

## Utility Easement

**C. Richard Collins and Floyd Collins, dba Collins Brothers Oil Company; Collins Brothers Land Development, LLC; and Union Pacific Railroad Company ("Grantors")** hereby grant and convey to Eagle Mountain City, a municipal corporation of the state of Utah ("Grantee") a surface and underground easement across, over, and under that certain real property located in Utah County, state of Utah, which is more particularly described in Exhibit A annexed hereto and by this reference incorporated herein, to erect, construct, reconstruct, replace, enlarge, remove, maintain, and use a line of poles or towers with such wires and cables as Grantee may, from time to time, suspend therefrom for the purpose of communication and the moving or transporting of electric energy, together with all necessary and proper foundations, footings, cross arms, and other appliances and fixtures for use in connection with such towers, wires, and cables and to construct, install, and operate within such easement such other facilities, structures, appliances, or fixtures, including underground wires or lines, as may be required by Grantee in the conduct of its municipal utility business.

Grantors further grant to Grantee a right-of-way on, along, and in all of the easement, which includes the right of ingress and egress to and from said easement by means of any roads and lanes on such property, if there be such, or otherwise by such route or routes as shall cause the least damage and inconvenience to Grantors. Grantors shall have the right to use the above-described easement for purposes which do not conflict with and are not inconsistent with Grantee's full enjoyment of the rights granted herein; provided, however, at no time shall Grantors erect or permit the erection of any buildings or structures of any kind or nature, or place or use or permit any equipment or material, except for usual equipment used in Grantors' normal agricultural operations on the easement, or light any fires, or place or store any flammable materials (other than agricultural crops), on or within the boundaries of the easement. Subject to the foregoing limitations, the surface of the easement may be used for roads, agricultural crops, and other purposes not inconsistent with the purposes for which this easement has been granted.

Grantee shall also have the right, from time to time, to trim, remove, and clear away any and all trees, brush, or other growth, now or hereinafter on the above-described easement that now or hereafter, in the opinion of Grantee, may inhibit or impede Grantee's proper use of the easement or may constitute a hazard to the proper use of the easement; Grantee shall also have the right to remove all trees which conflict with Grantee's facilities, or which have the potential to affect the proper use of the facilities of the Grantee in the easement which is the property of Grantee. All state and federal construction and operation standards for fire prevention and suppression will be followed by Grantee.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns; and this easement shall terminate if and when Grantee shall have abandoned all use of the right of way for a period of 15 years and no longer has any future need therefor.

Signed this 7th day of June, 2002.

**Collins Brothers Oil Company**

By *C. Richard Collins*  
C. Richard Collins

STATE OF ILLINOIS )  
: ss.  
COUNTY OF JEFFERSON )

C. Richard Collins, who does business as Collins Brothers Oil Company, personally appeared before me on June 7th, 2002, and duly acknowledged that he executed the foregoing Utility Easement.

My commission expires August 10, 2003

*Michael S. O'Dea*  
Notary Public



*Kathleen A. Wimberly*  
**Kathleen A. Wimberly**  
Co-Executor of the Estate of Floyd Collins

*Rebecca J. Schmitt*  
**Rebecca J. Schmitt**  
Co-Executor of the Estate of Floyd Collins

STATE OF ILLINOIS )  
: ss.  
COUNTY OF JEFFERSON )

Kathleen A. Wimberly personally appeared before me on this 7th day of June, 2002, in capacity as co-executor of the Estate of Floyd Collins, who, together with C. Richard Collins, did business as Collins Brothers Oil Company and acknowledged that she executed the foregoing Utility Easement.

My commission expires August 10, 2003

*Michael S. O'Dea*  
Notary Public

STATE OF ILLINOIS )  
: ss.



COUNTY OF JEFFERSON )

Rebecca J. Scmitt personally appeared before me on this 7th day of June, 2002, in capacity as co-executor of the Estate of Floyd Collins, who, together with C. Richard Collins, did business as Collins Brothers Oil Company and acknowledged that she executed the foregoing Utility Easement.

My commission expires August 10, 2003

Michael S. O'Dea  
Notary Public



Signed this 7th day of June, 2002.

**Collins Brothers Land Development, LLC**  
A Utah Limited Liability Company

By Charles R. Wimberly  
Manager

STATE OF ILLINOIS )

: ss.

COUNTY OF JEFFERSON )

CHARLES R. WIMBERLY personally appeared before me on the 7th day of June, 2002, and duly acknowledged that he executed the foregoing Utility Easement as the Manager of Collins Brothers Land Development, LLC, in accordance with the authority given to him by the Articles of Organization and/or the Operating Agreement of said company.

My commission expires August 10, 2003

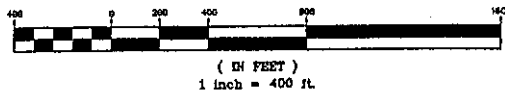
Michael S. O'Dea  
Notary Public



ORIGINAL NOT LEGIBLE



GRAPHIC SCALE



SURVEY LEGEND	
	SECTION CORNER & LINE (FOUND)
	SECTION CORNER (NOT FOUND)
	WITNESS CORNER (FOUND)
	SET 5/8 BAR & CAP @ PL
	ADJACENT PL or LOT LINES
	RIGHT-OF-WAY LINE
	EASEMENT LINE

ENT 78520:2002 PG 4 of 5

EASEMENT DESCRIPTION

PARCEL NO. 5

Collins Brothers in the SE 1/4 of Section 16, Township 5 South, Range 1 West, Salt Lake Base and Meridian.

A 75 foot wide Power Line easement being a portion of Collins Brothers property in that certain Warranty Deed Recorded as Entry No. 19451 Book 3077 Page 133 in the office of the Utah County Recorder, Utah. Basis of Bearing for subject being North 00°06'32" East 3259.26 feet (measured) between the Utah County brass cap monuments, monumenting the North-South Quarter Section line of said section 16, subject parcel being more particularly described as follows:

Beginning on the North-South 1/4 Section line of Section 16 at a point 2161.17 feet North 00°06'32" East from the South 1/4 Corner of Section 16, Township 5 South, Range 1 West, Salt Lake Base and Meridian and running thence North 00°06'32" East 135.61 feet along said North-South Line to the Easterly line of that certain power line easement Recorded in Book 3081 Page 141 in the office of the Utah County Recorder, Utah; thence North 33°41'08" East (Record North 33°40' East) 394.05 feet along said Easterly line to the South line of UTAH HWY 73; thence North 77°46'29" East (Record North 77°49' East) 107.79 feet along said South line; thence South 33°41'08" West 584.46 feet to the point of beginning.

Contains 36,694.21 Sq. Ft. or 0.842 Acre.

**COLLINS POWERLINE EASEMENT**  
 UTAH POWER INTERCONNECTION - NORTH SUBSTATION  
 TOWN OF EAGLE MOUNTAIN, UTAH  
 LOCATED IN SECTIONS 2, 3, 16, 15, 14, 20, & 21  
 TOWNSHIP 5 SOUTH, RANGE 1 WEST, AND SECTION  
 20, TOWNSHIP 4 SOUTH, RANGE 1 WEST  
 SALT LAKE BASE & MERIDIAN

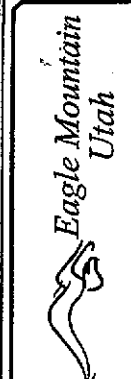
PARCEL NO. 5A

C. Richard Collins and Floyd Collins DBA Collins Brothers (C) Co. in Section 3, 10, 15 & 16, Township 5 South, Range 1 West, Salt Lake Base and Meridian.

A 75 foot wide Power Line easement being a portion of C. Richard Collins and Floyd Collins DBA Collins Brothers (C) Co. property in that certain Warranty Deed Recorded as Entry No. 19463 Book 1392 Page 490-491 in the office of the Utah County Recorder, Utah. Basis of Bearing for subject parcel being South 00°09'27" West 2665.48 feet (measured) between the Utah County brass cap monuments, monumenting the West line of the Northwest Quarter of said Section 3. Subject parcel being more particularly described as follows:

Beginning on the North line of the South 1/2 of the NW 1/4 of Section 3 at a point 1332.741 feet South 00°09'27" West and 1091.24 feet North 89°36'08" East from the Northwest Corner of Section 3, Township 5 South, Range 1 West, Salt Lake Base and Meridian, said point is also on the East line of that certain 130 foot power line easement recorded as Entry no. 46150 Book 1795; Page 208 in the office of the Utah County Recorder, Utah and running thence North 89°36'08" East 75.31 feet along said North Line; thence South 04°46'25" West 9345.20 feet to the South line of Section 10 Township 5 South, Range 1 West, Salt Lake Base and Meridian at a point 399.297 feet North 89°39'18" East from the SW corner of said Section 10; thence South 50°26'22" West 227.99 feet; thence South 89°41'12" West 893.88 feet; thence South 33°41'08" West 2773.92 feet to the North line of UTAH HWY 73; thence South 77°46'29" West (Record North 77°49' East) 107.79 feet along said North line to the Easterly line of that certain power line easement Recorded in Book 3081 Page 141 in the office of the Utah County Recorder, Utah (at a point 2455.20 feet South 00°06'32" West and 337.16 feet East from the N 1/4 corner of Section 16 Township 5 South, Range 1 West, Salt Lake Base and Meridian); thence North 33°41'08" East (Record North 33°40' East) 2971.74 feet along said Easterly line to the North line of said Section 16; thence North 89°29'30" East 686.00 feet along said North line to the NE corner of said Section 16; thence North 89°51'35" East 279.45 feet along the South line of said Section 10; thence North 50°26'22" East 61.91 feet to the East line of the said 130 foot wide power line easement; thence North 04°46'25" East 9306.830 feet along said East line to the point of beginning.

Contains 1,057,377.80 Sq. Ft. or 24.274 Acres.



**Epic Engineering, P.C.**  
 2800 WEST 4700 SOUTH, SUITE 110  
 SALT LAKE CITY, UT 84119  
 PHONE: (801) 955-8885  
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ENT 78520:2002 PG 4 of 5

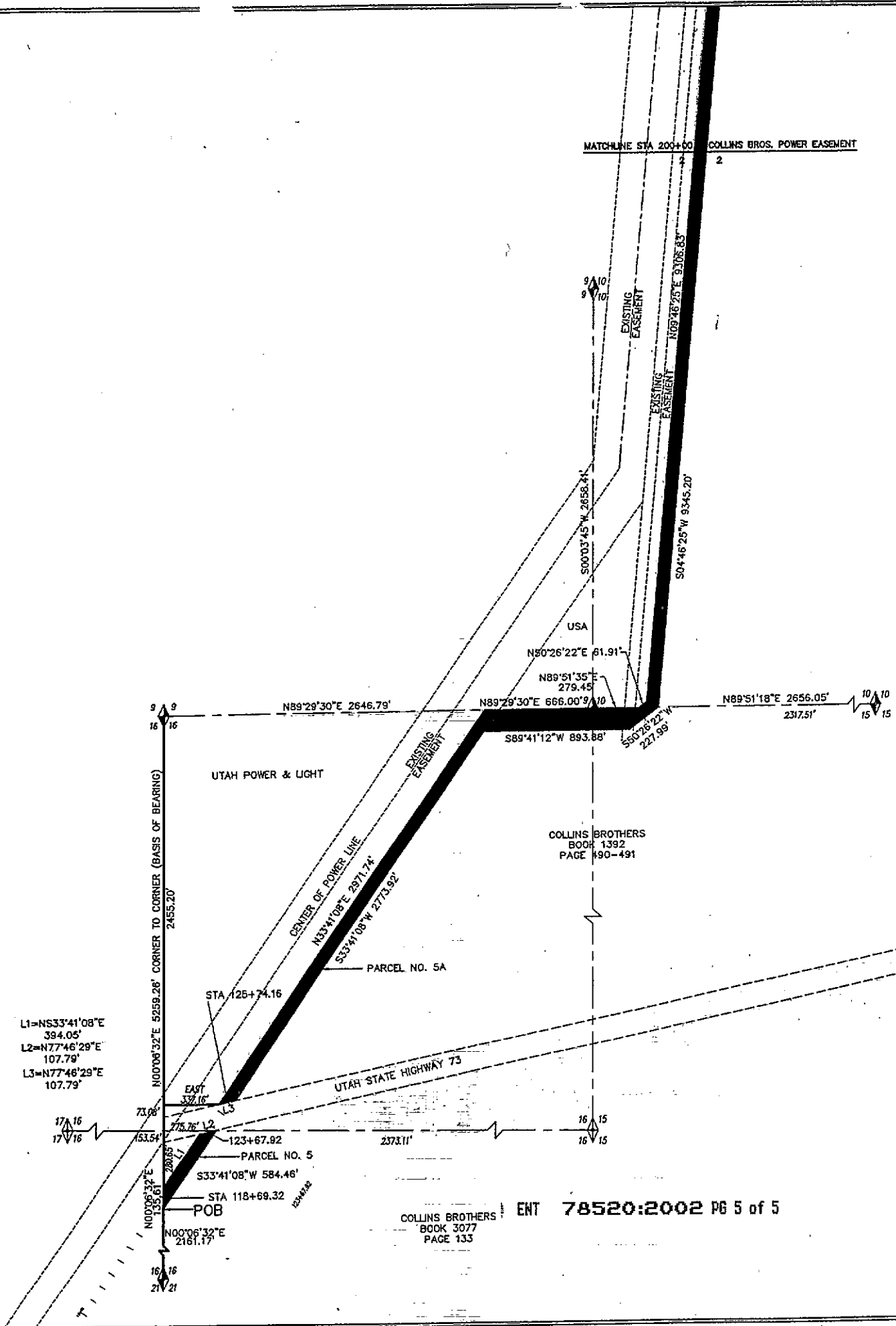
Designed by: EP	Checked by: SW	Asst. Check: JG	Drawn by: JG
Drawn by: JG	Checked by: SW	Asst. Check: JG	Drawn by: JG
Field notes made by: JG	Asst. Check: JG	Drawn by: JG	Checked by: SW
Asst. Check: JG	Drawn by: JG	Checked by: SW	Asst. Check: JG

UTAH POWER INTERCONNECTION - NORTH SUBSTATION  
 TOWN OF EAGLE MOUNTAIN, UTAH  
 LOCATED IN SECTIONS 2, 3, 16, 15, 14, 20, & 21  
 TOWNSHIP 5 SOUTH, RANGE 1 WEST, AND SECTION  
 20, TOWNSHIP 4 SOUTH, RANGE 1 WEST  
 SALT LAKE BASE & MERIDIAN

project no:  
9801-247.12

sheet:  
2 of 2

ORIGINAL NOT LEGIBLE



L1= $NS33^{\circ}41'08"E$   
394.05'  
L2= $N77^{\circ}46'29"E$   
107.79'  
L3= $N77^{\circ}46'29"E$   
107.79'