PLANNING COMMISSION STAFF REPORT

Landfill Surplus Property
Declaration Of Surplus Property
Petition # PLNPCM2010-00145
1800 South 5800 West
June 9, 2010



Applicant:

Salt Lake City Public Services, Director Rick Graham

Staff:

Nole Walkingshaw Phone:(801)535-7128

Email:

nole.walkingshaw@slcgov.com

Tax ID:

14-11-300-006

Current Zone:

Open Space

Master Plan Designation:

West Salt Lake Community Master Plan (West Salt Lake Industrial District)

Council District:

Van Turner; District 2

Community District:

Glendale; Randy Sorenson, Chair

Lot Size:

7.84 Acres

Current Use:

Land bordering the Salt Lake City/County Landfill

Applicable Land Use Regulations:

• Section 2.58 of the Salt Lake City Code

Notification

- Notice mailed on May 27, 2010
- Sign posted on May27, 2010
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites June 3, 2010

Attachments:

- A. Request for Declaration
- B. City Department Comments
- C. Plat

Request

The Public Services Department has requested the surplus of approximately 7.84 acres of land, which borders the east boundary of the Salt Lake City Salt Lake County Landfill.

Staff Recommendation

Staff recommends the Planning Commission forward a positive recommendation to the Mayor for the declaration of surplus property. Permitting the sale of the subject property to Rocky Mountain Power for fairmarket value, with the following conditions:

- 1. That the applicant shall finalize the land acquisition with the Property Management Division.
- 2. That the applicant shall purchase the subject property for its fair-market value

VICINITY MAP



Background

Project Description

The Public Services Department has requested the surplus of approximately 7.84 acres of land, which borders the east boundary of the Salt Lake City/Salt Lake County Landfill. Salt Lake City and Salt Lake County jointly own the landfill located at approximately 1800 South 5800 West. Rocky Mountain Power (RMP) has a major transmission line corridor which parallels the eastern boundary of the Landfill. RMP anticipates there will be increased electrical demands and is proposing construction of additional transmission lines. RMP requested the City and County sell a strip of land along the landfill's eastern boundary. The land is inutile to the landfill for future expansion since the land is already encumbered by an existing subsurface Kern River gas transmission line. The County has already completed the process for declaring its 50% ownership surplus and the only thing holding up construction is for the City to declare its portion of the transaction. The property will be sold at the fair market value, although the proceeds may have to be redirected to the landfill fund depending on the source by which it was purchased.

Comments

Public Comments

No comments have been received; this request has not been presented to the Community Council or Open House. Input not required by ordinance

City Department Comments

The comments received from pertinent City Departments / Divisions are attached to this staff report in Attachment B. The Planning Division has not received comments from the applicable City Departments/Divisions that cannot reasonably be fulfilled or that warrant denial of the petition.

Analysis and Findings

There are no specific criteria or standards for the disposition of City owned property.

Findings

- 1. The proposed use of the property is as a high power transmission line. High power transmissions lines are considered to be a utility installation maintained by a public utility and as such are exempt from the regulations of Title 21A of the Salt Lake City Code.
- 2. The proposed surplus parcel is not needed for access to citizens or property owners, other than the applicant;
- 3. That security for the site that would minimize the potential from acts of vandalism and is beneficial to the public, at large,
- 4. That utility corridor use of the property is consistent with the applicable West Salt Lake Community Master Plan (West Salt Lake Industrial District).

Attachment A Request For Declaration

RICHARD GRAHAM

SAUT' LAKE: GHTY CORPORATION

RALPH BECKER

DEPARTMENT OF PUBLIC SERVICES

January 20, 2010

Bryan Hemsley Chief Procurement Officer Salt Lake City Corporation 451 South State Street, Room 235 Salt Lake City, UT 84111

RE: REQUEST TO DECLARE CITY PROPERTY SURPLUS LOCATED AT SALT LAKE CITY AND SALT LAKE COUNTY LANDFILL

Dear Bryan,

Salt Lake City and Salt Lake County co-jointly own the landfill located at approximately 1800 South 5800 West. Rocky Mountain Power (RMP) has a major transmission line corridor which parallels the eastern boundary of the Landfill. RMP anticipates there will be increased electrical demands and is proposing construction of additional transmission lines. RMP requested the City and County sell a strip of land along the landfill eastern boundary. The land is inutile to the landfill for future expansion since the land is already encumbered by an existing subsurface Kern River gas transmission line. The County has already completed the process for declaring its 50% ownership surplus and the only thing holding up construction is for the City to declare its portion of the transaction. The property will be sold at the fair market value, although the proceeds may have to be redirected to the landfill fund depending on the source by which it was purchased.

In compliance with City Code §2.58.010, and at your earliest convenience, please authorize the surplus disposition process to proceed. Property Management will provide all the pertinent information to forward this request to Planning.

Sincerely.

Rick Graham, Director

Salt Lake City Public Services Department

SAUT' LAKE: GHTY CORPORATION

SAM GUEVARA

RVICES

RALPH BECKER

DEPARTMENT OF ADMINISTRATIVE SERVICES

CAPITAL ASSET MANAGEMENT

September 23, 2009

John P. Spencer Property Manager 451 South State Street, Rm. 238 P.O. Box 145460 Salt Lake City, UT 84114-5460

RE: Rocky Mountain Power Corridor Expansion and the Salt Lake City Landfill

Dear John:

Rocky Mountain Power has approached the City with a request related to the expansion and improvement of the Oquirrh Terminal. Part of this project requires either the purchase of easements and land in fee for the expansion of power lines in the vicinity of the City landfill.

Rocky Mountain Power owns a corridor abutting the landfill on the east. Kern River Gas Transmission Co. has an easement for a gas pipeline near the eastern boundary of landfill property. This easement has very strict terms which greatly limit the surface uses. Approximately 100' of unencumbered and virtually inutile landfill property exists between the power corridor and the gas pipeline (see enclosed map).

Rocky Mountain Power has requested either the purchase of fee or an easement on the landfill property between these two corridors to increase the power lines serving the Oquirrh Terminal expansion. The unique condition surrounding the proposed corridor – that it is nearly completely contained between two existing utility corridors – leads me to recommend against simply granting an easement. After considering the request, I would recommend the City proceed to declare this portion of the property surplus and sell it to Rocky Mountain Power.

A request for surplus declaration has already been submitted to Salt Lake County (the co-owner of the parcel with the City under tenancy in common). I would recommend that the City initiate its own surplus property declaration process on this property with the intent of conveying fee title to Rocky Mountain Power. Let me know how I may assist in this process.

Sincerely,

Matthew C. Williams

Real Property Agent

Cc: Sam Guevara

Enclosure

LOCATION: 451 SOUTH STATE STREET, ROOM 238, SALT LAKE CITY, UTAH 84111-3104

MAILING ADDRESS: PO BOX 145460, SALT LAKE CITY, UTAH 84114-5460

TELEPHONE: 801-535-7133 FAX: 801-535-6246

WWW.SLOPURCHASING.COM



Attachment B City Department Comments

City Department Comments

Transportation

March 31, 2010

Re; Petition PLNPCM2010-00145 – Surplus Property Declaration, Project name Landfill Surplus Property request by Rick Graham.

Parcel "A" & "B" Located at @ 5818 West between California Avenue and 1000 South.

The division of transportation review comments and recommendations are as follows:

The proposed property does not impact existing City roadways, but is located in the area of the proposed Mountain View Corridor Alignment.

Please coordinate with UDOT district two of future impacts they may have.

Barry Walsh

Engineering

The only concern that our Division has is in relation to the proposed Mountain View Corridor that UDOT is proposing in this area. Our understanding is that it is to exist in the vicinity of 5800 West at 1300 South, but we are not sure of exactly where. We would suggest obtaining more information from UDOT before proceeding with the surplus sale.

We do not have funding for the project north of 5400 South at this time. Please find attached the file I sent to Randy earlier showing the location of the roadway in this area. We are not actively purchasing right of way in this area.

D. Jessica Wilson

Mountain View Corridor Sr. Public Information Coordinator

Zoning Review

This property is located in an M-1 zone with a Transitional Overlay and 21A.02.050B exempts public transmission lines from regulation by Salt Lake City; therefore, there are no zoning issues

Public Utilities

We don't have any objections to the proposed request.

Airport

Thank you for sending the review project: Rocky Mountain Power – Surplus Property Declaration at 1800 South and 5800 West. We reviewed the proposed location in relation to existing and future airport facilities. We also reviewed the project in relation to airspace and the approaches to the airport. We observe no conflicts or issues with the airport or to airport operations and recommend approval. —Allen McCandless

Attachment C Site Plans and Plat



Hansen and Associates, Inc. Consulting Engineers & Land Surveyors

4/8/2010

RMP – Landfill Parcel Descriptions

Parcel A

A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF 1300 SOUTH STREET AND THE WEST LINE OF THE U.P.&L. 130 FOOT WIDE RIGHT-OF-WAY FOUND IN BOOK 2371 AT PAGE 20 AS ENTRY NO. 2107655 LOCATED NORTH 89°41'53" WEST (STATE PLANE UTAH CENTRAL GRID BEARING) 1539.11 FEET (±1533' BY RECORD) ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER AND NORTH 00°11'34" EAST 33.00 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION, SAID POINT BEING 130.00 FEET NORTH 89°41'53" WEST OF THE SOUTHWEST CORNER OF LEGACY INDUSTRIAL PARK; RUNNING THENCE NORTH 89°41'53" WEST 102.59 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE OF 1300 SOUTH TO THE EAST LINE OF THE KERN RIVER GAS TRANSMISSION COMPANY 50 FOOT WIDE EASEMENT FOUND IN BOOK 6317 AT PAGE 1957 AS ENTRY NO. 5068795; THENCE NORTH 00°28'39" EAST 2024.77 FEET ALONG SAID EAST LINE TO THE SOUTHERLY LINE OF THE U.P.&L. 150 FOOT WIDE RIGHT-OF-WAY FOUND IN BOOK 8-H AT PAGE 237 AS ENTRY NO. 319231; THENCE ALONG SAID U.P.&L. EASEMENT THE FOLLOWING TWO (2) COURSES; (1) SOUTH 28°11'09" EAST (SOUTH 28°25' EAST BY RECORD) 52.84 FEET; (2) NORTH 61°48'51" EAST (NORTH 61°35'00" EAST BY RECORD) 76.63 FEET TO WEST LINE OF SAID U.P.&L. RIGHT-OF-WAY BEING A LINE 130.00 FEET WEST OF AND PERPENDICULAR TO THE WEST LINE LOT 6 OF SAID LEGACY INDUSTRIAL PARK; THENCE SOUTH 00°11'34" WEST (SOUTH 00°02'17" EAST BY RECORD) 2014.86 FEET ALONG SAID U.P.&L. RIGHT-OF-WAY LINE AND PARALLEL WITH THE WEST LINE OF SAID LEGACY INDUSTRIAL PARK TO THE POINT OF BEGINNING. CONTAINING 4.478 ACRES. BASIS OF BEARINGS BEING A LINE THAT BEARS NORTH 13°50'04" WEST BETWEEN U.D.O.T. MONUMENTS NO. 335 AND NO. 320 AS DESCIBED ON THE U.D.O.T. MOUNTAIN VIEW CORRIDOR SURVEY CONTROL SHEET ON FILE AT THE U.D.O.T. REGION 2 HEADQUARTERS AND BASED ON UTAH CENTRAL ZONE, NAD83- U.S. SURVEY FOOT.

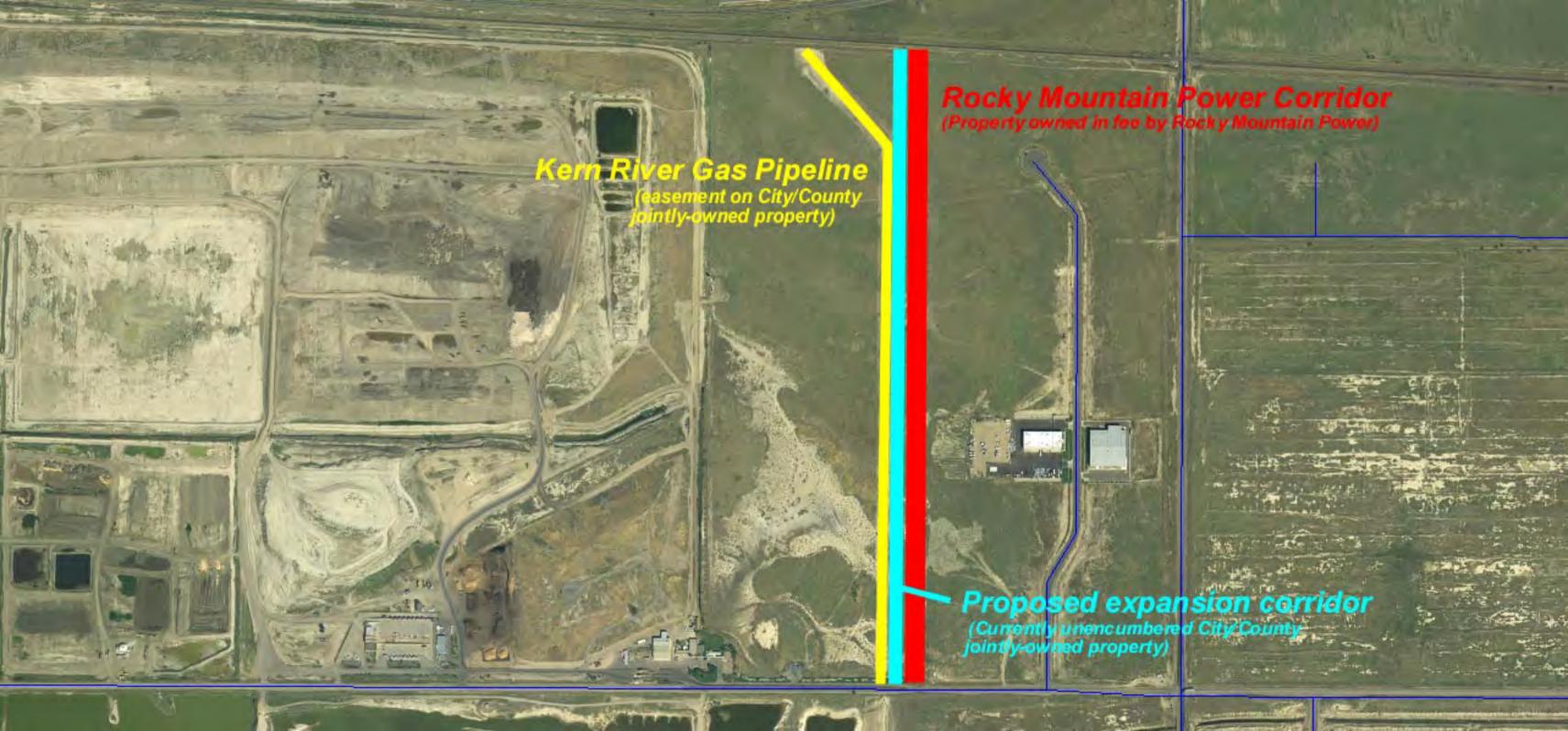
Parcel B

A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF THE U.P.&L. 150 FOOT WIDE RIGHT-OF-WAY FOUND IN BOOK 8-H AT PAGE 237 AS ENTRY NO. 319231 AND THE WEST LINE OF THE U.P.&L. 130 FOOT WIDE RIGHT-OF-WAY FOUND IN BOOK 2371 AT PAGE 20 AS ENTRY NO. 2107655 LOCATED NORTH 89°41'53" WEST (STATE PLANE UTAH CENTRAL GRID BEARING) 1539.11 FEET (±1533' BY RECORD) ALONG THE SOUTH LINE OF SAID SOUTHEAST OUARTER AND NORTH 00°11'34" EAST 2047.86 FEET AND NORTH 03°07'40" EAST 176.04 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION, SAID POINT BEING 147.76 FEET SOUTH 61°48'51" WEST (SOUTH 61°35'00" WEST BY RECORD) OF THE SOUTHWEST CORNER LOT 7 OF LEGACY INDUSTRIAL PARK; RUNNING THENCE SOUTH 61°48'51" WEST (SOUTH 61°35'00" WEST BY RECORD) 114.79 FEET ALONG SAID NORTHERLY U.P.&L. RIGHT-OF-WAY LINE TO THE EAST LINE OF THE KERN RIVER GAS TRANSMISSION COMPANY 50 FOOT WIDE EASEMENT FOUND IN BOOK 6317 AT PAGE 1957 AS ENTRY NO. 5068795; THENCE NORTH 00°28'39" EAST 915.39 FEET TO AN ANGLE POINT IN SAID KERN RIVER EASEMENT; THENCE CONTINUING NORTH 00°28'39" EAST 495.98 FEET TO THE SOUTHERLY LINE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE SOUTH 86°43'48" EAST (SOUTH 86°57'39" EAST BY RECORD) 94.17 FEET ALONG SAID SOUTHERLY LINE TO WEST LINE OF SAID U.P.&L. RIGHT-OF-WAY BEING A LINE 130.00 FEET WEST OF AND PERPENDICULAR TO THE WEST LINE LOT 8 OF SAID LEGACY INDUSTRIAL PARK; THENCE SOUTH 00°11'43" WEST (SOUTH 00°02'08" EAST BY RECORD) 1351.74 FEET ALONG SAID WEST LINE AND PARALLEL WITH THE WEST LINE OF SAID LEGACY INDUSTRIAL PARK TO THE POINT OF BEGINNING. CONTAINING 3.091 ACRES. BASIS OF BEARINGS BEING A LINE THAT BEARS NORTH 13°50'04" WEST BETWEEN U.D.O.T. MONUMENTS NO. 335 AND NO. 320 AS DESCIBED ON THE U.D.O.T. MOUNTAIN VIEW CORRIDOR SURVEY CONTROL SHEET ON FILE AT THE U.D.O.T. REGION 2 HEADQUARTERS AND BASED ON UTAH CENTRAL ZONE, NAD83- U.S. SURVEY FOOT.

538 North Main Street Brigham City, UT 84302

Brigham City (435)723-3491 www.haies.net Logan (435) 752-8272 Fax (435)723-3492 Ogden (801) 399-4905 hai@haies.net



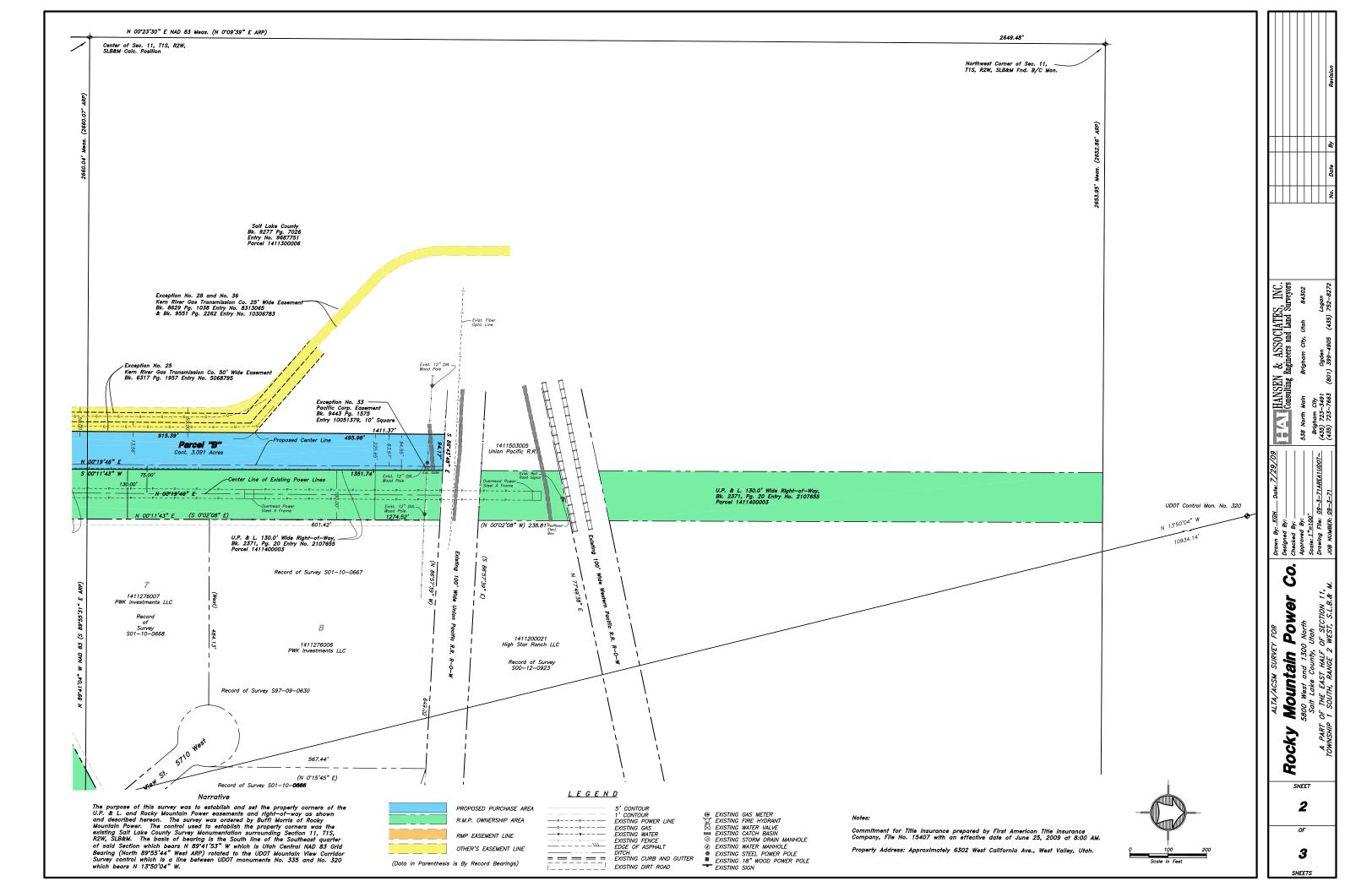


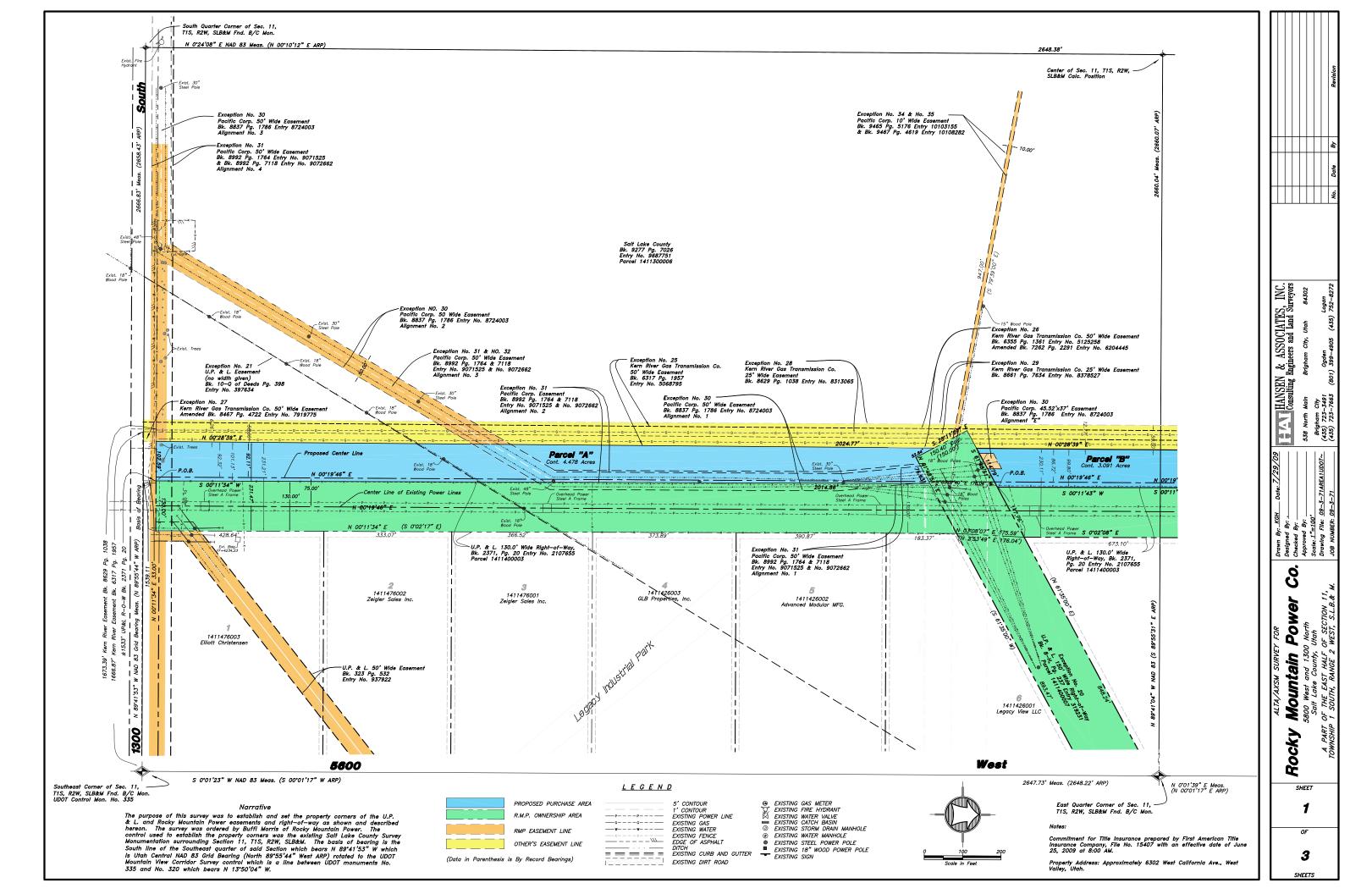
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Boundary Description

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LESS ANY PORTION LYING WITHIN UTAH POWER PROPERTY

SIDWELL NO. 14-11-300-006

SAID LEGAL DESCRIPTION WAS CREATED FROM THE FOLLOWING PARCELS OF LAND:

A PARCEL OF LAND DEEDED TO SALT LAKE COUNTY, A BODY CORPORATION AND POLITIC OF THE STATE OF UTAH, AND SALT LAKE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AS JOINT TENANTS, IN THAT SPECIAL INARRANTY DEED RECORDED JULY 9, 2003, BOOK 8837, PAGE 1784, ENTRY NO. 8724002. A PARCEL OF LAND BEING PART OF A ENTIRE TRACT STUATE IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, SAID ENTIRE TRACT BEING DESCRIBED IN THAT WARRANTY DEED RECORDED IN BOOK 8H, PAGE 237, SALT LAKE COUNTY RECORDER'S OFFICE. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS. BEGINNING AT A POINT IN THE NORTHWESTERLY BOUNDARY LINE OF SAID ENTIRE TRACT WHICH IS 501.33 FEET SOUTH 00'00'15" EAST ALONG THE SECTION LINE AND 1,679.20 FEET WEST FROM THE EAST QUARTER CORNER OF SAID SECTION 11.1 AS SHOWN IN THAT SURREY BY THE SALT LINE COUNTY SURVEYOR, DATED UNMARY 30, 2003, BEING SURREY NUMBER SECO3—01-089 AS FILED IN THE SALT LINE COUNTY SURVEYOR, 2003, BEING SURREY NUMBER SECO3—01-089 AS FILED IN THE SALT LINE COUNTY SURVEYOR, OF SAID ENTIRE THACK, THENCE SOUTH 6135" WEST, 198.91 FEET ALONG SAID GUARTER HEAD SOUTH 6135" WEST, 198.91 FEET ALONG SAID GUARTER SECTION LINE OF SAID SECTION 11. THENCE NORTH OUR STATE SECTION LINE OF SAID OWNERSTERLY BOUNDARY LINE; THENCE NORTH 6135" EAST, 17.0.75 FEET ALONG SAID QUARTER SECTION LINE OF SAID NORTHWESTERLY BOUNDARY LINE TO THE POINT OF BEINNING.

A PARCEL OF LAND, DEEDED TO SALT LAKE COUNTY AND SALT LAKE CITY CORPORATION, AS TENANTS IN COMMON, WITH AN UNDIVIDED INTEREST. RECORDED MAY 29, 1986, BOOK 5772, PAGE 1178, THAT PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH — RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE MERIDIAN; THENCE NORTH 0"04"54" EAST ALONG SECTION LINE 985.86 FEET TO AN OLD EXISTING FENCE LINE; THENCE NORTH 0"05"21" WEST 1362.07 FEET TO THE 1/16 SECTION CORNER; THENCE SOUTH 89"59"51" EAST ALONG THE SECTION LINE 1363.35 FEFT TO POWN OF PROFIMBING.

A PARCEL OF LAND DECEDE TO SALT LAWE COUNTY, A BODY CORPORATION AND POLICE OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, RECORDED AUGUST 28, 1994, BODE TOOR, PAGE 182, EMPTE 103. SOBREDON TO THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION OF THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION OF THE STATE OF UTAH, AND S BEGINNING AT THE SOUTHMEST CORNER OF SECTION 11, TOWNSHIP I SOUTH, PANGE 2 WEST SULT LIKE BASE AND MERIDAM AND RUNNING THENCE ALONG THE SECTION LINE NORTH 00'08'0" EAST 1024.55 FEET TO THE WEST GUARRIER CORNER OF SAD SECTION 11, THENCE NORTH 00'8'0" EAST 1039.68 FEET TO THE SOUTH RIGHT OF MAY FENCE LINE OF THE LEST MORE SOUTH RIGHT OF MAY FENCE LINE OF THE LEST HALF OF SAD SECTION 11, THENCE SOUTH 00'8'0" EAST 1026.96 FEET TO THE SOUTH 10'8'0" EST 1026.96 FEET TO THE SOUTH 10'8' EAST 1027.83 FEET TO THE CENTER OF SAD SECTION 11, THENCE SOUTH 90'9" FEET AND RIGHT 89'554" WEST 2664.95 FEET TO THE CENTER OF SAD SECTION 11, THENCE SOUTH 90'9" FEET AND RIGHT 89'554" WEST 2664.95 FEET TO THE CENTER OF SAD SECTION 11, THENCE SOUTH 90'9" WEST 2664.95 FEET MORE OF THE SOUTH 10'9" FEET MORE OF THE SOUTH 11, THENCE SOUTH 90'9" FEET MORE OF THE SOUTH 10'9" FEET MORE OF THE SOUTH 11, THENCE SOUTH 90'9" FEET MORE OF THE SOUTH 10'9" FEET MORE OF THE SOUTH 11'S FEET MORE OF THE SOUTH 10'9" FEET MORE OF THE SOUTH 11'S FEET MORE OF THE SOUTH 11'

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A PARCEL OF LAND BEETED TO SALT LAWE COUNTY. A BODY CORPORATION AND POLITIC OP THE STATE OF UTAH, AND SALT LAWE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AS TENANTS IN COMMON, RECORDED BEEGINED 18, 1986, BOOK 8835, PAGE 709, BUTTER YOU. ASSTREAM.

A TRACT OF LAND SITUATE IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, PANGE 2 WEST OF THE SULT LAKE MERIDAN IN SALT LAKE COUNTY, STATE OF UTHAN BEING ALL OF PARGEL 2, AS CONNETED BY UNION PAIGHC MAIRCAD COMPANY TO UNION PAIGHC LAND RESOURCES CORPORATION BY QUITCLAND DEED RECORDED AS NO. 2796247, MARCH 22, 1978, IN BOOK 4140, PARGES 42, AND PARGEL 2 MORE PARTICULARLY DESCRIBED AS FOLLOWED. COMBINION AT THE INSTRUCTS CORNER OF SECTION TO THERE ALMON THE EDST LINE OF SUD SECTION TO SPICE STATE THE SECTION TO THE THE POINT OF BEGINNING, SAID POINT BEING OD FEET INSTRUCTOR THE THE POINT OF BEGINNING, SAID POINT BEING OD FEET INSTRUCTOR AND SAID LINE RAISOND COMPANY, AS FORMERLY CONSTRUCTED AND OFFICE, THENCE ALMON A LINE PARALLEL WITH AND SO, PEET DOTANT OF SAIL DIES CONTINUED AND OFFICE THE SECTION TO THE SECTI

ANGES, FROM SAID CENTERLINE OF ABMIDINED MAIN TRACK, NORTH 80'24' EAST 1338.76 FEET TO THE EAST LINE OF SAID SECTION 1.0; THENCE ALONG SAID EAST LINE OF SECTION 10, NORTH 031' WEST, 10.12' FEET TO THE TRUE POINT OF EGONNAM. A PARCEL OF LAND DEEDED TO SALT LANE COUNTY, A BODY CORPORATION AND POLITIC OF THE STATE OF UTAH, AND SALT LANE (COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, PECORDED DECEMBER 18, 1986, BOOK 5853, PAGE 714, ENTRY NO. ASST727.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY: A PARCEL OF LIND SITUATE IN THE NORTHEAST X, SOUTHEAST X OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 2 WEST, OF THE SALT LIKE MERIDAN, SALT LIKE COUNTY, STATE OF UTHA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNIER OF SECTION 10, THENCE ALONG THE LIST LINE OF SAID SECTION CONTINUED TO THE SECTION OF THE SECTION OF THE LIST LINE OF SAID SECTION OF SAID SECTION OF THE LIST LINE OF SAID SECTION OF FROM THE CONTINUED OF THE LIST LINE OF THE LIST LINE OF SAID SECTION AND THE WEST LINE OF THE LIST LINE OF SAID SECTION SECTION OF THE LIST LINE OF SAID SECTION SECTION OF THE LIST LINE OF SAID SECTION SECTION OF THE LIST LINE OF THE LIST LINE OF THE MORTHEAST X SOUTHEAST X

A PARCEL OF LAND DEEDED TO SALT LAKE COUNTY, A BODY CORPORATION AND POLITIC OF THE STATE OF UTAH, AND SALT LAKE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, RECORDED JUNIUMY 7, 1989, BODG STABS, PLATE 103, BESPLATE 103,

PARCEL NO. 1: THAT PORTION OF LAND LOCATED IN THE EAST HALF OP SECTION 10, TOWNSHIP 1 SOUTH, RANGE 2 WEST AND DESCRIBED AS FOLLOWS:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP I SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, LESS AND EXCEPTING THE WESTERN PACIFIC AND UNION PACIFIC RALEGOD PROPERTY.

PARCEL NO 2: THAT PORTION OF LAND LOCATED IN THE EAST HALF OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 2 WEST AND DESCRIBED AS FOLLOWS:

THE SOUTHWEST QUARTER OF THE MORTHEAST QUARTER AND THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP I SOUTH, RANGE 2 WEST, SALT LAKE AND BASE AND MERIDAN, LESS AND EXCEPTING THE WESTERN PACIFIC AND UNION PACIFIC PAURADAP PROPERTY.

SUBJECT TO: COUNTY AND/OR CITY TAXES NOT DELINQUENT; BONDS AND/OR SPECIAL ASSESSMENTS NOT DELINQUENT; AND COVENANTS, CONDITIONS, RESTRICTIONS, RIGHTS-OF-WAY, EASEMENTS AND RESERVATIONS NOW OF RECORD TO

A PARCEL OF LIMID DEEDED TO SALT LAKE COUNTY, A BODY COMPORATION AND POLITIC OF THE STATE OF UTAH, AND SALT LAKE COUNTY CORPORATION, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, RECORDED MAY 28, 1998, BOOK 7157, PAGÉ 2238, ENTRY NO. 60986920.

BEONNING AT A POINT IN THE NORTH RIGHT OF WAY OF 1300 SOUTH. STREET, WHICH IS 1533.02 FEET NORTH 89°55'44" WEST ALONG THE SECTION LINE AND 33.00 FEET NORTH 00'01 '00' WEST FROM THE SOUTHEAST CORNER OF SECTION 11. TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LINE BASE AND MERITAN, AND RIMINAN THENCE NORTH 80°55'44" WEST ALONG THE SALD RIGHT OF WAY WEST ALONG THE SALD RIGHT OF WEST TO A POINT IN THE SOUTH BANDWAY LINE OF THE WESTERN PROFE OR AURICAD ESSENT, THENCE WORTH 7735'00' BEST ALONG THE SOUTH SALD RIGHT TO ALONG THE WEST ALONG T

PARCEL "A"

A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE SALT LAKE BASE AND

MERIDIAN.

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT—OF—WAY LINE OF 1300 SOUTH STREET AND THE WEST LINE OF THE U.P.&L. 130 FOOT WIDE RIGHT—OF—WAY FOUND IN BOOK 2371 AT PAGE 20 AS ENTRY NO. 2107655 LOCATED NORTH 89*41*53" WEST (STATE PLANE UTAH CENTRAL GRID BEARING) 1539.11 FEET (±1533' BY RECORD) ALONG THE SOUTH LINE OF SAID SOUTHEAST CUARTER AND NORTH 00*11*34" EAST 33.00 FEET FROM THE SOUTHEAST COLORER OF SAID SECTION, SAID POINT BEING 130.00 FEET NORTH 89*41*53" WEST 07 THE SOUTHWEST CORNER OF LEGACY INDUSTRIAL PARK; RUNNING THENCE NORTH 89*41*53" WEST 102.59 FEET ALONG SAID NORTH RIGHT—OF—WAY LINE TO THE EAST LINE OF THE KERN RIVER GAS TRANSMISSION COMPANY 50 FOOT WIDE EASEMENT FOUND IN BOOK 6317 AT PAGE 1957 AS ENTRY NO. 5068795; THENCE NORTH 00*22*39" EAST 2024.77 FEET ALONG SAID EAST LINE TO THE SOUTHERLY LINE OF THE U.P.&L. 150 FOOT WIDE RIGHT—OF—WAY FOUND IN BOOK 8—H AT PAGE 237 AS ENTRY NO. 319231; THENCE ALONG SAID U.P.&L. EASEMENT THE FOLLOWING TWO (2) COURSES; (1) SOUTH 28*11'09" EAST (SOUTH 28*25'EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*51" EAST (NORTH 61*35'00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*51" EAST (NORTH 61*35'00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*51" EAST (NORTH 61*35'00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*51" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*51" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*51" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*1" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*1" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*1" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*1" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*1" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*1" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*1" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61*45*1" EAST (NORTH 61*45*00" EAST BY RECORD) 52.84 FEET; (2) NORTH 61* RECORD) 76.63 FEET TO WEST LINE OF SAID U.P.&L. RIGHT-OF-WAY BEING A LINE 130.00 FEET WEST OF AND PERPENDICULAR TO THE WEST LINE LOT 6 OF SAID LEGACY INDUSTRIAL PARK; THENCE SOUTH 00°11'34" WEST (SOUTH 00°02'17" EAST BY RECORD) 2014.86 FEET ALONG SAID U.P.&L. RIGHT-OF-WAY LINE AND PARALLEL TO THE WEST LINE OF SAID LEGACY INDUSTRIAL PARK TO THE POINT OF BEGINNING. CONTAINING 4.478 ACRES.

Narrative

The purpose of this survey was to establish and set the property corners of the U.P. & L. and Rocky Mountain Power easements and right-of-way as shown and described hereon. The survey was ordered by Buffi Morris of Rocky Mountain Power. The control used to establish the property corners was the existing Salt Lake County Survey Monumentation surrounding Section 11, T1S, R2W, SLB&M. The basis of bearing is the South line of the Southeast quarter of said Section which bears N 89°41°53" W which is Utah Central NAD 83 Grid Bearing (North 89°55'44" West ARP) rotated to the UDOT Mountain View Corridor Survey control which is a line between UDOT monuments No. 335 and No. 320 which bears N 1750'12" W 13°50'04" W.

PROPOSED PURCHASE AREA RMP FASFMENT LINE

(Data in Parenthesis is By Record Bearings)

R.M.P. OWNERSHIP AREA OTHER'S EASEMENT LINE

<u>LEGEND</u>

____P_____ EXISTING POWER LINE EXISTING FOWER
EXISTING GAS
EXISTING WATER
EXISTING FENCE EDGE OF ASPHALT EXISTING DIRT ROAD

5' CONTOUR

' CONTOUR

 ⊕ EXISTING GAS METER
 ♥ EXISTING FIRE HYDRANT
 ⋈ EXISTING WATER VALVE
 □ EXISTING CATCH BASIN EXISTING STORM DRAIN MANHOLE EXISTING WATER MANHOLE DITCH

EXISTING CURB AND GUTTER

EXISTING STEEL POWER POLE

EXISTING 18" WOOD POWER POLE

SCHEDULE B

- Subject to a right of way disclosed by that certain Warranty Deed recorded December 31, 1913 in Book 8H of Deeds at Page 237.
- Subject to the rights and easements disclosed in that certain Judgment and Final Order of Condemnation as Entry No. 397634 in Book 10Q of Deeds at Page 398.
- 22. Reservations contained in that certain Warranty Deed recorded January 3, 1990 in Book 6188 at Page 1589 as Entry No. 4866945. (Nothing shown - does not affect subject property, all in Section 10).
- 23. Subject to an Easement in favor of Mountain States Telephone and Telegraph Company and the right to construct, operate, maintain, and remove such communication and other facilities upon, over, under and across a portion of the subject property, dated May 14, 1990, recorded June 26, 1990, Book 6231, Page 2289, Entry No. 4933664. (Shown does not affect subject property, along east line of section 11).
- 24. Subject to an Easement in favor of Mountain States Telephone and Telegraph Company and the right to construct, operate, maintain, and remove such communication and other facilities upon, over, under and across a portion of the subject property, dated May 24, 1990, recorded June 26, 1990, Book 6231, Page 2293, Entry No. 4933665. (Shown does not affect subject property, along east line of section 11).
- 25. Right of way Easement Grant, dated May 3, 1991, in Favor of Mountain Kern River Gas Transmission Company, to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, through the across a portion of the subject land. Said Right of Way Easement Grant recorded May 20, 1991, Book 6317, Page 1957, Entry No. 5068795.
- 26. Right of way Easement Grant, dated September 9, 1991, in favor of Kern River Gas Transmission Company, to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, through and across a portion of the subject land. Said Right of Way Easement Grant recorded September 12, 1991, Book 6355, Page 1361, Entry No. 5125258. (Same location as Exception No. 25).
- Amendment to Right-of-Way and Easement Agreement by Utah Power & Light Company, accepted by Kern River Gas Transmission Company dated September 28, 1995, recorded November 2, 1995, Book 7262, Page 2291, Entry No. 6204445.
- 27. Amended Non-Exclusive Right of Way and Easement Agreement in favor of Kern River Gas Transmission Company, a Texas General Partnership dated November 22, 1993, recorded June 12, 2001, Book 8467, Page 4722, Entry No. 7919775. (Easement falls within the 66' right-of-way of 1300 So.).
- 28. Right of way Easement Grant, dated July 30, 2002, in favor of Mountain Fuel Supply Company, a Utah Corporation, to lay, maintain, operate, repair, inspect; protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, through and across a portion of the subject land. Said Right of Way Easement (hunt recorded August 5, 2002, Book 8629, Page 1038, Entry No. 8313065.
- 29. Right of way Easement Grant, dated September 26, 2002, in favor of Mountain Fuel Supply Company.. a Utah Corporation, to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, through the across a portion of the subject land. Said. Right of Way Easement Grant recorded October 7, 2002, Book 8661, Page 7634, Entry No. 8378527.
- 30. Subject to a Right of Way and Easement in favor of Utah Power & Light Company, to construct, maintain, operate, repair, inspect, protect, remove and replace electric distribution systems and facilities of the Grantee, under, upon and across a portion of the subject property, dated June 3, 2003, recorded July 9, 2003, Book 8837, Page 1786, Entry No. 8724003.
- 31. Easement and Release in favor of Pacificorp, an Oregon corporation, its successors and assigns dated May 20, 2004, recorded May 25, 2004, Book 8992, Page 1764, Entry No. 9071525.
- 32. Easement and Release in favor of Pacificorp, an Oregon corporation, its successors and assigns dated May 20, 2004, recorded May 26, 2004, Book 8992, Page 7118, Entry No. 9072662. (Same location as Exception No. 31).
- 33. Subject to a Right of Way and Easement in favor of Pacificorp, an Oregon corporation, its successors and assigns, to construct, maintain, operate, repair, inspect, protect, remove and replace electric distribution systems and facilities of the Grantee, under, upon and across a portion of the subject property, dated March 10, 2007, recorded March 30, 2007, Rook 9443, Page 1575, Entry No. 10051379.
- 34. Subject to a Right of Way end Easement in favor of Pacificorp, an Oregon corporation, its successors and assigns, to construct, maintain, operate, repair, inspect, protect, remove and replace electric distribution systems and facilities of the Grantee, under, upon and across a portion of the subject property, dated August 9, 2006, recorded May 17, 2007, Book 9465, Page 5176, Entry No. 10103155.
- 35. Subject to a Right of Way and Easement in. favor of Pacificorp, an Oregon corporation, its successors and assigns, to construct, maintain, operate, repair, inspect, protect, remove and replace electric distribution systems and facilities of the Grantee, under, upon and across a portion of the subject property, dated May 8, 2007, recorded May 22, 2007, Book 9467, Page 4619, Entry No. 10108282. (Same location as Exception No. 34).
- 36. 2007 Non-Exclusive Right of Way and Easement Agreement for the 2002 Pipeline on Non-Airport Property in favor of Kern River Gas Transmission Company, a Texan general partnership dated December 20, 2007, recorded December 21, 2007, Book 9551, Page 2237, Entry No. 10306783. (Same location as Exception No. 28).

PARCEL "B"

A PART OF THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE SALT LAKE BASE AND

MERIDIAN.

MERIDIAN. 8 OF SAID LEGACY INDUSTRIAL PARK; THENCE SOUTH 00°11'43" WEST (SOUTH 00°02'08" EAST BY RECORD) 1351.74 FEET ALONG SAID WEST LINE AND PARALLEL TO THE WEST LINE OF SAID LEGACY INDUSTRIAL PARK TO THE POINT OF BEGINNING. CONTAINING 3.091 ACRES.

ALTA/ACSM Certification

I hereby certify to the Rocky Mountain Power, a division of Pacificorp, and First American Title Insurance Company and to their successors and assigns, that:

I made an on the ground survey per record description of the land shown hereon located in West Valley City, Sait Lake County, Utah, on July 27, 2009; and that it and this map was made in accordance the requirements for an ALTA/ACSM Land Title Survey, as defined in the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Survey, as defined in the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Survey, as defined in the Minimum To the best of my knowledge, bellet and information, except as shown hereon; There are no encreachments either way across property lines; this lines of actual passession are the same. The subject property is not in a FEMA designated flood plain based on Map No. 49035C0275 E dated September 21, 2001.

167819

K. GREG SHANSEN date

Commitment for Title Insurance prepared by First American Title Insurance Company, File No. 15407 with an effective date of June 25, 2009 at 8:00 AM.

Property Address: Approximately 6302 West California Ave., West Valley, Utah,

3 SHEETS

Gonsulting Ragineers and Land Surveyors s38 North Main Brigham City, Useh 84302

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Power

Mountain 5800 West and 1300

Rocky

SHEET

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