

ENTRY NO. 01176896

11/05/2021 09:43:44 AM B: 2704 P: 0203

Easements PAGE 1/7

RHONDA FRANCIS, SUMMIT COUNTY RECORDER

FEE 40.00 BY UNLIMITED TITLE



WHEN RECORDED MAIL TO:

Douglas Wilde
PO Box
Coalville, Utah 84017

*Parcels: DWR-2, CT-362
CT-363; CT-383-A
Zettal-5; CT-368*

SEWER LINE EASEMENT

This Grant and creation of a Sewer line Easement (hereinafter referred to as the "Easement") is entered into this 30 day of April 2021 by DAVID ELLIOT WILDE, as Trustee of the DAVID ELLIOT WILDE REVOCABLE TRUST and DEBRA A WILDE, as Trustee of the DEBRA A WILDE REVOCABLE TRUST (collectively referred to herein as "WILDE"), GABRIEL RODRIGUEZ and GRACIELA RODRIGUEZ (collectively referred to herein as "RODRIGUEZ"), and BJK INVESTMENTS OF UTAH, LLC, a Utah limited liability company ("BJK"), (hereinafter WILDE, RODRIGUEZ, and BJK are collectively referred to as "GRANTORS") for the purpose of creating a sewer line easement on GRANTORS properties for the benefit of providing sewer services to properties owned by DOUGLAS D. WILDE, ROBIN G. WILDE, DOUGLAS D. WILDE & ROBIN G. WILDE TRUSTEES OF THE WILDE FAMILY LIVING TRUST dated November 9, 2006 (hereafter referred to as "DRW") which is described as follows:

RECITALS:

- A. Whereas, DRW is the owner of property located in Coalville City, Summit County, State of Utah, and more particularly described as Tax Parcel DWR-2, CT-362 and CT-362-363 (hereinafter collectively referred to as the "DRW Parcels"); and
- B. Whereas, WILDE is the owner of property located in Coalville City, Summit County, State of Utah, and more particularly described as Tax Parcel CT-383-A (hereinafter referred to as the "WILDE Parcel"); and
- C. Whereas, RODRIGUEZ is the owner of property located in Coalville City, Summit County, State of Utah, and more particularly described as Tax Parcel Zettal-5 (hereinafter collectively referred to as the "RODRIGUEZ Parcel"); and
- D. Whereas, BJK is the owner of property located in Coalville City, Summit County, State of Utah, and more particularly described as Tax Parcel CT-368 (hereinafter collectively referred to as the "BJK" Parcels"); and
- E. Whereas, DRW is in need of creating an easement for a sewer main line on and across the GRANTORS properties located in Coalville City, Summit County, State of Utah; and
- F. Whereas, GRANTORS are willing to create, dedicate and convey a legally binding easement on their properties for the benefit of DRW and to facilitate creation, maintenance and repair of a sewer line; and

G. Whereas, it is intended that the sewer line easement will be conveyed to Coalville City in connection with the development and improvement of the DRW Parcels.

NOW, THEREFORE, in consideration of the aforementioned Recitals, ten dollars (\$10.00) and other good and valuable consideration, GRANTORS hereby create, dedicate, and convey, a non-exclusive easement on GRANTORS properties for the purpose of constructing, repairing and maintaining a sewer line in accordance with the following provisions:

1. Creation of Sewer Line Easement. GRANTORS hereby create, dedicate, establish and convey for the benefit of DRW, its successors and assigns, the right and privilege of a perpetual non-exclusive easement on the GRANTORS Properties for the purposes of constructing, maintaining and repairing a sewer line on and across the GRANTORS properties that is more particularly described on Exhibit "A" attached hereto and incorporated herein by this reference (hereinafter referred to as the "Sewer Line Easement").

2. Operating Covenant. In addition to the Sewer Line Easement created herein, it is intended that any transfer, conveyance, use, mortgage and/or other encumbrance of the GRANTORS properties, shall be subject to the covenant and restriction that no improvement, conveyance or any other action shall be taken that would impede or impair the access to and use of the Sewer Line Easement.

3. Maintenance of Easement. As a condition to the grant of Easement hereunder, DRW, its successors and assigns are responsible to maintain the Easement Property and immediately following any and all construction, repairs and maintenance must ensure that the Sewer Line Easement is restored to its condition prior to taking such action.

4. Miscellaneous.

(a) Grants and Declarations. All of the provisions contained herein and all of the rights, easements and obligations in connection with the Sewer line Easement created hereunder, shall be and constitute covenants running with the fee simple estates as a burden to the GRANTORS properties.


(b) Recording and Filing. A counterpart of this Easement shall be recorded in the Office of the Recorder of Summit County, State of Utah.

(c) Term. The Easement, including rights, restrictions and obligations created hereby shall be perpetual to the extent permitted by law. To the extent applicable law would limit the term of any of the foregoing, the term thereof shall be automatically renewed for a period equal to the lesser of twenty (20) years or the longest period permitted by applicable law.

(d) Non-Merger. Even though fee simple title to one or more of Grantors properties may at some time be held by one owner, the Easement, including all terms, covenants, rights, restrictions, obligations and benefits set forth in this document shall not automatically merge into said fee simple estate.

IN WITNESS WHEREOF, this Easement is executed on the 25 day of ^{May}~~April~~ 2021.

DRW



Douglas D. Wilde

Robin G. Wilde
Robin G. Wilde

Douglas D. Wilde
Douglas D. Wilde, Trustee

Robin G. Wilde
Robin G. Wilde, Trustee

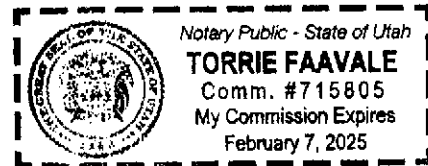
STATE OF UTAH)

: ss.

COUNTY OF SUMMIT)

On the 25 day of ~~April~~ ^{May} 2021, personally appeared before me Douglas D. Wilde and Robin G. Wilde, the signers of the within instrument, who duly acknowledged to me that they executed the same.

Torrie Faavale
NOTARY PUBLIC
Residing at: Coalville, Utah
My Commission Expires: February 7, 2025



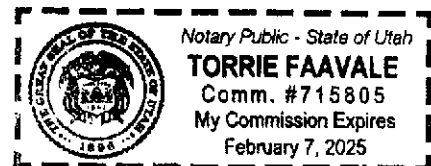
STATE OF UTAH)

: ss.

COUNTY OF SUMMIT)

On the 25 day of ~~April~~ ^{May} 2021, personally appeared before me Douglas D. Wilde and Robin G. Wilde Trustees of the Wilde Family Living Trust dated November 9, 2006, the signers of the within instrument, who duly acknowledged to me that they executed the same.

Torrie Faavale
NOTARY PUBLIC
Residing at: Coalville, Utah
My Commission Expires: February 7, 2025



My Commission Expires:

David E. Wilde Trustee
0176896 Page 3 of 7 Summit County

David Elliot Wilde, Trustee

Debra A. Wilde, Trustee

Debra A Wilde, Trustee

STATE OF UTAH)

: ss.

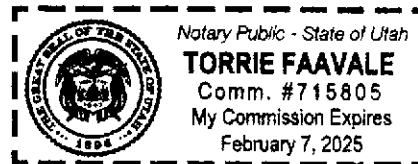
COUNTY OF SUMMIT)

On the 3 day of ~~April~~ ^{November} 2021, personally appeared before me David Elliot Wilde Trustee of the David Elliot Wilde Family Revocable Trust, the signer of the within instrument, who duly acknowledged to me that he executed the same.

[Signature]

NOTARY PUBLIC
Residing at: Coalville, ut

My Commission Expires: February 7, 2025



STATE OF UTAH)

: ss.

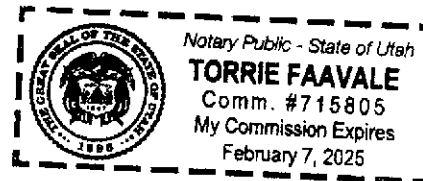
COUNTY OF SUMMIT)

On the 3 day of ~~April~~ ^{November} 2021, personally appeared before me Debra A. Wilde Trustee of the Debra A Wilde Family Revocable Trust, the signer of the within instrument, who duly acknowledged to me that he executed the same.

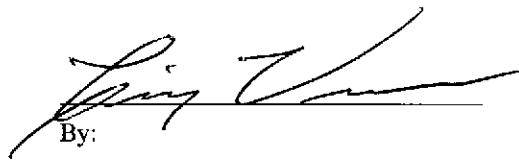
[Signature]

NOTARY PUBLIC
Residing at: Coalville, ut

My Commission Expires: February 7, 2025



BJK INVESTMENTS OF UTAH, LLC


By: _____

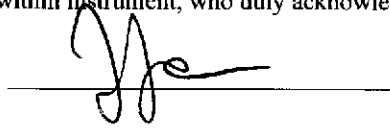
Its: _____

STATE OF UTAH)

: ss.

COUNTY OF SUMMIT)

On the 25 day of ^{May} ~~April~~ 2021, personally appeared before me
Craig Vernon, owner of the BJK INVESTMENTS OF UTAH, LLC,
the signer of the within instrument, who duly acknowledged to me that they executed the same.



NOTARY PUBLIC
Residing at: Coalville, UT

My Commission Expires: February 7, 2025



GABRIEL RODRIGUEZ
Gabriel Rodriguez

Graciela Rodriguez
Graciela Rodriguez

STATE OF UTAH)

: ss.

COUNTY OF SUMMIT)

On the 14 day of ~~April~~ ^{June} 2021, personally appeared before me Gabriel Rodriguez and Graciela Rodriguez, the signers of the within instrument, who duly acknowledged to me that they executed the same.

[Signature]
NOTARY PUBLIC
Residing at: Oakley, UT

My Commission Expires: 11/26/23

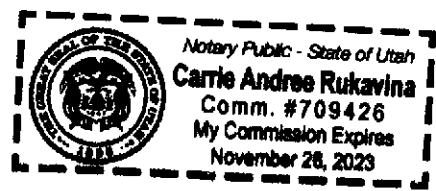


Exhibit "A"

PROPOSED SEWER EASEMENT

A 10 FOOT WIDE SANITARY SEWER LINE EASEMENT CENTERED ON THE FOLLOWING DESCRIBED LINE, BEGINNING AT AN EXISTING SANITARY SEWER MANHOLE LOCATED SOUTH ALONG SECTION LINE 677.50 FEET AND WEST 181.31 FEET FROM THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE SOUTH 62°43'07" WEST 15.13 FEET; THENCE SOUTH 18°06'31" EAST 172.64 FEET; THENCE SOUTH 12°28'14" EAST 174.20 FEET; THENCE SOUTH 63°44'53" WEST 87.57 FEET; THENCE SOUTH 04°29'03" EAST 263.91 FEET; THENCE SOUTH 27°38'21" EAST 104.19 FEET; SOUTH 04°02'36" EAST 143.47 FEET TO THE SOUTHERLY LINE OF ZETTA LAND SUBDIVISION AS RECORDED AT THE SUMMIT COUNTY RECORDERS OFFICE.

PROJ: 19-018
BY: SPB
DATE: 05/12/21
FILE: PROPOSED SEWER EASEMENT2.DOC