



When Recorded Return To:	Washington County 197 East Tabernacle St. George UT 84770 (435) 634-5700 Parcel Serial No. _____
--------------------------	--

EROSION CONTROL STRUCTURE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

In consideration of One Dollar (\$1.00) and other good and valuable consideration paid to DUVA Properties, Inc., hereinafter referred to as "Grantors," do hereby grant, transfer and convey a perpetual easement to Washington County, hereinafter referred to as "Grantee," to use, operate, inspect, repair, maintain, replace or expand an erosion control structure, under and along any portion of the property described herein which may be owned by Grantor's in Washington County, State of Utah.

Grantee agrees to maintain the easement in good repair so that Grantor can continue to make such use of the surface of said easement as does not interfere with its purposes as described herein, and in such a manner that no damage results to the adjacent land of Grantor. Grantor shall provide reasonable ingress and egress to and from said right-of-way.

The benefits of this easement shall inure to the benefit of Grantee, or any successor thereof, but shall not inure to or be for the benefit of any private assignee of Grantee.

The legal description of the property affected by the aforesaid right-of-way easement is as follows: A 40 foot wide permanent easement, 20 feet on each side of the centerline of the easement as staked on the ground and shown on the attached map. Said permanent easement will be 20 feet each side of the centerline of the finished rock structure and an 80 foot wide construction easement, 40 feet each side of the centerline as staked on the ground and shown on the attached map from NRCS and as defined below.

The centerline of a rip rap erosion control dike as constructed in portions of Section 27 of Township 42 South, Range 15 West, SLB&M.

The proposed work is designed to protect the Regional Pipeline whose True Point of Beginning on the DUVA Properties, Ltd. commences at the Northwest Corner of Lot 4, Adamson Subdivision, Recorded #703952, Official Washington County Records; Thence South 68°04'12" East (South 69°30'00" East Plat), 410.64 feet along the south line of said Lot 4.

TOGETHER with all improvements and appurtenances thereunto belonging but being SUBJECT to Easements, Rights-of-Way and Restrictions of Record and those enforceable in law and equity.

The undersigned covenant that they are the owners of a portion of property described in the above listed description

IN WITNESS WHEREOF, the Grantors have executed this instrument this 23rd day of February, 2006.

DUVA PROPERTIES, LTD.

By: *Howard H. Carter*
Howard H. Carter, General Partner

By: *Fern C. Carter*
Fern C. Carter, General Partner

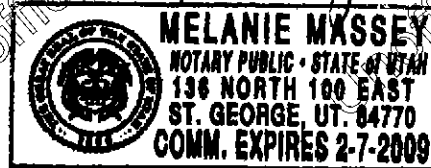
STATE OF UTAH

) ss.

COUNTY OF Washington)

On the 23rd day of February 2006, personally appeared before me Howard H. Carter and Fern C. Carter, who, being first duly sworn, did say that they are general partners of DUVA Properties, Ltd., and that the above instrument was signed on behalf of said partnership.

Melanie Massey
NOTARY PUBLIC





River Shadow Estates
Common Area

ADAMSON JOHN L & MARJORIE R TR
ADAMSON JOHN L JR & BECKIE DT

DUVA PROPERTIES LTD