

13538920
01/21/2021 09:52 AM \$40.00
Book - 11102 Pg - 6625-6628
RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
BRIGHTON CANAL COMPANY
7145 S. UNION PARK AVE
MIDVALE UT 84047
BY: MSA, DEPUTY - WI 4 P.

WHEN RECORDED, MAIL TO:
Brighton Canal Company
7145 So. Union Park Avenue
Midvale, UT 84047

Effecting Parcel Nos: 15-08-351-005, 15-08-351-006, 15-07-300-004, 15-07-400-017

NOTICE OF EASEMENT

NOTICE IS HEREBY GIVEN that Brighton Canal Company, LLC, a Utah Limited Liability Company ('Brighton'), successor in interest of Brighton and North Point Irrigation Company, a Utah Corporation, is the holder of an easement (the "Easement") established in part pursuant Utah Code Annotated 57-13a-102 for the location and operation of an irrigation canal system known as the Brighton Canal ("the Canal").

Brighton owns a 60 foot wide easement for its West Branch Canal and maintenance roads crossing a portion of the properties represented by the Salt Lake County Tax Assessor parcel numbers listed above, the centerline of which is described on Exhibit 'A' and approximately as shown on Exhibit Map 'B' attached hereto, and as further identified in that certain Resolution dated Feb.27, 1981 in Book 5227 at Page 1403 as Entry Number 3546750, and in that certain Warranty Deed dated Mar.10, 2020 in Book 10908 at Page 2028 as Entry Number 1324010. This easement was created, in part, by that certain Proclamation dated August 25, 1919 of the Salt Lake County Commission, recorded in Book 3K Liens and Leases, Page 133-136 of the official records of the Salt Lake County Recorder.

This notice is recorded pursuant to Utah Code Annotated 57-13a-103. The Easement is held by Brighton for the construction, use, operation, maintenance, repair, and replacement of its water system, including its canals, pipelines, ditch laterals, headgates, weirs, diversions, canal banks, maintenance and access roads, toe drain ditches, fences, gates and other related facilities. Also, Brighton has the right to operate and maintain the Canal in a manner consistent with Utah law, including Utah Code Annotated 73-1-8.

Pursuant to Utah Code Annotated 73-1-15, it is unlawful to encroach upon this Easement or to interfere with any of the water system located thereon. It is unlawful for any person or entity to place or maintain in place within the described easement any obstruction (i.e.debris, pavement, piping, landscape, shrubbery trees, plants, lawn, posts, vaults, structures, sheds, fencing and other improvements). Brighton shall have the right to remove(with no obligation to replace), such obstructions from within the described Easement.


This Notice does not alter the historic rights and interests of Brighton regarding its water rights, water facilities, its other assets, or its overall system of canals. This Notice is to provide record notice to the public of the location of the Easement, and Brighton's rights, privileges and interests in the Easement, in addition to all seepage easements, lateral and subjacent support easements, and other rights existing of record or from use. Any questions about this Notice shall be directed to Brighton at the address above.

BRIGHTON CANAL COMPANY, LLC

a Utah Limited Liability Company

By: Water and Land Advisors, Inc.

a Utah Corporation as the sole Member and Manager

By: 

Elliott F. Christensen, President

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)



On this 20th day of January 2021, personally appeared before me Elliott F. Christensen, as the President of Water and Land Advisors, Inc., a Utah Corporation, the sole Member and Manager of Brighton Canal company, LLC, a Utah limited liability company, the signer of the within instrument, who duly acknowledged to me that he executed the same.

My Commission Expires: July 22, 2023

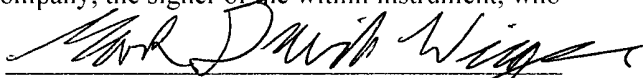

Notary Public
Residing at: 4060 S. Fashion Blvd. Murray, UT 84107

EXHIBIT A
[Legal Description of Easement]

DESCRIPTION of the easement and right-of-way for a portion of the West Branch of the Brighton Canal system, being 60 feet in width and lying 30 feet on each side of the following described centerline:

BEGINNING AT THE CENTERLINE OF THE CANAL SAID POINT BEING SOUTH 89°52'02" EAST 2244.71 FEET ALONG THE SECTION LINE AND NORTH 1097.55 FEET FROM THE SOUTHWEST SECTION CORNER OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 1 WEST SLB&M, AND RUNNING, THENCE NORTH 89°23'17" WEST 1040.41 FEET; THENCE NORTH 89°40'59" WEST 1205.92 FEET TO A POINT ON THE WESTERLY SECTION LINE OF SAID SECTION 8; THENCE NORTH 86°25'32" WEST 104.58 FEET; THENCE NORTH 59°35'51" WEST 36.67 FEET; THENCE NORTH 57°09'05" WEST 507.78 FEET; THENCE NORTH 57°09'26" WEST 225.72 FEET TO THE SOUTHERLY LINE OF THE FIRST AMENDMENT TO EASEMENT RELOCATION AGREEMENT BETWEEN BRIGHTON AND NORTH POINT IRRIGATION CO. AND GLORIA B. ROTHWELL, ENTRY NO. 11004505 AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDERS OFFICE, SAID POINT ALSO BEING THE WESTERN RIGHT-OF-WAY LINE OF BANGERTER HIGHWAY, AND THE POINT OF TERMINUS, SAID POINT IS ALSO THE CENTERLINE OF THE CANAL AND NORTH 89°44'35" WEST 754.46 FEET ALONG THE SOUTHERN LINE OF SECTION 7 AND NORTH 1529.60 FEET FROM THE SOUTHWEST SECTION CORNER OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 1 WEST SLB&M.

THE BASIS OF BEARING FOR THIS DESCRIPTION IS NORTH 89°52'02" EAST 2670.56 FEET MEASURED BETWEEN THE FOUND SOUTHWEST CORNER AND THE FOUND SOUTH 1/4 CORNER OF SECTION 8, TOWNSHIP 1 SOUTH, RANGE 1 WEST SLB&M.

POINT OF TERMINUS

S 57°09'26" E 225.72'

Parcel 15-08-300-017

S 57°09'05" E 507.78'

S 60°23'21" E 37.00'

S 86°18'45" E 106.27'

S 0°00'01" E 2664.67'

7/8

N 89°44'35" W 754.46' (P.O.T. TIE)

PARCEL: 15-08-300-003
UP&L CO.

15-08-300-004

S 89°40'14" E 224'

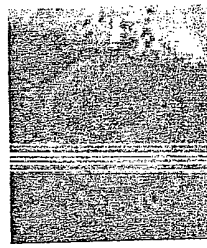
15-08-300-005

Maha Hospitality LLC

PARCEL: 15-08-300-006
PETROLEUM WHOLESALE, LP
IRON HORSE STOKK

3800 WEST

PARCEL:
15-08-377-004
SALT LAKE CITY
CORPORATION



SOUTH WEST CORNER SECTION 8
T1S., R1W.
FOUND BRASS CAP, SLCO SURVEYOR PT#: 1S1W0701

EXHIBIT
B

S 89°52'02" E 2244.71' (P.O.B.)
N 89°52'02" W 2670.56'