

When Recorded Return to:  
Mr. Craig L. White  
South Valley Sewer District  
P.O. Box 908  
Draper, Utah 84020

11991713  
02/12/2015 12:16 PM \$0.00  
Book ~ 10295 Pg ~ 5324-5328  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
SOUTH VALLEY SEWER DISTRICT  
PO BOX 908  
DRAPER UT 84020  
BY: LHA, DEPUTY - WI 5 P.

**PARCEL I.D. # 28-27-100-001, 28-27-100-002 & 28-27-100-003**  
**OWNER(S): Hidden Valley Country Club**

**ASSUMPTION OF RISK AGREEMENT FOR**  
**SUBSTANDARD LATERAL CONNECTION**

**KNOW ALL MEN BY THESE PRESENTS:**

**RECITALS:**

A. The undersigned, hereinafter referred to as "OWNER(S)" owns real property located at approximately 11995 South 2000 East Draper, Utah, 84020 Utah, which property is more particularly described as follows:

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

B. OWNER(S) understands and acknowledges that the sewer lateral located on the property, does not meet the minimum standards required by the South Valley Sewer District and/or applicable Plumbing Code provisions as the private pressure lateral is constructed of pipe that is not complaint with District Specifications, the less than four (4) feet deep.

C. For reasons sufficient to and for the convenience of the OWNER(S), and with a full understanding that the sewer lateral has not met the standard requirements of the South Valley Sewer District, the OWNER(S) hereby request(s) permission to have the above-described property connected to the District's sewer main and system.

**AGREEMENT:**

**NOW, THEREFORE**, in consideration of the sewer service to OWNER(S) by the District as well as other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the OWNER(S) hereby agrees as follows:

1. OWNER(S) hereby accepts and assumes all risk of using and operating OWNER(S)'s sewer lateral located on OWNER(S)'s property. OWNER(S) assumes the risk of

any damages and consequences, both expected and unexpected, that may result from the substandard sewer lateral and proceeding to use that sewer lateral without replacing or modifying the same to meet District standards.

2. OWNER(S) hereby waives any and all claims, causes of action or demands for damages or other relief of whatsoever kind or nature which the OWNER(S) may hereafter have or claim arising out of use of OWNER(S)'s lateral.

3. OWNER(S) hereby acknowledges that no representation, fact or opinion has been made by the Sewer District or on its behalf to induce this assumption of risk and waiver with respect to the extent, nature and likelihood of damages or injuries or consequences that may be sustained by the OWNER(S) from utilizing the substandard sewer lateral on OWNER(S)'s property. OWNER(S) has determined that it is in OWNER(S)'s best interest not to replace or modify the sewer lateral.

4. OWNER(S) hereby agrees hereafter to abide by and obey all of the rules and regulations of the South Valley Sewer District pertaining to the construction, maintenance and use of OWNER(S)'s lateral and the District's sewer system.

5. OWNER(S) hereby agrees to indemnify and hold the District and its officers, employees, agents, representatives, successors and assigns harmless from any and all claims, suits, damages, expenses and costs, including attorneys' fees, which may be incurred by the District or which may be asserted against the District by the OWNER(S) or any third parties as a result of or arising out of OWNER(S)'s substandard sewer lateral and any use or operation thereof.

6. OWNER(S) agrees to the recording of this document in the office of the Salt Lake County Recorder, State of Utah.

7. This Agreement shall be binding upon the parties hereto and their respective heirs, representatives, officers, employees, agents, successors and assigns.

IN WITNESS WHEREOF, OWNER(S) has executed this instrument as of the 12 day of January, 2015.

“OWNER(S)”

*Hidden Valley Country Club*

By: *John D. Torgerson*  
Its: *Gen. Mgr.*

STATE OF UTAH )  
:ss.  
COUNTY OF Salt Lake)



On the 12 day of January, 2015, personally appeared before me Scott  
Boagess who being duly sworn, did say that he/she/they is/are the signer(s) of the foregoing  
instrument, who duly acknowledged to me that he/she/they executed the same.

Alayna McSweeney  
Notary Public

My Commission Expires: 6/5/2018

Residing in: Janney UT

**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF PROPERTY**

**28271000020000 Legal description**

BEGINNING 297 FEET SOUTH OF THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE MERIDIAN, RUNNING THENCE EAST 1800 FEET; THENCE SOUTH 341 FEET; THENCE SOUTH 68°41'40" WEST 600 FEET; THENCE NORTH 250 FEET; THENCE SOUTH 68°41'40" WEST 1332.05 FEET; THENCE NORTH 793 FEET, TO BEGINNING.

**28271000030000 Legal description**

BEGINNING 1320 FEET SOUTH OF THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE MERIDIAN, RUNNING THENCE EAST 2640 FEET; THENCE NORTH 1023 FEET; THENCE WEST 840 FEET; THENCE SOUTH 341 FEET; THENCE SOUTH 68°41'40" WEST 600 FEET; THENCE NORTH 250 FEET; THENCE SOUTH 68°41'40" WEST 1332.05 FEET; THENCE SOUTH 230 FEET TO THE BEGINNING.

**28271000010000 Legal description**

BEGINNING AT THE CENTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE WEST 889 FEET, MORE OR LESS, TO A POINT WHICH IS 431 FEET EAST FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE NORTH 13°40' EAST 353 FEET; THENCE NORTH 7°50' EAST 583 FEET; THENCE NORTH 9°40' EAST 404.6 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28; THENCE EAST 176 FEET, MORE OR LESS, TO THE EAST SIDE OF A PUBLIC HIGHWAY KNOWN AS 16TH EAST STREET; THENCE NORTH 21°45' EAST 1330 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID SECTION 28; THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 28 TO THE NORTHEAST CORNER OF THE SECTION; THENCE CONTINUING EAST ALONG THE NORTH LINE OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN 2640 FEET, MORE OR LESS, TO THE NORTH QUARTER CORNER OF SECTION 27; THENCE SOUTH 297 FEET; THENCE WEST 3258.75 FEET; THENCE SOUTH 5° WEST 224.4 FEET; THENCE NORTH 89°30' WEST 574.2 FEET; THENCE SOUTH 3° WEST 800.25 FEET; THENCE SOUTH 536.5 FEET; THENCE EAST 155.025 FEET; THENCE SOUTH 10° EAST 796.129 FEET TO THE CENTER LINE OF SECTION 28; THENCE WEST 1551 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT A POINT WHICH IS SOUTH 0°04'39" WEST 35 FEET AND SOUTH 89°55'21" EAST 508.439 FEET FROM THE NORTH QUARTER CORNER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE SOUTH 0°04'39" WEST 187.004 FEET; THENCE SOUTH 58°03'55" WEST 215.241 FEET; THENCE SOUTH 47°33'28" WEST 91.902 FEET; THENCE SOUTH 25°04'01" WEST 302.778 FEET; THENCE SOUTH 10°02'52" WEST 350 FEET; THENCE SOUTH 38° WEST 245 FEET; THENCE SOUTH 31° EAST 250 FEET; THENCE SOUTH 5° WEST 583.609 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT 147.14 FEET; THENCE SOUTH 33° EAST 177.193 FEET THENCE NORTH 58°54'15" EAST 255 FEET; THENCE SOUTH 54° EAST 588.821 FEET; THENCE SOUTH 148.43 FEET; THENCE SOUTH 89°56'14" EAST 522 FEET MORE OR LESS; THENCE NORTH 6°48'52" WEST 100.504 FEET; THENCE NORTH 71°34'37" EAST 178.452 FEET; THENCE NORTH 70°14'58" EAST 110.17 FEET; THENCE NORTH 10° WEST 602.89 FEET; THENCE WEST 155.025 FEET; THENCE NORTH 536.5 FEET; THENCE EAST 3.75 FEET; THENCE NORTH 3° EAST 800.25 EAST; THENCE SOUTH 89°30' EAST 574.2 FEET; THENCE NORTH 15° EAST 224.4 FEET; THENCE EAST 618.75 FEET; THENCE NORTH 297 FEET; THENCE WEST 2640 FEET MORE OR LESS TO THE EAST LINE OF ROAD; THENCE SOUTH 0°04'39" WEST 35 FEET; THENCE SOUTH 89°55'21" EAST 508.439 FEET

TO BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:  
BEGINNING AT A POINT WHICH IS NORTH 89°56'01" WEST 272.380 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, FROM THE EAST 1/4 CORNER OF SAID SECTION 28, AS ESTABLISHED IN 1949, AND RUNNING THENCE NORTH 89°56'01" WEST 1049.150 FEET ALONG SAID SOUTH LINE; THENCE NORTH 6°48'52" WEST 100.504 FEET; THENCE NORTH 71°34'37" EAST 178.452 FEET; THENCE NORTH 70°14'58" EAST 696.152 FEET; THENCE SOUTH 31°04'06" EAST 458.413 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:  
BEGINNING AT A POINT THAT IS SOUTH 89°55.21. EAST ALONG THE SECTION LINE 508.439 FEET AND SOUTH 0°04'39" WEST 35.00 FEET FROM THE NORTH 1/4 CORNER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN (SAID 1/4 CORNER BEARING SOUTH 0°16'58" EAST FROM THE MONUMENT AT THE INTERSECTION OF 1700 EAST AND 11400 SOUTH STREETS, SAID MONUMENTS USED AS THE CENTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN); THENCE SOUTH 0°04'39" WEST 187.004 FEET TO A WIRE FENCE ON THE WESTERLY SIDE OF THE FOURTEENTH FAIRWAY OF THE HIDDEN VALLEY COUNTRY CLUB GOLF COURSE; THENCE ALONG SAID FENCE SOUTH 58°03'55" WEST 215.241 FEET AND SOUTH 47°33'28" WEST 91.902 FEET AND SOUTH 25°04'01" WEST 302.778 FEET AND SOUTH 10°02'52" WEST 350.00 FEET; THENCE LEAVING SAID FENCE SOUTH 38° WEST 245.00 FEET; THENCE SOUTH 31° EAST 250.00 FEET; THENCE SOUTH 5° WEST 660.00 FEET THENCE SOUTH 33° EAST 253.584 FEET TO A WIRE FENCE APPROXIMATELY 150 FEET SOUTHEAST OF THE TWELFTH GREEN OF SAID GOLF COURSE; THENCE ALONG SAID LAST MENTIONED FENCE NORTH 58°54'15" EAST 255.00 FEET; THENCE SOUTH 54° EAST 558.821 FEET; THENCE DUE SOUTH 148.430 FEET TO THE EAST-WEST 1/4 SECTION LINE OF SAID SECTION 28; THENCE NORTH 89°56'14" WEST ALONG SAID 1/4 SECTION LINE 1644.497 FEET TO A POINT IN 1700 EAST STREET AS IT PRESENTLY EXISTS, SAID POINT BEING ON THE ARC OF AN 1145.884 FOOT RADIUS CURVE, THE CENTER OF WHICH BEARS SOUTH 81°35'14" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 4°21'38" A DISTANCE OF 87.209 FEET; THENCE NORTH 12°46'24" EAST ALONG A LINE ESTABLISHED AS THE CENTER LINE OF THE EXISTING RIGHT OF WAY 208.40 FEET TO A POINT OF TANGENCY WITH A 2045.665 FOOT RADIUS CURVE, THE CENTER OF WHICH BEARS NORTH 77°13'36" WEST; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 5°35'50", A DISTANCE OF 199.841 FEET; THENCE CONTINUING ALONG SAID ESTABLISHED CENTER LINE NORTH 7°10'34" EAST 219.00 FEET TO A POINT OF TANGENCY WITH A 5713.123 FOOT RADIUS CURVE, THE CENTER OF WHICH BEARS SOUTH 82°49'26" EAST THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 2°00'20" A DISTANCE OF 199.980 FEET; THENCE NORTH 9°10'54" EAST 424.018 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 28; THENCE SOUTH 89°55'44" EAST ALONG SAID SOUTH LINE 33.421 FEET TO A POINT THAT IS 33.00 FEET PERPENDICULARLY DISTANT SOUTHEASTERLY FROM SAID ESTABLISHED CENTER LINE; THENCE NORTH 9°10'54" EAST 20.190 FEET TO A POINT OF TANGENCY WITH A 781.017 FOOT RADIUS CURVE, THE CENTER OF WHICH BEARS SOUTH 80°49'06" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 18°08'50" A DISTANCE OF 247.371 FEET; THENCE NORTH 27°19'44" EAST PARALLEL WITH SAID ESTABLISHED CENTER LINE AND 33.00 FEET SOUTHEASTERLY FROM, 1051.80 FEET TO A POINT OF TANGENCY WITH A 562.033 FEET RADIUS CURVE, THE CENTER OF WHICH BEARS NORTH 62°40'16" WEST, THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 10°32'02" A DISTANCE OF 103.33 FEET; THENCE SOUTH 89°55'21" EAST PARALLEL WITH THE NORTH SECTION LINE OF SAID SECTION 28 AND 35.00 FEET SOUTH THERE FROM 500.00 FEET TO THE POINT OF BEGINNING.