

E 3148102 B 7219 P 356-359
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
03/14/2019 12:21 PM
FEE \$0.00 Pgs: 4
DEP RTT REC'D FOR UTAH TELECOMMUN
CATION OPEN IN

When recorded return to:
Utah Telecommunication Open
Infrastructure Agency
Attn. General Counsel
5858 South 900 East
Murray, Utah 841121

FA001 Cabinet Site

APN #08-087-0122

TELECOMMUNICATIONS EASEMENT

Stone Hen, LLC, Grantor, hereby grants and conveys to UTAH TELECOMMUNICATION OPEN INFRASTRUCTURE AGENCY, an interlocal cooperative entity of the State of Utah, Grantee, its successors and assigns, in consideration of Grantee's agreement to provide Internet Services to Grantor at a discount rate for the period of ___ years and other good and valuable consideration, certain perpetual easements for the installation and continued maintenance, repair, alteration, and replacement of communications lines, facilities and appurtenances of the Grantee, on, over, across, under, and through the premises of the Grantor in Davis County, State of Utah, more particularly describes as follows:

BEGINNING AT A POINT WHICH IS N007°50"W 923.14 FEET ALONG THE SECTION LINE AND DUE EAST 27.60 FEET FROM THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE DUE SOUTH 30.00 FEET; THENCE S8952°10"W 253.91 FEET; THENCE DUE NORTH 30.06 FEET; THENCE S8952°10"W 21.09 FEET; THENCE DUE NORTH 266.00 FEET; THENCE N8952°10"E 246.80 FEET; THENCE DUE EAST 28.21 FEET; THENCE DUE SOUTH 266.00 FEET TO THE POINT OF BEGINNING.

An Easement for the purpose of the installation and maintenance of a Fiber Optic Cable and Equipment described as follows:

~~BEGINNING AT A POINT WHICH IS N 00°07'50" W 949.56 FEET ALONG THE SECTION LINE AND WEST 208.19 FEET FROM THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 3, NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N 00°12'13" E 9.00 FEET; THENCE N 89°28'25" E 16.00 FEET; THENCE S 00°11'52" W 9.00 FEET; THENCE S 89°24'29" W 16.00 FEET TO THE POINT OF BEGINNING. CONTAINING 144.1 SQ. FT.~~

The attached Exhibit "A" is incorporated by reference as part of this Easement.

The Easement hereby granted consists of a perpetual Easement to construct, reconstruct, operate, repair, replace and maintain communications lines, facilities and appurtenant structures on, over, across, under, and through a strip of land as herein described.

Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation and enjoyment of the Easement granted and all rights and privileges incident thereto, with Grantee's use, occupation or enjoyment of this Easement.

Grantee agrees to hold and save the Grantor harmless from any and all damages suffered by Grantor arising from Grantee's use of the Easement herein granted and agrees to repair any damage or pay the reasonable value of said damages, at Grantee's option, which may arise to the premises through Grantee's use, occupation and possession of the rights herein granted.

Any notice required or desired to be given hereunder shall be in writing and shall be delivered personally upon the party for whom it is intended or if mailed, by certified mail, return receipt requested, postage prepaid, to such party at its address show below:

To Grantor: Stone Hen, LLC
 240 South 200 West
 Farmington, UT 84025

To Grantee: Utah Telecommunication Open Infrastructure Agency
 Attn: General Counsel
 5858 South 900 East
 Murray, Utah 84121

Grantor and Grantee agree that should either one default in any of the covenants and terms set forth herein, the defaulting party shall pay all costs and expenses, including reasonable attorneys' fees, which may arise or accrue from enforcing the terms of this Easement or in pursuing any remedy provided hereunder or by the statutes or other laws of the State of Utah.

Grantee may assign this Easement, or any of its rights under this instrument, in whole or in part, subject to Grantor's written permission; provided, however, that notwithstanding the forgoing provision, Grantee shall have no obligation to obtain Grantor's written permission to assign the Perpetual Easement for purposes of Grantee's financing.

This Easement may be amended only by written instrument executed by both the Grantor and Grantee.

All of the grants, covenants, terms provisions and conditions in this Perpetual Easement shall run with the land and shall be binding upon and inure to the benefit of the successors, assigns, heirs, executors and administrators of the parties.

Except as expressly set forth herein, this instrument, including any exhibits, constitutes the entire agreement of the parties and supersedes all prior understandings, representations or agreements of the parties regarding the subject matter in this document.

Grantor:

Dated: 3/1/19

Stone Hen, LLC,

[Signature]
Troy Thomas, Manager
(print name and title)

Dated: 3/11/19

[Signature]
Roger Timmerman, Executive Director
(print name and title)

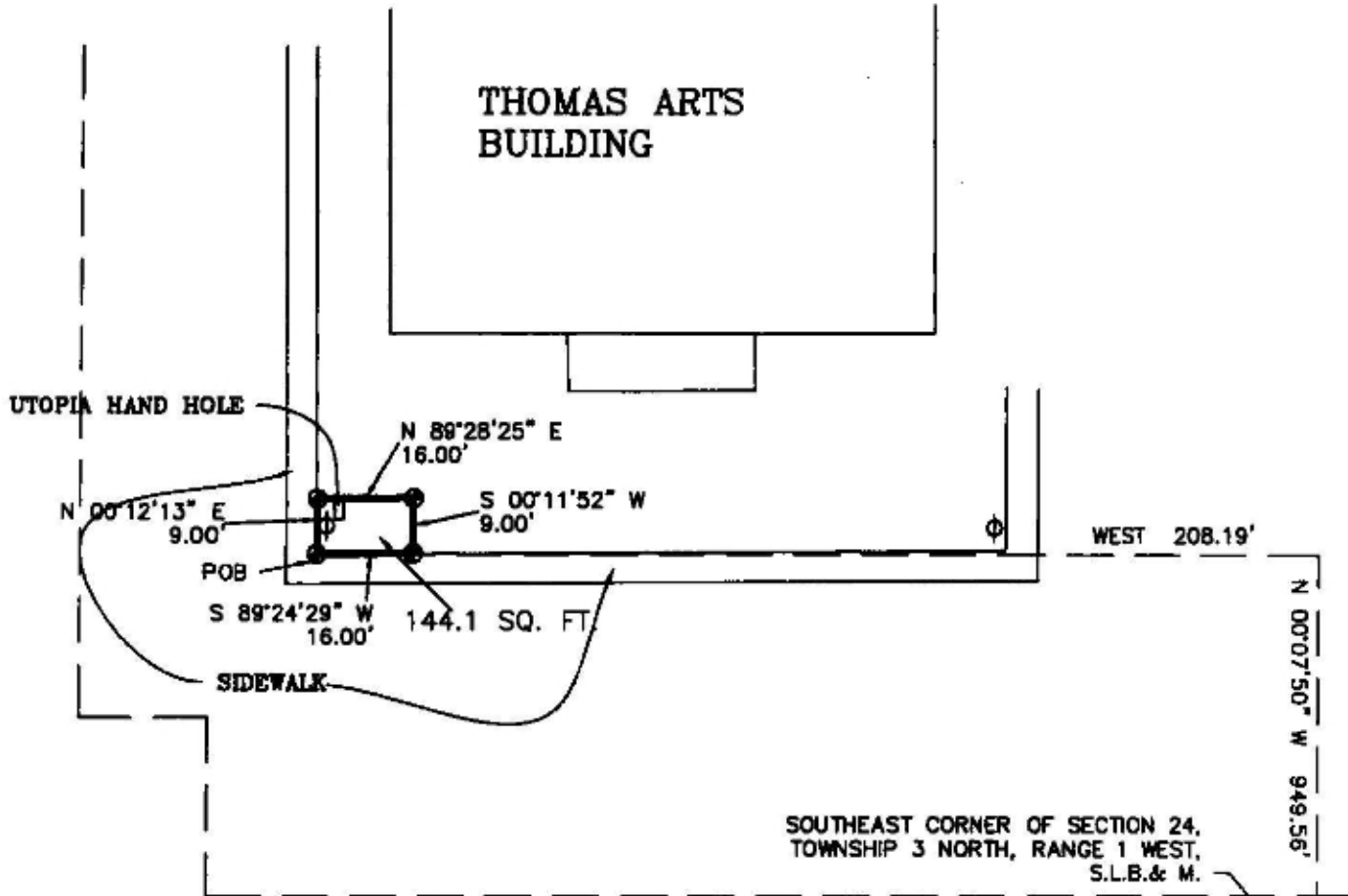


STATE OF UTAH)
COUNTY OF Davis) Ss

On the 1st day of March, ~~2018~~ 2019 personally appeared before me Troy Thomas the signer (s) of the above instrument, who duly acknowledged to me that they executed the same as the Manager of Stone Hen LLC. Witness my hand and official seal this 1st day of March, ~~2018~~ 2019.

[Signature]
Kirk Laser
Notary Public

EXHIBIT "A"



EASEMENT BOUNDARY DESCRIPTION

An Easement for the purpose of the installation and maintenance of a Fiber Optic Cable and Equipment described as follows:

BEGINNING AT A POINT WHICH IS N 00°07'50" W 949.56 FEET ALONG THE SECTION LINE AND WEST 208.19 FEET FROM THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N 00°12'13" E 9.00 FEET; THENCE N 89°28'25" E 16.00 FEET; THENCE S 00°11'52" W 9.00 FEET; THENCE S 89°24'29" W 16.00 FEET TO THE POINT OF BEGINNING. CONTAINING 144.1 SQ. FT.

- ⊕ = SET 5/8" REBAR WITH CAP
- ◆ = SURVEY MONUMENT
- = DEED DESCRIPTION LINE
- - - = SECTION LINE
- = DESCRIBED BOUNDARY
- ⊕ = UTILITY POLE

N
SCALE
1"=30'

PREPARED BY:

**LUDLOW ENGINEERING &
LAND SURVEYING**

645 NORTH MAIN STREET
NEPHI, UTAH, 84648
PHONE (435) 623-0897
FILE NUMBER LE 3605



CABLE AND FACILITIES EASEMENT EXHIBIT

FARMINGTON HUT SITE

UTOPIA

240 SOUTH 200 WEST
FARMINGTON, UT.

SHEET 1 OF 1

DATE 12/4/18

JOB NO.

LOCATION

PART OF
SECTION 24, T
3 N, R 1 W,
SLB&M