

p-7

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

DOC # 20090023894

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 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-3-50	SG-SCMST-4-97	SG-SCMST-2-7
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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 5 day of JUNE, 2009.

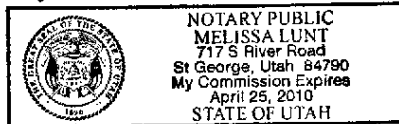
GRANTOR: Sun Country Meadows South Townhomes Association

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.

Melissa Lunt
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.

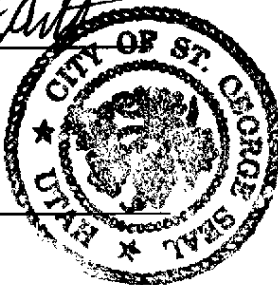
DATED this 18 day of June, 2009.

CITY OF ST. GEORGE

Daniel D. McArthur
Daniel D. McArthur, Mayor

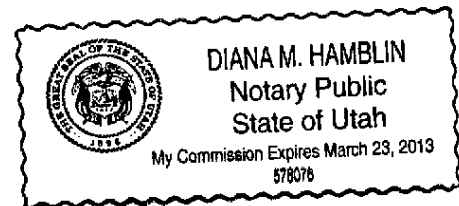
ATTEST:

Gay Cragun
Gay Cragun, City Recorder



Approved as to form:

Paula Houston
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

I, LLOYD RIEB PAPER, DO HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER AND LAND SURVEYOR AND THAT I HOLD CERTIFICATE OF REGISTRATION NUMBERS 4401 AND 5981 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNER I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREINAFTER TO BE KNOWN AS:

"SUN COUNTRY MEADOWS SOUTH TOWNHOMES PHASE I" AND THAT THIS PLAT ACCURATELY DELINEATES THE ACTUAL LOCATION OF THE UNITS AS SHOWN HEREON.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE NORTH LINE OF PROPOSED 800 SO. ST. SAID POINT BEING 11°12'18" E 134.00 FEET ALONG THE CENTER SECTION LINE AND N 89°57'48" W 380.00 FEET FROM THE N 1/4 CORNER OF SECTION 36, T42S, R10W, S12E, AND RUNNING THENCE N 89°57'48" W 244.00 FEET ALONG THE NORTH LINE OF 900 SOUTH STREET, THENCE N 0°02'18" E 480.00 FEET TO THE POINT OF A 480.00 FOOT RADIUS CURVE TO THE RIGHT, THENCE HORTHEASTERLY 43.07 FEET ALONG THE ARC OF SAID CURVE, THENCE S 89°57'48" E 480.00 FEET, THENCE S 0°02'18" W 290.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.629 ACRES

DATE: 6-18-89

BY: [Signature]

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF ALL THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, LIMITED COMMON AND COMMON AREAS INCLUDING PRIVATE ROADWAYS TO BE HEREINAFTER TO BE KNOWN AS:

"SUN COUNTRY MEADOWS SOUTH TOWNHOMES PHASE I" AND DOES HEREBY DEDICATE TO THE COMMON USE AND ENJOYMENT OF ALL THE LOT OWNERS IN SAID TOWNHOMES BUT NOT TO THE USE OF THE GENERAL PUBLIC, ALL LIMITED COMMON AND COMMON AREAS INCLUDING PRIVATE ROADWAYS SHOWN ON THIS PLAT IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF DECLARATIONS OF SAID COMMON AREAS AS MORE PARTICULARLY SET FORTH IN THE DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE "SUN COUNTRY MEADOWS SOUTH PHASE I" A PLANNED RESIDENTIAL DEVELOPMENT COVERING THE ABOVE DESCRIBED TRACT OF LAND AND WHICH IS RECORDED HEREWITH AND IS INCORPORATED BY REFERENCE AND MADE PART OF THIS PLAT.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE, THIS 18th DAY OF June, A.D. 1989.

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF WASHINGTON
ON THIS 18th DAY OF June, A.D. 1989, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE OF UTAH, SAID COUNTY OF WASHINGTON, KEVIN ENCE, THE OWNER WHO BEING DULY SWORN, DID ACKNOWLEDGE TO ME THAT HE SIGNED THE OWNERS DEDICATION AND ROADWAY DEDICATION FOR THE USES AND PURPOSES THEREIN MENTIONED AND THAT HE SIGNED THE SAME FREELY.

MY COMMISSION EXPIRES 6-1-90
[Signature]
NOTARY PUBLIC
WASHINGTON COUNTY

SUN COUNTRY MEADOWS SOUTH TOWNHOMES PHASE I

EP L.R. POPE
ENGINEERS &
SURVEYORS
1030 VALLEY VIEW DR. ST. GEORGE, UTAH
801 828-1876

EASEMENTS:

ALL COMMON AND LIMITED COMMON AREAS ARE SUBJECT TO PUBLIC UTILITIES AND EASEMENTS. EASEMENTS FOR THE USE OF PUBLIC UTILITIES SHALL BE SUBJECT TO THE RIGHTS OF THE CITY OF ST. GEORGE TO REMOVE THE SAME AND REPAIR OR REPLACE PUBLIC UTILITIES OR EASEMENTS.

SCALE: 1"=20'

CURVE DATA:
① R=8.0 BK SWK
Δ=90°00'

N 1/4 COR.
SEC. 36
T42S, R10W
S12E
BRASS CAP

134.00 FEET ALONG THE CENTER SECTION LINE
137.00 FEET ALONG THE CENTER SECTION LINE
137.00 FEET ALONG THE CENTER SECTION LINE

NOTE:
READINGS SHOWN AND USED ON THIS PLAT ARE BASED ON THE ST. GEORGE CITY SURVEY CONTROL DATA. READINGS MUST BE ROTATED 0°00'34" RT TO MATCH THE 1974 COUNTY ZONE AND THE "REVISED" CITY SURVEY CONTROL PLAT FOR 900 SOUTH STREET.

SPINE SET BY CITY

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 14 DAY OF June, 1989.

[Signature]
CITY ATTORNEY - ST. GEORGE

CITY ENGINEERS CERTIFICATE

I, [Signature], ST. GEORGE CITY ENGINEER HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND FIND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE: [Signature]
ENGINEER - ST. GEORGE

APPROVAL OF PLANNING COMMISSION

ON THIS 18th DAY OF June, 1989, THE PLANNING COMMISSION OF THE CITY OF ST. GEORGE REVIEWED THE ABOVE TOWNHOMES AND FIND THEY COMPLY WITH THE REQUIREMENTS OF ST. GEORGE CITY'S PLANNING ORDINANCES AND BY AUTHORIZATION OF SAID COMMISSION HEREBY APPROVES SAID TOWNHOMES FOR ACCEPTANCE BY THE CITY OF ST. GEORGE.

[Signature]
CHAIRMAN - ST. GEORGE

APPROVAL AND ACCEPTANCE

WE THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. GEORGE HAVE REVIEWED THE ABOVE TOWNHOMES AND BY AUTHORIZATION OF SAID CITY COUNCIL DO HEREBY ACCEPT THE SAME IN THE MAPS OF ITS JURISDICTION AND OBLIGATIONS PRETENDING.

[Signature]
MAYOR - ST. GEORGE

APPROVAL CITY PLANNER

ON THIS 18th DAY OF June, A.D. 1989, THE CITY PLANNER OF THE CITY OF ST. GEORGE REVIEWED THE ABOVE TOWNHOMES AND RECOMMEND THE SAME FOR ACCEPTANCE BY THE CITY OF ST. GEORGE.

[Signature]
CITY PLANNER - ST. GEORGE

RECORDED NO. 355046

STATE OF UTAH COUNTY OF WASHINGTON
RECORDED AND FILED AT THE REQUEST OF:
SOUTHERN UTAH TITLE

1/4-00 DATE 1/4-01 TIME 8:00 AM
FEE \$ 34.50
WASHINGTON COUNTY RECORDER

AND THAT THIS PLAT ACCURATELY DELINEATES THE ACTUAL LOCATION OF THE UNITS AS SHOWN HEREIN.

BEGINNING AT A POINT ON THE WEST BOUNDARY OF THE "PALM MEADOWS TOWN HOMES" AND THE NORTH LINE OF 900 SOUTH STREET, SAID POINT BEING S 17°39' E 138.09 FEET ALONG THE CENTER SECTION LINE AND S 89°47' E 33.01 FEET TO THE NORTH QUARTER CORNER (1/4) OF SECTION 32, T. 42 S. R. 33 W. S. 28M; AND THENCE N 89°47' E 118.09 FEET; THENCE S 02°12' E 320.00 FEET; THENCE N 89°47' E 346.00 FEET; THENCE N 02°12' E 138.00 FEET; THENCE S 89°47' E 288.36 FEET; THENCE S 02°12' E 96.00 FEET; THENCE S 89°47' E 274.33 FEET TO A POINT ON A 116.00 FOOT RADIUS CURVE TO THE S. 1/4 CORNER BEARING IS N 01°00' E 40.03 FEET; THENCE ALONG THE ARC OF SAID CURVE BEARING IS N 01°00' E 40.03 FEET TO A POINT ON THE WEST BOUNDARY LINE OF THE "PALM MEADOWS TOWNHOMES"; THENCE S 17°39' E 401.02 FEET TO THE POINT OF BEGINNING.


[illegible]

STATE OF UTAH
COUNTY OF WASHINGTON } s.s.

ON THIS 10 DAY OF Feb 1980, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED
NOTARY PUBLIC IN AND FOR SAID STATE OF UTAH, SAID COUNTY OF WASHINGTON,
KEVIN EGG, THE OWNER WHO BEING DULY SWORN AND ACKNOWLEDGE TO ME
THAT HE SIGNED THE OWNER'S DECLARATION FOR THE USES AND PURPOSES THEREIN
MENTIONED AND THAT HE DID THE SAME FREELY.

NOTARY PUBLIC
RESIDING IN WASHINGTON COUNTY Mabel Welch

LRP **PIPE**
ENGINEERS &
SURVEYORS
1030 VALLEY VIEW DR. STE. 3, ST. GEORGE, UTAH
(801) 828-1678


 DAY OF June, 1990, HEREBY ACCEPTS
 PHONES WITH ALL COMMITMENTS AND
 PERTAINING THERETO.
Robert K. Burch
 MAYOR - ST. GEORGE

