

When recorded return to:
KMW Development LLC
2733 East Parleys Way, Suite 300
Salt Lake City, UT 84109

14246690 B: 11494 P: 8660 Total Pages: 7
05/31/2024 09:29 AM By: csummers Fees: \$0.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: CITY OF HOLLADAY
4580 S 2300 EHOLLADAY CITY, UT 84117



Tax ID No.: 22-10-151-032, 22-10-151-033

(space above for recorder's use only)

TERMINATION AND VACATION OF PORTION OF PUE EASEMENT

This TERMINATION AND VACATION OF EASEMENT is given and executed by KMW Development L.L.C., a Utah limited liability company (“KMW”), and Holladay City, a municipal corporation and political subdivision of the State of Utah (“Holladay City”), as of the date indicated below.

RECITALS

- A. KMW owns a parcel of real property located in Utah County and described in Exhibit A attached hereto and incorporated herein by this reference (the “KMW Property”).
- B. On June 25, 2021, KMW recorded a plat (“Royal Holladay Hills Subdivision 2”) that established a Public Utility Easement (“PUE”) for the entire Holladay Hills development.
- C. The PUE shown on the plat includes a parcel of land on Block L that does not have any utilities in it and is not required for use as a PUE.
- D. KMW, as the sole successor-in-interest to the fee simple title of the real property which is burdened by the Easement and Holladay City, as the holder of the Easement, desire to vacate the portion of the PUE as described in the Exhibits while retaining the remainder of the PUE. The legal description for the portion of the PUE to be vacated is attached as Exhibit B, and is depicted in Exhibit C attached hereto and incorporated herein by this reference.

TERMINATION

ACCORDINGLY, KMW and Holladay City hereby fully terminates, releases, and vacates the portion of the PUE herein described.

Dated this 30 day of May, 2024.

[signature pages to follow]

KMW DEVELOPMENT ACKNOWLEDGMENTS

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

On the 29th day of May 2024, before me personally *Vice Chairman* appeared O. RANDALL WOODBURY, to me personally known to be the ~~President~~ *Mr* of WOODBURY CORPORATION, a Utah corporation, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its Operating Agreement.

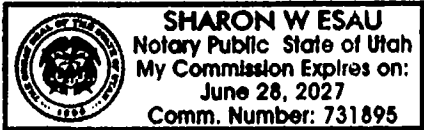


Tiffany Steele

Notary Public

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

On the 29th day of May 2024, before me personally appeared Jeffrey K. Woodbury, to me personally known to be the *Sr. Vice President* of WOODBURY CORPORATION, a Utah corporation, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its Operating Agreement.

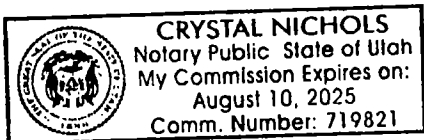


Sharon W. Esau

Notary Public

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

On the 30 day of May 2024, before me personally appeared STEVEN PETERSON, to me personally known, who being by me duly sworn did say that he is the Manager of MILLROCK II, L.L.C. , a Utah limited liability company, the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its Operating Agreement.



Crystal Nichols

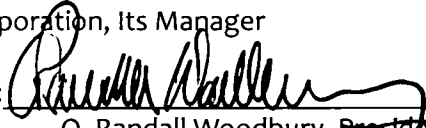
Notary Public

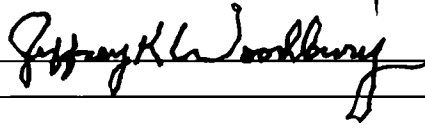
[Handwritten initials]

KMW DEVELOPMENT:

KMW DEVELOPMENT L.L.C., a Utah limited liability company

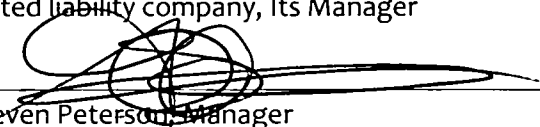
By: WOODBURY CORPORATION
a Utah corporation, Its Manager

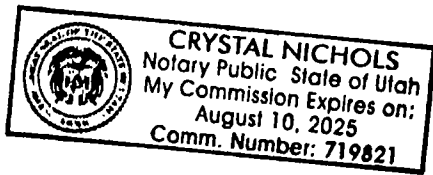
By: 
O. Randall Woodbury, President
Vice Chairman

By: 

By: MILLROCK CAPITAL II, LLC,
a Utah limited liability company, Its Manager



By: 
Steven Peterson, Manager



[Acknowledgements Follow]

HOLLADAY CITY:

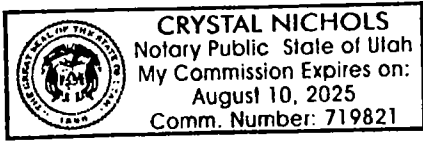
By: Holladay City, a municipal corporation and political subdivision of the State of Utah

By: Jonathan Teerlink
[Signature]

HOLLADAY CITY ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF UTAH

On May 30, 2022 ^{2024 W}, before me, a notary public, personally appeared Jon Teerlink, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed the same on behalf of Holladay City, a municipal corporation and political subdivision of the State of Utah.



[Signature]
Notary Public

[Handwritten initials]

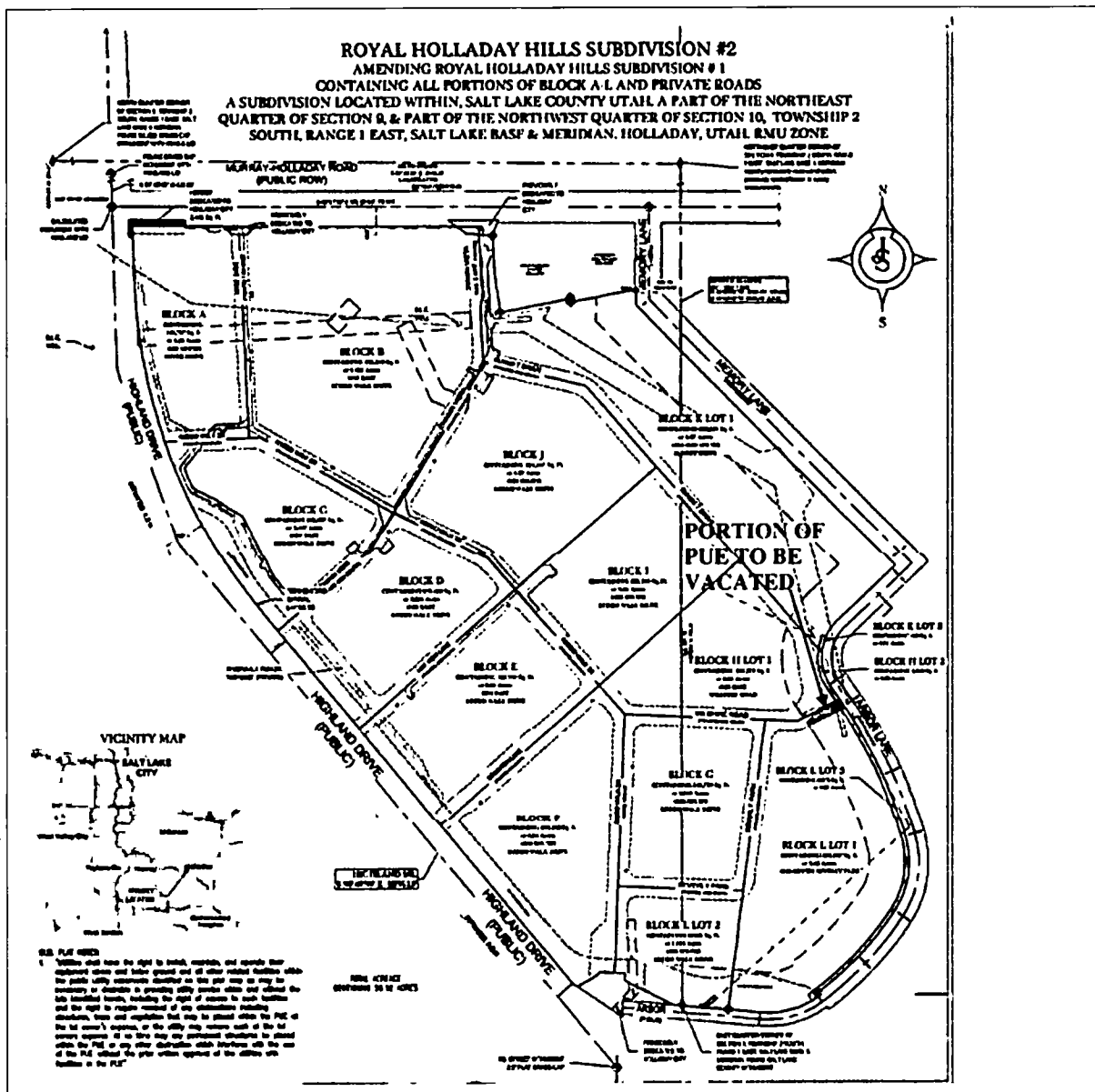
Exhibit A

(Legal Description of the KMW Development Property)

ROYAL HOLLADAY HILLS SUBDIVISION #2

CONTAINING ALL PORTIONS OF BLOCKS A THROUGH L AND PRIVATE ROADS

A SUBDIVISION LOCATED WITHIN SALT LAKE COUNTY UTAH. A PART OF THE NORTHEAST QUARTER OF SECTION 9 AND PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, HOLLADAY, UTAH



(Handwritten signature and initials)

Exhibit B

(Legal Description of the Portion of PUE to be vacated)

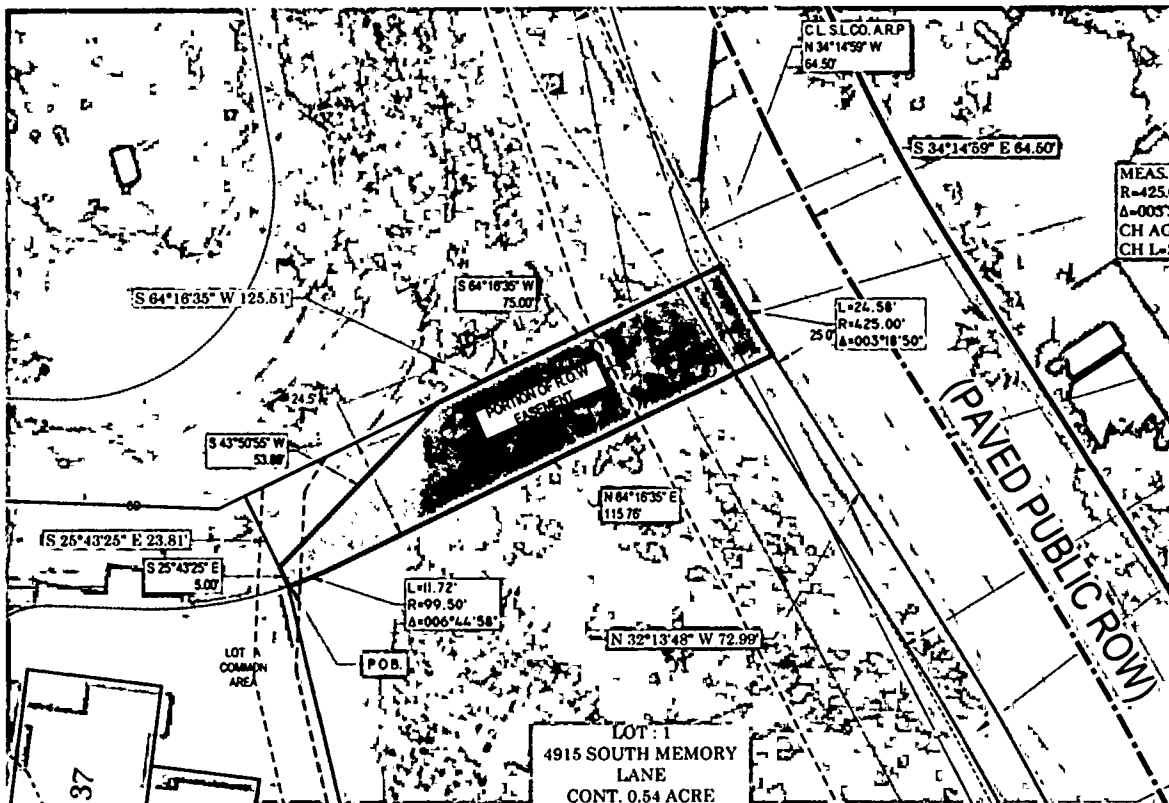
Parcels of land being a portion of the Royal Holladay Hills Subdivision # 2", recorded December 3, 2021, as Entry No. 13839649 in Book 11278 at Page 4 in the office of the Salt Lake County Recorder. Which also lies within the N.E. 1/4 OF SEC. 9, & N.W. 1/4 OF SEC. 10, T. 2 S., R. 1 E. S.L.B.&M.

Portion of block L right of way of recorded as per described above subdivision.

Beginning at a point that is located on the Southwesterly corner of described above easement right away. Said point lies North 00° 03' 51" West 693.95 feet along Section Line and West 307.71 feet from the East Quarter corner of Section 9, Township 2 South, Range 1 East, Salt Lake Base & Meridian.

Running Thence N 25° 43' 25" W a distance of 5.00 feet, Thence N 43° 50' 55" E a distance of 53.89 feet, Thence N 64° 16' 35" E a distance of 75.00 feet to the beginning of a non-tangential curve, Said curve bears to the left through an angle of 03° 18' 50", having a radius of 425.00 feet along the arc a distance of 24.58, and whose long chord bears S 30° 16' 28" E a distance of 24.58 feet to a point of intersection with a non-tangential line, Thence S 64° 16' 35" W a distance of 115.76 feet to the beginning of a curve, Said curve bears to the right through 06° 44' 58", having a radius of 99.50 feet along the arc a distance of 11.72, and whose long chord bears S 67° 39' 04" W a distance of 11.71 feet to the point of beginning.

Containing 2,618 Sq. Ft.



[Handwritten signature]

Exhibit C

(Depiction of the Portion of PUE to be vacated)

