

When Recorded Return To:
City of St. George
City Attorney's Office
175 East 200 North
St. George, Utah 84770

Easements Page 1 of 7
Russell Shirts Washington County Recorder
06/19/2009 01:04:07 PM Fee \$ 0.00
By ST GEORGE CITY



Tax ID:

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SG-SCMST-4-81	SG-SCMST-4-89	
SG-SCMST-4-80	SG-SCMST-4-90	

PUBLIC UTILITIES AND DRAINAGE EASEMENT

That in consideration of Ten Dollars and other good and valuable consideration paid to Sun Country Meadows South Townhomes Association, herein referred to as Grantor, by the City of St. George, a Utah municipal corporation, herein referred to as Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey unto Grantee, its successors and assigns, a perpetual easement over, on under and across all common and limited common areas and private roadways in Sun Country Meadows South Townhomes Association for ingress and egress, to use, install, operate, maintain, repair, remove, relocate and replace public utility and drainage facilities, in and along real property owned by Grantor in Washington County, State of Utah, and the easement being more fully described as follows:

See Exhibit A: Plat for Sun Country Meadows South Townhomes Association

TO HAVE AND TO HOLD such property to Grantee, the City of St. George, forever for the uses and purposes normally associated with public utilities and drainage.

1. Grantor shall be responsible for repairing, restoring, or replacing landscaping, or other private improvements contained within this subdivision resulting from damage or disruption caused by Grantee in installing, maintaining, repairing or replacing public utilities and drainage.
2. In addition to annual, usual and special assessments for maintenance of common nonpublic improvements contained within this subdivision, Grantor shall levy such assessments as may be necessary from time to time to repair, restore, or replace landscaping, or other private improvements contained within this subdivision resulting from damage or disruption caused by Grantee in installing, maintaining, repairing, or replacing water, sewer, drainage, and power improvements.
3. Grantee shall maintain the perpetual easement in good repair. Grantee does agree to in no way encumber said easement or subject it to the imposition of liens of any type during the term of this easement. Grantor may not install, build, place or cause or allow anything to be installed, built, or placed in the easement. If any improvement is installed, built, or placed within the easement, Grantor bears the risk of loss or damage to those improvements resulting from the exercise of the easement rights and the City is not responsible to repair, replace, maintain, indemnify or reimburse Grantor for any damage or loss. To the extent the easement provides drainage, there is no representation on the part of Grantee that the easement shall have capacity to accommodate all drainage problems that arise.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the Grantee its successors and assigns.

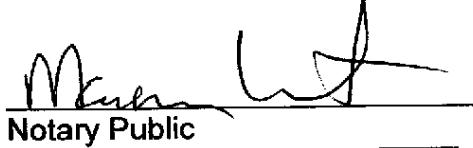
IN WITNESS WHEREOF, the Grantors has executed this instrument this 15 day of June, 2009.

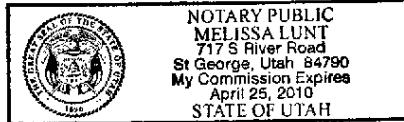
GRANTOR: Sun Country Meadows South Townhomes Association

Kenneth R. Howell

STATE OF UTAH)
ss.
WASHINGTON COUNTY)

On the 5th day of June, 2009, appeared before me
Kenneth Howell, personally known to me, or evidenced to me, to be the
Authorized Agent of Sun Country Meadows South Townhomes Association, a Utah
corporation, who acknowledged to me that he signed the foregoing instrument as
Authorized Agent for said Association, and that said document was signed on behalf of
said company by authority of a resolution of its board of directors, and the Association
executed the same.


Notary Public



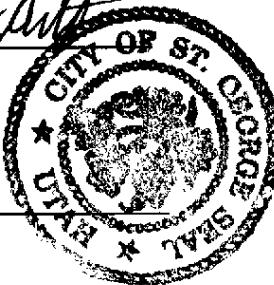
ACCEPTANCE OF DEDICATION

The City of St. George, a municipal corporation of the State of Utah, hereby accepts the above
conveyance and dedication, and in consideration thereof agrees that it will utilize and maintain
the same for purposes consistent with the above dedication.

DATED this 18 day of June, 2009.

CITY OF ST. GEORGE


Daniel D. McArthur, Mayor

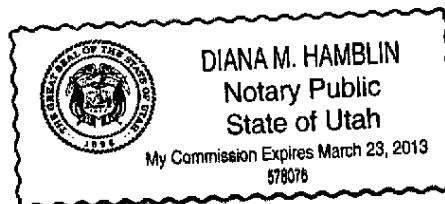


ATTEST:


Gay Cragun, City Recorder

Approved as to form:


Paula Houston, Deputy City Attorney



STATE OF UTAH)
COUNTY OF WASHINGTON)

Subscribed and acknowledged before me on this 18 day of June, 2009
by Daniel D. McArthur, Melissa Lunt
Notary Public

SURVEYOR'S CERTIFICATE

BOUNDARY DESCRIPTION

CONTAINING 3.896 ACRES
LLOYD FRED POPE - PROFESSIONAL ENGINEER NO. 5921
REGISTERED LAND SURVEYOR NO. 4421

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF ALL THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTs, COMMON AREAS, PRIVATE ROADS AND LIMITED COMMON AREAS, TO BE KNOWN AS THE "SUM COUNTRY MEADOWS SOUTH TOWNHOMES PHASE II" DO HEREBY DEDICATE TO THE COMMON USE AND ENJOYMENT OF ALL LOT OWNERS IN SAID TOWNHOMES DEVELOPMENT, BUT NOT TO THE USE OF THE GENERAL PUBLIC, ALL THE EASEMENTS, RIGHTS, AND OTHER INTERESTS IN THE LAND OWNED BY THE UNDERSIGNED, FULLY PROMISED BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE "SUM COUNTRY MEADOWS SOUTH TOWNHOMES PHASE II" AS RECORDED IN THE RECORDS OF THE COUNTY OF TARRANT, TEXAS, ON THE 15TH DAY OF JANUARY, 1986, BOOK 300A, PAGE 100, SAID DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS IS HEREBY INCORPORATED AND MADE PART OF THE PLAT, REFERRED TO AS THE "SUM COUNTRY MEADOWS SOUTH TOWNHOMES PHASE II", AS THE PLAT, OBLIGATIONS OF PARTIES HAVING OR ACQUIRING AN INTEREST IN THIS DEVELOPMENT IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS 23rd DAY OF FEBRUARY, 1990.

KEVIN ENGE

ACKNOWLEDGEMENT

COUNTY OF WASHINGTON)
ON THIS 10th DAY OF May, 1982, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED
NOTARY PUBLIC IN AND FOR SAID STATE OF UTAH, SAID COUNTY OF WASHINGTON,
ARMSTRONG, THE OWNER OF THE BUSINESS, SIGNING AND ACKNOWLEDGE TO HIS
ENTIRE AGREEMENT, THE SUBSCRIPTION, SIGNATURE AND ACKNOWLEDGMENT OF THE USES AND PURPOSES THEREIN
MENTIONED, AND THAT HIS SIGNATURE IS THE SAME FREELY.

MY COMMISSION EXPIRES 4-28-42

*SUN COUNTRY MEADOWS SOUTH
TOWNHOMES PHASE II*

LEGEND

	PRIVATE OWNERSHIP
	LIMITED COMMON AREA
	COMMON AREA

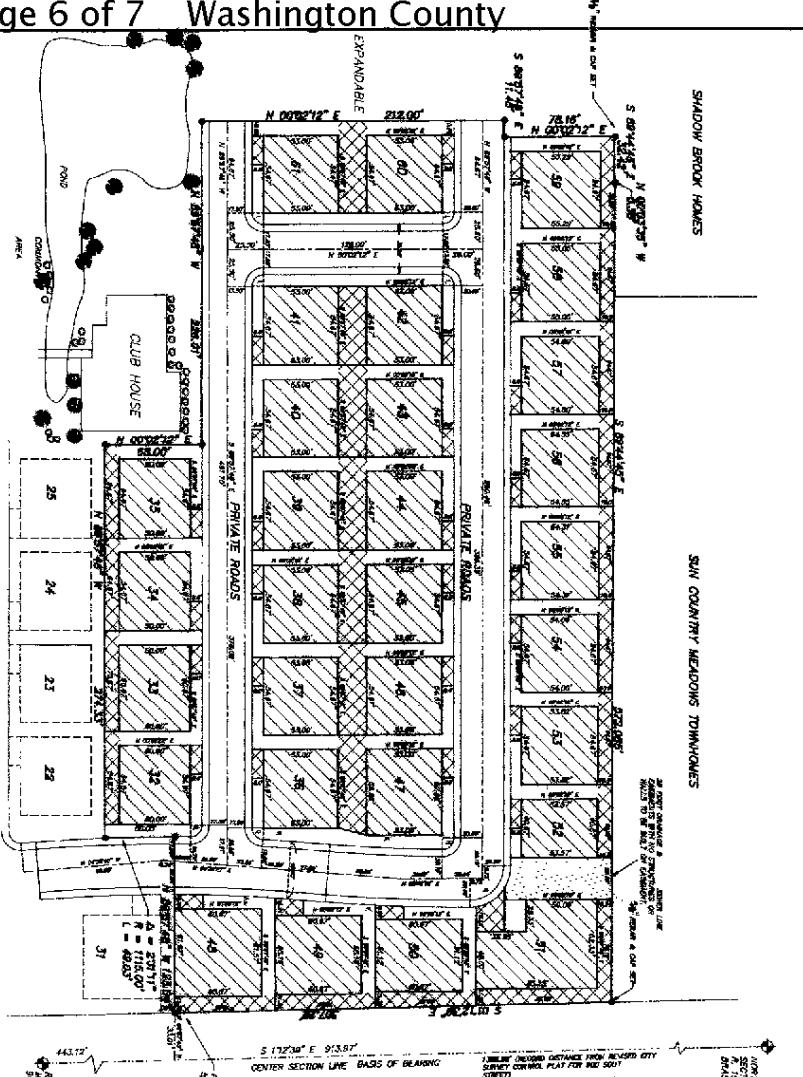
NOTE: THE BOUNDARIES FOR THE LIMITED COMMON AREAS SHALL BE DETERMINED BY THE PLACEMENT OF CINDER BLOCK WALLS IN THE REAR AND SIDE YARD AREAS.

ALL EXISTING AREAS, LIMITED COMMON AREAS AND PRIVATE AREAS SHALL HAVE A PUBLIC UTILITIES AND SERVICES SYSTEM PROVIDED BY THE DEVELOPER. THE MAINTENANCE OF APPROVALS, PERMITS AND USES OF ST. GEORGE RESERVES THE RIGHT TO REZONE THE FAIR COUNTRY MEADOWS SOUTH OWNER'S ASSOCIATION TO ADDRESS ITS MEMBERS TO ADJUST STREETS, LANDSCAPING, ETC. WHERE NEEDED TO REPLACE PUBLIC UTILITIES (SEE DECLARATION).

APPROVAL AS TO FORM	ENGINEER'S CERTIFICATE	APPROVAL OF CITY PLANNER	APPROVAL AND ACCEPTANCE	APPROVAL OF PLANNING COMMISSION	RECORDED NO. 560472
APPROVED AS TO FORM THIS <u>2</u> DAY OF JULY 1980.	I, DAVID J. DURR, CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND FIND IT IS CORRECT IN ACCORD- ANCE WITH INFORMATION ON FILE IN THIS OFFICE.	ON THIS <u>11</u> DAY OF <u>JULY</u> , 1980, THE CITY PLANNER OF THE CITY OF ST. GEORGE, UTAH, REVIEWED THE ABOVE TOWNHOMES AND RECOMMENDED SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE.	WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, HAVE REVIEWED THE ABOVE TOWNHOMES AND BY AUTHORIZATION OF SAID CITY COUNCIL, ACCEPTED THE ABOVE TOWNHOMES AND RECOMMENDED SAME FOR ACCEPTANCE BY THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE. RECOMMENDED TOWNHOMES WITH ALL COMPLAINTS AND REMARKS TAKEN THEREOF.	ON THIS <u>11</u> DAY OF <u>JULY</u> , 1980, THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, UTAH, REVIEWED THE ABOVE TOWNHOMES AND FIND THEY ARE IN ACCORDANCE WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE CITY OF ST. GEORGE'S PLANNING ORDINANCES AND BY AUTHORIZATION OF SAID COMMISSION HEREBY APPROVED SAID TOWNHOMES FOR ACCEPTANCE BY THE CITY OF ST. GEORGE.	STATE OF UTAH, COUNTY OF WASHINGTON, RECORDED AND FILED AT THE REQUEST OF: SOUTHERN UTAH TITLE CO.
 CITY ATTORNEY - ST. GEORGE		 CITY PLANNER - ST. GEORGE, UTAH	 MAYOR - ST. GEORGE	 CHAIRMAN - ST. GEORGE, UTAH	8-9-80 11:28AM 549 707 DATE BOOK PAGE \$10.00 - REC'D. - REC'D. - REC'D. FEE - REC'D. - REC'D. - REC'D.
2nd - <u>David J. Durr</u> DATE ENGINEER - ST. GEORGE, UTAH		2nd - <u>John C. Johnson</u> DATE PLANNER - ST. GEORGE, UTAH		2nd - <u>Robert L. Knobell</u> DATE MAYOR - ST. GEORGE	

SHADOW BROOK HOMES

SUN COUNTRY MEADOWS INN NAMES



BOUNDARY DESCRIPTION

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF THE ABOVE DESCRIBED TRACT OF LAND HAVING GAINED THE SAME TO BE SUBDIVIDED INTO LOTS, AREAS, PRIVATE ROADS AND LIMITED COMMON AREAS TO BE RELOCATED, KNOWN AS "SUN COUNTRY MEADOWS SOUTH TOMAHAWKS PHASE III", NO HEREBY DEDICATE TO THE COMMON USE AND ENJOYMENT OF ALL LOT OWNERS AND COMMON AREA OWNERS, THE COMMON USE AND ENJOYMENT OF THE LAND, AREAS, ROADS AND COMMON AREAS, AS PROVIDED IN THE SUBDIVISION PLANS, SUBJECT TO THE CONDITIONS AND RESTRICTIONS PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE "SUN COUNTRY MEADOWS SOUTH TOMAHAWKS PHASE III", RECORDED IN THE OFFICE OF THE WISCONSIN COUNTY RECORDER ON THE 1ST DAY OF JANUARY, 1980, BY THE FOLLOWS:

AMERICAN BANK & TRUST, TRUSTEE

AS IT IS THE DESIRE OF THE OWNER TO ENSURE THAT THE RIGHTS AND PRIVILEGES OF THE OWNERS ARE NOT COMPROMISED, THE RIGHTS AND PRIVILEGES OF THE OWNERS ARE HEREBY SET OUT AND MADE THIS 1ST DAY OF JULY, 1980.

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF WASHINGTON,

APPROVAL AS TO FORM	ENGINEER'S CERTIFICATE	APPROVAL OF CITY PLANNER	APPROVAL AND ACCEPTANCE	APPROVAL OF PLANNING COMMISSION	RECORDED NO. 36333
APPROVED AS TO FORM THIS <u>24th</u> DAY OF <u>APRIL</u> 1982.	ON THIS <u>12th</u> DAY OF <u>APRIL</u> 1982, THE CITY PLANNER OF THE CITY OF ST. GEORGE, UTAH, RECOMMENDED THE ABOVE TOWNEHOMES AND FINDS IT CORRECT IN ACCORD- ANCE WITH INFORMATION ON FILE IN THIS OFFICE.	ON THIS <u>12th</u> DAY OF <u>APRIL</u> 1982, THE CITY PLANNER OF THE CITY OF ST. GEORGE, UTAH, RECOMMENDED THE ABOVE TOWNEHOMES AND FINDS IT CORRECT IN ACCORD- ANCE WITH INFORMATION ON FILE IN THIS OFFICE.	WE, THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE, HAVE REVIEWED THE ABOVE TOWNEHOMES AND BY AUTHORIZATION OF SAID CITY COUNCIL, RECOMMENDED THE MINUTES OF ITS MEET- ING OF APRIL 1982, HEREBY ADOPTS THE SAME AS THE OFFICIAL RECORDS AND NAME TO ST. GEORGE.	ON THIS <u>12th</u> DAY OF <u>APRIL</u> 1982, THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE, UTAH, RECOMMENDED THE ABOVE TOWNEHOMES AND FIND THEY COMPLY WITH REQUIREMENTS OF ST. GEORGE CITY'S PLANNING ORDINANCES AND BY AUNTHORIZATION OF SAID COMMISSION HEREBY APPROVED THE ABOVE TOWNEHOMES AS THE OFFICIAL RECORDS OF THE CITY OF ST. GEORGE.	100 VALLEY VIEW DR. STE. 5, ST. GEORGE, UTAH (901) 828-1626
BY <u>ST. GEORGE</u>	BY <u>ST. GEORGE</u>	BY <u>ST. GEORGE</u>	BY <u>ST. GEORGE</u>	BY <u>ST. GEORGE</u>	WASHINGTON COUNTY RECORDER
DATE: ENGINEER: ST. GEORGE, UTAH	DATE: PLANNER: ST. GEORGE, UTAH	DATE: APPROVED: ST. GEORGE	DATE: ACCEPTED: ST. GEORGE	DATE: APPROVED: ST. GEORGE	DATE: REC'D: WASHINGTON COUNTY RECORDER
SUN COUNTRY MEADOWS PHASE III					

