

P-4

DOC # 20080033057

Easements Page 1 of 4
Russell Shirts Washington County Recorder
08/21/2008 02:44:03 PM Fee \$ 0.00
By WASHINGTON COUNTY WATER CONSERV DIST

When Recorded Return To: WCWCD
136 North 100 East
St. George UT 84770
(435) 673-3617



Parcel Nos. H-4-2-13-1409 & H-4-2-1-1103

SECOND AMENDED RIGHT-OF-WAY EASEMENT


That in consideration of One Dollar (\$1.00), the simultaneous vacation by Grantee of the easement(s) for which this "Second Amended Easement" is being granted pursuant to that "Second Vacation and Regrant of Right-of-Way Easement", and other good and valuable consideration paid to Elim Valley Planning & Development, LLC, hereinafter referred to as GRANTOR, by WASHINGTON COUNTY WATER CONSERVANCY DISTRICT, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the GRANTOR does hereby quit claim unto the GRANTEE, its successors and assigns, the following described easement:

See Exhibit A and B

This SECOND AMENDED RIGHT-OF-WAY EASEMENT is an amendment to that certain EASEMENT AGREEMENT dated August 25, 2000, and recorded on September 11, 2000, in Book 1379, Pages 2063-2104, Document 00696150 in the records of the Washington County Recorder, with Winding River Associates, LLC, Grantor, of Allegheny County, Pennsylvania, and subsequently amended by that certain AMENDED RIGHT-OF-WAY EASEMENT dated September 2, 2004, and recorded on March 1, 2005, in Book 1717, Pages 2678-2680, Document 00929681 in the records of the Washington County Recorder. All terms and conditions of the EASEMENT AGREEMENT are and shall remain in full force and effect, except insofar as the property description of the easement conveyed has changed as set forth in Exhibit A and B.

WITNESS the hand of said Grantor, this 21st day of August 2008.

Elim Valley Planning & Development, LLC,
a Utah Limited Liability Company,

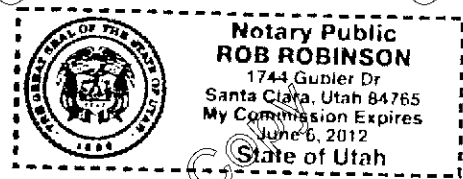
By 
ROLAND N. WALKER, Manager

STATE OF UTAH)
) ss.
COUNTY OF WASHINGTON)

On the 21st day of August 2008, personally appeared before me ROLAND N. WALKER whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he is the Manager of Elim Valley Planning & Development, LLC, and did duly acknowledge to me that the foregoing document was entered into on behalf of such entity for its stated purpose.



NOTARY PUBLIC



GRANTEE
WASHINGTON COUNTY WATER CONSERVANCY DISTRICT

By: 

Ronald W. Thompson, Manager

STATE OF UTAH)
) ss.
COUNTY OF WASHINGTON)

On the 21 day of Aug, 2008, before me personally appeared RONALD W. THOMPSON whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he is the manager of Washington County Water Conservancy District and that the foregoing document was signed by him on behalf of Washington County Water Conservancy District by appropriate authority and he acknowledged before me that Washington County Water Conservancy District executed the document and the document was the act of Washington County Water Conservancy District for its stated purpose.



NOTARY PUBLIC

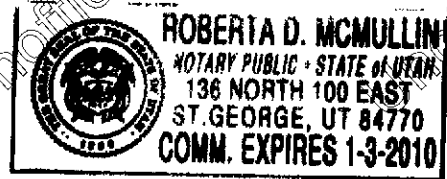


EXHIBIT "A"

Commencing at the North $\frac{1}{4}$ Corner of Section 13, Township 42 South, Range 14 West, Salt Lake Base and Meridian;

Thence South $89^{\circ}39'02''$ East along the Section line a distance of 714.70 feet;

Thence South $00^{\circ}02'36''$ west, a distance of 9.63 feet to the Point of Beginning;

Thence South $00^{\circ}02'36''$ West, a distance of 982.29 feet, to a point on the North line of Dixie Springs Subdivision, Second Amendment and Extension Plat C; according to the Official Plat thereof filed under Entry # 709144

Thence North $89^{\circ}38'24''$ West, along said line, a distance of 50.00 feet;

Thence North $00^{\circ}02'36''$ East, a distance of 1,031.93 feet;

Thence South $45^{\circ}00'00''$ East, a distance of 70.66 feet, to the Point of Beginning;

Containing: 50,354 square feet or 1.16 acres, more or less.

 **ALPHA ENGINEERING COMPANY**

43 South 100 East, Suite 100 St. George, Utah 84770-3442; Tel: (435) 628-6500 Fax: (435) 628-6553

EXHIBIT "B"

Commencing at the Northeast Corner of Section 1, Township 42 South, Range 14 West, Salt Lake Base and Meridian;
Thence North $89^{\circ}53'15''$ West along the Section line a distance of 1923.53 feet;
Thence South, a distance of 836.37 feet to the Point of Beginning, said point being on the Southerly right-of-way line of Highway SR-9;
Thence South $15^{\circ}48'33''$ East, a distance of 469.06 feet, to the point of curvature to the right having a radius of 1,002.00 feet, thence southerly along the arc of said curve, a distance of 410.56 feet, through a central angle of $23^{\circ}28'35''$;
Thence North $82^{\circ}19'57''$ West, a distance of 0.99 feet, to the point of curvature of a non tangent curve to the left, of which the radius point lies North $85^{\circ}41'36''$ West, a radial distance of 575.00 feet, thence northerly along the arc of said curve, a distance of 196.33 feet, through a central angle of $19^{\circ}33'48''$;
Thence North $15^{\circ}15'24''$ West, a distance of 675.04 feet, to a point on said Southerly right-of-way line of Highway SR-9;
Thence North $73^{\circ}20'58''$ East, along said line, a distance of 42.30 feet, to the Point of Beginning:

Containing: 31,601 square feet or 0.73 acres, more or less.

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