

REV05042015

Return to:

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

Project Name: ACC-OQU16 RELOCATE OVERHEAD POLES FP#1248902-  
130902

26-13-101-013

WO#: 8164387

RW#:

### **RIGHT OF WAY EASEMENT**

For value received, VP DAYBREAK OPERATIONS LLC, ("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 780feet 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 **Salt Lake 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:

**Daybreak Grandville Power Easement**

A ten (10) foot wide power easement, located in the Northwest Quarter of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement more particularly described as follows:

Beginning at a point on the Easterly Line of a Right-of-Way Quitclaim Deed recorded as Entry No. 10429973 in Book 9607 at Page 4745 in the Office of the Salt Lake County Recorder, said point lies North 89°57'41" East 19.037 feet along the Daybreak Baseline Northeast (being North 89°57'41" East 10613.975 feet between the Northwest Corner of Section 13, T3S, R2W and the Northeast Corner of Section 18, T3S, R1W) and South 728.518 feet from the Northwest Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Right-of-Way Quitclaim Deed the following (5) courses: 1) North 02°35'23" East 177.367 feet to a point on a 10078.000 foot radius non tangent curve to the left, (radius bears South 89°18'40" West, Chord: North 01°13'58" West 191.365 feet); 2) along the arc of said curve 191.368 feet through a central angle of 01°05'17" to a point of compound curvature with a 10078.000 foot radius tangent curve to the left, (radius bears South 88°13'23" West, Chord: North 02°18'23" West 186.314 feet); 3) along the arc of said curve 186.316 feet through a central angle of 01°03'33" to a point of reverse curvature with a 125.000 foot radius tangent curve to the right, (radius bears North 87°09'51" East, Chord: North 18°13'14" East 89.822 feet); 4) along the arc of said curve 91.876 feet through a central angle of 42°06'46" to a point of reverse curvature with a 140.000 foot radius tangent curve to the left, (radius bears North 50°43'24" West, Chord: North 19°38'58" East 94.052 feet); 5) along the arc of said curve 95.917 feet through a central angle of 39°15'17" to the Northwest Corner of Grantor's land; thence along the North Line of Grantor's land North 89°57'24" East 10.000 feet to a point on a 150.000 foot radius non tangent curve to the right, (radius bears North 89°58'56" West, Chord: South 19°38'50" West 100.781 feet); thence along the arc of said curve 102.780 feet through a central angle of 39°15'32" to a point of reverse curvature with a 115.000 foot radius tangent curve to the left, (radius bears South 50°43'23" East, Chord: South 18°13'14" West 82.636 feet); thence along the arc of said curve 84.526 feet through a central angle of 42°06'46" to a point of reverse curvature with a 10088.000 foot radius tangent curve to the right, (radius bears South 87°09'50" West, Chord: South 02°18'23" East 186.499 feet); thence along the arc of said curve 186.501 feet through a central angle of 01°03'33" to a point of compound curvature with a 10088.000 foot radius tangent curve to the right, (radius bears South 88°13'23" West, Chord: South 01°13'55" East 191.841 feet); thence along the arc of said curve 191.844 feet through a central angle of 01°05'23"; thence South 02°35'23" West 177.653 feet; thence North 87°24'37" West 10.000 feet to the point of beginning.

Property contains 0.171 acres, 7431 square feet.

Assessor Parcel No. 26131010130000

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 16 day of September, 2022

VP Daybreak Operations LLC

  
\_\_\_\_\_  
**GRANTOR** Bart Sharp, COO

\_\_\_\_\_  
**GRANTOR**

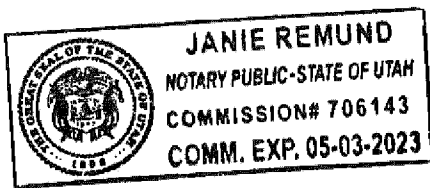
**Acknowledgment by a Corporation, LLC, or Partnership:**

STATE OF Utah )  
 ) ss.  
County of Salt Lake )

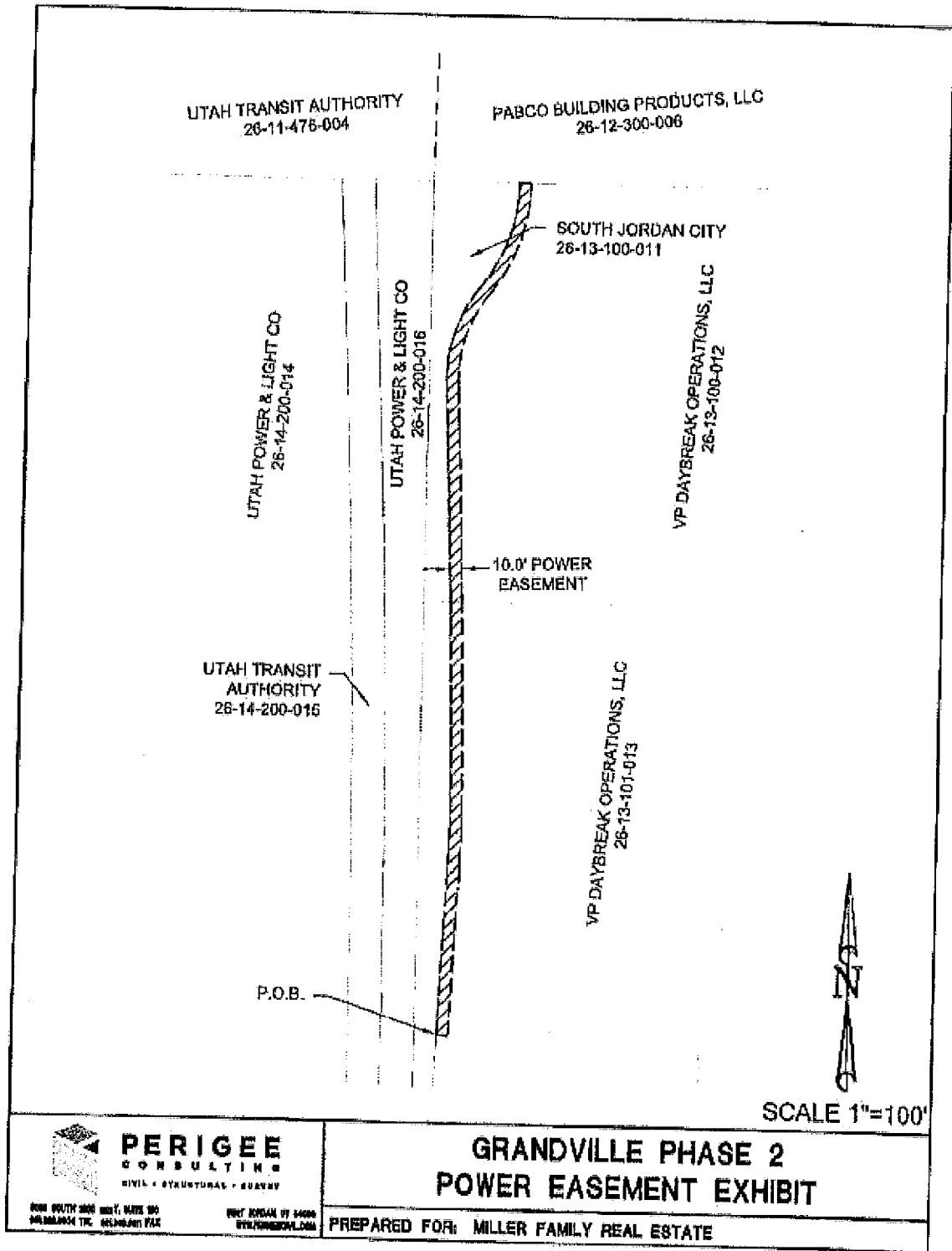
On this 16 day of September, 2022, before me, the undersigned Notary Public in and for said State, personally appeared Bart Sharp (name), known or identified to me to be the COO (president / vice-president / secretary / assistant secretary) of the corporation, or the (manager / member) of the limited liability company, or a partner of the partnership that executed the instrument or the person who executed the instrument on behalf of VP Daybreak Operations LLC (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.

  
(Notary Signature)



NOTARY PUBLIC FOR Utah (state)  
Residing at: Salt Lake City, Utah (city, state)  
My Commission Expires: 05-03-2023 (d/m/y)



**PERIGEE CONSULTING**  
 CIVIL • STRUCTURAL • EARTHQUAKE

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 WWW.PERIGEECONSULTING.COM

**GRANDVILLE PHASE 2  
 POWER EASEMENT EXHIBIT**

PREPARED FOR: MILLER FAMILY REAL ESTATE