires:

NOTARY PUBLIC DEB WANLASS 🗘 SOUTH 100 EAST ST GEORGE, UT 84770 **XY COMM EXP 05-30-08** STATE OF UTAH

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LEGAL DESCRIPTION OF A POWER LINE EASEMENT ACROSS NUTRATECH INC, ET. AL. PROPERTY IN SECTION 12, TOWNSHIP 12 SOUTH, RANGE IS WEST, SALT LAKE BASE AND MERIDIAN, WASHINGTON CITY, WASHINGTON COUNTY, UTAH.

A strip of land to be used as an Overhead Power Line Easement across Grantor's property within Section 12 of Fownship 42 South, Range 15 West, SLB&M, said easement being 27 feet wide, all on the right (East) side of the following described line:

Beginning at the southwest corner of Grantor's property which is located N 00°05'16" Walong the Section Line 330.58 feet from the Southwest Corner of said Section 12; running thence N 00°05'16" W along the Section Line 820.32 feet to the North line of Grantor's property.

The side lines of the above described easment are to be extended or shortened as necessary to intersect at angle points and/or Grantor's property boundary lines.

The total area within the above described easement is 0.51 Acres (22,311 sf).

TORGERSEN ENGINEERING

379 WEST PAHVANT DRIVE RICHFIELD, UTAH 84701 435-896-8106 960 EAST 900 NORTH MAPLETON, UTAH 84664 801-489-9489

DWG-BY: BET DATE: 12-8-05

EXHIBITOC PAGE I OF 2

OVERHEAD POWER LINE EASEMENT

IN SECTION 12, T 42 S, R (S) N, SLB M, WASHINGTON CITY, WASHINGTON COUNTY, UTAH

