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PacifiCorp c/o Lisa Louder NTO Suite No. 310 1407 West North Temple Salt lake City, Utah 84116

PN No: 20040107 WO No. 2423247 9114115 07/07/2004 02:58 PM 14.00 Book - 9011 P3 - 4449-4451 GARY W. OTT RECORDER, SALT LAKE COUNTY, UTAN UTAH POWER & LIGHT 1407 W NORTH TEMPLE SLC UT 84116-3171 BY: SBM, DEPUTY - WI 3 P.

RIGHT OF WAY EASEMENT

For value received, The Roman Catholic Bishop of Salt Lake City, ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), an easement for a right of way 10 feet in width and 35 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting poles, props, guys and anchors; wires, fibers, cables and other conductors and conduits therefor; as located by Grantee on, over or under the surface of the real property of Grantor in Salt Lake County, State of Utah, 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:

An Easement being that part of the Southeast Quarter of the Northwest Quarter of Section 35, Township 2 South, Range 1 East, Salt Lake Base and Meridian, Described as follows:

Commencing at a point North 89°39'17" West 631.41 feet from the Northeast Corner of said Southeast Quarter of the Northwest Quarter and running South 0°20'43"West 158 feet; and South 80°47'34" East 88.17 feet; and North 72°42'51" East 41.41 feet; and North 67°47'29" East to a point on the Southerly Danish Road Right of Way, said point being the Point of Beginning; thence South 67°47'29" West 35.0 feet; thence South 22°12'31" East 10.0 feet; thence North 67°47'29" East to a point on the Southerly Right of Way of Danish Road, thence Northwesterly along said Danish Road Right of Way to the Point of Beginning and there terminating.

Tax Parcel No. 22-35-176-010

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 and adjacent lands clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

Danish Road-M.Imes

Page 1 of 2

July 6, 2004

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.

Grantee hereby agrees to indemnify, protect, defend and hold harmless Grantor, its successors, and assigns, from claims, liabilities, costs and expenses arising out of any act or omission of Grantee, its successors, and assigns in connection with the construction, operation, or maintenance of Grantee's improvements upon this Easement; provided, however, that this indemnification shall not apply to any claims or liabilities arising from Grantor's negligence.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF <u>UTAU</u>)

SS

County of <u>SALT LAKE</u>)

This instrument was acknowledged before me on this 6 day of 1004, 2004 personally appeared before me Most Revenue 6 H. Niederaue 7, and who by me duly affirmed, did say that he is the The Roman Catholic Bishop of Salt Lake City, and that said document was signed in behalf of The Roman Catholic Bishop of Salt Lake City by authority, and The Roman Catholic Bishop of Salt Lake City, executed the same.



Bustine ann Mulpolland
Notary Public

My commission expires: 10/24/00

Danish Road-M.Imes

Page 2 of 2

July 6, 2004

