

When Recorded Return to:
Highlands Water Company
5880 Highland Drive
Mountain Green Utah 84050

Ent 157197 Bk 379 Pg 266

Date: 08-JUN-2021 11:10:32AM

Fee: \$40.00 Credit Card Filed By: CKR

BRENDA NELSON, Recorder

MORGAN COUNTY

For: HIGHLANDS WATER COMPANY

HIGHLANDS WATER COMPANY

Soderby LLC Land Use Agreement

For Well Protection Zone 1 and Zone 2 Highlands Water Company Johnson Well #1

Morgan County Serial Numbers:

03-005-048 (Zone One and Two)

00-0003-4163

03-005-048-10 (Zone Two)

00-0005-4930

03-005-048-04 (Zone Two)

00-0003-4197

03-005-040-01 (Zone Two)

00-0003-3876

03-005-040-02 (Zone Two)

00-0003-3884

Soderby LLC, ("Soderby") as the owner of the property identified as Morgan County Serial Numbers 03-005-048, 03-005-048-10, 03-005-048-04, 03-005-040-01, 03-005-040-02 and as set forth on Exhibit A hereto ("Property") acknowledges and agrees to a source protection zone easement over the Property in conformance with the Utah Division of Drinking Water source protection zones for Highlands Water Company Johnson Well #1 which is located on the Property at 2,022.47 feet North and 785.04 feet west from the Southwest Corner of Section 25, Township 5 North, Range 1 East, Salt Lake Base and Meridian ("Well"). Well Protection Zone 1 is defined as a 100' radius around the Well head. Well Protection Zone 2 is defined as that portion of the Property impacted by a 250-Day Time of Travel as set forth in Utah Administrative Code Rule R309-600 and as identified on Exhibit A.

Soderby agrees that it shall be prohibited from locating or permitting the location of any concentrated sources of pollution as defined in Utah Administrative Code R309-600(1)(w) within Well Protection Zone 1 and prohibited from locating or permitting the location of any uncontrolled contamination sources as defined in Utah Administrative Code R309-600-6(1)(v) within Well Protection Zone 2 as unless design standards are implemented to prevent contaminated discharges. This agreement is binding on all heirs, successors, and assigns.

Dated this 4th day of June, 2021

Soderby LLC

By

Its:

State of Utah)

:SS

County of Morgan)

On this 4th day of June, 2021 Duane Johnson personally appeared before me in his/her capacity as Manager of Soderby LLC and executed the foregoing Land Use Agreement on behalf of Soderby LLC.

Notary Public:

My Commission Expires:

4813-4674-0456.v1

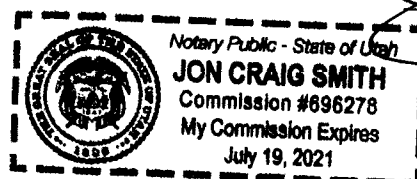


EXHIBIT A

West Drinking Water Source Protection Description Zone 2 limits (DWSP):

A tract of land in the Northwest Quarter of Section 25 and the Northeast Quarter of Section 26, Township 5 North, Range 1 East of the Salt Lake Base and Meridian, Morgan County, Utah, being more particularly described as follows;

Commencing at the West Quarter Corner of said Section 25:

Thence	S 00°00'00" E	610.04 feet	;
Thence	N 90°00'00" W	301.33 feet	being a point on the North line of a Utah Department of Transportation (UDOT) Right of way preservation parcel (ROW Parcel 03-005-048-11-NA), a south corner of Morgan County Parcel 03-005-048, the true point of beginning, and a South point of an 833.00 foot arc to the left which cord bearing is;
	N 20°25'16" W	375.98 feet	along the UDOT ROW;
Thence	N 33°27'49" W	250.01 feet	along the UDOT ROW;
Thence	N 39°11'52" W	101.34 feet	along the UDOT ROW to the UDOT (Lundin) property;
Thence	S 0°00'00" E	17.94 feet	along the Lund property
Thence	N 89°36'59" W	275.71 feet	along the Lund property
Thence	N 27°52'42" E	244.68 feet	along the Lund property to the UDOT ROW ; Thence along a non-tangent curve to the right which cord bears
	N 28°58'42" W	97.21 feet	a radius of 908.25 feet along the UDOT ROW to the DWSP line; Thence a non-tangent curve to the left which cord bears
	S 18°30'21" W	889.23 feet	a radius of 1,677.66 feet, along the DWSP line; Thence along a tangent curve to the left which cord bears
	S 00°44'14" W	48.83 feet	a radius of 454.73 feet along the DWSP line to the UDOT ROW;
Thence	S 87°44'07" E	824.99 feet	along the UDOT ROW to the Point of beginning.

Contains 9.72 acres more or less

East Drinking Water Source Protection Description Zone 2 limits (DWSP):

A tract of land in the Northwest Quarter of Section 25 and the Northeast Quarter of Section 26, Township 5 North, Range 1 East of the Salt Lake Base and Meridian, Morgan County, Utah, being more particularly described as follows;

Commencing at the West Quarter Corner of said Section 25:

Thence	S 00°00'00" E	648.96 feet	;
Thence	N 90°00'00" W	37.50 feet	being a point on the North line of a Utah Department of Transportation (UDOT) Right of way preservation parcel (ROW Parcel 03-005-048-11-NA), the south most corner of Morgan County Parcel 03-005-048, the true point of beginning;
Thence	N 55°50'38" E	45.32 feet	along the UDOT ROW line to the Village at Trappers Loop West Line (03-005-037-02);
Thence	N 00°00'00" E	623.51 feet	along the Village at Trappers Loop;
Thence	N 90°00'00" E	495.80 feet	along the Village at Trappers Loop to the Soderby/Johnson line (03-005-041);
Thence	N 00°00'00" E	155.72 feet	along the West line of the Soderby/Johnson Parcel;
Thence	N 90°00'00" E	15.27 feet	along the North line of the Soderby/Johnson Parcel;
Thence	N 63°45'00" E	490.00 feet	along the North line of the Soderby/Johnson Parcel to the west line of a 16.5' Soderby access strip (3-005-041-02);
Thence	N 00°08'08" E	131.49 feet	along the access strip to the South line Nye Glass Business Park P.U.D;
Thence	N 90°00'00" W	182.24 feet	along the South line of the Nye's PUD;
Thence	N 03°34'07" E	58.62 feet	along the West line of the Nye's PUD; Thence along a tangent curve to the left which cord bears;
	N 06° 46' 55" W	122.35 feet	a radius of 340.48'; along the Nye's PUD;
Thence	N 90°00'00" E	193.03 feet	along the Nye's P.U.D. to the 16.5' access strip;
Thence	N 00°00'00" E	223.49 feet	along the access strip to the South line of Old Highway Road;
Thence	S 82°52'00" W	942.00 feet	along the south line of Old Highway to the Northeast corner of the Glacier Bank Property (03-005-040-01-1);
Thence	S 01°32'41" W	221.02 feet	along the Bank Property;
Thence	N 89°14'54" W	266.67 feet	along the Bank Property; to the UDOT (Lundin) property;
Thence	S 26°02'27" W	72.69 feet	along the Lundin Property;
Thence	S 53°15'00" W	255.57 feet	along the Lundin Property;
Thence	S 20°01'53" W	192.12 feet	along the Lundin Property; to the UDOT ROW;
Thence	S 39°14'24" E	165.94 feet	along the UDOT ROW;
Thence	S 44°54'13" E	250.00 feet	along the UDOT ROW; Thence along a curve to the Right which cord bears
	S 24°52'30" E	570.59 feet	along the UDOT ROW to the point of beginning.

Contains 23.32 acres more or less

MORGAN COUNTY PARCELS:

ALL OF:

- 03-005-04-01
- 03-005-04-02
- 03-005-04-03
- 03-005-04-04
- PART OF:
- 03-005-04-08
- 03-005-04-10



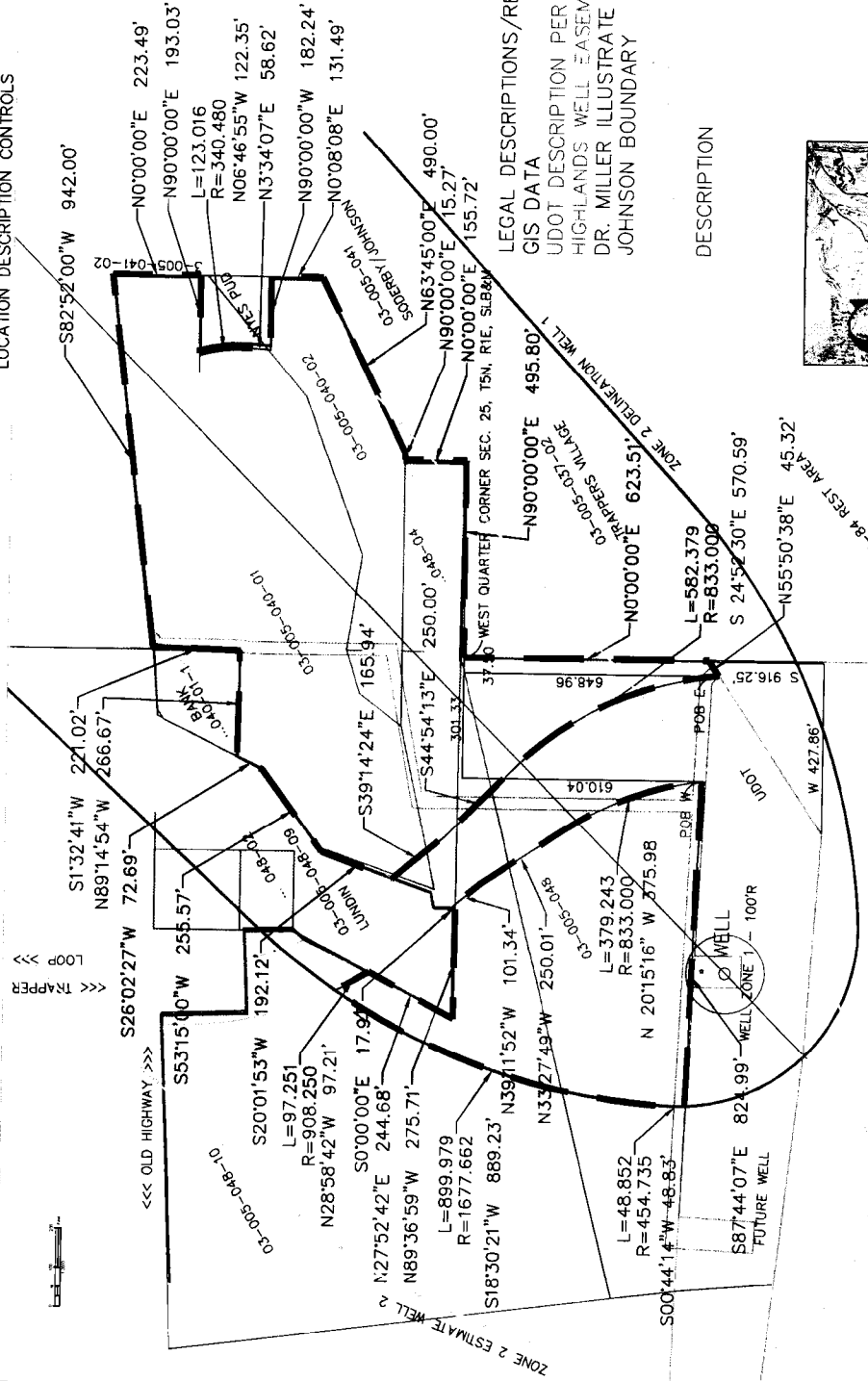
FUTURE ESTIMATED WELL2 SHOWN - FURTHER OBLIGATION

<<< TRAPPER
>>> LOOP

LOCATION DESCRIPTION CONTROLS

UDOT RIGHT-OF-WAY SELL ADDED 5-3-21

NARRATIVE :
COMPILED OF DEEDS AT THE MORGAN COUNTY RECORDERS OFFICE.
DRINKING WATER ZONES AS SCALED FROM DR. WOOD MILLER'S
ANALYSIS OF THE SOURCE PROTECTION 2017 AS FILED WITH THE
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY FOR SYSTEM
#15005. RECORDED DEEDS AS OF 11-09-18



LEGAL DESCRIPTIONS/RECORDED
GIS DATA
UDOT DESCRIPTION PER UDOT RIGHT-OF-WAY
HIGHLANDS WELL EASEMENT
DR. MILLER ILLUSTRATE ZONE 2
JOHNSON BOUNDARY

DESCRIPTION



DRINKING WATER SOURCE PROTECTION DESCRIPTION

HIGHLANDS WATER - SODERBY, LLC
MOUNTAIN GREEN, MORGAN COUNTY, UTAH