

REV05042015

Return to:

Rocky Mountain Power
Lisa Louder/ Luke Brunson
1407 West North Temple Ste. 110
Salt Lake City, UT 84116

E 3435316 B 7887 P 14-18
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/16/2021 10:23 AM
FEE \$40.00 Pgs: 5
DEP RT REC'D FOR ROCKY MOUNTAIN PO
WER

Project Name: DUTCH BROS COFFEE 75KVA
WO#: 6992101
RW#:

10-357-0102

RIGHT OF WAY EASEMENT

For value received, B & S INVESTMENTS LLC, -- 50% INT
DUTCH YAKUZA LLC, -- 50% INT, ("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 60 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, on, over, 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 "A" and "B" attached hereto
and by this reference made a part hereof:

Legal Description: A PART OF THE SOUTHEAST QUARTER OF SECTION
20, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT
LAKE BASE AND MERIDIAN, U.S SURVEY, LAYTON CITY, DAVIS COUNTY,
UTAH:
BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF LOT 102,
BARLOW RETAIL SUBDIVISION
- LOT 1 AMENDED, SAID POINT BEING 352.12 FEET SOUTH 0°10'20" WEST
ALONG THE QUARTER SECTION
LINE AND 1512.06 FEET SOUTH 89°49'40" EAST FROM THE CENTER OF SAID
SECTION 20; RUNNING
THENCE NORTH 38°33'20" WEST 10.00 FEET; THENCE NORTH 51°26'40" EAST
30.29 FEET; THENCE NORTH
38°33'20" WEST 10.00 FEET; THENCE NORTH 51°26'40" EAST 10.00 FEET;
THENCE SOUTH 38°33'20" EAST
20.00 FEET TO SAID SOUTHEASTERLY LINE OF LOT 102; THENCE SOUTH
51°26'40" WEST 40.29 FEET

ALONG SAID SOUTHEASTERLY LINE TO THE POINT OF BEGINNING.
CONTAINS:

503 SQ.FT.

Assessor Parcel No. 10-357-0102

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 21 day of October, 2021.



Print and Sign GRANTOR



Print and Sign GRANTOR

Acknowledgment by a Corporation, LLC, or Partnership:

STATE OF Idaho,
County of Ada) ss.)

On this 21 day of October, 2021, before me, the undersigned Notary Public in and for said State, personally appeared Travis Stroud (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 _____ (entity name), 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.



Tracey Surbeck
(Notary Signature)

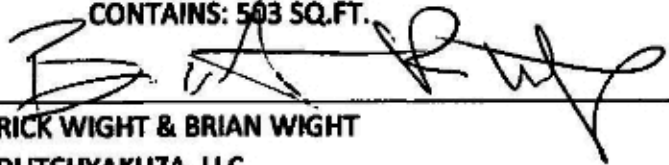
NOTARY PUBLIC FOR Idaho (state)
Residing at: Ada County, Eagle, Idaho (city, state)
My Commission Expires: 29 March, 2022 (d/m/y)

Property Description

A PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S SURVEY, LAYTON CITY, DAVIS COUNTY, UTAH:

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF LOT 102, BARLOW RETAIL SUBDIVISION – LOT 1 AMENDED, SAID POINT BEING 352.12 FEET SOUTH 0°10'20" WEST ALONG THE QUARTER SECTION LINE AND 1512.06 FEET SOUTH 89°49'40" EAST FROM THE CENTER OF SAID SECTION 20; RUNNING THENCE NORTH 38°33'20" WEST 10.00 FEET; THENCE NORTH 51°26'40" EAST 30.29 FEET; THENCE NORTH 38°33'20" WEST 10.00 FEET; THENCE NORTH 51°26'40" EAST 10.00 FEET; THENCE SOUTH 38°33'20" EAST 20.00 FEET TO SAID SOUTHEASTERLY LINE OF LOT 102; THENCE SOUTH 51°26'40" WEST 40.29 FEET ALONG SAID SOUTHEASTERLY LINE TO THE POINT OF BEGINNING.

CONTAINS: 503 SQ.FT.



RICK WIGHT & BRIAN WIGHT
DUTCHYAKUZA, LLC

CG#: _____

WO#: _____

Landowner Name: Dutchyakuza, LLC

Drawn By: Jason Felt

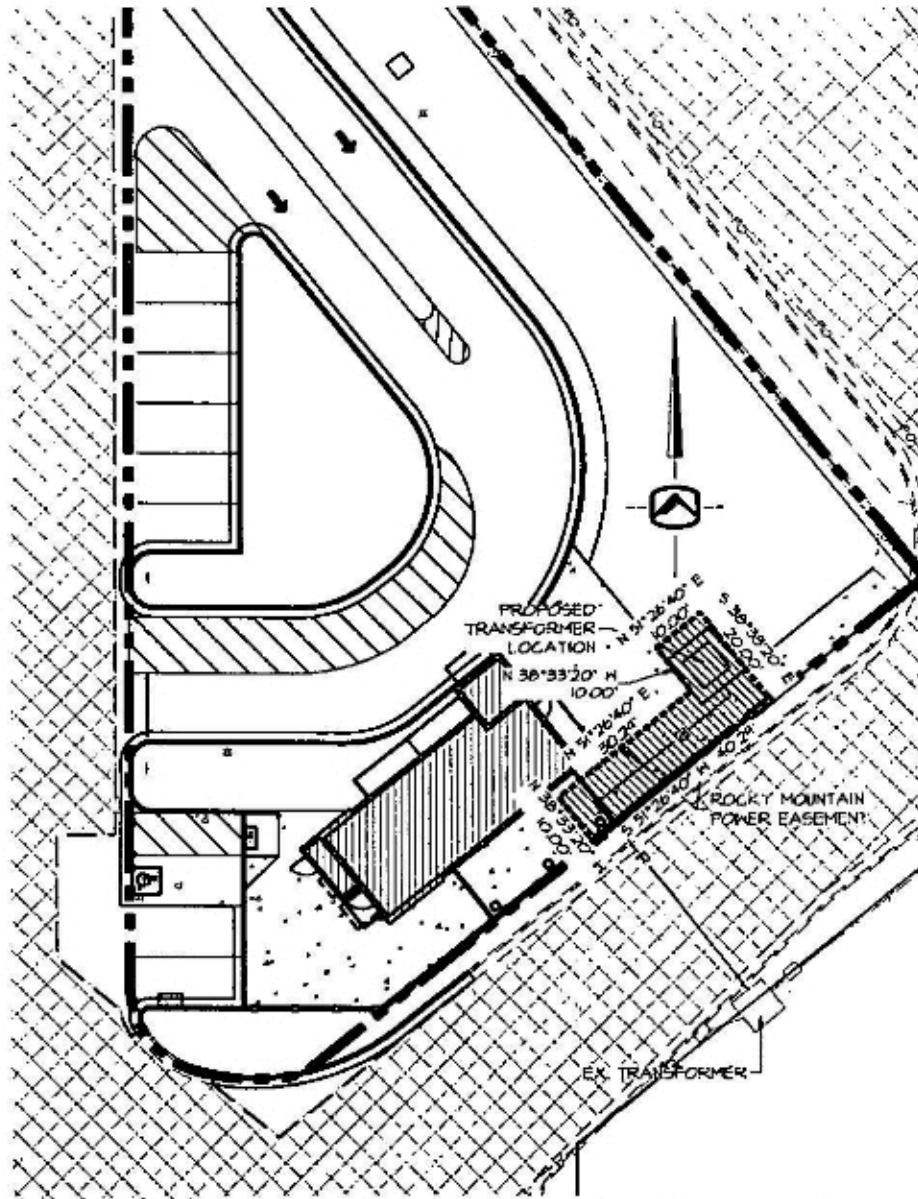
SCALE:	SHEET	OF

EXHIBIT B



Property Description

Quarter: NW Quarter: NE Section: 20 Township 4N (N or S),
Range 1W (E or W), Salt Lake Meridian
County: Davis State: Utah
Parcel Number: 10-357-0102



CC#: WO#:

Landowner Name: Dutchyakuza, LLC

Drawn by: Jason Felt

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: No Scale