

RESOLUTION NO. _____

ADOPTED: _____, 2024

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL APPROVING
AND AUTHORIZING THE MAYOR TO GRANT A PERPETUAL EASEMENT
TO ROCKY MOUNTAIN POWER IN WEST JORDAN

RECITALS

A. Salt Lake County (the “County”) owns a parcel of real property located in West Jordan, Utah, constituting a part of the Mountain View Golf Course, specifically identified as Parcel No. 27-04-202-002 (the “Property”).

B. Rocky Mountain Power, an unincorporated division of PacificCorp (“RMP”), will be providing electrical power service to the Property, and an easement is necessary across a portion of the Property to allow RMP to access, service, and maintain the electrical power facilities on the Property.

C. The County and RMP have prepared an Underground Right of Way Easement (“Easement”) attached hereto as Exhibit A, wherein the County grants the powerline easement across a portion of the Property to RMP.

D. In exchange for the Easement attached hereto as Exhibit A, RMP will provide electrical services to the Property.

E. It has been determined that the best interests of the County and the general public will be served by granting the Easement to RMP. The terms and conditions of the Easement are in compliance with all applicable state statutes and county ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Salt Lake County Council that the Easement, attached hereto as Exhibit 1 and by this reference made a part of this Resolution, is hereby approved; and the Mayor and County Clerk are hereby authorized to execute said Easement and to cause the Easement to be delivered to RMP.

APPROVED and ADOPTED this _____ day of _____, 2024.

SALT LAKE COUNTY COUNCIL

By: _____
Laurie Stringham, Chair

ATTEST:

Lannie Chapman
Salt Lake County Clerk

Council Member Alvord voting	_____
Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member Granato voting	_____
Council Member Harrison voting	_____
Council Member Stewart voting	_____
Council Member Stringham voting	_____
Council Member Theodore voting	_____
Council Member Winder Newton voting	_____

REVIEWED AS TO FORM AND LEGALITY:

R. Christopher Preston
Deputy District Attorney

EXHIBIT 1
(Underground Right of Way Easement)

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

Project Name: Mountain View Golf Course
Rocky Mountain Power Perpetual Easement
WO#: 7015793
R/W: 2024LBB008
Real Estate #: 3742.001

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **SALT LAKE COUNTY**, a body corporate and politic of the State of Utah, (“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 approximately 150 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 therefore; and pads, transformers, switches, vaults and cabinets (“Power Line Facilities”), on, across, 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 in Exhibit A and shown on Exhibit B attached hereto and by this reference made a part hereof (the “Easement Area”):

Legal Description: See Exhibit A

Assessor Parcel No. 27-04-202-002

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 all times, Grantee shall maintain the Power Line Facilities and appurtenant parts in a safe condition. Grantee shall maintain the Power Line Facilities in compliance with all applicable governmental requirements. All costs of maintenance and similar activities required by this paragraph and by the following paragraph shall be borne solely by Grantee.

Upon completion of the Power Line Facilities or any other activities that disturb the surface of Grantor’s property, Grantee shall promptly restore such land to the condition it was in immediately prior to such disturbance or as otherwise reasonably required by Grantor. Grantor’s

use of this easement shall not unreasonably interfere with Grantor's operation of the Mountain View Golf Course.

At no time shall Grantor 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 as a golf course or open space or 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.

GRANTOR:
SALT LAKE COUNTY

By: Exhibit Only, Do Not Sign
Mayor or Designee

By: _____
Clerk or Designee

GRANTEE:
ROCKY MOUNTAIN POWER, an unincorporated
division of PacifiCorp

By: Benjamin Davidge
Its: SR. TR/W AGENT

[NOTARY ACKNOWLEDGEMENTS TO FOLLOW]

STATE OF UTAH)
)ss.
COUNTY OF SALT LAKE)

On this ___ day of _____, 2024, personally appeared before me _____, who being duly sworn, did say that (s)he is the _____ of Salt Lake County, Office of Mayor, and that the foregoing instrument was signed on behalf of Salt Lake County, by authority of law.

NOTARY PUBLIC
Residing in Salt Lake County

[SEAL]

STATE OF UTAH)
)ss.
COUNTY OF SALT LAKE)

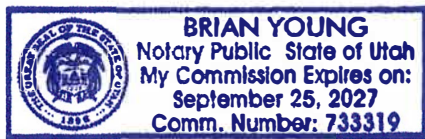
On this ___ day of _____, 2024, personally appeared before me being duly sworn, did say that (s)he is the _____ Clerk of Salt Lake County and that the foregoing Easement was signed on behalf of Salt Lake County, by authority of a Resolution of the Salt Lake County Council.

NOTARY PUBLIC
Residing in Salt Lake County

[SEAL]

STATE OF UTAH)
) ss.
COUNTY SALT LAKE)

On the 31st day of January, 2024, personally appeared before me Brian Bridge, who being duly sworn did say that he/she is the signer of the within instrument on behalf of Rocky Mountain Power an unincorporated division of PacifiCorp and that the within and foregoing instrument was signed by authority of said corporation and said Brian Bridge duly acknowledged to me that said corporation executed the same.



[Signature]

Notary Public

“EXHIBIT A”

A perpetual easement being part of an entire tract described in that Warranty Deed, recorded at Entry #2475201, in Book 3123, on Page 468, in the Office of the Salt Lake County Recorder. Said perpetual easement is located in the Northeast quarter of Section 4, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and is described as follows:

Beginning at the westerly corner of said perpetual easement, which is 1,351.34 feet N. 89°01'32" W. along the center section line and 825.80 feet S. 00°58'28" W. from the East Quarter corner of said Section 4; thence N. 45°40'40" E. 10.00 feet along the northwesterly easement line to the northerly corner of said perpetual easement; thence Southeasterly along the northeasterly line of said easement, the following two (2) courses: 1) S. 44°19'20" E. 34.40 feet; 2) S. 29°40'00" E. 117.58 feet to the easterly corner of said easement; thence S. 60°20'00" W. 10.00 feet along the southeasterly easement line to the southerly corner of said easement; thence Northwesterly along the southwesterly line of said easement, the following two (2) courses: 1) N. 29°40'00" W. 116.30 feet; 2) N. 60°20'00" W. 33.11 feet to the point of beginning.

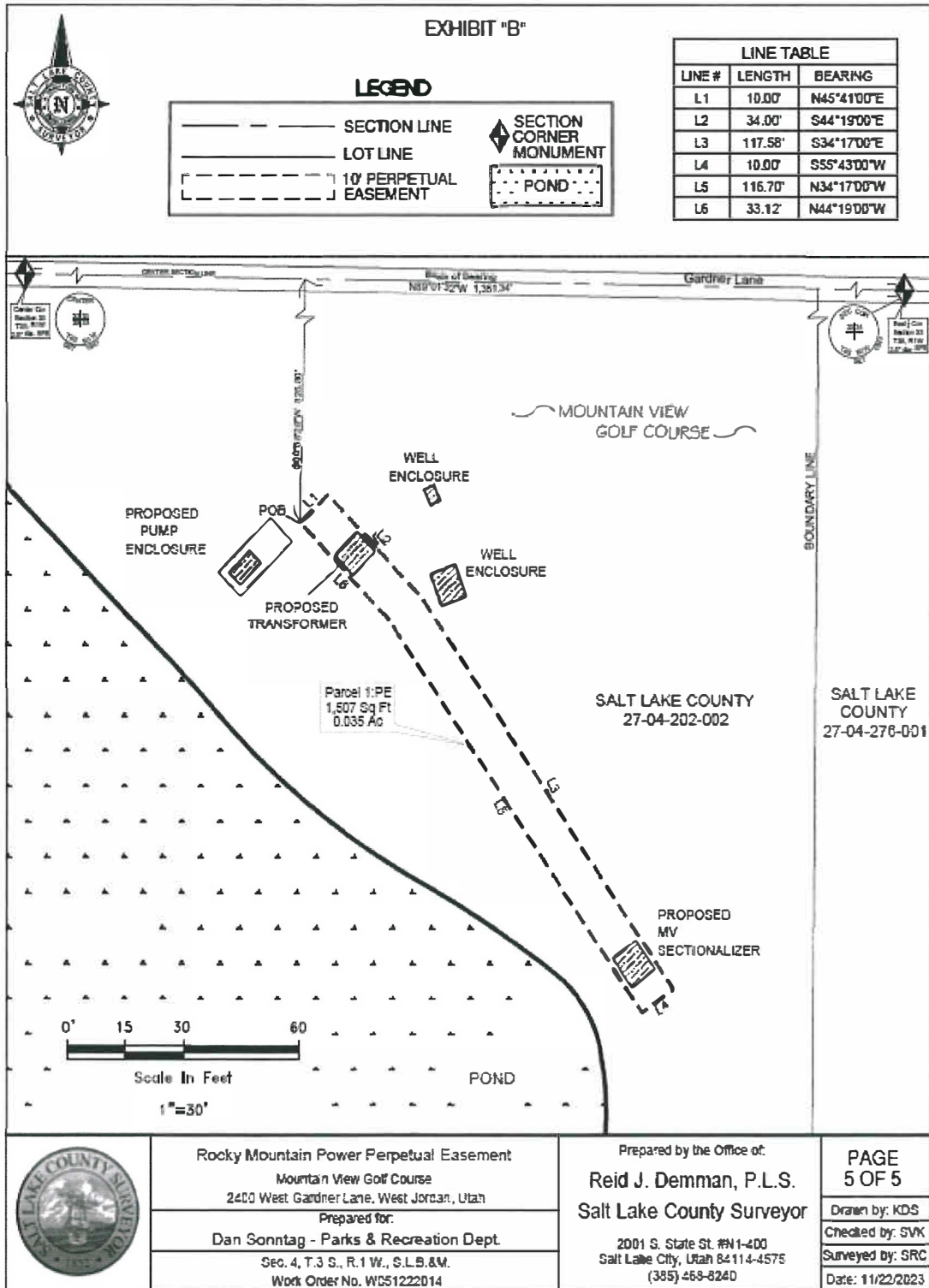
The above described perpetual easement contains 1,507 square feet in area, or 0.035 acre, more or less.

EXHIBIT “B”

By this reference, made a part hereof.

BASIS OF BEARING: The Basis of Bearing is N. 89°01'32" W. along the center section line between the East Quarter corner and the Center Section corner of said Section 4, Township 3 South, Range 1 West, Salt Lake Base and Meridian.

Parcel No. 1: PE
 Real Estate #3742.001
 ax Serial No. 27-04-202-002
 Surveyor WO #W051222014



Rocky Mountain Power Perpetual Easement
 Mountain View Golf Course
 2400 West Gardner Lane, West Jordan, Utah
 Prepared for:
 Dan Sonntag - Parks & Recreation Dept.
 Sec. 4, T.3 S., R.1 W., S.L.B.&M.
 Work Order No. WCS1222014

Prepared by the Office of:
 Reid J. Demman, P.L.S.
 Salt Lake County Surveyor
 2001 S. State St. #N1-400
 Salt Lake City, Utah 84114-4575
 (385) 458-8240

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 Drawn by: KDS
 Checked by: SVK
 Surveyed by: SRC
 Date: 11/22/2023