

**When Recorded Return to:**

Gilson Engineering  
12401 S. 450 East Bld. C2  
Draper, Utah 84020

ENT 196230:2003 PG 1 of 2  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2003 Dec 15 11:31 am FEE 12.00 BY KH  
RECORDED FOR JOHNSON, PAUL E

PARCEL I.D.# 58-035-0008

GRANTOR(S): Kerry R. Posey  
Bobbie M. Posey

**CORRECTED EASEMENT**

A Twenty (20) foot wide sanitary sewer easement located in the Northwest Quarter, Northeast Quarter of Section 23, and the Southwest Quarter of Section 14, Township 5 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey. This easement is intended to correct and replace an existing 20' sewer line easement dated July 26, 2000 and recorded in the Utah County Recorder's Office October 31, 2000 as Entry No. 86214:2000 (the "Prior Easement"). The Easement set out herein follows the existing sewer line as it currently exists in the ground.

For the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned as GRANTOR(S) hereby grant, convey, sell, and set over unto the Town of Saratoga Springs, a body politic of the State of Utah, hereinafter referred to as GRANTEE, its successors and assigns, a perpetual right-of-way and easement to construct, maintain, operate, repair, inspect, protect, install, remove and replace sewer pipelines, valves, valve boxes and other sewer transmission and distribution structures and facilities, hereinafter called the FACILITIES, said right-of-way and easement, being situate in Utah County, State of Utah, over and through a parcel of the GRANTORS' land lying within a strip twenty (20) feet wide, said strip extending ten (10) feet on each side of, and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point which lies approximately North 148.59 feet and West 3.51 from the North Quarter Corner of Section 23, Township 5 South, Range 1 West, Salt Lake Base & Meridain (Basis of Bearing North 89°37'33" East for 2435.89 feet between the North Quarter Corner of said Section 23, and a witness corner for the Northeast Corner of said Section 23); and traversing along an existing sewer line the following five (5) courses: 1) South 00°04'02" East for 498.00 feet, more or less; 2) South 00°04'02" East for 498.42 feet, more or less, to an existing manhole ;3) South 48°39'48" East for 81.71 feet, more or less, to a point on the Grantor's west property line; 4) South 48°39'48" East for 28.86 feet, more or less, to an existing manhole; 5) South 00°39'21" East for 358.43 feet, more or less, to an existing manhole tee with the sewer line traversing to the southeast, and a sewer stub to the South; thence along a sewer stub South for 71.24 feet, more or less, to a point on the Grantor's south property line; thence South for 56.34 feet, more or less, to the POINT OF ENDING of said stub; thence from the beginning of said existing manhole tee the following six (6) courses along said sewer line: 1) South 87°58'09" East for 414.15 feet, more or less, to an existing manhole; 2) South 87°45'00" East for 455.98 feet, more or less, to an existing manhole; 3) North 89°51'26" East for 458.99 feet, more or less; 4) North 89°51'26" East for 459.00 feet, more or less; 5) North 89°51'26" East for 460.68 feet, more or less, to an existing manhole; 6) South for 35.89 feet, more or less, to a point on the Grantor's south property line; 7) South 20.15 feet, more or less, to the POINT OF ENDING, said point lies South 59°40'42 East for 2702.66 feet from the North Quarter Corner of said Section 23.

Contains 77,956 sq. ft., approx. 1.79 acres (approx. 3,898 l.f.)

Affects Grantor's property 54,864 sq. ft., approx. 1.26 acres (approx. 2,743 l.f.)

TO HAVE AND HOLD the same unto the GRANTEE, its successors and assigns, with the right of ingress and egress in the GRANTEE, its officers, employees, agents, and assigns to enter upon the above-described property with such equipment as is necessary to construct, install, maintain, operate, repair, inspect, protect, remove and replace the FACILITIES. During construction periods, GRANTEE and its contractors may use such portion of GRANTOR'S property along and adjacent to the right-of-way and easement as may be reasonably necessary in connection with the construction or repair of the FACILITIES. The contractor performing the work shall restore all property, through which the work traverses, to as near its original condition as is reasonably possible. GRANTOR(S) shall have the right to use the above-described property except for the purposes for which this right-of-way and easement is granted to the GRANTEE, provided such use shall not interfere with the FACILITIES or the flow of ingress and egress through the FACILITIES, or any other rights granted to the GRANTEE hereunder.

GRANTOR(S) shall not build or construct, or permit to be built or constructed, any building or other improvement over or across this right-of-way and easement nor change the contour thereof without the written consent of GRANTEE. This right-of-way and easement grant shall be binding upon, and inure to the benefit of, the successors and assigns of the GRANTOR(S) and the successors and assigns of the GRANTEE, and may be assigned in whole or in part by GRANTEE.

The Prior Easement is hereby vacated and released and is replaced by this Easement.

IN WITNESS WHEREOF, the GRANTORS have executed this right-of-way and Easement this 6<sup>th</sup> day of August, 2003

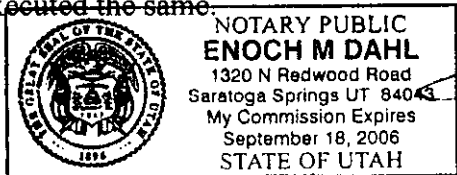
<u>County Parcel No.</u>	<u>Acreage</u>	<u>GRANTOR(S)</u>
58-035-0008	Contains: 1.79 acres (approx. 3,898 l. f.)	<b>Kerry R. Posey</b>
affects Grantor's Property	Contains: 1.26 acres (approx. 2,743 l. f.)	<b>Bobbie M. Posey</b>

By: *Kerry R. Posey*  
Kerry R. Posey

By: *Bobbie M. Posey*  
Bobbie M. Posey

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

On the 6 day of August, 2003, Kerry R. and Bobbie M. Posey, the signers of the above instrument, personally appeared before me and duly acknowledged to me that they executed the same.



*[Signature]*  
Notary Public

My Commission Expires: 9/18/06 Residing at: 1320 N. Redwood Rd.