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Book - 10766 Pg - 3959-3964
RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
OLD REPUBLIC TITLE DRAPER/OREM
898 NORTH 1200 WEST
OREM UT 84057
BY: EAP, DEPUTY - WI 6 P.

WHEN RECORDED RETURN TO:

VP Daybreak Operations LLC
11248 Kestrel Rise Road, Suite 201
South Jordan, Utah 84009
Attn: Mr. Gary Langston

APNs: 26-24-126-001


GRANT OF PUBLIC UTILITY EASEMENT

VP Daybreak Operations LLC, a Delaware limited liability company, as owner of the land described in Exhibit "A" attached hereto and made a part hereof (the "Easement Area"), does hereby grant and establish a public utility easement dedicated to the use and installation of public utility facilities, in accordance with and subject to the terms and conditions of Utah Code Section 54-3-27, et sec., over, under and across said Easement Area, as depicted in Exhibit "A".

Executed this 12 day of MARCH, 2019.

VP Daybreak Operations LLC,
a Delaware limited liability company

By: Daybreak Communities LLC,
a Delaware limited liability company,
Its: Project Manager

By: 

Ty McCutcheon, President & CEO

EXHIBIT "A"

**PUBLIC UTILITY EASEMENT
LEGAL DESCRIPTION**

DAYBREAK SOUTH STATION PLAT 1- DAYBREAK COMMUNITIES

OFF-SITE POWER EASEMENTS

(Line 1)

A ten (10) foot wide power line easement, located in the North Half of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending five (5) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, said centerline lying five (5) feet Southwesterly of the Southwest right-of-way line of Lake Run Road and five (5) feet Northwesterly of the Northwest right-of-way of Black Twig Drive more particularly described as follows:

Beginning at a point on the Northeasterly right-of-way line of Grandville Avenue, said point lies North $89^{\circ}58'44''$ West 360.922 feet along the Section Line and North 3503.360 feet from the South Quarter Corner of Section 24, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North $53^{\circ}16'46''$ East 159.212 feet to a point on a 537.500 foot radius tangent curve to the right, (radius bears South $36^{\circ}43'14''$ East, Chord: North $60^{\circ}24'17''$ East 133.340 feet); thence along the arc of said curve 133.685 feet through a central angle of $14^{\circ}15'01''$; thence North $67^{\circ}31'47''$ East 496.748 feet; thence North $36^{\circ}32'54''$ West 649.806 feet to the point of terminus.

Contains: (approx. 1439 L.F.)

[THE PUBLIC UTILITY EASEMENT DESCRIBED ABOVE IS SHOWN ON THE ATTACHED DRAWING.]

DAYBREAK VILLAGE 4A PLAT 9 SUBDIVISION

LAKE RUN ROAD

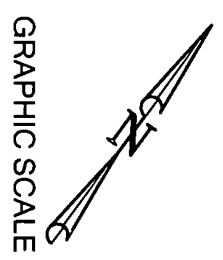
LINE 1

T4

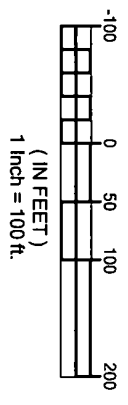
KENNECOTT MASTER
SUBDIVISION #1 AMENDED

LEGEND

PROPOSED 10' WIDE POWER LINE EASEMENT



GRAPHIC SCALE



LINE 1

BLACK TWIG DRIVE

GRANDVILLE AVENUE

C-115

DAYBREAK SOUTH STATION
PLAT 1 SUBDIVISION

RAMBUTAN WAY

M-102

C-110

SOUTH STATION PLAT 1
OFF-SITE POWER EASEMENT

DATE: _____ TIME: _____

NETWORK: _____

PATH: _____

DWG NAME: _____

LAYOUT: _____

DESIGNER: _____ MGR: _____



PERIGEE CONSULTING
CIVIL • STRUCTURAL • SURVEY

3000 SOUTH 90TH WEST, SUITE 100
MESA, ARIZONA 85209 TEL: 480.838.8888 FAX: 480.838.8889
WWW.PERIGEECONSULTING.COM

PREPARED FOR: DAYBREAK COMMUNITIES DATE SUBMITTED: 02-21-2018

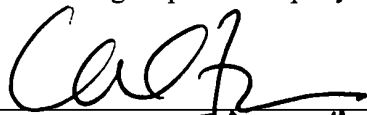
LENDER'S CONSENT AND SUBORDINATION

PUBLIC UTILITY EASEMENT –
PARCEL I.D. # 26-24-126-001

THE UNDERSIGNED, THE BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST, DATED DECEMBER 19, 2016, ENCUMBERING THE HEREIN DESCRIBED REAL PROPERTY (THE "DEED OF TRUST"), HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THAT CERTAIN PUBLIC UTILITY EASEMENT, DATED AS OF MARCH 12, 2019, FROM VP DAYBREAK OPERATIONS LLC, A DELAWARE LIMITED LIABILITY COMPANY (THE "EASEMENT"), TO WHICH THIS LENDER'S CONSENT AND SUBORDINATION IS ATTACHED.

THE UNDERSIGNED LENDER HEREBY CONSENTS TO THE EASEMENT AND MAKES THE LIEN OF THE DEED OF TRUST SUBORDINATE THERETO. THIS LENDER'S CONSENT AND SUBORDINATION SHALL NOT OTHERWISE AFFECT THE PRIORITY OF MORTGAGES AND/OR LIENS AGAINST THE REAL PROPERTY DESCRIBED HEREIN, BUT SHALL SOLELY EVIDENCE THE LENDER'S INTENT TO SUBORDINATE ITS LIEN OF THE DEED OF TRUST TO THE EASEMENT. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE LENDER.

U.S. BANK NATIONAL ASSOCIATION
d/b/a Housing Capital Company

By: 
Name: CARL F. SWANSON
Title: SVP

[SIGNATURE MUST BE NOTARIZED]
[Notary acknowledgement on following page]

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF Fresno

On March 28th, 2019 before me, Lori Beckman, Notary Public,
(here insert name of the officer)

personally appeared Carl F. Swanson who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lori Beckman (Seal)

