

Entry 2016008006  
Book 1494 Pages 657-660 \$16.00  
21-NOV-16 02:21  
BRENDA McDONALD  
RECORDER, UINTAH COUNTY, UTAH  
ROCKY MOUNTAIN POWER ATTN PAT TUCKE  
183 S 500 E VERNAL, UT 84078  
Rec By: WANDA MERKLEY , DEPUTY

REV05042015

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

Project Name: BLM-Remove Pole  
WO#: 6247127  
RW#:

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### UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **Mortgage Investment Trust Corporation** ("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 30.62 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 **Uintah** County, State of **Utah** more particularly described as follows:

#### Legal Description:

A 10 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, UINTAH COUNTY, UTAH. THE CENTERLINE OF SAID STRIP BEING DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN WHICH POINT IS ON THE GRANTOR'S WEST PROPERTY LINE AND BEARS S14°03'08"W 758.53 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION; THENCE N39°51'54"E 30.62 FEET TO A POINT ON THE GRANTOR'S NORTH PROPERTY LINE WHICH BEARS S13°00'26"W 731.08 FEET FROM SAID EAST QUARTER CORNER. THE SIDE LINES OF SAID STRIP BEING SHORTENED OR LENGTHENED TO TERMINATE AT THE GRANTOR'S PROPERTY LINES. BASIS OF BEARINGS IS THE LINE FROM THE SOUTHEAST CORNER TO THE NORTHEAST CORNER OF SECTION 23. THIS LINE IS CALCULATED FROM THE OFFICIAL MAP OF VERNAL CITY, UTAH TO BEAR N01°55'03"W. CONTAINS 0.007 ACRES MORE OR LESS.

Assessor Parcel No. 05:030:0057 **NESE**

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 25 day of October, 2016.

  
\_\_\_\_\_  
*Lindsay Olsen* GRANTOR *President*

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

STATE OF Kansas )  
 ) ss.  
County of Johnson )

On this 25 day of October, 2016, before me, the undersigned Notary Public in and for said State, personally appeared Lindsay Olsen (name), known or identified to me to be the President (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 Mortgage Investment Trust Corp. (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.

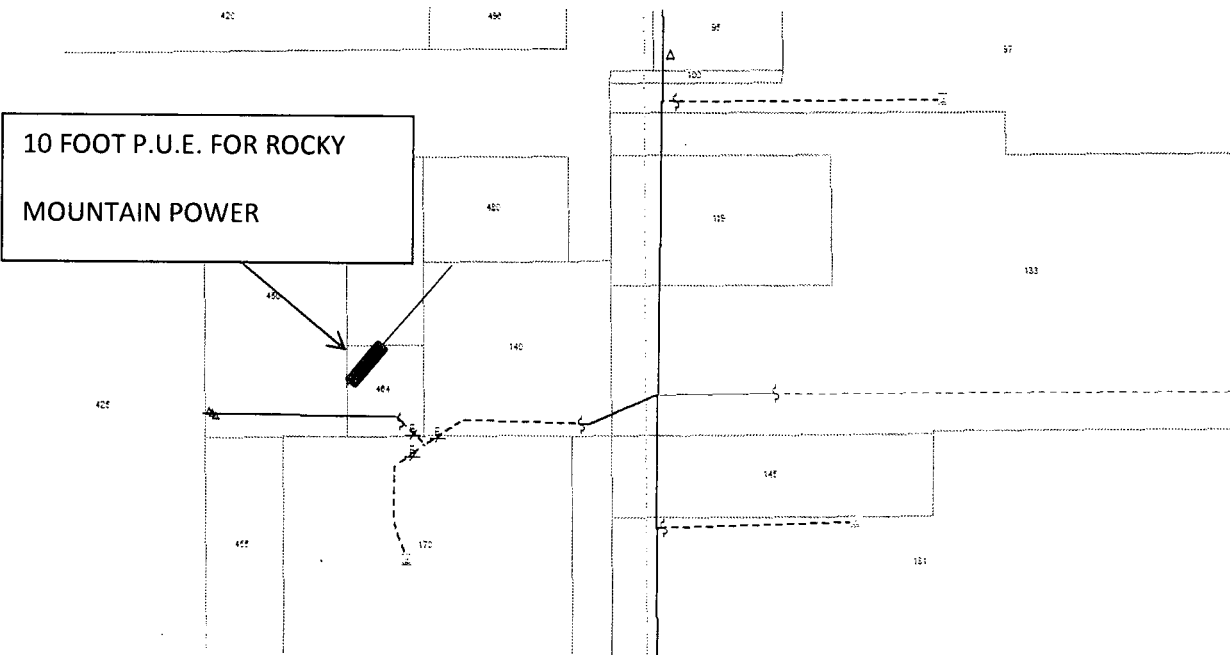
Susan Hagedorn  
(notary signature)



NOTARY PUBLIC FOR Kansas (state)  
Residing at: Lee's Summit, MO (city, state)  
My Commission Expires: 10/5/18 (d/m/y)

### Property Description

Section: 23 Township 4S (N or S), Range 21E (E or W),  
Salt Lake Base and Meridian  
County: Uintah State: Utah  
Parcel Number: 050300057



CC#: WO#: 6247127

Landowner Name: Mortgage Investment  
Trust Corporation

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: NOT TO SCALE