

REV05042015

Return to:
Rocky Mountain Power
Lisa Louder/ Teria Walker
1407 West North Temple Ste. 110
Salt Lake City, UT 84116



ENT 123596:2021 PG 1 of 4
ANDREA ALLEN
UTAH COUNTY RECORDER
2021 Jul 13 2:06 pm FEE 40.00 BY LT
RECORDED FOR FRANCON, LYLE

Project Name: American Fork Apartments
WO#: 006853371
RW#: 6853371

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **AF Utah, LLC, A Utah limited liability company** (“Grantor”), hereby grants Rocky Mountain Power, an unincorporated division of PacifiCorp its successors and assigns, (“Grantee”), an easement for a right of way 10 feet in width and 210 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, and vaults on, across, or under the surface of the real property of Grantor in **Utah** County, State of **Utah** more particularly described as follows and as more particularly described and/or shown on **Exhibit A** attached hereto and by this reference made a part hereof:

Legal Description:

Beginning at a point on the Northerly Right-of-Way Line of 350 South Street, said point being North 89°59'22” East 2,122.58 feet along section line and South 50.11 feet from the West Quarter Corner of Section 22, Township 5 South, Range 1 East, Salt Lake Base and Meridian; and running thence North 01°17'45" East 10.00 feet; thence South 89°23'31" East 163.81 feet; thence North 00°36'29" East 5.00 feet; thence South 89°23'31" East 15.00 feet; thence South 00°36'29" West 5.00 feet; thence South 89°23'31" East 15.00 feet to the Westerly Right-of-Way Line of 900 West Street; thence Northeasterly 15.68 feet along the arc of a 10.00 foot radius curve to the left (center bears North 00°36'29" East and the chord bears North 45°41'17" East 14.12 feet with a central angle of 89°50'24"); thence South 89°13'55" East 10.00 feet to the Westerly Right-of-Way Line of 900 West Street; thence Southwesterly 31.36 feet along the arc of a 20.00 foot radius curve to the right (center bears North 89°13'55" West and the chord bears South 45°41'17" West 28.24 feet with a central angle of 89°50'24") along said Westerly Right-of-Way Line to the Northerly Right-of-Way Line of said 350 South Street; thence North 89°23'31" West 193.93 feet along said Northerly Right-of-Way Line to the point of beginning. Contains 2,249 Square Feet

Acknowledgment

STATE OF Florida
~~North Carolina~~)
) ss.
County of Duval)

On this 17 day of June, 2021, before me, the undersigned Notary Public in and for said State, personally appeared Christopher Cole Simms, known or identified to me to be the Manager of AF Utah, LLC, a Utah limited liability company who executed the instrument on behalf of said limited liability company, and acknowledged to me that said entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Wayland Hostetler

(notary signature)



NOTARY PUBLIC FOR Florida (state)
Residing at: Jacksonville, FL (city, state)
My Commission Expires: 01/19/2024 (d/m/y)

Assessor Parcel No. 13:041:0089
13:041:0087

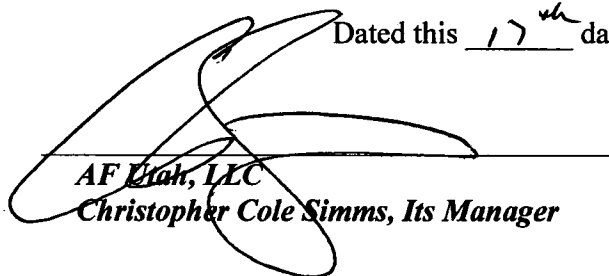
Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place or store any flammable materials (other than agricultural crops), or light any fires, 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.

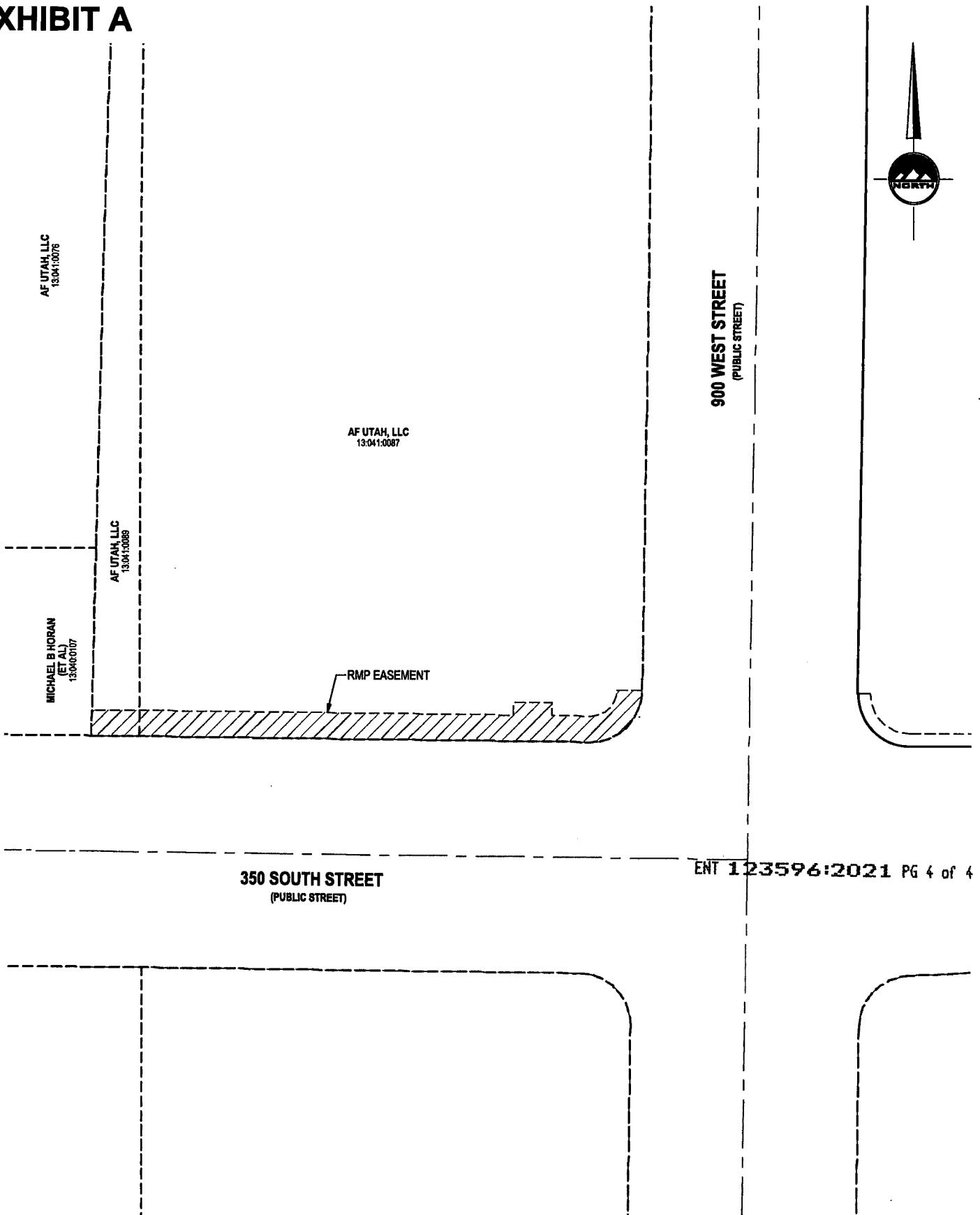
To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

Dated this 17th day of June, 2021.




AF Utah, LLC
Christopher Cole Simms, Its Manager

EXHIBIT A



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<p>PROJECT# DATE 8618B 6/3/21</p> <h1>1 OF 1</h1> <p>FILE: SIDEASE_AF UTAH</p>	<p>AMERICAN FORK APARTMENTS WO #006853371; RW#6853371 900 WEST 350 SOUTH AMERICAN FORK, UTAH RMP EASEMENT EXHIBIT</p>	<p>FOR: CASTLEWOOD DEVELOPMENT 6900 S 800 E, STE 130 MIDVALE, UTAH 84047 PHONE: 801.208.4000</p>	<p>45 W. 10000 S. Ste 500 Sandy, UT 84070 Phone: 801.255.0529 Fax: 801.255.4449 www.ensigneng.com</p>	
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