344

REV05042015
Return to:
Rocky Mountain Power
Lisa Louder/Brent Bedke/Brian Bridge
1407 West North Temple Ste. 110
Salt Lake City, UT 84116

Project Name: Herriman East Pump WO#: DJOR/2015/C/DN2/6046624

RW#: 2016R0125

12376697
09/29/2016 10:55 AM \$0.00
Book - 10481 P9 - 8723-8725
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
HERRIMAN
13011 S PIONEER ST
HERRIMAN UT 84096
BY: CRA, DEPUTY - MA 3 P.

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **Herriman City** ("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 410' 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 **Salt Lake County**, State of **Utah** more particularly described as follows and as more particularly described and/or shown on Exhibit(s) attached hereto and by this reference made a part hereof:

A PARCEL OF LAND LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 8, THENCE S.89006'20"W. ALONG THE SOUTH LINE OF SAID SECTION 739.47 FEET TO THE POINT OF BEGINNING. (BASIS OF BEARING IS S.89°06'20"W. ALONG THE SOUTH LINE OF SAID SECTION 8)

THENCE S.89°06'20"W. CONTINUING ALONG SAID SECTION LINE 26.36 FEET; THENCE N.68o36'00"W. 95.00 FEET; THENCE S.89°06'20"W. 301.29 FEET; THENCE NORTH 10.00 FEET; THENCE N.89°06'20"E. 303.10 FEET; THENCE S.68°36'00"E. 121.36 FEET TO THE POINT OF BEGINNING.

CONTAINS 4,103 SQ. FT. OR 0.09 ACRES

Assessor Parcel No. 3308478002, 3308478001

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.

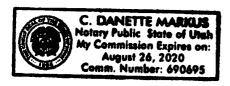
To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement. Each party further waives any right to consolidate any action in which a jury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

| Dated this 26 day | of <u>September</u> , 2016. |
|-------------------------|-----------------------------|
| Herriman City - GRANTOR | |
| Herriman City - GRANTOR | |

Acknowledgment by Trustee, or Other Official or Representative Capacity:

| STATE OF <u>utah</u>) |
|---|
| STATE OF <u>tetah</u>)) ss. County of <u>Saet (ake</u>) |
| On this 26 day of Sept, 20/6, before me, the undersigned Notary Public in and |
| for said State, personally appeared Butt Skowood |
| (representative's name), known or identified to me to be the person whose name is subscribed as |
| City manager (title/capacity in which instrument is executed) of |
| City managez (title/capacity in which instrument is executed) of Herrunan City and acknowledged to me that (he/she/they) 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.



[Canette markers] (notary signature)

