

**RETURNED****JUL 19 2007**

E 2290049 B 4328 P 994-996  
 RICHARD T. MAUGHAN  
 DAVIS COUNTY, UTAH RECORDER  
 07/19/2007 02:24 PM  
 FEE \$14.00 Pgs: 3  
 DEP RT REC'D FOR ROCKY MOUNTAIN POW  
 ER

Return to: Rocky Mountain Power  
 1407 W NORTH TEMPLE RM.110  
 SALT LAKE CITY, UT 84116

CC#: 11456 Work Order#: 5034097

### UNDERGROUND RIGHT OF WAY EASEMENT

For value received, GARFF PROPERTIES CLEARFIELD LLC ("Grantor"), hereby grants to Rocky Mountain Power, a division of PacifiCorp, an Oregon Corporation, its successors and assigns, ("Grantee"), an easement for a right of way 10' feet in width and 350' 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 DAVIS 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:

Legal Description: ALL OF LOT 2, PLAZA 700 COMMERCIAL SUBDIVISION. CONT. 1.17000 ACRES. ALSO: BEG AT A PT 150 FT S OF THE NW COR OF THE NE1/4 OF SEC 12-T4N-R2W, SLM; & RUN TH E 100 FT; TH N 98.74 FT, MOL, TO THE S LINE OF A STR; TH W'LY 100 FT, MOL, ALG THE S LINE OF SD STR TO THE W LINE OF SD NE 1/4; TH S 98.74 FT, MOL, TO THE POB. CONT. 0.2446 ACRES. TOTAL ACREAGE 1.4146 ACRES.

Assessor Parcel No.12-630-0004

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.

DATED this 19 day of JULY, 2007.

GARFF PROPERTIES CLEARFIELD LLC  
BY [Signature]  
BOB TORREY

**REPRESENTATIVE ACKNOWLEDGMENT**

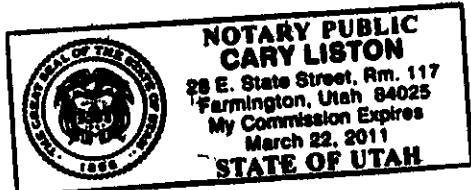
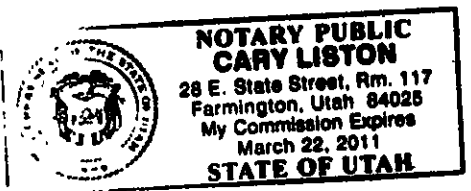
STATE OF Utah )

ss.

County of Davis )

This instrument was acknowledged before me on this 19<sup>th</sup> day of July, 2007,  
by Bob Torrey, as  
agent of Garff Properties Clearfield LLC

Cary Liston  
Notary Public  
My commission expires: 3-22-2011



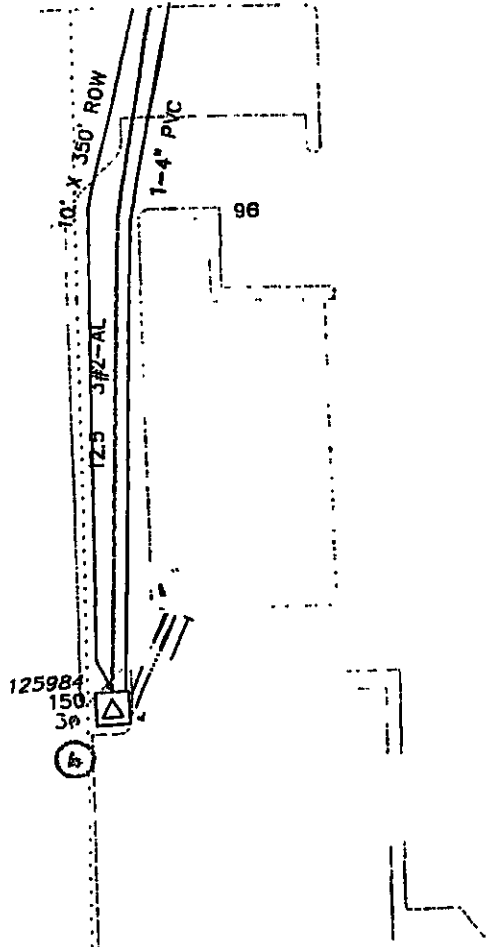
# Property Description

Quarter: \_\_\_\_\_ Quarter: \_\_\_\_\_ Section: 12 Township 4 (N or S),  
Range 2 (E or W), S-L Meridian  
County: DAVIS State: UTAH  
Parcel Number: 12-630-0004

BK 4328 PG 996



700 SOUTH



CC#: \_\_\_\_\_ WO#: 5034097  
11456  
Landowner Name: KEN GARFF  
Drawn by: H. McComb

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

## EXHIBIT A



SCALE: 1" = 100'

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