

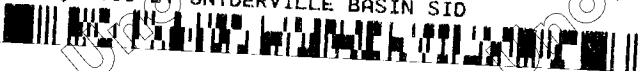
When recorded return to:  
Snyderville Basin Water Reclamation District  
2800 Homestead Road, Park City, Utah 84098

**ENTRY NO. 00808900**

04/03/2007 11:36:00 AM B: 1856 P: 1925

Easements PAGE 1 / 12

ALAN SPRIGGS, SUMMIT COUNTY RECORDER  
FEE \$ 0.00 BY SNYDERVILLE BASIN SID



**GRANT OF EASEMENT  
FOR CONSTRUCTION AND MAINTENANCE OF WASTEWATER COLLECTION  
AND TRANSPORTATION PIPELINE(S)**

PIVOTAL PROMONTORY DEVELOPMENT, L.L.C., a(n) Arizona limited liability company, and PIVOTAL PROMONTORY, L.L.C., a(n) Arizona limited liability company, Grantors, do hereby convey and warrant to the Snyderville Basin Water Reclamation District, a special District of the state of Utah (the District), Grantee, of Summit County, Utah, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, a permanent non-exclusive easement and right-of-way for the purpose of constructing, operating and maintaining one or more underground pipelines in the non-exclusive easement granted herein for the collection and transportation of wastewater as permitted by the District in the exclusive discretion of the District, over, across, through and under the premises of the Grantors situated in Summit County, Utah which are more specifically described as follows:

**Tax ID# NS-1-B and NS-1**

**Easement A**

A 50.00 foot wide sanitary sewer easement, lying 25.00 feet perpendicularly distant on each side of the following described centerline all within The Summit Subdivision road right of ways or Promontory Ranch Road Right of Way, said centerline being the centerline of Roadway A, and being more particularly described as follows:

Beginning at a point located South 3186.16 feet and East 1452.73 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), said true POINT OF BEGINNING being on the Centerline of Promontory Ranch Road and running thence North 36°50'51" East 29.62 feet to the point of curvature of a 100.00-foot radius curve to the left, the center of which bears North 53°09'09" West, thence along the arc of said curve 118.07 feet through a central angle of 67°39'05"; thence North 30°48'13" West 80.39 feet to the point of curvature of a 250.00-foot radius curve to the right, the center of which bears North 59°11'47" East, thence along the arc of said curve 125.83 feet through a central angle of 28°50'19"; thence North 01°57'54" West 299.45 feet to the point of curvature of a 450.00-foot radius curve to the right, the center of

which bears North 88°02'06" East, thence along the arc of said curve 303.15 feet through a central angle of 38°35'52"; thence North 36°37'58" East 76.20 feet to the point of curvature of a 325.00-foot radius curve to the left, the center of which bears North 53°22'02" West, thence along the arc of said curve 255.18 feet through a central angle of 44°59'11"; thence North 08°21'12" West 271.42 feet to the point of curvature of a 150.00-foot radius curve to the left, the center of which bears South 81°38'48" West; thence along the arc of said curve 110.48 feet through a central angle of 42°11'55"; thence North 50°33'08" West 47.37 feet to the point of curvature of a 300.00-foot radius curve to the right, the center of which bears North 39°26'52" East, thence along the arc of said curve 213.15 feet through a central angle of 40°42'29"; thence North 09°50'39" West 138.64 feet to the point of curvature of a 1600.00-foot radius curve to the right, the center of which bears North 80°09'21" East; thence along the arc of said curve 364.19 feet through a central angle of 13°02'29"; thence North 03°11'51" East 388.56 feet to the POINT OF TERMINUS.

**Easement A-1**

A sanitary sewer easement all lying within The Summit Subdivision and being more particularly described as follows:

Beginning at a point located South 1306.67 feet and East 1308.26 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), said TRUE POINT OF BEGINNING being a point on the Westerly Easement line of SBWRD Easement A and a point of non-tangent curvature on a 81.50-foot radius curve to the left, the center of which bears South 73°48'22" West; thence along the arc of said curve 15.41 feet through a central angle of 10°50'03" to the point of reverse curvature of a 118.50-foot radius curve to the right, the center of which bears North 62°58'19" East; thence along the arc of said curve 36.70 feet through a central angle of 17°44'35" to the point of compound curvature of a 1633.50-foot radius curve to the right, the center of which bears North 80°42'54" East; thence along the arc of said curve 41.41 feet through a central angle of 01°27'08" to the point of compound curvature of a 118.50-foot radius curve to the right, the center of which bears North 82°10'03" East; thence along the arc of said curve 37.94 feet through a central angle of 18°20'33" to the point of reverse curvature of a 81.50-foot radius curve to the left, the center of which bears North 79°29'25" West; then along

the arc of said curve 14.27 feet through a central angle of 10°01'53" to a point of non-tangent curvature on a 1625.00-foot radius curve to the left, the center of which bears North 83°58'17" East; thence along the arc of said curve 108.21 feet through a central angle of 03°48'56"; thence South 09°50'39" East 35.29 feet to the POINT OF BEGINNING.

Containing 0.02 acres, more or less.

**Easement B**

A 50.00 foot wide sanitary sewer easement, lying 25.00 feet perpendicularly distant on each side of the following described centerline all within The Summit Subdivision road right of ways or the Promontory Ranch Road Right of Way; said centerline being the centerline of Roadway B, and being more particularly described as follows:

Beginning at a point located South 1809.21 feet and East 1559.97 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), said true POINT OF BEGINNING being on the Centerline of Roadway A of said Summit Subdivision and running thence South 81°38'48" West 63.08 feet to the point of curvature of a 325.00-foot radius curve to the right, the center of which bears North 08°21'12" West; thence along the arc of said curve 516.07 feet through a central angle of 90°58'50"; thence North 07°22'22" West 88.27 feet to the point of curvature of a 500.00-foot radius curve to the left, the center of which bears South 82°37'38" West; thence along the arc of said curve 418.81 feet through a central angle of 47°59'30" to the point of reverse curvature of a 500.00-foot radius curve to the right, the center of which bears North 34°38'09" East; thence along the arc of said curve 146.40 feet through a central angle of 16°46'36" to the point of reverse curvature of a 200.00-foot radius curve to the left, the center of which bears South 51°24'44" West; thence along the arc of said curve 154.36 feet through a central angle of 44°13'12"; thence North 82°48'27" West 78.37 feet to the point of curvature of a 122.00-foot radius curve to the left, the center of which bears South 07°11'33" West; thence along the arc of said curve 334.58 feet through a central angle of 157°07'56"; thence South 59°56'23" East 49.87 feet to the point of curvature of a 350.00-foot radius curve to the right, the center of which bears South 30°03'37" West; thence along the arc of said curve 213.36 feet through a central angle of 34°55'38"; thence South 25°00'45" East 103.13 feet to the point of

curvature of a 400.00-foot radius curve to the right, the center of which bears South 64°59'15" West; thence along the arc of said curve 272.97 feet through a central angle of 39°06'02"; thence South 14°05'17" West 70.42 feet to the point of curvature of a 300.00-foot radius curve to the right, the center of which bears North 75°54'43" West; thence along the arc of said curve 68.57 feet through a central angle of 13°05'48"; thence South 27°11'05" West 63.58 feet to the point of curvature of a 300.00-foot radius curve to the left, the center of which bears South 62°48'55" East; thence along the arc of said curve 221.62 feet through a central angle of 42°19'35"; thence South 15°08'30" East 106.44 feet to the point of curvature of a 300.00-foot radius curve to the right, the center of which bears South 74°51'30" West; thence along the arc of said curve 146.25 feet through a central angle of 27°55'57"; thence South 12°47'27" West 17.35 feet to the POINT OF TERMINUS, said point being on the Centerline of Promontory Ranch Road.

#### **Easement C**

A 50.00 foot wide sanitary sewer easement, lying 25.00 feet perpendicularly distant on each side of the following described centerline all within The Summit Subdivision road right of ways, said centerline being a portion of the centerline of Roadway C, and more particularly described as follows:

Beginning at a point located South 920.77 feet and East 558.51 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), said true POINT OF BEGINNING being on the Centerline of Roadway B of said Summit Subdivision and running thence North 07°19'16" West 64.36 feet to the point of curvature of a 500.00-foot radius curve to the right, the center of which bears North 82°40'44" East; thence along the arc of said curve 219.96 feet through a central angle of 25°12'21"; thence North 17°53'06" East 214.02 feet to the POINT OF TERMINUS.

#### **Easement D**

A 30.00 foot wide sanitary sewer easement, lying 15.00 feet perpendicularly distant on each side of the following described centerline all within The Summit Subdivision road right of ways and shared driveway easements; said centerline being the centerline of Driveway 1 shared driveway, and more particularly described as follows:

Beginning at a point located South 1078.12 feet and East 457.59 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), said true POINT OF BEGINNING being on the Centerline of Roadway B of said Summit Subdivision and running thence South 72°39'57" West 17.17 feet to the point of curvature of a 140.00-foot radius curve to the left, the center of which bears South 17°20'03" East; thence along the arc of said curve 211.70 feet through a central angle of 86°38'19"; thence South 13°58'23" East 52.91 feet to the point of curvature of a 200.00-foot radius curve to the right, the center of which bears South 76°01'37" West; thence along the arc of said curve 156.60 feet through a central angle of 44°51'45"; thence South 30°53'22" West 113.15 feet to the POINT OF TERMINUS.

**Easement E**

A 30.00 foot wide sanitary sewer easement, lying 15.00 feet perpendicularly distant on each side of the following described centerline all within The Summit Subdivision road right of ways and shared driveway easements; said centerline being the centerline of Driveway 2 shared driveway, and more particularly described as follows:

Beginning at a point located South 487.79 feet and East 619.40 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), said true POINT OF BEGINNING being on the Centerline of Roadway C of said Summit Subdivision and running thence North 72°06'54" West 91.68 feet to the point of curvature of a 2000.00-foot radius curve to the left, the center of which bears South 17°53'06" West; thence along the arc of said curve 230.93 feet through a central angle of 06°36'56"; thence North 78°43'50" West 129.27 feet to the POINT OF TERMINUS.

**Easement F**

A 30.00 foot wide sanitary sewer easement, lying 15.00 feet perpendicularly distant on each side of the following described centerline all within The Summit Subdivision road right of ways

and shared driveway easements, said centerline being the centerline of Driveway 3 shared driveway, and more particularly described as follows:

Beginning at a point located South 560.12 feet and East 1325.05 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), said true POINT OF BEGINNING being on the Centerline of Roadway A of said Summit Subdivision and running thence South 42°57'15" East 47.79 feet to the point of curvature of a 125.00-foot radius curve to the right, the center of which bears South 47°02'45" West; thence along the arc of said curve 102.20 feet through a central angle of 46°50'39"; thence South 03°53'24" West 49.06 feet to the point of curvature of a 75.00-foot radius curve to the left, the center of which bears South 86°06'36" East; thence along the arc of said curve 216.68 feet through a central angle of 165°31'55"; thence North 18°21'28" East 206.81 feet to the point of curvature of a 90.00-foot radius curve to the right, the center of which bears South 71°38'32" East; thence along the arc of said curve 230.40 feet through a central angle of 146°40'44"; thence South 14°57'48" East 68.47 feet to the point of curvature of a 125.00-foot radius curve to the left, the center of which bears North 75°02'12" East; thence along the arc of said curve 58.31 feet through a central angle of 26°43'42"; thence South 41°41'30" East 39.34 feet to the point of curvature of a 125.00-foot radius curve to the left, the center of which bears North 48°18'30" East; thence along the arc of said curve 31.72 feet through a central angle of 14°32'20"; thence South 56°13'50" East 20.58 feet to the POINT OF TERMINUS.

**Easement F-1**

A sanitary sewer easement all lying within The Summit Subdivision, adjacent and contiguous to Driveway 3 shared driveway, and more particularly described as follows:

Beginning at a point located South 736.54 feet and East 1370.55 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), and running thence South 86°06'36" East 2.00 feet to a point of non-tangent curvature of a 90.00-foot radius curve to the left, the center of

which bears South 86°06'36" East, said point being on the Southwesterly easement line of Driveway 3 shared driveway; thence along the arc of said curve and easement line 260.02 feet through a central angle of 165°31'55"; thence South 71°38'32" East 2.00 feet; thence South 18°21'28" West 29.62 feet to the point of curvature of a 77.00-foot radius curve to the right, the center of which bears North 71°38'32" West; thence along the arc of said curve 118.95 feet through a central angle of 88°30'30"; thence North 73°08'01" West 22.70 feet to the point of curvature of a 77.00-foot radius curve to the right, the center of which bears North 16°51'59" East; thence along the arc of said curve 103.51 feet through a central angle of 77°01'25"; thence North 03°53'24" East 27.33 feet to the POINT OF BEGINNING.

Containing 0.09 acres, more or less.

#### **Easement F-2**

A sanitary sewer easement all lying adjacent and contiguous to Driveway 3 shared driveway of The Summit Subdivision, and more particularly described as follows:

Beginning at a point located South 576.67 feet and East 1753.75 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), and running thence North 72°37'50" East 2.00 feet to a point of non-tangent curvature of a 75.00-foot radius curve to the right, the center of which bears South 72°37'50" West, said point being on the Boundary Line of The Summit Subdivision and the Southwesterly Easement Line of Driveway A shared driveway; thence the following four (4) courses along said boundary and easement lines; 1) along the arc of said curve 3.15 feet through a central angle of 02°24'23"; 2) thence South 14°57'48" East 68.47 feet to the point of curvature of a 140.00-foot radius curve to the left, the center of which bears North 75°02'12" East; 3) thence along the arc of said curve 65.31 feet through a central angle of 26°43'42"; 4) thence South 41°41'30" East 19.51 feet; thence South 48°18'30" West 2.00 feet; thence North 41°41'30" West 19.51 feet to the point of curvature of a 142.00-foot radius curve to the right, the center of which bears North 48°18'30" East; thence along the arc of said curve 66.24 feet through a central angle of 26°43'42"; thence North 14°57'48" West 68.47 feet to the point of curvature of a 73.00-foot radius curve to the left, the center of which bears South

75°02'12" West; thence along the arc of said curve 3.07 feet through a central angle of 02°24'23" to the POINT OF BEGINNING.

Containing 0.01 acres, more or less.

**Easement G**

A 30.00 foot wide sanitary sewer easement, lying 15.00 feet perpendicularly distant on each side of the following described centerline all within The Summit Subdivision shared driveway easements; said centerline being a portion of the centerline of Driveway 4 shared driveway, and more particularly described as follows:

Beginning at a point located South 703.07 feet and East 1825.77 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), said true POINT OF BEGINNING being on the Centerline of Driveway 3 shared driveway of said Summit Subdivision and running North 48°18'30" East 11.69 feet to the point of curvature of a 100.00-foot radius curve to the left, the center of which bears North 41°41'30" West; thence along the arc of said curve 70.70 feet through a central angle of 40°30'21"; thence North 07°48'09" East 284.01 feet to the POINT OF TERMINUS.

**Easement H**

A 30.00 foot wide sanitary sewer easement, lying 15.00 feet perpendicularly distant on each side of the following described centerline all within The Summit Subdivision shared driveway easements on Promontory Ranch Road Right of Way; said centerline being the centerline of Driveway 5 shared driveway, and more particularly described as follows:

Beginning at a point located South 4577.58 feet and East 2477.66 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), said true POINT OF BEGINNING being on



the Centerline of Promontory Ranch Road and running thence North 24°19'11" East 250.00 feet; thence North 17°10'33" West 227.95 feet to the POINT OF TERMINUS.

**Easement I**

A 30.00 foot wide sanitary sewer easement, lying 15.00 feet perpendicularly distant on each side of the following described centerline all within The Summit Subdivision shared driveway easements; said centerline being the centerline of Driveway 6 shared driveway, and more particularly described as follows:

Beginning at a point located South 4349.77 feet and East 2580.62 feet from the Southwest Corner of Section 36, Township 1 North, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northwest Corner of Section 1, Township 1 South, Range 4 East, Salt Lake Base and Meridian and said Southwest Corner of Section 36, both corners being found monuments), said true POINT OF BEGINNING being on the Centerline of Driveway 5 shared driveway of The Summit Subdivision and running thence South 65°40'11" East 217.72 feet to the POINT OF TERMINUS.

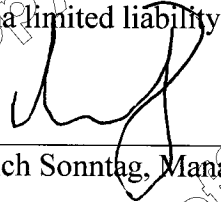
Also granting to the Snyderville Basin Water Reclamation District a perpetual non-exclusive right of ingress and egress to and from and along said right-of-way and with the right to operate, maintain, repair, replace, augment and/or remove the pipelines deemed necessary by the District for the collection and transportation of wastewater; also the right to trim, clear or remove, at any time from said right-of-way any tree, brush, structure or obstruction of any character whatsoever, which in the sole judgment of the Grantee may endanger the safety of or interfere with the operation of Grantee's facilities. The Grantors and their successors in interest hereby forever relinquish the right to construct any improvement which would interfere with the operation, replacement or repair of the pipelines constructed and maintained under the provisions of this non-exclusive easement and covenant and agree that no improvement, trees or structures will be constructed over the surface of the easement granted herein, without the express written consent in advance of the Grantee, which would interfere with the right of the Grantee to operate, maintain, repair or replace the sewer pipeline constructed by or for the Grantee.

The non-exclusive easement granted herein is subject to the condition that the Grantee shall indemnify and hold harmless, the Grantors, their heirs and successors against any and all liability caused by the acts of the Grantee, its contractors or agents, during the construction, operation or maintenance of the sewer pipeline provided for in this easement; the Grantors' right

to indemnification or to be held harmless by the Grantee under the terms of this paragraph are expressly conditioned upon prompt and immediate notice to the Grantee of any claim or demand which would cause a claim against the Grantee and upon the Grantees right to defend any claim against the Grantors which would cause a claim of indemnification against the Grantors. This provision shall not be interpreted or construed to waive the rights of the Grantee to the affirmative defenses to claims provided under the Utah Governmental Immunity Act.

WITNESS the hand of said Grantors this 22 day of March, 2006.

PIVOTAL PROMONTORY  
DEVELOPMENT, L.L.C.,  
an Arizona limited liability company.

By:   
\_\_\_\_\_  
Rich Sonntag, Managing Director

PIVOTAL PROMONTORY, L.L.C.,  
an Arizona limited liability company.

By:   
\_\_\_\_\_  
Rich Sonntag, Managing Director

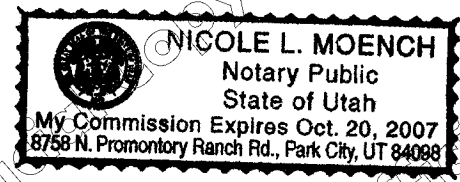
[Acknowledgements on the following page]

State of Utah )  
County of Summit ) :ss

The foregoing was acknowledged before me this 23<sup>rd</sup> day of March, 2007 by Rich Sonntag, Managing Director of Pivotal Promontory Development, LLC.

Nicole L Moench  
Notary Public  
Residing at:

My Commission Expires: 10/20/07

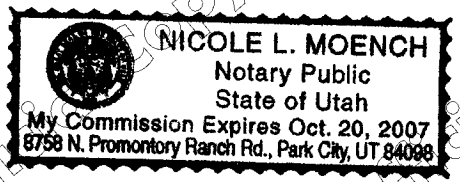


State of Utah )  
County of Summit ) :ss

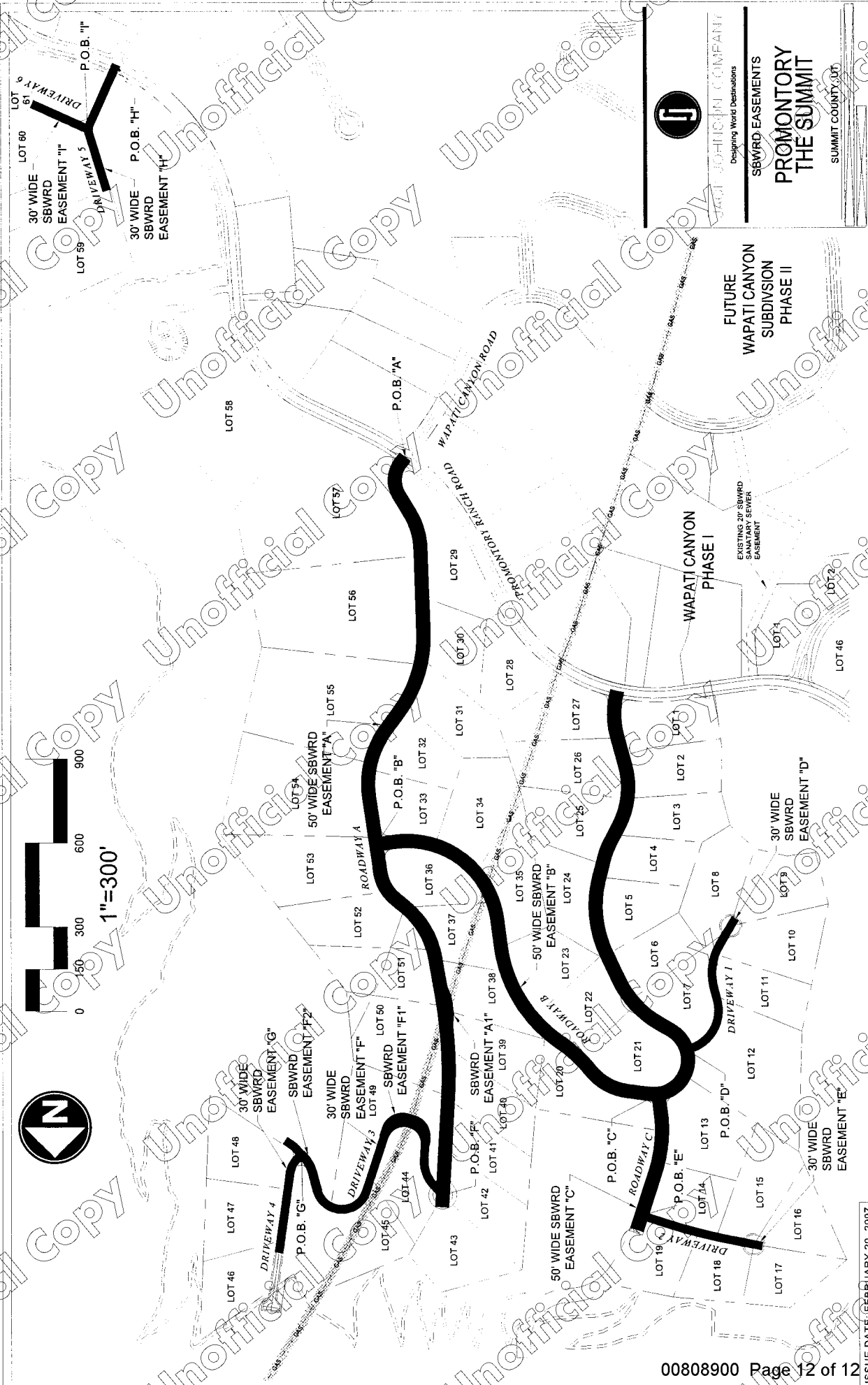
The foregoing was acknowledged before me this 23<sup>rd</sup> day of March, 2007 by Rich Sonntag, Managing Director of Pivotal Promontory, LLC.

Nicole L Moench  
Notary Public  
Residing at:

My Commission Expires: 10/20/07



Unofficial Copy



JPHILLIPS COMPANY  
 Designing World Destinations  
 SBWRD EASEMENTS  
**PROMONTORY THE SUMMIT**  
 SUMMIT COUNTY, UT

ISSUE DATE: FEBRUARY 20, 2007