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4/12/2017 3:21:00 PM \$36.00  
Book - 10547 Pg - 616-623  
Gary W. Ott  
Recorder, Salt Lake County, UT  
STEWART TITLE INS AGCY OF UT  
BY: eCASH, DEPUTY - EF 8 P.

## DECLARATION AND PARTIAL ABANDONMENT OF EASEMENTS

**WEEKLEY HOMES, LLC**, a Delaware limited liability company ("**Declarant**"), as the Owner of certain real property situated in South Jordan City, Salt Lake County, State of Utah being legally described as Lots 348, 350, 352, 353, 354 and 355 of Kennecott Daybreak Village 5 Plat 5 Subdivision recorded in Book 2016P at Page 8, in the office of the Salt Lake County Recorder (the "**Property**") hereby declares that the Property shall be held, encumbered, used, occupied, sold and conveyed subject to the following easements, abandonments, conditions, restrictions and obligations, which shall run with such property in perpetuity and shall be binding upon, and inure to the benefit of, all parties having or acquiring any right, title or interest, fee or otherwise, in the Property or any part thereof:

1. Lots 348, 350, 352, 353, 354 and 355 (collectively, the "**Encumbered Lots**") shall be subject to a perpetual easement and right-of-way for ingress and egress over, across and through those portions of such lots more particularly shown and described as follows:

**SEE ACCESS EASEMENTS**  
ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN  
for the legal description of all such easements

The owner of an Encumbered Lot shall have the right to use its Encumbered Lot so long as such use does not unreasonably interfere with the rights of access established by Declarant hereunder. In that connection, the owner of an Encumbered Lot shall not build or construct, or permit to be built or constructed, any building or other improvement over or across said rights-of-way nor change the contour thereof without the written consent of the Property owner who is benefitted by the easement(s) established by Declarant hereunder.

2. That certain existing access easement on Lot 354 more particularly shown and described below are hereby abandoned and terminated:

**SEE ACCESS EASEMENT ABANDONMENT**  
ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN  
for the legal description of all easements being abandoned

[signature page follows]

WHEN RECORDED MAIL TO:

Weekley Homes, LLC  
1111 North Post Oak Road  
Houston, TX 77055

In witness whereof, Declarant has executed this Declaration and Partial Abandonment of Easements this 10 day of April, 2017.

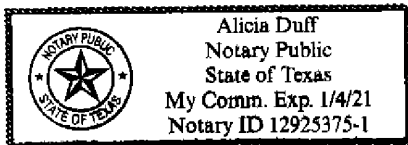
**WEEKLEY HOMES, LLC,**  
a Delaware limited liability company

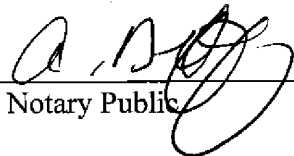
By:   
Name: Heather Humphrey  
Title: Chief Financial Officer

State of Texas       §  
                                  §  
County of Harris   §

On the 10 day of April, 2017, personally appeared before me Heather Humphrey who being duly sworn, did say that he is the Chief Financial Officer of WEEKLEY HOMES, LLC, a Delaware limited liability company, and that said instrument was signed in behalf of said company by authority of a resolution of its Board of Directors and said person acknowledged to me that said company executed the same.

Seal:



  
Notary Public

After Recording Return to:

Weekley Homes, LLC  
Attn: Christy Fink  
1111 N. Post Oak Road  
Houston, Texas 77055

EXHIBIT A

**KENNECOTT DAYBREAK VILLAGE 5 PLAT 5  
ACCESS EASEMENT ABANDONMENT**

**(Abandonment No. 1)**

Abandoning a portion of an Access Easement as shown on the Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, located in the Southwest Quarter of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said abandoned portion of easement more particularly described as follows:

Beginning at the Southwest corner of an existing Access Easement as shown on Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended said point lies South 00°02'52" West 679.406 feet along the Section Line and East 2492.640 feet from the West Quarter Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Access Easement North 36°32'54" West 4.418 feet; thence North 53°27'06" East 0.167 feet; thence South 36°32'54" East 4.418 feet to said Access Easement; thence along said Access Easement South 53°27'06" West 0.167 feet to the point of beginning.

Property contains 0.000 acres, 1 square feet.

**KENNECOTT DAYBREAK VILLAGE 5 PLAT 5  
NEW ACCESS EASEMENTS**

**(New Access Easement for Lot 348)**

New Access Easement over Lot 348 as shown on the Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, located in the Southwest Quarter of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said abandoned portion of easement more particularly described as follows:

Beginning at a point on the Southeasterly line of Lot 348 of Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, said point being South 53°27'06" West 7.000 feet from the Southeast Corner of said Lot 348, said point lies South 00°02'52" West 576.978 feet along the Section Line and East 2416.628 feet from the West Quarter Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 53°27'06" West 23.000 feet along said Southeasterly line; thence North 36°32'54" West 14.843 feet; thence North 53°27'06" East 5.000 feet; thence North 36°32'54" West 3.000 feet; thence North 53°27'06" East 16.000 feet; thence South 36°32'54" East 10.343 feet; thence North 53°27'06" East 2.000 feet to an existing Access Easement as shown on said Kennecott Daybreak Village 5 Plat 5 Subdivision; thence South 36°32'54" East 7.500 feet along said Access Easement to the point of beginning.

Property contains 0.009 acres, 375 square feet.

**(New Access Easement for Lot 350)**

New Access Easement over Lot 350 as shown on the Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, located in the Southwest Quarter of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said abandoned portion of easement more particularly described as follows:

Beginning at a point on the Northwesterly line of Lot 350 of Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, said point being South 53°27'06" West 7.000 feet from the Northeast Corner of said Lot 350, said point lies South 00°02'52" West 576.978 feet along the Section Line and East 2416.628 feet from the West Quarter Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 36°32'54" East 6.500 feet along an existing Access Easement as shown on said Kennecott Daybreak Village 5 Plat 5 Subdivision; thence South 53°27'06" West 0.500 feet; thence South 36°32'54" East 2.333 feet; thence South 53°27'06" West 17.500 feet; thence North 36°32'54" West 2.833 feet; thence South 53°27'06" West 5.000 feet; thence North 36°32'54" West 6.000 feet to said Northwesterly line; thence along said Northwesterly line North 53°27'06" East 23.000 feet to the point of beginning.

Property contains 0.004 acres, 188 square feet.

**(New Access Easement for Lot 352)**

New Access Easement over Lot 352 as shown on the Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, located in the Southwest Quarter of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said abandoned portion of easement more particularly described as follows:

Beginning at a point on the Northeasterly line of Lot 352 of Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, said point being North 36°32'54" West 7.500 feet from the Southeast Corner of said Lot 352, said point lies South 00°02'52" West 663.187 feet along the Section Line and East 2489.318 feet from the West Quarter Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along an existing Access Easement as shown on said Kennecott Daybreak Village 5 Plat 5 Subdivision the following (2) courses: 1) South 53°27'06" West 7.000 feet; 2) South 36°32'54" East 0.900 feet; thence South 53°27'06" West 6.167 feet; thence North 36°32'54" West 16.000 feet; thence North 53°27'06" East 8.333 feet; thence North 36°32'54" West 7.000 feet; thence North 53°27'06" East 4.833 feet to said Northeasterly line; thence along said Northeasterly line South 36°32'54" East 22.100 feet to the point of beginning.

Property contains 0.005 acres, 238 square feet.

**(New Access Easement for Lot 353)**

New Access Easement over Lot 353 as shown on the Kennecott Daybreak Village 5 Plat 5

Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, located in the Southwest Quarter of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said abandoned portion of easement more particularly described as follows:

Beginning at a point on the Southwesterly line of Lot 353 of Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, said point being North 36°32'54" West 7.500 feet from the Southwest Corner of said Lot 353, said point lies South 00°02'52" West 663.187 feet along the Section Line and East 2489.318 feet from the West Quarter Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 36°32'54" West 22.100 feet along said Southwesterly line; thence North 53°27'06" East 10.167 feet; thence South 36°32'54" East 22.100 feet to an existing Access Easement as shown on said Kennecott Daybreak Village 5 Plat 5 Subdivision; thence along said Access Easement South 53°27'06" West 10.167 feet to the point of beginning.

Property contains 0.005 acres, 225 square feet.

**(New Access Easement for Lot 354)**

New Access Easement over Lot 354 as shown on the Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, located in the Southwest Quarter of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said abandoned portion of easement more particularly described as follows:

Beginning at a point on the Northeasterly line of Lot 354 of Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, said point being South 36°32'54" East 7.500 feet from the Northeast Corner of said Lot 354, said point lies South 00°02'52" West 675.238 feet along the Section Line and East 2498.260 feet from the West Quarter Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along said Northeasterly line South 36°32'54" East 21.082 feet; thence South 53°27'06" West 4.833 feet; thence North 36°32'54" West 5.000 feet; thence South 53°27'06" West 2.000 feet; thence North 36°32'54" West 16.082 feet to an existing Access Easement as shown on said Kennecott Daybreak Village 5 Plat 5 Subdivision; thence along said Access Easement North 53°27'06" East 6.833 feet to the point of beginning.

Property contains 0.003 acres, 134 square feet.

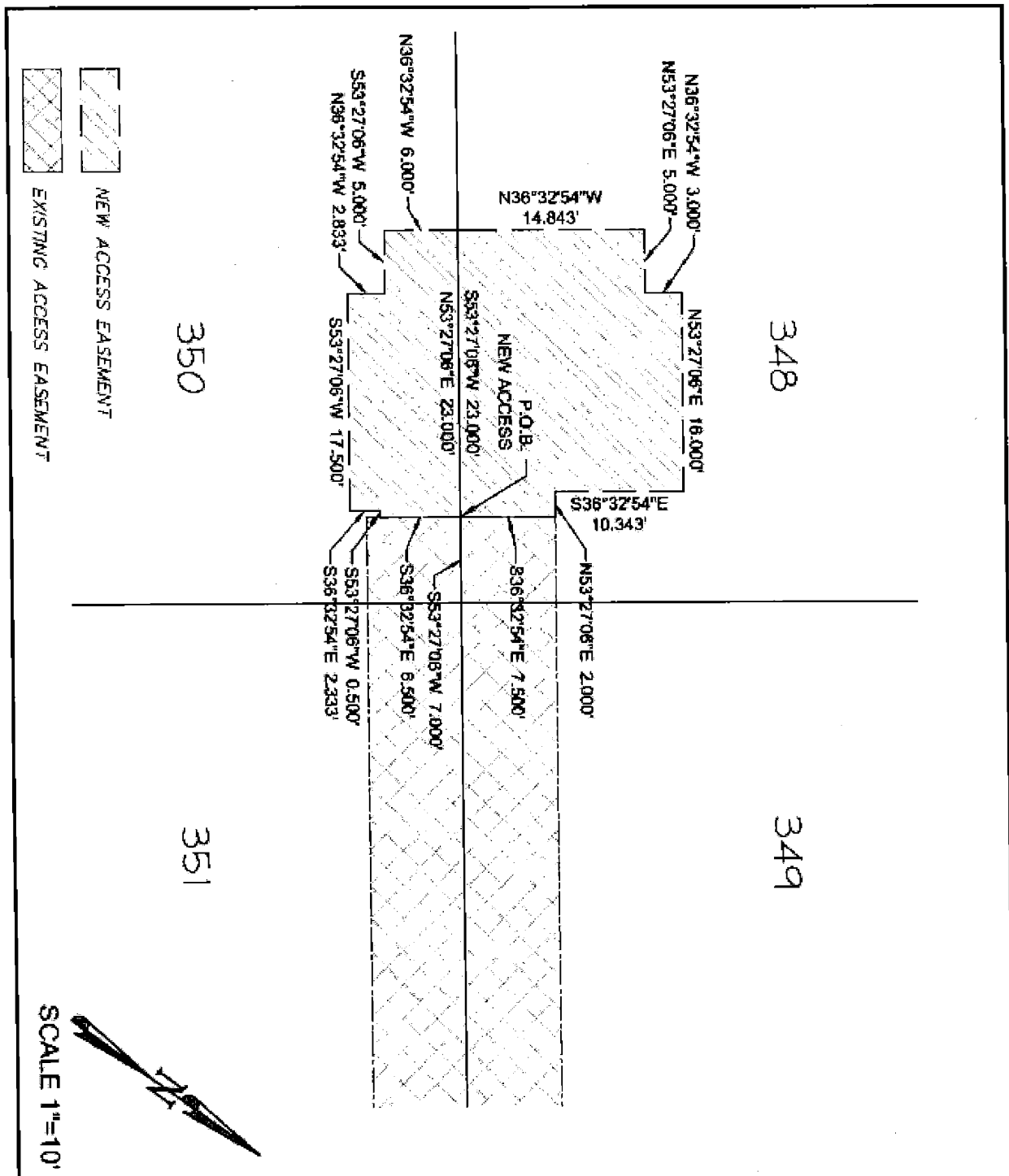
**(New Access Easement for Lot 355)**

New Access Easement over Lot 355 as shown on the Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, located in the Southwest Quarter of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said abandoned portion of easement more particularly described as follows:

Beginning at a point on the Southwesterly line of Lot 355 of Kennecott Daybreak Village 5 Plat 5 Subdivision Amending Lot V3 of the Kennecott Master Subdivision #1 Amended, said point

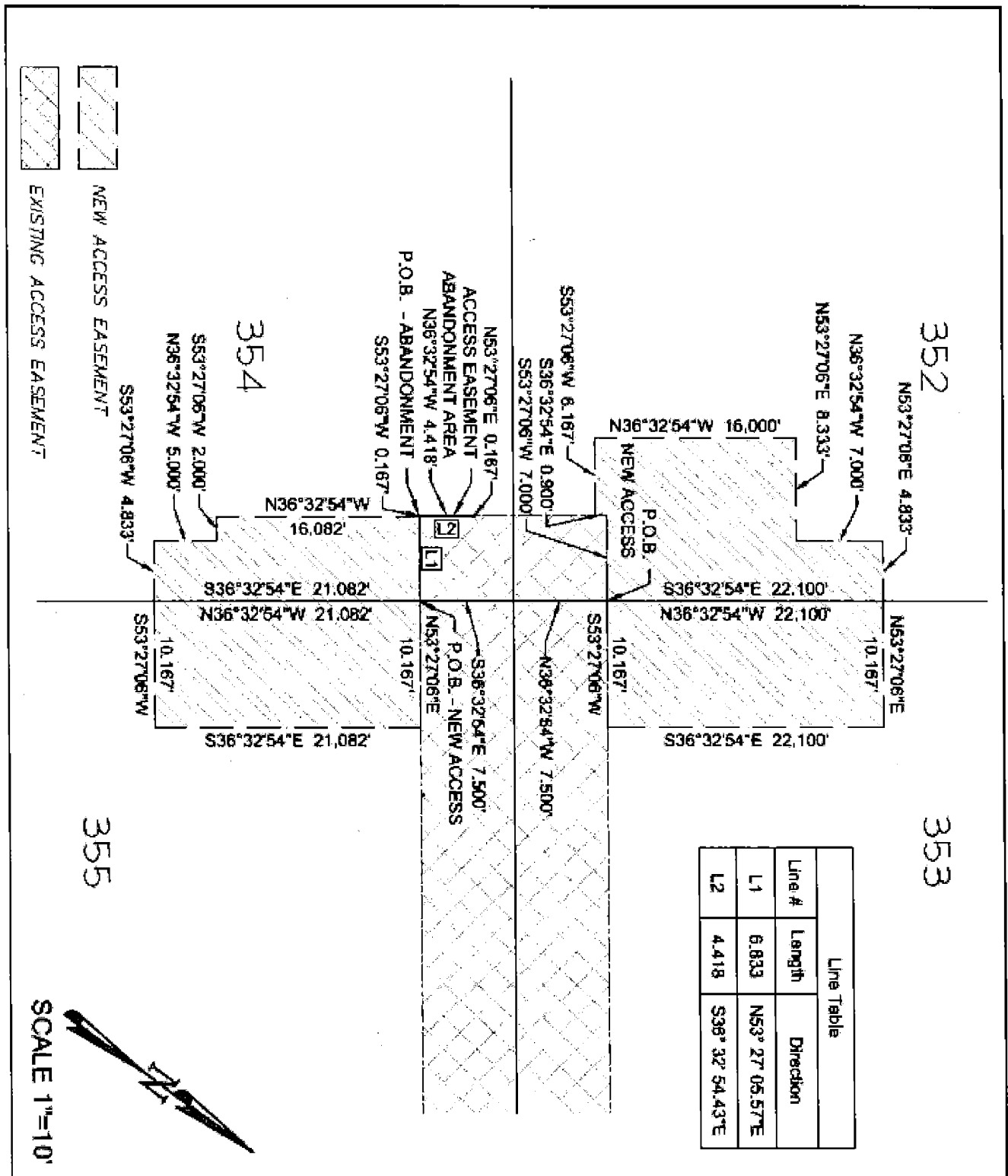
being South 36°32'54" East 7.500 feet from the Northwest Corner of said Lot 355, said point lies South 00°02'52" West 675.238 feet along the Section Line and East 2498.260 feet from the West Quarter Corner of Section 13, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence along an existing Access Easement as shown on said Kenecott Daybreak Village 5 Plat 5 Subdivision North 53°27'06" East 10.167 feet; thence South 36°32'54" East 21.082 feet; thence South 53°27'06" West 10.167 feet to said Southwesterly line; thence along said Southwesterly line North 36°32'54" West 21.082 feet to the point of beginning.


Property contains 0.005 acres, 214 square feet.




**PERIGEE**  
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 801-488-8888  
 WWW.PERIGEE.COM

**ACCESS EASEMENTS**  
**LOTS 348-351, VILLAGE 5 PLAT 5**  
 PREPARED FOR: WEEKLY HOMES



 <p><b>PERIGEE CONSULTING</b> CIVIL • STRUCTURAL • SURVEY</p> <p>3000 SOUTH 1000 WEST, SUITE 200 SALT LAKE CITY, UTAH 84119</p>	<p><b>ACCESS EASEMENTS</b> <b>LOTS 352-355, VILLAGE 5 PLAT 5</b></p>