

REV05232014
Return to:
Rocky Mountain Power
Delynn Rodeback
1407 West North Temple, Ste. 110
Salt Lake City, UT 84116

00668111

B: 1310 P: 1334 Fee \$16.00
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04/02/2015 04:11:56 PM By ROCKY MOUNTAIN POWER



Project Name: SunEdison Fiddlers Canyon Line Extension
Project Tract Number: SEFC-UT 005
APN# E-4530-0000-0000 & E-4529-0000-0000
WO#: 5915168
RW#: N/A

RIGHT OF WAY EASEMENT
NON-EXCLUSIVE

For value received, **Frank W. Nichols**, ("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 **20 feet** in width and **3,277 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 **Iron 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: An easement 20 feet in width, the 2 centerlines of which are described as follows:

(1) Beginning at a point on the east boundary of Grantor's Parcel E-453 that is located SOUTH 10 feet from the Southeast Corner of Section 28, Township 35 South, Range 12 West, Salt Lake Base and Meridian; running thence N 80°32'05" W 348.3 feet to a point hereinafter known as Reference Point "A"; running thence N 03°57'48" W 1168.0 feet; thence N 20°01'22" W 513.2 feet; thence N 30°13'26" W 1087.3 feet to the north boundary of Grantor's Parcel E-4529.

(2) Beginning at aforementioned Reference Point "A"; running thence N 80°32'05" W 160.0 feet to a point on Grantor's land.

LESS those portions within the Iron Springs Road and Sage Hill Drive rights-of-way.

Containing 1.45 acres.

Being in the NE1/4 NE1/4 of Section 33 and in the E1/2 SE1/4 of Section 28, said Township and Range.

Basis of bearings is N 00°20'00" E along the section line from the West Quarter Corner to the Northwest Corner of Section 27, said Township and Range.

Assessor Parcel No. E-453, E-4529

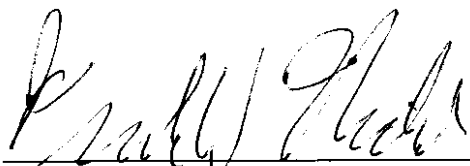
Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefore) the future right to keep the right of way and adjacent lands 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 fourteen (14) 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 26th day of January, 2015.



Frank W. Nichols

GRANTOR

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Acknowledgement by an Individual Acting on His Own Behalf:

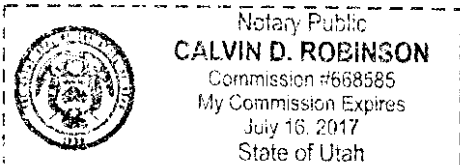
STATE OF UTAH)
) ss.
County of Iron)

On this 26th day of January, 2015, before me, the undersigned Notary Public in and for said State, personally appeared Frank W. Nichols, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.



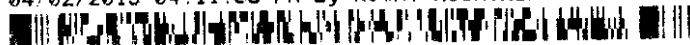
(notary signature)



NOTARY PUBLIC FOR UTAH (state)
Residing at: Cedar City, UT (city, state)
My Commission Expires: 7/16/17 (d/m/y)

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Property Description

E1/2 SE1/4, Sec. 28 and NE1/4 NE1/4, Sec.33, T. 35 S., R. 12 W.,
SALT LAKE BASE AND MERIDIAN

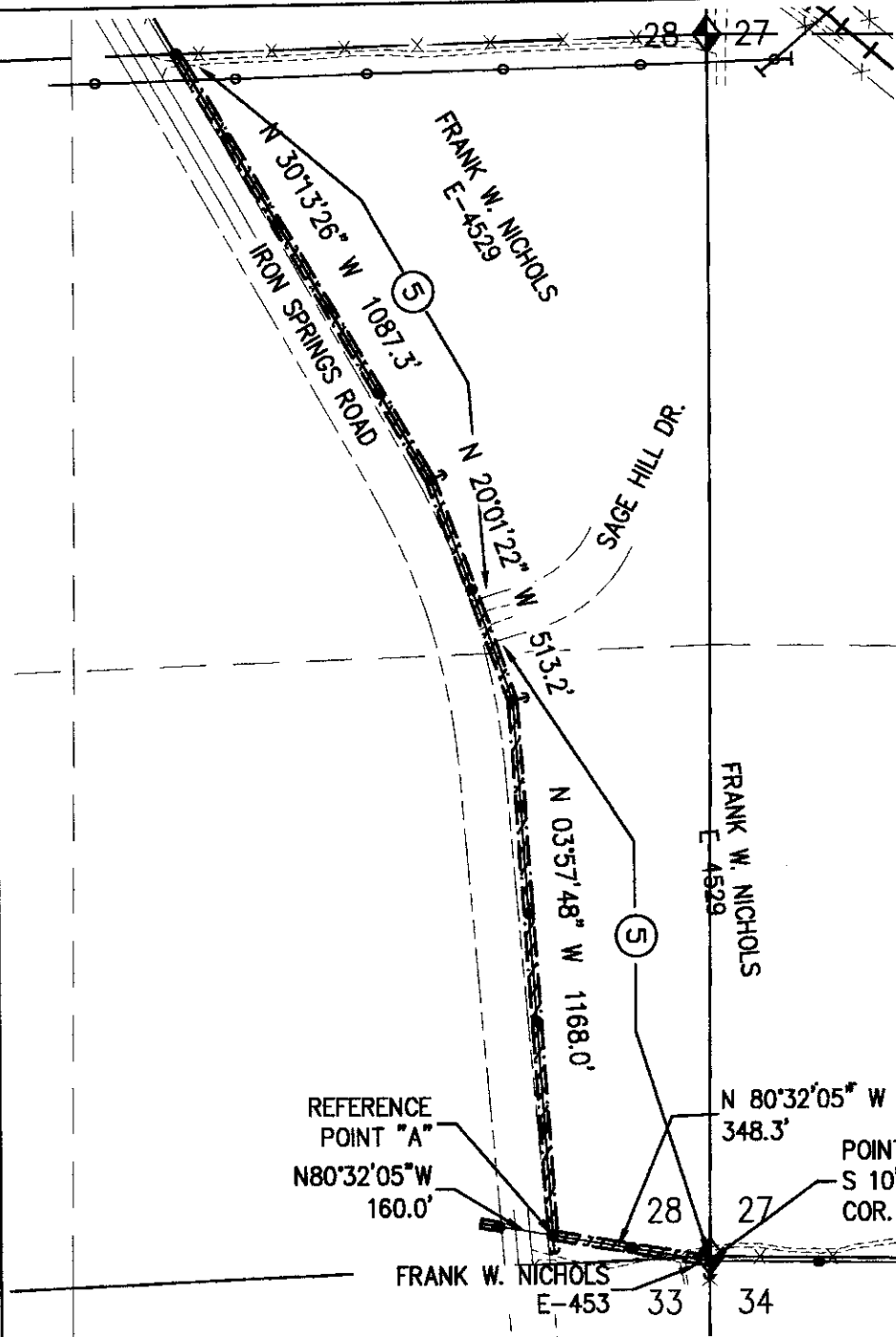
County: IRON

State: UTAH

Parcel Number: E-453 & E-4529

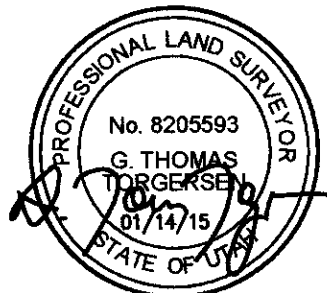


SCALE: 1" = 400'



LEGEND

- SECTION LINE
- 1/4-SECTION LINE
- 1/16-SECTION OR LOT LINE
- - - PROPERTY LINE
- - - ROAD/RAILROAD RIGHT-OF-WAY
- +—+—+ RAILROAD TRACK
- x-x- FENCE
- - - UNPAVED ROAD
- PAVED ROAD
- EXISTING POWER LINE
- PROPOSED POWER LINE
- - - PROPOSED EASEMENT
- ◆ SECTION CORNER MONUMENT
- ◆ ROAD RIGHT-OF-WAY MONUMENT
- PROPERTY CORNER MONUMENT
- EXISTING POWER POLE
- ┆ EXISTING GUY
- PROPOSED POWER POLE
- ┆ PROPOSED GUY



PREPARED BY:
TORGERSEN ENGINEERING
180 N. 100 E. SUITE E RICHFIELD, UTAH 84701
OFFICE (435) 893-0081 FAX (435) 896-8797

CC#:	WO#:	5915168
Landowner:	FRANK W. NICHOLS	
Drawn by:	GTT/RJB	Date: 01/14/15
Dwg.#:	1405SE-CC	Ref.#:

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



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