

STORMWATER DETENTION POND EASEMENT
LEHI MICRON MIDDLE SCHOOL

WE, THE UNDERSIGNED (“Grantor”) owner of the real property situated and located in Utah County, State of Utah, as legally described in the attached Exhibit A (the “Grantor’s Property”), do hereby convey, grant, and release to LEHI CITY, Utah County, State of Utah (“Grantee”), a perpetual easement and right-of-way for certain Stormwater Detention Pond and related facilities, over, under, and through the following described real property situated in Utah County, State of Utah (the “Easement”), and more particularly described as follows:

SEE ATTACHMENT “C” (the “Stormwater Detention Pond”)

THIS EASEMENT IS GRANTED IN CONSIDERATION for the construction of the above described Stormwater Detention Pond. The Grantor’s Property shall be restored in as good condition as when the same was entered upon by the Grantee or its agents. The Easement granted does not include or grant any rights to use any part of Grantor’s Property outside of the Easement for any purpose.

GRANTOR HEREBY AGREES that Lehi City shall have the right of ingress to and egress from the Stormwater Detention Pond across the Easement above described for the purpose of constructing, maintaining, and repairing said certain Stormwater Detention Pond and related facilities, to be located on the above-described property. Grantors also agree not to construct or maintain any building, structure, or trees of a permanent nature upon the Easement above described.

GRANTEE shall pay all costs of maintenance and repair of the Easement. Costs of maintenance and repair of the Stormwater Detention Pond shall be paid by GRANTOR.

GRANTEE agrees to indemnify, defend, and hold Grantor, and its respective successors, assigns, and agents harmless from any and all claims, liabilities, losses, costs, charges, or expenses that relate to the Easement or arise from Grantee’s use of the Easement by its respective successors, assigns, agents, or invitees.

In the event of a breach hereunder by any party, the non-breaching party shall have all remedies available at law or in equity, including the availability of injunctive relief. In any suit, action, or appeal therefrom to enforce or interpret this Agreement, the prevailing party shall be entitled to recover its reasonable attorney fees and costs incurred therein.

This Agreement and Easement shall be recorded in the official records of Utah County, State of Utah, and shall be binding on the heirs, successors, administrators, executors and assigns of all Parties hereto and shall run with the land. This Agreement may not be amended except by an agreement in writing signed by all Parties and recorded in the real property records of Utah County, State of Utah.

[Signature and notary on following page]

DATED this 29 day of September, 20 20.

Micron Lehi Development, LLC

By: David F. Ough
Manager



SUBSCRIBED AND SWORN to before me this 29 day of September, 20 20 the above signed.

Mandy Pugh
Notary Public

My Commission expires on: 06/30/23

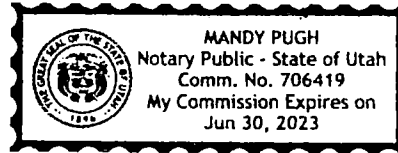


Exhibit A

Legal Description of Grantor's Property

PARCEL 9:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 29, TOWNSHIP 4 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 0°05'59" WEST ALONG THE SECTION LINE 1330.470 FEET; THENCE SOUTH 89°57'27" WEST 2071.188 FEET; THENCE SOUTH 0°05'59" EAST 1332.814 FEET; THENCE NORTH 89°57'27" EAST ALONG THE SECTION LINE 743.393 FEET; THENCE SOUTH 0°02'37" EAST 972.063 FEET TO THE NORTH LINE OF 11000 NORTH UTAH COUNTY ROAD U80; THENCE SOUTH 87°47'39" EAST ALONG SAID ROAD 1329.427 FEET TO THE EAST LINE OF SECTION 32; THENCE NORTH 0°04'39" WEST ALONG SAID SECTION LINE 1026.561 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING FROM PARCEL 9 ANY PORTION THEREIN WHICH LIES WITHIN THE BOUNDS OF THAT CERTAIN FINAL ORDER OF CONDEMNATION IN FAVOR OF THE STATE OF UTAH, DEPARTMENT OF TRANSPORTION RECORDED DECEMBER 24, 2012 AS ENTRY NO. 113302:2012 OF OFFICIAL RECORDS.

LESS AND EXCEPTING from Parcel 9 any portion therein that lies within the boundary of Plat 'A' ASD Northeast School Recorded as Entry 95778:2016 Map 15242. ALSO LESS and EXCEPTING any portions therein that lie within the boundary of dedicated Lehi City public roads.

ATTACHMENT "C"

Legal Description of Stormwater Detention Pond

Lehi Micron Middle School Detention Pond

Northwest Corner of Center Street and State Highway U-92

A part of the Northeast Quarter of Section 32, Township 4 South, Range 1 East, Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point 28.68 feet South 89°57'02" West along the section line and 588.48 feet South 0°02'58" East from the Northeast corner of said Section 32; and running thence South 3°40'39" West 87.01 feet; thence South 0°27'46" West 99.66 feet to the North line of Utah State Highway U-92; thence North 87°52'38" West 250.45 feet along said North line; thence North 1°58'34" East 185.96 feet; thence South 88°01'26" East 250.40 feet to the POINT OF BEGINNING.

Contains 1.07 Acres (46,406 SF)