

REV101512

Return to:

Rocky Mountain Power

Craig W. Bruestle

1438 W. 2550 S.

Ogden, Utah 84401

Project Name: S.R.108 Midland Drive Road Widening

Project Tract Number:

WO#: 5865374

RW#:



W2742118

EN 2742118 PG 1 OF 4
LEANN H KILTS, WEBER COUNTY RECORDER
23-JUN-15 222 PM FEE \$16.00 DEP TOT
REC FOR: ROCKY MOUNTAIN POWER

RIGHT OF WAY EASEMENT

For value received, **Crabtree Inv. Inc.**, ("Grantor"), hereby grants to **PacifiCorp**, an Oregon Corporation, d/b/a Rocky Mountain Power its successors and assigns, ("Grantee"), an easement for a right of way **10 feet** in width and **133 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 towers, poles, props, guys and anchors, including guys and anchors outside of the right of way; wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, vaults and cabinets, along the general course now located by Grantee on, over, or under the surface of the real property of Grantor in **Weber 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:

ALL OF THE FOLLOWING DESCRIBED PARCEL LYING SOUTH OF THE ROYCITY LIMITS LINE (NOVEMBER 2007) A PART OF THE SOUTHEASTQUARTER OF SECTION 3, AND PART OF THE SOUTHWEST QUARTER OFSECTION 2, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE &MERIDIAN, (AS MONUMENTED BY WEBER COUNTY SURVEYORS BRASS CAPAND MONUMENTS). BEGINNING AT A POINT WHICH BEARS NORTH 452FEET AND WEST 208.55 FEET (208.6 FEET) AND SOUTH 432.96 FEET, MORE OR LESS, TO THE NORTH LINE OF ROAD, FROM THE SOUTHEASTCORNER OF SAID SECTION 3; AND RUNNING THENCE SOUTH 87D57'04" WEST 150.00 FEET ALONG SAID ROAD; THENCE SOUTH 1.52 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF U D O T PROJECTSTP-0108(5)12, AS MONUMENTED; THENCE THE FOLLOWING SEVENCOURSES ALONG SAID RIGHT OF WAY AS FOLLOWS SOUTH 89D58'43" WEST 113.08 FEET; THENCE NORTH 01D21'33" WEST 16.41 FEET, THENCE SOUTH 89D58'43" WEST 223.20 FEET TO A FOUND RIGHT OFWAY MONUMENT; THENCE NORTH 31D45'41" WEST 44.14 FEET (NORTH30D38'55 WEST 44.09 FEET); THENCE NORTH 37D14'33" EAST 86.47FEET (NORTH 38D23'54" EAST 86.48 FEET) AND SOUTH 88D55'33" WEST 29.01 FEET (NORTH 89D55'11" WEST 29.03 FEET); THENCENORTH 37D52'55" EAST 39.67 FEET ALONG MIDLAND DRIVE TO A FOUNDSTATE RIGHT OF WAY MONUMENT; THENCE NORTH 37D32'05" EAST547.63 FEET ALONG THE EASTERN RIGHT OF WAY OF MIDLAND DRIVE, MORE OR LESS TO AN EXISTING FENCE LINE; THENCE SOUTH 86D08'52" EAST 338.28 FEET ALONG SAID FENCE LINE, MORE OR LESS, TO ANOLD FENCE LINE MARKING THE QUARTER LINE BETWEEN SECTIONS 3 &2, SAID POINT ALSO BEING ON THE WESTERN BOUNDARY OF EDGEWATERESTATES PHASE NO. 1, AS MONUMENTED; THENCE SOUTH 0D17'52" EAST(SOUTH 0D51'36" WEST 123.78 FEET) 126.21 FEET ALONG SAIDSUBDIVISION TO THE PROJECTION OF A FENCE FROM THE WEST; THENCESOUTH 88D38'59" WEST 209.74 FEET ALONG SAID FENCE LINE TO APOINT WHICH BEARS NORTH FROM THE POINT OF BEGINNING; THENCESOUTH 426.91 FEET TO THE POINT OF BEGINNING. (E# 2304672) EXCEPT ALSO: THREE PARCELS OF LAND IN FEE FOR THEWIDENING OF SR-108 (MIDLAND DRIVE) KNOWN AS PROJECT NO.S-0108(30)11, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE SOUTHEAST QUARTER SOUTHEAST QUARTER SECTION 3, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS: PARCEL 1: BEGINNING AT A

ORIGINAL

POINT IN THE NORTHERLY RIGHT OF WAY LINE OF 4000 SOUTH STREET, WHICH POINT IS 452.00 FEET NORTH AND 208.55 FEET WEST AND 431.91 FEET SOUTH AND 60.97 FEET SOUTH 88D14'09" WEST ALONG SAID RIGHT OF WAY LINE FROM THE SOUTHEAST CORNER OF SAID SECTION 3, AT A POINT 13.33 FEET PERPENDICULARLY DISTANT NORTHERLY FROM THE RIGHT OF WAY CONTROL LINE OF 4000 SOUTH STREET OF SAID PROJECT, OPPOSITE APPROXIMATE ENGINEERS STATION 120+90.71; AND RUNNING THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) THENCE SOUTH 88D14'09" WEST 88.86 FEET; (2) THENCE NORTH 00D52'52" WEST 5.26 FEET; (3) THENCE SOUTH 88D17'27" WEST 113.57 FEET; (4) THENCE NORTH 00D23'50" EAST 18.05 FEET TO A POINT 33.62 FEET PERPENDICULARLY DISTANT NORTHERLY FROM SAID RIGHT OF WAY CONTROL LINE, OPPOSITE APPROXIMATE ENGINEERS STATION 118+88.71; THENCE SOUTH 80D12'53" EAST 57.08 FEET TO A POINT 23.06 FEET PERPENDICULARLY DISTANT NORTHERLY FROM SAID RIGHT OF WAY CONTROL LINE, OPPOSITE APPROXIMATE ENGINEERS STATION 119+44.80; THENCE SOUTH 87D04'02" EAST 146.23 FEET TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT, ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 1269 SQUARE FEET IN AREA OR 0.029 ACRE. ALSO PARCEL 2: BEGINNING AT A POINT IN THE NORTHERLY RIGHT OF WAY LINE OF 4000 SOUTH STREET, WHICH POINT IS 471.78 FEET SOUTH 89D43'19" WEST ALONG THE SECTION LINE AND 37.69 FEET NORTH FROM THE SOUTHEAST CORNER OF SECTION 3, AT A POINT 33.62 FEET PERPENDICULARLY DISTANT NORTHERLY FROM THE RIGHT OF WAY CONTROL LINE OF SAID 4000 SOUTH STREET OF SAID PROJECT, OPPOSITE APPROXIMATE ENGINEERS STATION 118+88.71; AND RUNNING THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) THENCE SOUTH 89D07'08" WEST 223.20 FEET (2) THENCE NORTH 31D30'19" WEST 44.09 FEET TO THE SOUTHEASTERLY HIGHWAY RIGHT OF WAY LINE OF SR-108 (MIDLAND DRIVE) KNOWN AS PROJECT NO. S-0108(30)11; THENCE NORTH 37D32'16" EAST 40.42 FEET ALONG SAID HIGHWAY RIGHT OF WAY LINE TO A POINT 65.80 FEET RADIALY DISTANT SOUTHEASTERLY FROM SAID RIGHT OF WAY CONTROL LINE OPPOSITE APPROXIMATE ENGINEERS STATION 538+48.75; THENCE SOUTH 25D05'31" EAST 49.04 FEET TO A POINT 58.50 FEET PERPENDICULARLY DISTANT NORTHERLY FROM SAID RIGHT OF WAY CONTROL LINE OF 4000 SOUTH STREET, OPPOSITE APPROXIMATE ENGINEERS STATION 116+88.28; THENCE NORTH 89D07'07" EAST 91.72 FEET PARALLEL WITH SAID 4000 SOUTH STREET RIGHT OF WAY CONTROL LINE; THENCE SOUTH 00D52'53" EAST 4.40 FEET TO A POINT 54.10 FEET PERPENDICULARLY DISTANT NORTHERLY FROM THE RIGHT OF WAY CONTROL LINE OF SAID 4000 SOUTH STREET OPPOSITE APPROXIMATE ENGINEERS STATION 117+80.00; THENCE SOUTH 80D12'53" EAST 110.62 FEET TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 5,270 SQUARE FEET IN AREA OR 0.121 ACRE. ALSO PARCEL 3 BEGINNING AT A POINT IN THE SOUTHEASTERLY HIGHWAY RIGHT OF WAY LINE OF SR-108 (MIDLAND DRIVE) WHICH POINT IS 694.31 FEET SOUTH 89D43'19" WEST ALONG THE SECTION LINE AND 141.11 FEET NORTH FROM THE SOUTHEAST CORNER OF SAID SECTION 3; AND RUNNING THENCE NORTH 37D33'30" EAST 583.27 FEET ALONG SAID HIGHWAY RIGHT OF WAY LINE TO THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 86D08'52" EAST 37.55 FEET ALONG SAID BOUNDARY LINE TO A POINT 55.00 FEET RADIALY DISTANT SOUTHEASTERLY FROM THE RIGHT OF WAY CONTROL LINE OF SR-108 (MIDLAND DRIVE) KNOWN AS PROJECT NO. S-0108(30)11, OPPOSITE APPROXIMATE ENGINEERS STATION 544+81.08; THENCE SOUTHWESTERLY 128.29 FEET ALONG THE ARC OF A 10,055.00 FOOT RADIUS NON TANGENT CURVE TO THE RIGHT, (CHORD BEARS SOUTH 39D06'00" WEST 128.29 FEET) CONCENTRIC WITH SAID RIGHT OF WAY CONTROL LINE THENCE SOUTH 39D27'56" WEST 365.74 FEET PARALLEL WITH SAID RIGHT OF WAY CONTROL LINE TO THE POINT OF TANGENCY OF A 9,945.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY 100.26 FEET ALONG THE ARC OF SAID CURVE, (CHORD BEARS SOUTH 39D10'36" WEST 100.26 FEET) CONCENTRIC WITH SAID RIGHT OF WAY CONTROL LINE; THENCE SOUTH 89D13'15" WEST 16.30 FEET TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 12,889 SQUARE FEET IN AREA OR 0.296 ACRE. (E#2689050).

Assessor Parcel No. 08-031-0062 *VJR*

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 therefore) 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.

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.

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 30 day of DECEMBER, 2014.

[Signature]
GRANTOR ITS PRESIDENT

GRANTOR

STATE OF UTAH)

) ss.

County of WEBER)

On this 30 day of December, 2014, before me, the undersigned Notary Public in and for said State, personally appeared Ryan C Crabtree (name), known or identified to me to be the (president) vice-president / secretary / assistant secretary) of the corporation, or the (manager / member) of the limited liability company, or a partner of the partnership that executed the instrument or the person who executed the instrument on behalf of said entity, 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.

[Signature]

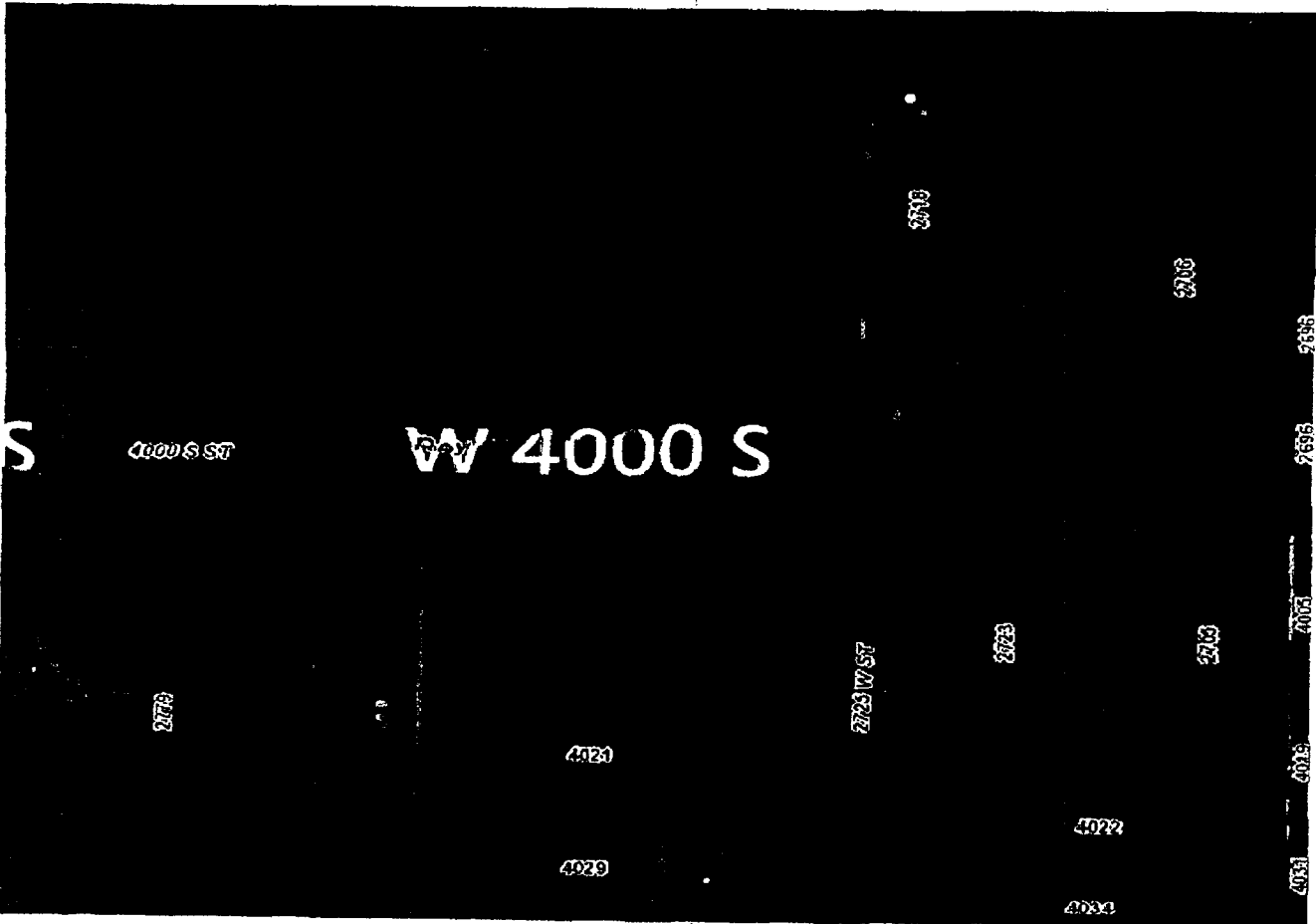
(Notary signature)



NOTARY PUBLIC FOR Utah (state)
Residing at: Webster, Utah (city, state)
My Commission Expires: 07-24-2016 (d/m/y)

Property Description

Quarter: SE Quarter: SW Section: 3 Township S (N or S),
Range 2 (E. or W), SALT LAKE BASE Meridian
County: WEBER State: UTAH
Parcel Number: 08-031-0062



CC#: WO#:
Landowner Name:
Drawn by:

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: _____