

9243359

PLEASE RETURN TO:

Utah Power

Lisa Louder

1407 WN Temple Suite 310

Salt Lake City, Utah 84116

CC#: WO#: *20040210 Jorops.*

9243359

12/08/2004 01:10 PM \$20.00

Book - 9070 Pg - 2211-2216

GARY W. OTT

RECORDER, SALT LAKE COUNTY, UTAH

UTAH POWER & LIGHT

1407 W NORTH TEMPLE

SLC UT 84116-3171

BY: LUG, DEPUTY - WI 6 P.

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, Millpoint Office Condominium ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 15 feet in width and 367.51 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of an underground electric distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, vaults on, across, or under the surface of the real property of Grantor in Salt Lake 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:

A PROPOSED 15.00 FOOT POWERLINE EASEMENT IN FAVOR OF PACIFICORP WITH THE NORTHERLY LINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE MILLPOINTE OFFICE CONDOMINIUM AMENDED PLAT, AS RECORDED WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID POINT BEING NORTH 00°03'09" WEST ALONG THE QUARTER SECTION LINE 755.55 FEET FROM THE CENTER OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 89°25'07" EAST ALONG THE NORTH LINE OF SAID MILLPOINTE OFFICE CONDOMINIUM AMENDED PLAT 367.51 FEET TO THE NORTHEAST CORNER OF SAID MILLPOINTE OFFICE CONDOMINIUM AMENDED PLAT

Assessor's Map No.

Tax Parcel No. *22-23-251-019*

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. Existing trees planted in that area will not be removed now or in the future by the Grantee. Grantee shall be responsible to bring all landscaping within the easement area of Grantor grounds back to their original state and shall not be permitted to place lines above ground.

At no time shall Grantor place, 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.

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

DATED this 30 day of September, 2004.

Mark Malley  
(Grantor)

Greg J. Vance  
(Grantor)

*CHOOSE ONE ACKNOWLEDGEMENT & DELTE THE OTHER*

INDIVIDUAL ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )

ss.

County of \_\_\_\_\_ )

This instrument was acknowledged before me on this \_\_\_\_\_ day of

\_\_\_\_\_, 2\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

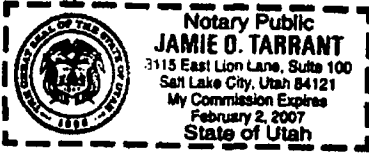
REPRESENTATIVE ACKNOWLEDGMENT

STATE OF Utah )

ss.

County of Salt Lake )

This instrument was acknowledged before me on this 30 day of September  
2004, by Mark Mathy, as  
President of Millpoint Office Condominium



Jamie O. Tarrant  
Notary Public

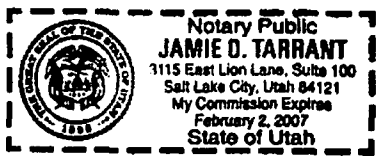
My commission expires: 2/2/07

STATE OF Utah )

ss.

County of Salt Lake )

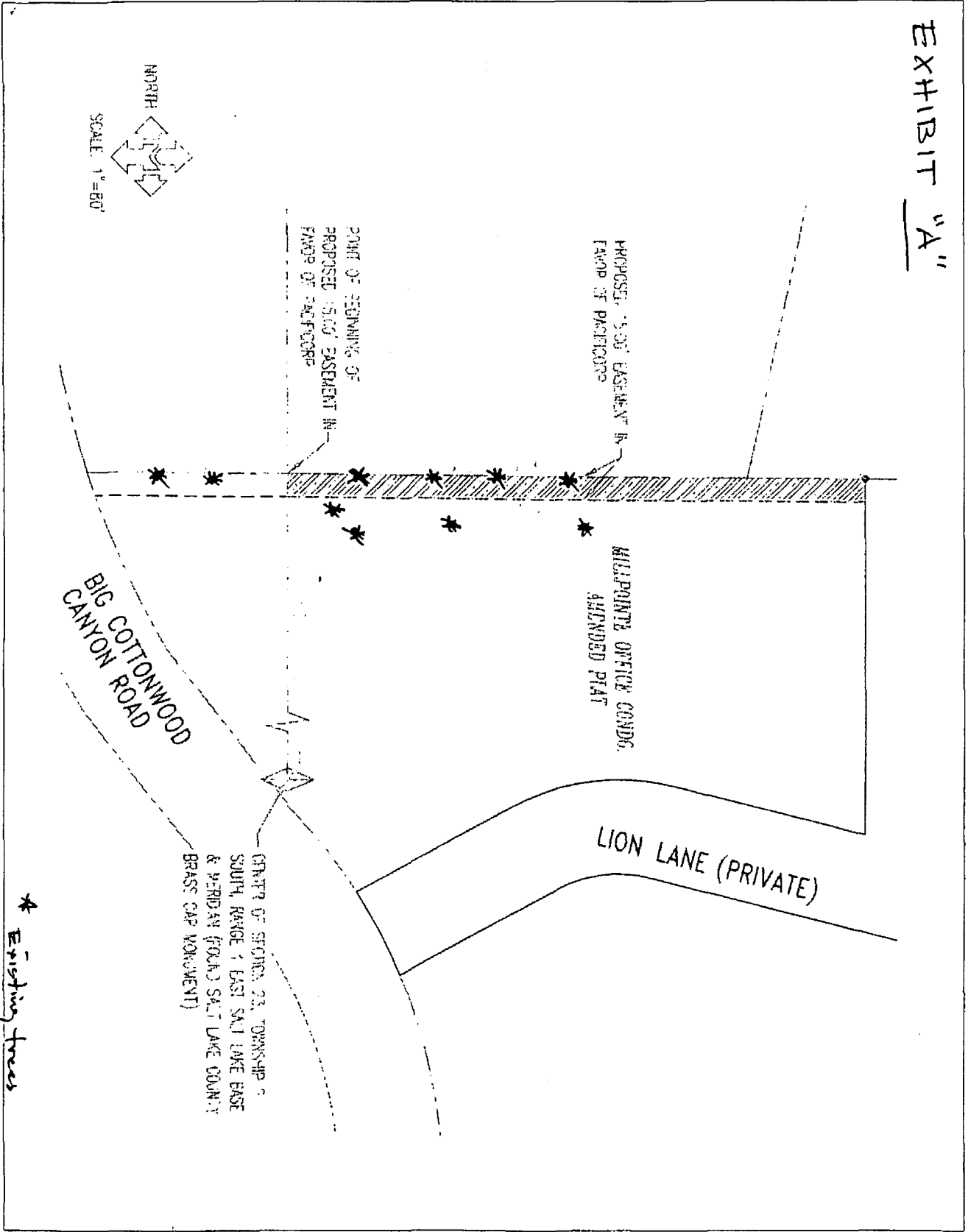
This instrument was acknowledged before me on this 30 day of September  
2004, by Gary L Vance, as  
Treasurer of Millport Office Condominium



Jamie D Tarrant  
Notary Public

My commission expires: 2/2/07

EXHIBIT "A"



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