


Return to:  
Rocky Mountain Power  
Lisa Louder/Cheryl Beauchaine  
1407 West North Temple Ste. 110  
Salt Lake City, UT 84116

14069703 B: 11399 P: 6251 Total Pages: 5  
02/07/2023 08:11 AM By: adavis Fees: \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: ROCKY MOUNTAIN POWER  
ATTN: LISA LOUDER 1407 W NORTH TEMPLE STE 110 SALT LAKE CITY, UT 84116



Project Name: Sunrise 13  
WO#: 8152110  
RW#:

### UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **VP Daybreak Devco, 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 variable feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, and vaults on, across, or under the surface of the real property of Grantor in **Salt Lake County** particularly described and/or shown on Exhibit(s) **Exhibit A** attached hereto and by this reference made a part hereof:

#### Legal Description(s):

##### **(Line 1)**

A ten (10) foot wide public utility easement, located in the West Half of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement more particularly described as follows:

Beginning at the North Corner of Daybreak Village 7A Plat 3 Subdivision, said point also being on the Southerly Right-of-Way Line of Lake Avenue, said point also being a point on a 1091.000 foot radius non tangent curve to the left, (radius bears North 26°33'25" West, Chord: North 59°32'57" East 148.180 feet), said point lies South 89°55'30" East 121.760 feet along the Daybreak Baseline Southeast (Being South 89°55'30" East 10641.888 feet between the Southwest Corner of Section 24, T3S, R2W and the Southeast Corner of Section 19, T3S, R1W) and North 2643.649 feet from the Southwest Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Lake Avenue and the arc of said curve 148.294 feet through a central angle of 07°47'17" to the Westerly Right-of-Way Line of Mountain View Corridor; thence along said Mountain View Corridor South 81°17'30" East 14.573 feet to a point being 10.000 feet perpendicularly distant Southerly from said Southerly Right-of-Way Line of Lake Avenue and a point on a 1101.000 foot radius non tangent curve to the right, (radius bears North 34°53'57" West, Chord: South 59°13'30" West 158.358 feet); thence along said 10.000 foot

perpendicularly distant line and the arc of said curve 158.494 feet through a central angle of 08°14'53" to the Northeasterly Line of said Daybreak Village 7A Plat 3 Subdivision; thence along said Daybreak Village 7A Plat 3 Subdivision North 36°48'17" West 10.161 feet to the point of beginning.

Property contains 0.035 acres, 1534 square feet.

Parcel: 26-24-301-004

**(Line 2)**

A ten (10) foot wide public utility easement, located in the Northwest Quarter of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement more particularly described as follows:

Beginning at the intersection of the Easterly Right-of-Way Line of Mountain View Corridor and the Southerly Right-of-Way Line of Lake Avenue, said point lies South 89°55'30" East 601.739 feet along the Daybreak Baseline Southeast (Being South 89°55'30" East 10641.888 feet between the Southwest Corner of Section 24, T3S, R2W and the Southeast Corner of Section 19, T3S, R1W) and North 2979.476 feet from the Southwest Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Lake Avenue North 53°27'06" East 54.454 feet to the Easterly Line of Utah Power & Light Parcel No. 26-24-300-009; thence along said Utah Power & Light parcel South 37°29'42" East 10.001 feet to a point 10.000 feet perpendicularly distant Southerly from said Southerly Right-of-Way Line of Lake Avenue; thence along said 10.000 foot perpendicularly distant line South 53°27'06" West 58.000 feet to said Easterly Right-of-Way Line of Mountain View Corridor; thence along said Mountain View Corridor the following (2) courses: 1) North 37°23'42" West 6.473 feet; 2) North 08°01'43" East 4.953 feet to the point of beginning.

Property contains 0.013 acres, 574 square feet.

Parcel: 26-24-300-036

**(Line 3)**

A ten (10) foot wide public utility easement, located in the Northwest Quarter of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement more particularly described as follows:

Beginning at the intersection of the Easterly Right-of-Way Line of Vadiana Drive and the Southerly Right-of-Way Line of Lake Avenue, said point also being a point on a 25.000 foot radius non tangent curve to the right, (radius bears South 49°15'27" East, Chord: North 47°07'38" East 5.560 feet), said point lies South 89°55'30" East 1231.114 feet along the Daybreak Baseline Southeast (Being South 89°55'30" East 106

41.888 feet between the Southwest Corner of Section 24, T3S, R2W and the Southeast Corner of Section 19, T3S, R1W) and North 3465.370 feet from the Southwest Corner of Section 24,

Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Lake Avenue the following (2) courses: 1) along the arc of said curve 5.572 feet through a central angle of 12°46'11"; 2) North 53°27'06" East 760.974 feet to a point on the Westerly 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; thence along said Right-of-Way Quitclaim Deed South 36°32'54" East 10.000 feet to a point 10.000 feet perpendicularly distant Southerly from said Southerly Right-of-Way Line of Lake Avenue; thence along said 10.000 foot perpendicularly distant line the following (2) courses: 1) South 53°27'06" West 760.980 feet to a point on a 15.000 foot radius non tangent curve to the left, (radius bears South 36°28'13" East, Chord: South 42°44'08" West 5.618 feet); 2) along the arc of said curve 5.652 feet through a central angle of 21°35'18" to said Easterly Right-of-Way Line of Vadiana Drive; thence along said Vadiana Drive North 36°32'54" West 10.432 feet to the point of beginning.

Property contains 0.176 acres, 7666 square feet.

Parcel: 26-24-178-001

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 therefor) the future right to keep the right of way 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 or store any flammable materials (other than agricultural crops), or light any fires, 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 31 day of January, 2023



Eric Carlson C.F.O

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

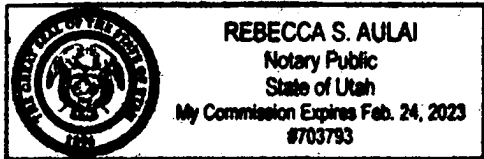
STATE OF UTAH )  
 ) ss.  
County of SALT LAKE)

On this 31 day of January, 2023, before me, the undersigned Notary Public in and for said State, personally appeared ERIC CARLSON, known or identified to me to be the MANAGER (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 DEVCO, LLC, 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.

*Rebecca S. Aulai*

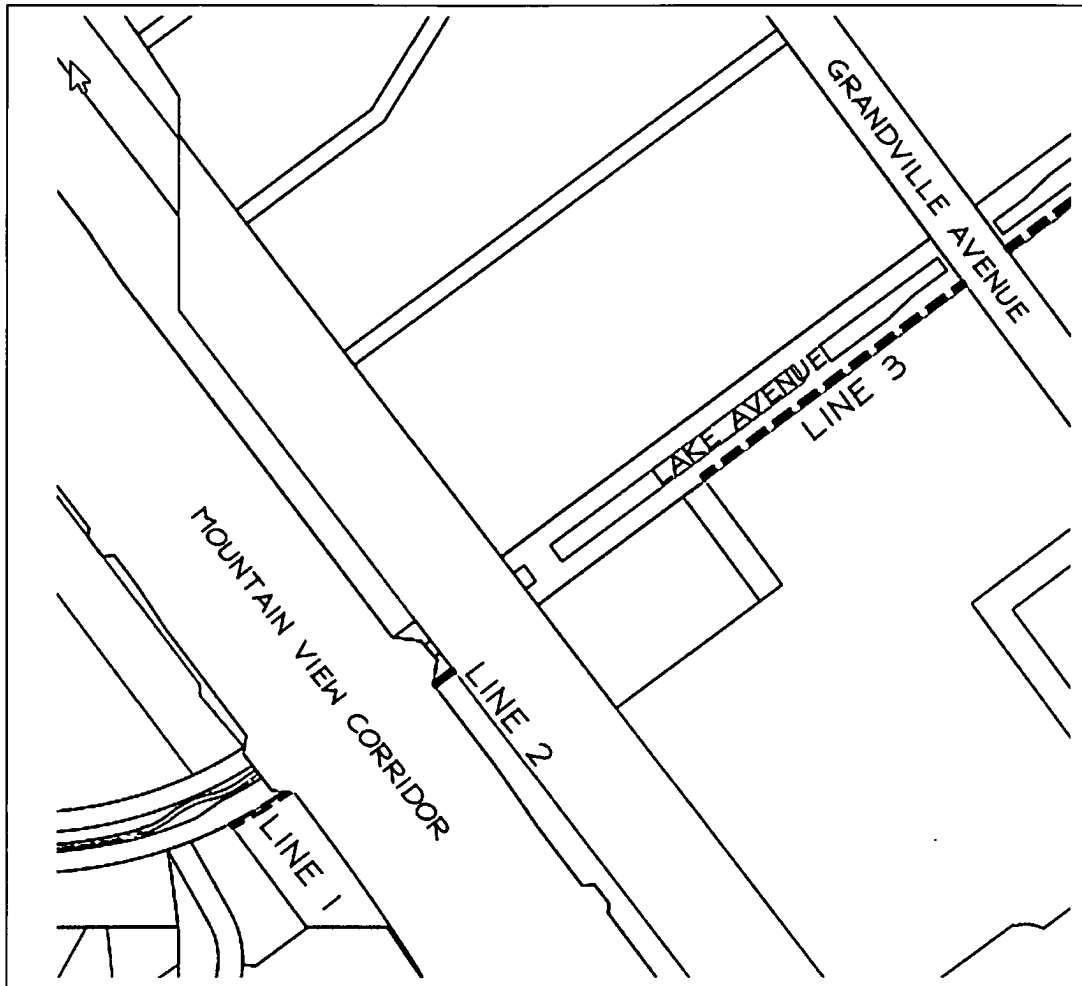
(notary signature)



NOTARY PUBLIC FOR Utah (state)  
Residing at: South Jordan, VT (city, state)  
My Commission Expires: 2/24/23 (d/m/y)

# Property Description

Quarter: \_\_\_\_\_ Quarter: \_\_\_\_\_ Section: \_\_\_\_\_ Township \_\_\_\_\_ (N or S),  
Range \_\_\_\_\_ (E or W), \_\_\_\_\_ Meridian  
County: \_\_\_\_\_ State: \_\_\_\_\_  
Parcel Number: \_\_\_\_\_



CC#: 11431 WO#: 8152110

Landowner Name: VP Daybreak Devco, LLC

Drawn by: Cheryl Beauchaine

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: NA