

WHEN RECORDED, MAIL TO:  
Utah Department of Transportation  
Right of Way, Fourth Floor  
Box 148420  
Salt Lake City, Utah 84114-8420

F-78180-UT

## Perpetual Easement (LIMITED LIABILITY COMPANY)

Tax ID No. 13-042-0013  
Parcel No. I15-6:2232:E  
Project No. S-I15-6(175)245  
PIN No. 6667

DW ASSOCIATES, L.L.C., a Limited Liability Company &

NIMBUS PROPERTIES, L.C., a Limited Liability Company of the State of UTAH, Grantor, hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, at 4501 South 2700 West, Salt Lake City, Utah 84119, Grantee, for the sum of (\$10.00) TEN Dollars, and other good and valuable consideration, the following described tract of land in Utah County, State of Utah, to wit:

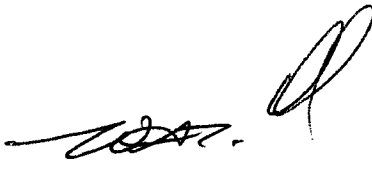
A Perpetual Easement upon a parcel of land in fee, being part of an entire tract of land, situate in the Northeast Quarter of the Northeast Quarter of Section 22, Township 5 South, Range 1 East, S.L.B. & M., in Utah County, State of Utah, for the purpose of constructing thereon cut and/or fill slopes and appurtenant parts thereof incident to the construction of a State Road known as Project No. I15-6(175)245 and further described as follows:

Beginning at a point located North 89°53'48" West, a distance of 1,098.98 feet along the section line, and South 0° East, a distance of 154.74 feet from the Northeast corner of Section 22, Township 5 South, Range 1 East, Salt Lake Base and Meridian, said point being the POINT OF BEGINNING; and running thence South 89°15'29" East, a distance of 58.38 feet; thence South 56°42'24" East, a distance of 18.59 feet; thence North 89°15'29" West, a distance of 74.00 feet; thence North 00°31'00" East, a distance of 10.00 feet to the POINT OF BEGINNING.

Containing 662 square feet or 0.0152 acres, more or less.

It is agreed hereby, that the Owners, by consent of the Utah Department of Transportation, shall have the right to lessen, but not to increase the vertical distance or grade of said cut and /or fill slopes, after said slopes are constructed on the above described lands at the expense of said Utah Department of Transportation, thereafter said Utah Department of Transportation is relieved of any further claim or demand for costs, damages, or maintenance charges which may accrue against said slopes and appurtenant parts thereof.

~~See attached Exhibit "A" for additional provisions~~

  
BKT

Parcel No. I15-6:2232:E  
Project No. S-115-6(175)245

DW ASSOCIATES, L.L.C. and  
**IN WITNESS WHEREOF**, said NIMBUS PROPERTIES, L.C. has caused this instrument to be executed by its proper officers thereunto duly authorized, this 23 day of December, A.D. 20 10.

DW ASSOCIATES, L.L.C.  
Limited Liability Company

By: Douglas F. Smith  
Douglas F. Smith, Manager

By: Warren G. Tate  
Warren G. Tate, Manager

NIMBUS PROPERTIES, L.C.  
Limited Liability Company

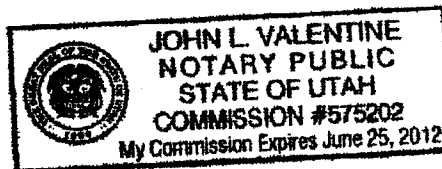
By: Bryce K. Taylor  
Bryce K. Taylor, Manager

STATE OF UTAH )  
) ss.  
COUNTY OF UTAH )

On the date first above written personally appeared before me, BRYCE K. TAYLOR, who, being by me duly sworn, says that he is the Manager of NIMBUS PROPERTIES, L.C., a Limited Liability Company, and that the within and foregoing instrument was signed in behalf of said company by authority of its Articles of Organization, and said BRYCE K. TAYLOR acknowledged to me that said company executed the same.

**WITNESS** my hand and official stamp the date in this certificate first above written:

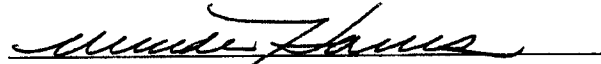
John L. Valentine  
Notary Public



**LIMITED LIABILITY COMPANY ACKNOWLEDGMENT**

STATE OF UTAH)  
COUNTY OF SALT LAKE)

On the 23 day of **December, 2010**, before me, the undersigned Notary Public, personally appeared **Douglas F. Smith and Warren G. Tate, Managers of DW ASSOCIATES, L.L.C.**, known to me to be the member(s) or designated agents of the limited liability company that executed the above and acknowledged to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and an oath stated that they are authorized to execute said instrument freely and voluntarily for the purposes and use herein mentioned on behalf of the limited liability company.

  
NOTARY PUBLIC

My Commission Expires: 10-31-2012

Residing at: Salt Lake City, Utah

