


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

14069704 B: 11399 P: 6256 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 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 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 4)**

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 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 and the Southerly Right-of-Way Line of Lake Avenue, said point lies South 89°55'30" East 1946.164 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 4002.094 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 561.504 feet; thence 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 South 53°27'06" West 561.504 feet to said Easterly line of a Right-of-Way Quitclaim Deed; thence along said Right-of-Way Quitclaim Deed North 36°32'54" West 10.000 feet to the point of beginning.

Property contains 0.129 acres, 5615 square feet.

Parcel: 26-24-126-002

**(Line 5)**

A ten (10) foot wide public utility easement, located in the Southwest Quarter of Section 13 and 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 a point on the Northerly Right-of-Way Line of Lake Avenue, said point lies South 89°55'30" East 2325.195 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 4434.174 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 South 53°27'06" West 10.000 feet; thence North 36°32'54" West 555.000 feet; thence North 53°27'06" East 218.391 feet; thence North 36°32'54" West 434.574 feet; thence North 43°40'24" West 40.311 feet; thence North 36°32'54" West 214.568 feet; thence North 53°27'06" East 10.000 feet to a point on an extension of the Westerly Right-of-Way Line of Lake Run Road; thence along said Westerly Right-of-Way Line and Westerly Right-of-Way Line extended of said Lake Run Road the following (3) courses: 1) South 36°32'54" East 213.946 feet; 2) South 43°40'24" East 40.311 feet; 3) South 36°32'54" East 445.196 feet; thence South 53°27'06" West 218.391 feet; thence South 36°32'54" East 545.000 feet to the point of beginning.

Property contains 0.336 acres, 14628 square feet.

Parcel: 26-13-352-004

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**

**GRANTOR**

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

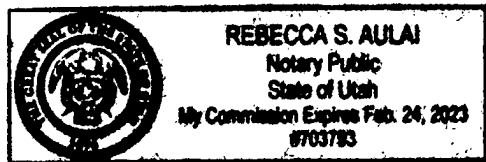
STATE OF UTAH )  
 ) ss.  
County of SALT LAKE )

On this 31 day of January, 2023, before me, the undersigned Notary Public in and for said State, personally appeared ERIC CARLSON (name), 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 (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.

*Rebecca S. Aulai*

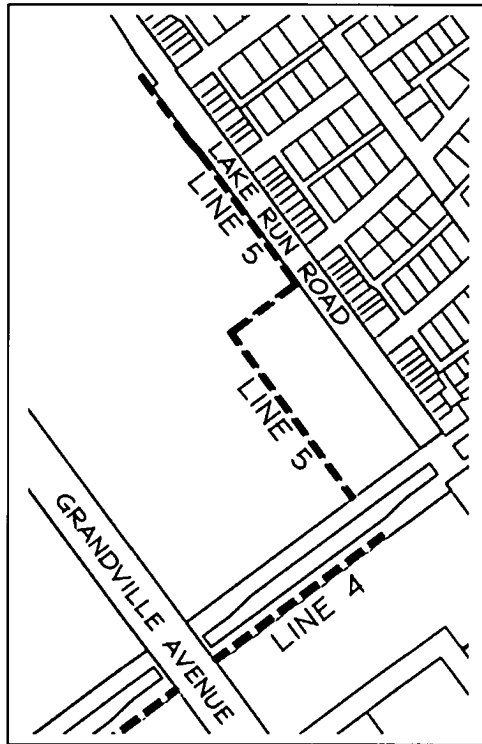
(notary signature)



NOTARY PUBLIC FOR Utah (state)  
Residing at: South Jordan, UT (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 Operations, 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