When recorded return to: Rocky Mountain Power c/o Universal Field Services, Inc. 56 South Main Street Tooele, UT 84074 11140230 02/24/2011 02:39 PM \$51.00 Book - 9907 Pa - 4639-4652 GARY W. OTT RECORDER, SALT LAKE COUNTY, UTAH ROCKY MOUNTAIN POWER ATTN: LISA LOUDER 1407 W NORTH TEMPLE STE 110 SLC UT 84116-3171 BY: ELF, DEPUTY - WI 14 P.

Project Name: Mona-Oquirrh 500/345KV ROW

Project Tract Numbers:UT-18-LO-041 & UT-18-LO-043

RW#: 20090140 WO#: 10036561

Tax ID#: 26-04-100-007, 26-04-100-002, 26-04-200-001, 26-03-100-005, 26-10-100-001, 26-

09-100-005, 26-09-300-007

#### RIGHT OF WAY AND EASEMENT GRANT

- R. LaMar Jones and Vicky R. Jones, Trustees of the R. LaMar & Vicky R. Jones Revocable Living Trust dated April 17, 2000 whose address is P.O. Box 1068, Pendleton, OR 97801("Grantor") for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby conveys and warrants to PacifiCorp, an Oregon corporation, d/b/a Rocky Mountain Power, its successors and assigns, whose address is 1407 West North Temple, Salt Lake City, Utah 84116 ("Grantee") a perpetual easement and right of way ("Easement") over and across a certain parcel of real property owned by Grantor ("Grantor's Land") located in Salt Lake County, State of Utah. Grantor's Land is more particularly described in Exhibit "A", the legal description of the Easement referred to herein as the "Easement Area" is more particularly described and shown on Exhibit(s) "B" attached hereto and by this reference made a part hereof.
- 1. <u>Easement Grant</u>. The purpose of this Easement is to allow Grantee to construct, reconstruct, operate, maintain, relocate, enlarge, alter, and remove electric power lines, communication lines, and related equipment, including supporting towers and poles, guy anchors, conductors, wires, cables and other lines, and all other necessary or desirable equipment, accessories and appurtenances thereto on, over, or under the Easement Area.
- 2. Access. Grantee shall have a right of access along and within the described Easement Area, and the right of access to the Easement Area over and across Grantor's Land in such locations as may be reasonably necessary or convenient to carry out the purposes for which this Easement is granted. Grantor may not fence the Easement Area or preclude access in a manner that will preclude continuous longitudinal travel by person, vehicles, or equipment, except as otherwise agreed to in writing by Grantee. The foregoing right of access is intended to run with and encumber Grantor's Land unless expressly released in writing by Grantee.
- 3. Grantor's Use of the Easement Area. Grantor may use the Easement Area for any purpose that is not inconsistent with the purposes for which this Easement is granted, provided that, Grantor expressly agrees that within the Easement Area, Grantor will not: a) construct any building or structure of any kind or nature; b) excavate closer than fifty feet (50') from any pole or structure; c) excavate anywhere in the Easement Area in a manner that undermines or removes



lateral support from any pole or structure, or that prevents or impairs Grantee's access to any pole or structure; d) place or use anything, including equipment or vehicles that exceeds twelve feet (12') in height; e) increase the existing ground elevation; f) light any fires or store flammable or hazardous materials; or g) otherwise use the Easement Area in any manner that violates the National Electric Safety Code or Grantee's safety clearance standards, as may be amended from time to time.

<u>Vegetation Management</u>. Grantor may not plant any species of trees or other vegetation within the Easement Area that will grow to a height greater than twelve feet (12') or outside of the Easement Area that will grow within twenty-five (25') feet of the transmission line conductor. Grantee shall have the right to prune or remove all vegetation in violation of the foregoing or, in its reasonable opinion, interferes with, is causing, or may cause a threat of harm to its facilities or improvements.

#### 5. Miscellaneous Provisions.

- Authority. The individual(s) executing this document represents and warrants that he/she has the legal authority to convey the Easement described herein.
- Amendments. This Easement may be amended only by recording, in the office of the county recorder, an instrument in writing reciting the terms of the amendment and bearing the signatures of all parties hereto, or their heirs, successors, and assigns.
- No Waiver. The failure to enforce or perform any provision set forth in this Easement shall not be deemed a waiver of any such right.
- Successors and Assigns. All rights and obligations contained herein or implied by law are intended to be covenants running with the land and shall attach, bind and inure to the benefit of Grantor and Grantee and their respective heirs, successors, and assigns.

DATED this 14 day of 72, 2010.

R. LaMar & Vicky R. Jones Revocable Living Trust, dated April 17, 2000

R. LaMar Jones, Trustee Trustee (Vicky R. Jones, Trustee

### REPRESENTATIVE ACKNOWLEDGEMENT

State of <u>Oregon</u> County of <u>Umatilla</u>	
This instrument was acknowledged before t	me on this /4 day of February, 2010, 18
by R. LaMar Jones and Vicky R. Jones, Tr	ustees of the R. LaMar & Vicky R. Jones Revocable
Living Trust dated April 17, 2000.	
OFFICIAL SEAL PAULA M SANDY NOTARY PUBLIC-OREGON COMMISSION NO. 426654 MY COMMISSION EXPIRES APRIL 27, 2012	Duca A Janag Notary Public
[Seal]	My commission expires: 4-27-12

### Exhibit A (Grantor's land)

#### Tax ID# 26-03-100-005

The Northwest quarter (NW1/4) of Section 3, Township 3 South, Range 2 West, Salt Lake Base and Meridian.

Less and excepting therefrom that portion of subject property as disclosed by that certain Deed recorded March 16, 1943 as Entry No. 947733 in Book 338 at Page 345, being described as follows:

Right of way for highway known as Fas Project No. 228 across the grantors land in the West half of the Northwest quarter of Section 3, Township 3 South, Range 2 West, Salt Lake Base and Meridian, said right of way is a parcel of land 125 feet wide, 75 feet on the Westerly side and 50 feet on the Easterly side of the center line of survey of said project. Said center line is described as follows:

Beginning at the intersection of the South boundary line of said Northwest quarter of Section 3 and said centerline of survey at Engineer's Station 80+84, which point is approximately 520 feet East along the South boundary line of said Section 3 and 2661 feet North 7°33'30" East along said centerline of survey from the Southwest corner of said Section 3; thence North 7°33'30" East 5324 feet to the intersection of said centerline of survey at Engineer's Station 134+08 and the North boundary line of said Southwest quarter of Section 34.

Also less and excepting therefrom that portion of subject property as disclosed by that certain Warranty Deed recorded March 14, 2007 as Entry No. 10033659 in Book 9435 at Page 3799, being described as follows:

A parcel of land situate in the Northwest quarter of Section 3, Township 3 south, Range 2 West, Salt Lake Base and Meridian. The boundaries of said parcel are described as follows, to wit:

Beginning at a point which is 792.02 feet South 89°52'00" East along the section line from the Northwest corner of said Section 3 and running thence South 89°52'00" East 309.63 feet along said section line to the Westerly right of way line of State Route 111; thence South 08°01'40" West 375.89 feet along said Westerly right of way; thence North 89°52'00" West 258.00 feet; thence North 00°08'00" East 372.33 feet to the point of beginning.

## Exhibit A (continued) (Grantor's land)

#### Tax ID# 26-04-100-002

The East one half of the Northeast quarter of the Northwest quarter (E1/2 NE1/4 NW1/4) of Section 4, Township 3 South, Range 2 West, Salt Lake Base and Meridian.

#### Tax ID# 26-04-100-007

Beginning 660 feet West from the North quarter corner of Section 4, Township 3 South, Range 2 West, Salt Lake Base and Meridian; thence West 205 feet; thence South 1320 feet; thence East 205 feet; thence North 1320 feet to the point of beginning.

#### Tax ID# 26-04-200-001

The Northeast quarter (NE1/4) of Section 4, Township 3 south, Range 2 West, Salt Lake Base and Meridian.

#### Tax ID# 26-09-100-005

Beginning 1600 feet East from the Northwest corner of Section 9, Township 3 South, Range 2 West, Salt Lake Base and Meridian; thence East 3682.64 feet; thence South 2640 feet; thence West 5282.64 feet; thence North 31°13'06" East 3087.01 feet to the point of beginning.

Less and excepting therefrom that portion of subject property as disclosed by that certain Warranty Deed recorded November 7, 1951 as Entry No. 1265768 in Book 893 at Page 527, being described as follows:

Land for highway know as Project No. S-6, situated in the S1/2SW1/4, NE1/4SW1/4, N1/2SE1/4, andS1/2NE1/4 of Section 9, and in the SW1/4NW1/4 of Section 10, Township 3 South, Range 2 West, Salt Lake Base and Meridian, the boundaries of said tract of land are describe as follows:

Beginning at the intersection of the west boundary line of said Section 9, and the center line of survey of said project at Engineer's Station 198+93, which point is approximately 249 feet North along said West boundary line from the Southwest corner of said Section 9; thence North 81 feet, more or less, along said West boundary line to a point 75 feet radially distant Northerly from said center line of survey; thence Northeasterly 722.4 feet along the arc of a 3744.8 foot radius curve to the left (Note: Tangent to said 3744.8 foot

## Exhibit A (continued) (Grantor's land)

radius curve at its point of beginning bears North 68°53' East); thence North 57°50' East 5808.4 feet to the centerline of State Highway known as Project No. S-228; thence South 7°33'30" West 175.5 feet; thence South 57°50' West 97.5 feet; thence South 7°33'30" West 50 feet; thence North 57°18' West 42.5feet; thence South 57°50' West 5548.7 feet to a point of tangency with a 3879.8 foot radius curve to the right; thence Southwesterly 801 feet, more or less, along said 3879.8 foot radius curve to the said West boundary line of said Section 9; thence North 64 feet, more or less, along said West boundary line to the point of beginning as shown on the official map of said project on file in the office of the State Road Commission of Utah.

#### Tax ID# 26-09-300-007

The South one-half (1/2) of Section 9, Township 3 South, Range 2 West of the Salt Lake Base and Meridian lying West of State Road property located in the Southeast quarter. Less State Road.

Also less any portion of said land shown in that certain Right of Way Deed in favor of The State Road Commission of Utah, Grantee, recorded April 14, 1943, as Entry No. 949514, in Book 341, at Page 31, ofOfficial Records.

Also less any portion of said land shown in that certain Warranty Deed in favor of The State Road Commission of Utah, Grantee, recorded November 17, 1951, as Entry No. 126578, in Book 893, at Page527, of Official Records.

Also less any portion of said land shown in that certain Warranty Deed in favor of The State Road Commission of Utah, Grantee, recorded March 17, 1966, as Entry No. 2147046, in Book 2440, at Page 100, of Official Records.

Also less any portion of said land shown in that certain Warranty Deed in favor of The State Road Commission of Utah, Grantee, recorded March 17, 1966, as Entry No. 2147047, in Book 2440, at Page 101, of Official Records.

Also less any portion of said land shown in that certain Special Warranty Deed in favor of Jordan Valley Water Conservancy District, Grantee, recorded February 16, 2006, as Entry No. 9639657, in Book 9256, at Page 2375, of Official Records.

# Exhibit A (continued) (Grantor's land)

Also less any portion of said land shown as Fee Simple Absolute in that certain Final Order of Condemnation, in favor of Jordan Valley Water Conservancy District, Plaintiff, Filed January 9, 2009, Civil No. 070402285, in the Third District Court West Jordan Dept.

Also less any portion conveyed to the City of West Jordan, Utah, a municipal corporation and political subdivision of the State of Utah, Grantee, shown in that certain Special Warranty Deed recorded December 17, 2009, as Entry No. 10861062, in Book 9789, at Page 4315, of Official Records.

Also Less and excepting that portion of subject property as disclosed by that certain recorded plat of JORDAN VALLEY WATER CONSERVANCY DISTRICT WATER TANK SUBDIVISION, filed in the office of the Salt Lake County Recorder in Plat Book 2010P at page 123.

#### Tax ID# 26-10-100-001

Beginning at the Northwest corner of Section 10, Township 3 South, Range 2 West, Salt Lake Base and Meridian; thence East 445 feet, more or less to the West line of State Road; thence South 7°33'30" West along said West line to the West line of said Section 10; thence North along said section line to the point of beginning.

### Exhibit B (Easement Area)

#### Grantor

R. LaMar Jones and Vicky R. Jones, Trustees of the R. LaMar & Vicky R. Jones Revocable Living Trust dated April 17, 2000 Tax ID# Tax ID# 26-03-100-005, 26-04-100-002, 26-04-100-007, 26-04-200-001, 26-09-100-005, 26-09-300-007 & 26-10-100-001

#### DESCRIPTION - EASEMENT AREA No. 1

An easement 150 feet in width, being a portion of the South (S 1/2) of Section 9, Township 3 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, Utah, said easement being 75 feet on each side of a centerline described as follows:

Commencing at the Southeast corner of said Section 9; thence North 89°28'04" West along the south line of said Section 9, for a distance of 409.73 feet; thence leaving said south line (L1) North 20°27'27" West, 76.70 feet to a point on the south line of the Grantor's land, said point being the POINT OF BEGINNING;

Thence along said centerline the following courses:

(L2) North 20°27'27" West, 6.34 feet; (L3) North 13°41'45" East, 827.34 feet; (L4) North 08°24'36" East, 1135.07 feet; and (L5) North 08°14'21" East, 710.72 feet, more or less, to a point herein designated "Point A", said point being the north line of said S 1/2 of Section 9.

Right of way lines are to be shortened or lengthened to terminate on said south line of the Grantor's land and on the north and east lines of said S 1/2 of Section 9.

Containing 9.2 acres, more or less, in Easement No. 1

#### **DESCRIPTION - EASEMENT AREA No. 2**

An easement of varying width, being a portion of the Northeast quarter (NE 1/4) of Section 9, Township 3 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, Utah, said easement being described as follows:

BEGINNING at said "Point A"; thence along the south line of said NE 1/4, (L20) North 89°47'51" West, 75.74 feet, more or less; thence leaving said south line (L21) North 08°14'21" East, 683.60 feet, more or less, to the southeasterly sideline of State Highway 48; thence along said southeasterly sideline (L22) North 58°32'17" East, 41.25 feet to the east line of said NE 1/4; thence along said east line (L23) South 01°22'26" West,

### Exhibit B (continued) (Easement Area)

361.94 feet to a point herein designated "Point B"; thence continuing along said east line (L24) South 01°22'26" West, 336.75 feet to the Southeast corner of said NE 1/4; thence along said south line of the NE 1/4 (L25) North 89°47'51" West, 40.65 feet, more or less to the POINT OF BEGINNING.

Containing 1.2 acres, more or less, in Easement No. 2.

#### **DESCRIPTION - EASEMENT AREA No. 3**

An easement of varying width, being a portion of the Northeast quarter (NE 1/4) of Section 9, Township 3 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, Utah, said easement being described as follows:

Commencing at said "Point B"; thence along the east line of said NE 1/4 (L26) North 01°22'26" East, 522.57 feet to a point on the northwesterly sideline of State Highway 48, said point being the <u>POINT OF BEGINNING</u>;

Thence along said northwesterly sideline (L27) South 58°32'17" West, 16.29 feet; thence leaving said sideline (L28) North 08°14'21" East, 114.51 feet to said east line of the NE 1/4; thence along said east line (L29) South 01°22'26" West, 104.86 feet to the POINT OF BEGINNING.

Containing 0.1 acres, more or less, in Easement No. 3.

#### **DESCRIPTION - EASEMENT AREA No. 4**

An easement 150 feet in width, being a portion of the Northwest quarter (NW 1/4) and the Southwest quarter (SW 1/4) of Section 10, Township 3 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, Utah, said easement being 75 feet on each side of a centerline described as follows:

BEGINNING at said "Point B"; thence along said centerline (L10) North 08°14'21" East, 2352.86 feet to a point herein designated "Point C", said point being on the north line of said NW 1/4 of Section 10, said north line being the north line of the Grantor's land.

## Exhibit B (continued) (Easement Area)

Right of way lines are to be shortened or lengthened to terminate on said north line of the NW 1/4 and on the west line of said Section 10.

Containing 8.2 acres, more or less, in Easement No. 4.

#### **DESCRIPTION - EASEMENT AREA No. 5**

An easement 150 feet in width, being portions of Lot 4 and the Southwest quarter of the Northwest quarter (SW 1/4 NW 1/4) of Section 3, and portions of Lots 1, 2 and 3 of Section 4, all of Township 3 South, Range 2 West, Salt Lake Base and Meridian, Salt Lake County, Utah, said easement being 75 feet on each side of a centerline described as follows:

Commencing at said "Point C"; thence North 08°14'21" East, 2663.76 feet, more or less, to a point on the south line said SW 1/4 NW 1/4 of Section 3, said south line being the south line of the Grantor's land, said point being the POINT OF BEGINNING;

Thence leaving said south line along said centerline the following courses:

North 08°14'21" East, 2014.95 feet, more or less; (L11) North 35°53'22" West,
673.14 feet; and North 89°30'33" West, 4032.43 feet, more or less, to the west line of the Grantor's land.

<u>EXCEPTING THEREFROM</u> that portion (0.1 acre, more or less) in said Lot 4 lying within the following described land:

Beginning at a point which is 792.02 feet South 89°52'00" East along the section line from the Northwest corner of said Section 3 and running thence South 89°52'00" East 309.63 feet along said section line to the Westerly right of way line of State Route 111; thence South 08°01'40" West 375.89 feet along said Westerly right of way; thence North 89°52'00" West 258.00 feet; thence North 00°08'00" East 372.33 feet to the point of beginning.

Containing 23.2 acres, more or less, in Easement No. 5.

Containing, in total, 41.9 acres, more or less, (ground level).

Bearings and distances are expressed in terms of the Utah Coordinate System 1983 Central Zone. Distances are expressed in U. S. Survey Feet. To convert the stated

grid distances to ground distances, multiply the stated grid distance by a Combined Adjustment Factor of 1.000259328617.

All as shown on Exhibits B-1, B-2 and B-3 attached hereto and made a part hereof.

Prepared by:

John Bloodgood, F

051-2201

Date: February 22, 2011

Exhibit B-1 (Easement Area Drawing)

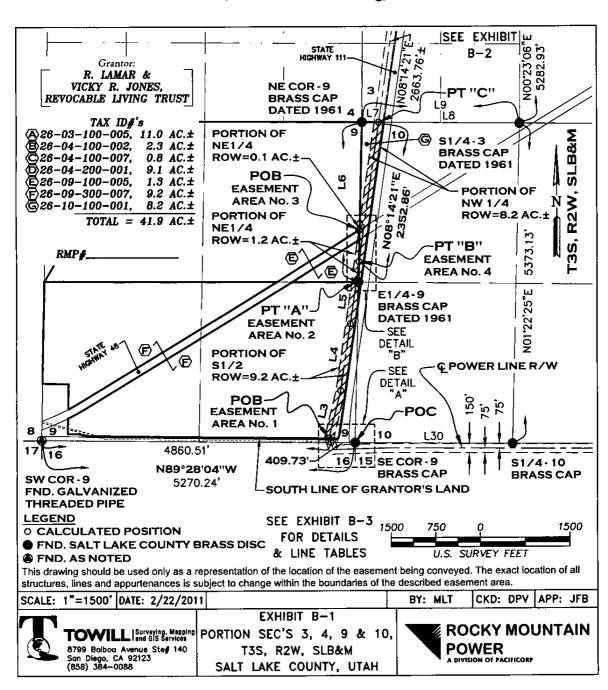
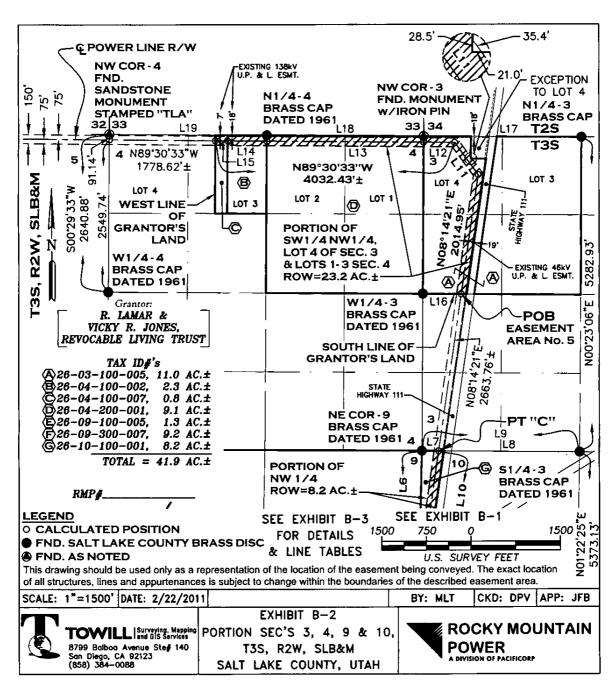


Exhibit B-2 (Easement Area Drawing)



### Exhibit B-3 (Easement Area Drawing)

