EASEMENT FOR UDOT CORE 15

ISSUE

UDOT I-15 Core project has requested a perpetual easement on Utah Valley University property located along the south west section of 1200 West. Granting of property easements requires approval of the Board of Trustees.

BACKGROUND

UDOT is currently in the process of construction of the I-15 CORE project. In the process of this construction they need to relocate power lines. This perpetual easement will give them the ability to relocate these lines. The parcel of land is a small strip of land running along 1200 West on the south west side of campus. The parcel is known as parcel #1649b:3E (see map). It is adjacent to property previously approved for perpetual easement for power lines. UDOT felt this small additional piece of property (.126 acre) will also be needed for this purpose.

In lieu of a monetary payment, UDOT has recommended that the $34,900 appraised purchase price be put towards UVU’s participation in the construction costs of a detention basin on the west side of I-15, which is being used for a portion of storm water that comes from the UVU campus.

RECOMMENDATION

The UVU administration recommends that the Board of Trustees approve a perpetual easement of .199 acres along the south west portion of 1200 West to UDOT.
Title: 7037_MP-I15-6(178)245_63P_1649B_3E also  
Date: 05-19-2011

Scale: 1 inch = 100 feet  
File: 7037_MP-I15-6(178)245_63P_1649B_3E also.des

| Tract 1: 0.126 Acres: 5498 Sq Feet: Closure = n62.1958e 0.01 Feet: Precision = 1/263856: Perimeter = 1356 Feet |
|---|---|---|
| 001=n40.4646w 344.64 | 004=n53.0837e 1.58 | 007=s00.4638e 15.56 |
| 002=n36.5123w 47.16 | 005=s36.5123e 330.60 |
| 003=n35.0927w 283.91 | 006=s40.4646e 332.38 |
Easement

(UNIVERSITY)

Utah County

Tax ID No. 18:030:0044
Parcel No. I15-6:1649B:3E
Project No. MP-I15-6(178)245

For value received, _________________ Utah Valley University, _________________, a body corporate and politic, organized and existing under the laws of the State of Utah, with its principal office at 800 W. 1200 South, Orem ___________, County of ___________, State of Utah, Grantor, hereby GRANTS AND CONVEYS to PACIFICORP, an Oregon Corporation, d/b/a ROCKY MOUNTAIN POWER, its successors and assigns, at 1470 West, North Temple, Suite 110, Salt Lake City, Utah 84116 Grantee, two perpetual easements upon part of an entire tract of property, situate in the SE¼SE¼ of Section 21 and the SW¼SW¼ of Section 22 Township 6 South, Range 2 East, SLB&M in Utah County, Utah for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: supporting towers, poles, props, guys and anchors, including guys and anchors outside of the right of way; wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, vaults and cabinets, along the general course now located by Grantee on, over, or under the surface of the real property of Grantor in Utah County, State of Utah more particularly described as follows and as more particularly described and/or shown on Exhibits A and B attached hereto and by this reference made a part hereof:

Beginning in the existing highway right of way line of Orem City 1200 South Street, at a point 149.12 radially distant northerly from the westbound control line of University Parkway of said project (UP-WB-2), opposite approximate Engineers Station 260+93.82, which point is 325.91 feet S.89°07'41"E along the Section Line and 37.28 feet North from the southwest corner of said Section 22; and running thence N.85°57'35"W. 158.39 feet; thence N.85°50'00"W. 650.27 feet; thence N.04°10'00"E. 10.00 feet; thence S.85°50'00"E. 650.26 feet; thence S.85°57'35"E 247.88 feet; thence S.04°02'25"W. 2.55 feet; thence S.89°16'49"W. 89.80 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract contains 8,649 square feet in area or 0.199 acre.
ALSO:

Beginning at a point in an easterly boundary line of said entire tract at a point 33.12 feet radially distant northeasterly from the northbound onramp control line of University Parkway of said Project (269A3-2), opposite approximate Engineers Station 178+90.21, which point is 1,339.23 feet S.89°25'27"W along the Section Line and 516.91 feet N.00°45'37"W from the Southeast corner of said Section 21; and running thence N.40°46'46"W. 344.64 feet; thence N.36°51'23"W. 47.16 feet to the northeasterly highway right of way and no-access line of I-15; thence N.35°09'27"W. 283.91 feet; thence N.53°08'37"E. 1.58 feet; thence S.36°51'23"E. 330.60 feet; thence S.40°46'46"E. 332.38 feet; thence S.00°46'38"E. 15.56 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract contains 5,498 square feet in area or 0.126 acre.

The combined area of the above described parts of an entire tract contains 14,147 square feet in area or 0.325 acre.

(Note: Rotate above bearings 0°00'24" counterclockwise to equal highway bearings.)

Tax ID No. 18:030:0044

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 no time shall Grantor place, use or permit any equipment or material of any kind that exceeds twelve (12) feet in height, 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 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.