

WHEN RECORDED, MAIL TO:  
Brighton and North Point Irrigation Company  
7145 So. Union Park Avenue  
Midvale, UT 84047

14071552 B: 11400 P: 5461 Total Pages: 3  
02/10/2023 04:41 PM By: CSelman Fees: \$40.00  
Rashelle Hobbs, Recorder Salt Lake County, Utah  
Return To: BRIGHTON AND NORTH POINT IRRIGATION COMPANY  
7145 SO. UNION PARK AVENUE MIDVALE, UT 84047



Effecting Tax Parcel Nos: 15-27-480-029

**NOTICE OF EASEMENT**

NOTICE IS HEREBY GIVEN that 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 55-foot-wide right-of-way and easement for its Main Canal and maintenance roads crossing a portion of the properties represented by the Salt Lake County Tax Assessor parcel number listed above, the area of which is described on Exhibit 'A' and approximately as is shown on the Exhibit 'B' map attached hereto, and as further identified in that certain Resolution dated Feb.27, 1981 in Book 5227 at Page 1403 as Entry Number 3546750. This easement was granted and conveyed to Brighton and North Point Irrigation Company, Grantee, by James and Susan Peck Taylor, Grantors on September 27, 1907 as shown on the records of the Salt Lake County Recorder, Entry No. 229392. and 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, trees, plants, lawn, posts, poles, 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 and North Point Irrigation Company, a Utah Corporation

By: Elliott F. Christensen  
Elliott F. Christensen, President

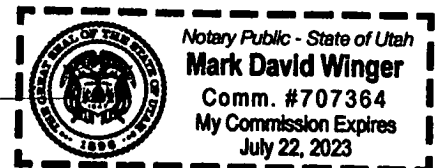
STATE OF UTAH                    )  
                                          ) ss.  
COUNTY OF SALT LAKE        )

On this 10<sup>th</sup> day of February 2022, personally appeared before me Elliott F. Christensen, as the President of Brighton and North Point Irrigation Company., a Utah Corporation, the signer of the within instrument, who duly acknowledged to me that he executed the same.

My Commission Expires: July 22, 2023  
Notary Public

Mark David Winger

Residing at: 6060 S. Fashion Blvd.  
Murray, UT 84107



## Exhibit A

### 55 FOOT WIDE BRIGHTON AND NORTH POINT CANAL RIGHT-OF-WAY

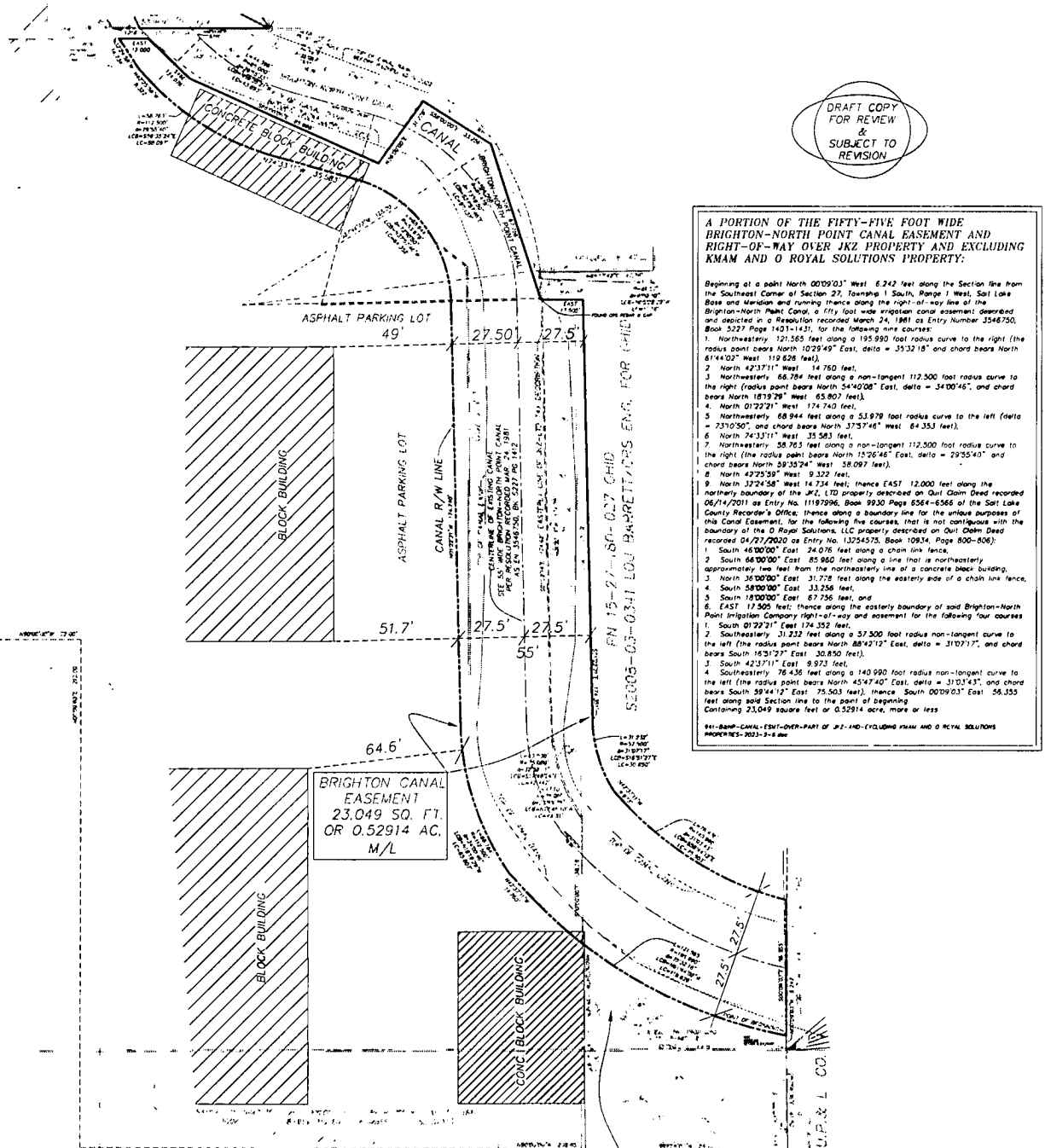
Beginning at a point North 00°09'03" West 6.242 feet along the Section line from the Southeast Corner of Section 27, Township 1 South, Range 1 West, Salt Lake Base and Meridian and running thence along the right-of-way line of the Brighton-North Point Canal, a fifty foot wide irrigation canal easement described and depicted in a Resolution recorded March 24, 1981 as Entry Number 3546750, Book 5227 Page 1403-1431, for the following nine courses:

1. Northwesterly 121.565 feet along a 195.990 foot radius curve to the right (the radius point bears North 10°29'49" East, delta = 35°32'18" and chord bears North 61°44'02" West 119.626 feet),
2. North 42°37'11" West 14.760 feet,
3. Northwesterly 66.784 feet along a non-tangent 112.500 foot radius curve to the right (radius point bears North 54°40'08" East, delta = 34°00'46", and chord bears North 18°19'29" West 65.807 feet),
4. North 01°22'21" West 174.740 feet,
5. Northwesterly 68.944 feet along a 53.979 foot radius curve to the left (delta = 73°10'50", and chord bears North 37°57'46" West 64.353 feet),
6. North 74°33'11" West 35.583 feet,
7. Northwesterly 58.763 feet along a non-tangent 112.500 foot radius curve to the right (the radius point bears North 15°26'46" East, delta = 29°55'40", and chord bears North 59°35'24" West 58.097 feet),
8. North 42°25'59" West 9.322 feet,
9. North 32°24'58" West 14.734 feet; thence EAST 12.000 feet along the northerly boundary of the JKZ, LTD property described on Quit Claim Deed recorded 06/14/2011 as Entry No. 11197996, Book 9930 Page 6564-6566 of the Salt Lake County Recorder's Office; thence along a boundary line for the unique purposes of this Canal Easement, for the following five courses, that is not contiguous with the boundary of the O Royal Solutions, LLC property described on Quit Claim Deed recorded 04/27/2020 as Entry No. 13254575, Book 10934, Page 800-806):
  1. South 46°00'00" East 24.076 feet along a chain link fence,
  2. South 66°00'00" East 85.960 feet along a line that is northeasterly approximately two feet from the northeasterly line of a concrete block building,
  3. North 36°00'00" East 31.778 feet along the easterly side of a chain link fence,
  4. South 58°00'00" East 33.256 feet,
  5. South 18°00'00" East 67.756 feet, and
  6. EAST 17.505 feet; thence along the easterly boundary of said Brighton-North Point Irrigation Company right-of-way and easement for the following four courses:
    1. South 01°22'21" East 174.352 feet,
    2. Southeasterly 31.232 feet along a 57.500 foot radius non-tangent curve to the left (the radius point bears North 88°42'12" East, delta = 31°07'17", and chord bears South 16°51'27" East 30.850 feet),
    3. South 42°37'11" East 9.973 feet,
    4. Southeasterly 76.436 feet along a 140.990 foot radius non-tangent curve to the left (the radius point bears North 45°47'40" East, delta = 31°03'43", and chord bears South 59°44'12" East 75.503 feet); thence South 00°09'03" East 56.355 feet along said Section line to the point of beginning.

Containing 23,049 square feet or 0.52914 acre, more or less.

941-B&NP-CANAL-ESMT-OVER-PART OF JKZ-AND-EXCLUDING KMAM AND O ROYAL SOLUTIONS PROPERTIES-2023-2-6.doc

941-B&NP-CANAL-ESMT-OVER-PART OF JKZ-AND-EXCLUDING KMAM AND O ROYAL SOLUTIONS PROPERTIES-2023-2-6



941-B&NP-CANAL-ESMT-OVER-PART OF JKZ-AND-EXCLUDING KMAM AND O ROYAL SOLUTIONS PROPERTIES-2023-2-6.pdf

PARCEL 2 OF THE JKZ LTD PROPERTY PER QCD EN 11197996 STIPULATES "LESS AND EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE BOUNDS OF THE BRIGHTON NORTH POINT CANAL"

About 1350 W. CJ Way (3500 So)

WORKSHEET, FOR REVIEW ONLY, SUBJECT TO REVISION

