

DOC # 20090007260

Easements Page 1 of 4
Russell Shirts Washington County Recorder
03/02/2009 11:55:02 AM Fee \$ 16.00
By DIXIE ESCALANTE RURAL ELECTRIC ASSOC



WHEN RECORDED, MAIL TO:

Dixie Escalante Rural Electric Association, Inc.
145 W. Brigham Road
St. George, UT 84770

NON- EXCLUSIVE UTILITY EASEMENT
(Standard Utility Easement)

That in consideration of the sum of One and no/100ths Dollars (\$1.00) and other and good and valuable consideration, the receipt of which is hereby acknowledged, Mellon Valley II, LLC, ("Grantor") does hereby quit claim to Dixie-Escalante Rural Electric Association dba Dixie-Escalante Rural Electric Association, Inc. (hereinafter referred to collectively as "Guarantee") non- exclusive utility easement to install, improve, operate, repair and maintain power utilities (hereinafter referred to as the "Utility Improvements") on and under the surface of Grantor's real property located in Washington County, State of Utah, more particularly described as follows:

See Exhibit "C", attached hereto and incorporated herein by reference
(the legal description being referred to collectively herein as "Easement Property").

The foregoing grant of easement is subject to the following conditions and reservations:

Grantee shall install the Utility Improvements on the Easement Property and any replacements or repairs thereto in a workmanlike manner. Upon completion of initial installation or replacements or repairs of the Utility Improvements, Grantee shall restore any other of Grantee's property affected, to the condition of the Easement Property (or other property) immediately preceding such installation, replacement or repair. After installation of Utility Improvements on the Easement Property, Grantee shall maintain the Utility Improvements in good condition. Grantee shall not use the Easement Property in any manner that will unreasonably interfere with, or disrupt the use of, Grantor's real property located on and the vicinity of the Easement Property.

The easement rights conveyed herein shall continue until the termination of the use of the Easement Property by Grantee as contemplated herein or as otherwise agreed to the writing between the Grantee and Grantor, or upon Grantee's discontinuance of use and if Grantee no longer has any reasonable future need thereof. Upon such termination of the Easement, or any portion thereof, Grantee shall abandon or appropriately convey its interest in the Easement granted herein to Grantor or its successor.

Grantor reserves and retains the right to use of the Easement Property for purposes it deems necessary in its sole discretion, including further improvements to the Easement Property, excepting Grantor shall not cause permanent buildings installed upon the Easement Property, unless approved by Grantee, which shall be reasonably granted. Grantor reserves and retains the right to grant other easements or rights of way upon, over or under the Easement Property for utility or other purposes at its sole discretion. Grantor reserves the right and may relocate (or cause to be relocated) and/or further improve by pavement, landscaping, trails or otherwise the Easement granted hereunder if, in the case of relocation, such relocation is not materially detrimental to Grantee's use of the Utility Improvements on the Property. Upon relocation, Grantee shall abandon or appropriately convey its interest in the Easement granted herein to the Grantor or its successor and Grantor will grant to Grantee a replacement easement reasonably equivalent (i.e. replacement easement may be further from public roadway, with different dimensions, etc.) to the Easement granted herein and under the same general conditions as stated in the Easement.

EASEMENT
7.5 FOOT POWER UTILITY EASEMENT

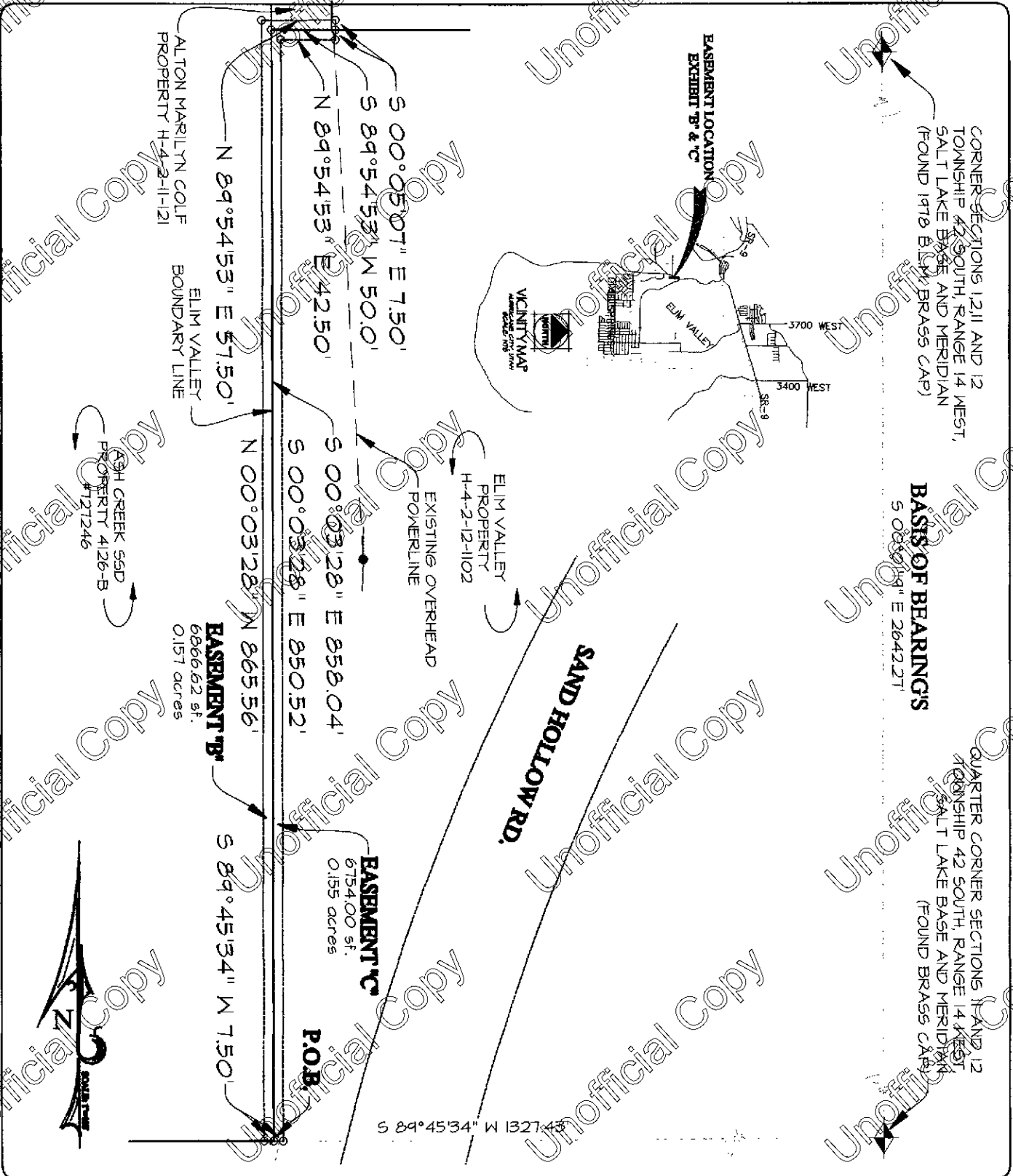
A 7.5 foot wide power utility easement from Elim Valley to Dixie REA for the purpose of relocation the existing overhead power line, being described as:

Beginning at a point on the Center Section line, said point being South 00°01'19" East 2,642.27 feet along the Section line to the Quarter Corner Common to Sections 11 and 12 and South 89°45'34" West 1,327.43 feet along said Center Section line from the Corner Common to Sections 1,2,11 and 12, Township 42 South, Range 14 West, Salt Lake Base and Meridian and running;

thence North 00°03'28" West 858.04 feet;
thence North 89°54'53" East 50.00 feet to the centerline of an existing overhead power line;
thence South 00°05'07" East 7.50 feet;
thence South 89°54'53" West 42.50 feet;
thence South 00°03'28" East 850.52 feet;
thence South 89°45'34" West 7.50 feet to the Point of Beginning.

Containing 6754.00 sf. or 0.155 acres

This easement affects the Elim Valley Property
Tax ID #H-4-2-12-1102



	EASEMENT EXHIBIT 'B' & 'C' FOR 7.50' UTILITY EASEMENTS LOCATED IN SECTION 11 TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN		ROSENBERG ASSOCIATES CIVIL ENGINEERS • LAND SURVEYORS	DATE: 02/09/09
	SHEET: 3066-00-002	DRAWN: HRC		CHECKED: HRC