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When Recorded Return to:  
Mr. Craig L. White  
South Valley Sewer District  
P.O. Box 629  
Riverton, UT 84065

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08/08/2019 02:37 PM \$0.00  
Book - 10813 Pg - 9664-9673  
RASHELLE HOBBS  
RECORDER, SALT LAKE COUNTY, UTAH  
SOUTH VALLEY SEWER DISTRICT  
PO BOX 629  
RIVERTON UT 84065  
BY: NUP, DEPUTY - WI 10 P.

PARCEL I.D.# 26-22-401-005  
GRANTOR: VP Daybreak Investments, LLC  
(Daybreak Village 11A Plat 1)  
Page 1 of 8

## EASEMENTS

Twenty (20) foot wide sanitary sewer easements located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey.

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 GRANTORS hereby grant, convey, sell, and set over unto South Valley Sewer District, a body politic of the State of Utah, hereinafter referred to as GRANTEE, its successors and assigns, perpetual rights-of-way and easements 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 rights-of-way and easements, being situate in Salt Lake County, State of Utah, over and through a parcel(s) of the GRANTORS' land lying within strips 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:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Contains: 105,775 square feet or 2.428 acres

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 and vehicles 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 GRANTORS' property along and adjacent to the rights-of-way and easements 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. GRANTORS shall have the right to use the above-described property except for the purposes for which these rights-of-way and easements are granted to the GRANTEE, provided such use shall not interfere with the FACILITIES or with the discharge and conveyance of sewage through the FACILITIES, or any other rights granted to the GRANTEE



**Exhibit 'A'**

**DAYBREAK VILLAGE 11A PLAT 1  
SEWER EASEMENTS**

**(Line 1)**

A twenty (20) foot wide sanitary sewer easement, located in the South Half of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 84.490 feet along the Section Line and North 1606.301 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 07°29'23" East 109.974 feet; thence North 24°43'29" West 191.354 feet; thence North 61°15'46" West 47.197 feet to the point of terminus.

Contains: (approx. 349 L.F.)

**(Line 2)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 51.843 feet along the Section Line and North 1611.017 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 81°36'09" East 33.000 feet; thence South 81°36'09" East 141.000 feet; thence South 12°52'03" West 248.201 feet; thence South 15°08'46" West 365.908 feet to the point of terminus.

Contains: (approx. 788 L.F.)

**(Line 3)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 146.987 feet along the Section Line and North 1349.818 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 74°51'14" East 22.500 feet to the point of terminus.

Contains: (approx. 23 L.F.)

**(Line 4)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 174.275 feet along the Section Line and North 1368.406 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 74°51'14" East 22.500 feet to the point of terminus.

Contains: (approx. 23 L.F.)

**(Line 5)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 51.729 feet along the Section Line and North 997.482 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 71°45'46" East 22.500 feet; thence South 71°45'46" East 239.348 feet; thence South 71°45'46" East 235.339 feet; thence South 76°15'26" East 294.784 feet; thence South 76°49'09" East 285.144 feet; thence South 83°31'40" East 216.450 feet to the point of terminus.

Contains: (approx. 1294 L.F.)

**(Line 6)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 300.426 feet along the Section Line and North 916.323 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 15°09'37" East 22.500 feet to the point of terminus.

Contains: (approx. 23 L.F.)

**(Line 7)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 465.722 feet along the Section Line and North 1496.881 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 10°04'51" East 156.959 feet; thence North 78°37'25" West 175.132 feet to the point of terminus.

Contains: (approx. 332 L.F.)

**(Line 8)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 303.557 feet along the Section Line and North 1540.264 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 74°51'14" East 168.000 feet; thence South 73°25'12" East 113.032 feet; thence South 74°51'14" East 48.000 feet to the point of terminus.

Contains: (approx. 329 L.F.)

**(Line 9)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 574.055 feet along the Section Line and North 1464.969 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 15°08'46" East 131.000 feet; thence North 15°08'46" East 76.997 feet to the point of terminus.

Contains: (approx. 208 L.F.)

**(Line 10)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 608.283 feet along the Section Line and North 1591.527 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 74°51'14" East 114.000 feet to the point of terminus.

Contains: (approx. 114 L.F.)

**(Line 11)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 523.945 feet along the Section Line and North 843.380 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 15°08'46" East 378.206 feet; thence North 15°08'46" East 365.731 feet; thence North 15°08'46" East 82.000 feet to the point of terminus.

Contains: (approx. 826 L.F.)

**(Line 12)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 1065.544 feet along the Section Line and North 1707.200 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 81°36'09" East 227.563 feet; thence South 08°28'00" West 62.539 feet to the point of terminus.

Contains: (approx. 290 L.F.)

**(Line 13)**

A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement 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 that lies South 89°49'08" East 1302.994 feet along the Section Line and North 40.000 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 00°00'02" East 368.381 feet; thence North 278.013 feet; thence North 22.500 feet to the point of terminus.

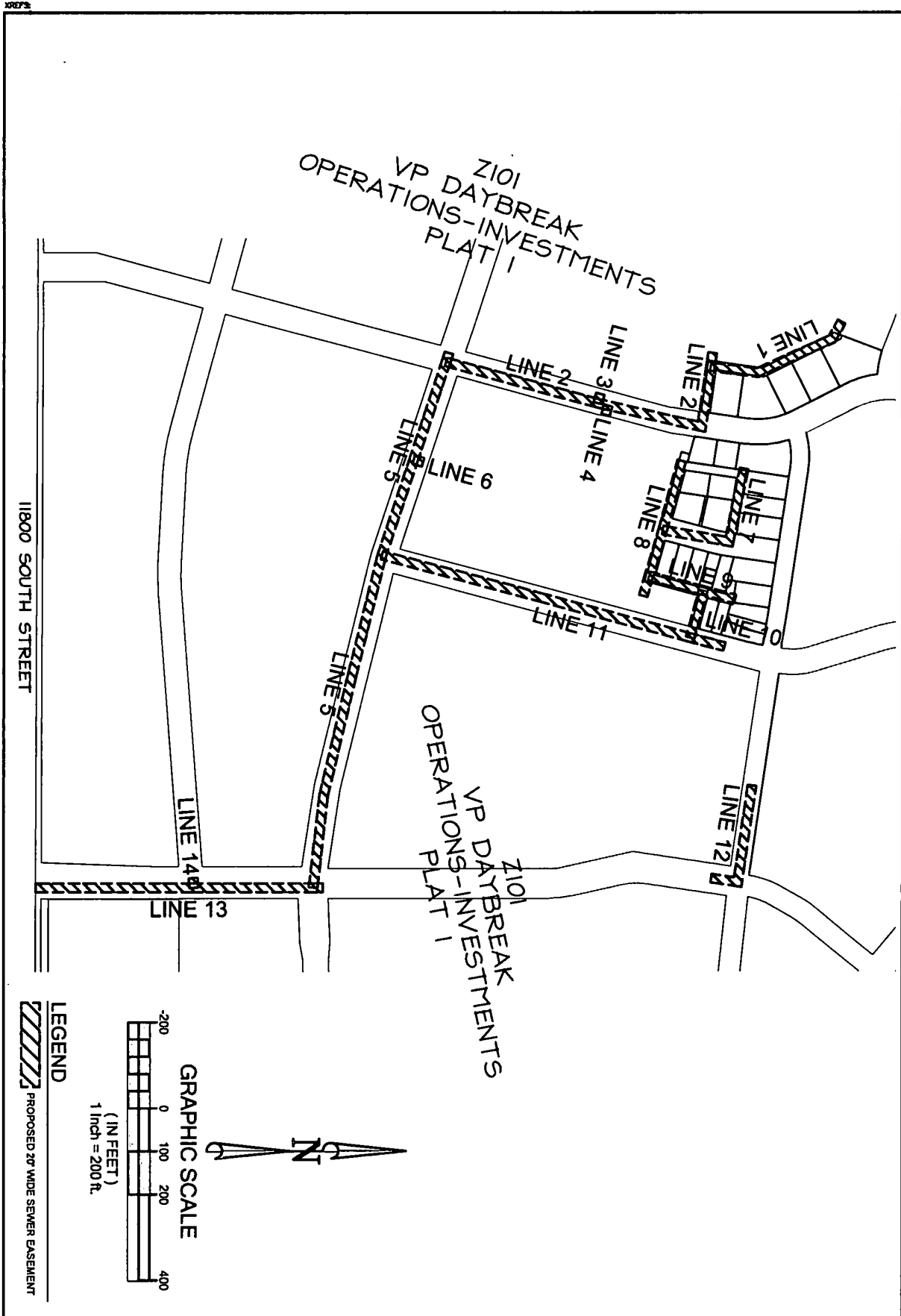
Contains: (approx. 669 L.F.)


**(Line 14)**

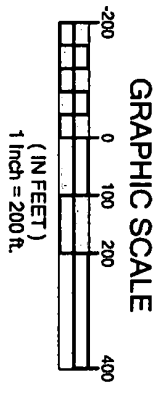
A twenty (20) foot wide sanitary sewer easement, located in the Southeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies South 89°49'08" East 1280.062 feet along the Section Line and North 406.580 feet from the South Quarter Corner of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 85°41'23" East 23.000 feet to the point of terminus.

Contains: (approx. 23 L.F.)



**LEGEND**  
 PROPOSED 20' WIDE SEWER EASEMENT



JOB NUMBER 000000	DATE: _____ TIME: _____ NETWORK: _____ PATH: _____ DWG NAME: _____ LAYOUT: _____ DESIGNER: _____ MOR: _____	 <p><b>PERIGEE CONSULTING</b>          CIVIL • STRUCTURAL • SURVEY</p>	<p><b>EXHIBIT A</b>          SEWER EASEMENTS          DAYBREAK VILLAGE 11A PLAT 1</p>
	PREPARED FOR: DAYBREAK COMMUNITIES		DATE SUBMITTED: 07-09-2018




**LENDER'S CONSENT AND SUBORDINATION**

EASEMENT –PARCEL I.D. # 26-22-401-005  
DAYBREAK VILLAGE 11A PLAT 1  
(TO SOUTH VALLEY SEWER DISTRICT)

THE UNDERSIGNED, THE BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST, DATED DECEMBER 19, 2016, ENCUMBERING THE HEREIN DESCRIBED REAL PROPERTY (THE "DEED OF TRUST"), HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THAT CERTAIN SEWER EASEMENT, DATED AS OF July 19, 2019, FROM VP DAYBREAK INVESTMENTS LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO SOUTH VALLEY SEWER DISTRICT, A BODY POLITIC OF THE STATE OF UTAH (THE "EASEMENTS"), TO WHICH THIS LENDER'S CONSENT AND SUBORDINATION IS ATTACHED.

THE UNDERSIGNED LENDER HEREBY CONSENTS TO THE EASEMENT AND MAKES THE LIEN OF THE DEED OF TRUST SUBORDINATE THERETO. THIS LENDER'S CONSENT AND SUBORDINATION SHALL NOT OTHERWISE AFFECT THE PRIORITY OF MORTGAGES AND/OR LIENS AGAINST THE REAL PROPERTY DESCRIBED HEREIN, BUT SHALL SOLELY EVIDENCE THE LENDER'S INTENT TO SUBORDINATE ITS LIEN OF THE DEED OF TRUST TO THE EASEMENT. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE LENDER.

**U.S. BANK NATIONAL ASSOCIATION**  
d/b/a Housing Capital Company

By:   
Name: CAROL E. SWANSON  
Title: SVP

[SIGNATURE MUST BE NOTARIZED]  
[Notary acknowledgement on following page]

**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF Fresno

On August 1, 2019 before me, Lori Beckman, Notary Public,  
(here insert name of the officer)

personally appeared Carl F. Swanson who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lori Beck (Seal)

