

E 215804 B 911 P 810  
Date 16-DEC-2003 12:42pm  
Fee: No Fee Check  
CALLEN PESHELL, Recorder  
Filed By JPT  
For GRANTSVILLE CITY CORP  
TOOELE COUNTY CORPORATION

## DEED GRANTING EASEMENTS

Grantsville, L.L.C., an Arizona limited liability company, 29830 North 43<sup>rd</sup> Place, Cave Creek, Arizona 85331, Grantor, for the sum of one dollar (\$1.00) and other good and valuable consideration, hereby grants and conveys to Grantsville City, a municipal corporation of the State of Utah, Grantee, a perpetual right-of-way over and across and an easement in the land of Grantor, located in Tooele County, State of Utah which rights of way and easements are described as follows:

**Parcel A.** A 25-foot wide easement, the centerline of which runs parallel from the Point of Beginning to the Point of Ending. BEGINNING at a point on the Easterly Right-of-Way line of UDOT State Road 138, said point also being North 749.66 feet and West 292.44 feet from the Southeast Corner of Section 22, Township 2 South, Range 6 West, Salt Lake Base and Meridian and running thence North 52°56'17" East 2.13 feet; thence North 62°40'01" East 1011.12 feet to the Westerly Right of Way line of Old Lincoln Highway, a 66 foot wide county road, said point also being the point of ending of this easement. The Southeast Corner of Section 22, Township 2 South, Range 6 West, Salt Lake Base and Meridian bears South 1215.21 feet and West 607.49 feet. To have and to hold to the Grantee for the uses and purposes set out herein. Said 25-foot permanent easement contains 0.58 Acres.

**Parcel B.** A 25-foot wide easement, the centerline of which runs parallel from the Point of Beginning to the Point of Ending. BEGINNING at a point on the Easterly Right-of-Way line of Old Lincoln Highway, said point being North 1240.93 feet and East 666.72 feet from the Southwest Corner of Section 23, Township 2 South, Range 6 West, Salt Lake Base and Meridian and running thence along the centerline of the following 4 courses:

1. North 88°24'17" East 601.74 feet,
2. North 75°21'17" East 946.81 feet,
3. North 82°06'42" East 2038.72 feet,
4. South 71°02'45" East 1128.53 feet to a point on the East Deed line of Grantsville, L.L.C., said point also being the point of ending of this easement. The Southwest Corner of Section 23, Township 2 South, Range 6 West, Salt Lake Base and Meridian bears South 1356.64 feet and East 9.78 feet. To have and to hold to the Grantee for the uses and purposes set out herein. Said 25-foot permanent easement contains 2.71 Acres.

These perpetual easements are for the purpose of access, laying, maintaining, modifying, servicing and repairing a buried sanitary sewer pipeline and related sewer facilities.

Grantor also grants and conveys to Grantee a temporary construction easement for the initial purpose of clearing, trenching, for laying, constructing and placing said buried sanitary sewer pipeline and related facilities over, under and through the lands of Grantor located in Tooele County, State of Utah which temporary easements are described as a 50-foot wide temporary construction easement that runs parallel to each of the above described permanent easement's point of beginning to their point of ending and having a width of 37.50 feet on the North of said line and 12.50 feet on the South side of said line, to have and to hold to the Grantee for the uses and purposes set out herein. Said easements are also identified and described in Exhibits A and B, which are attached hereto and by reference are made a part hereof.

Grantee upon acceptance of these rights of way and easements, agrees that it will restore any disturbed surface area as nearly as possible to its original condition, with the exception of replacing vegetation, immediately upon the completion of any installation, repairs or other work upon said property and Grantee shall place all pipes and related facilities which may be laid or constructed in or upon the land far enough below the surface so that they will in no way interfere with the cultivation of the soil or with transportation over the land.

Grantors, their heirs and assigns, covenant to and with Grantee that Grantee, its officers, agents or employees may at any and all times, when necessary or convenient to do so, go over and upon the described land, and do and perform any and all acts necessary or convenient to the carrying into effect the purposes for which this grant is made.

Grantors, their heirs and assigns, covenant to and with Grantee that they shall not disturb, injure, molest, or in any manner interfere with any pipeline or related facilities or material for laying,

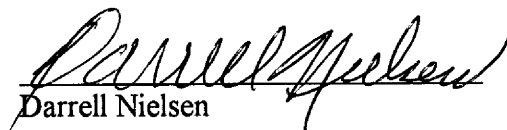
maintaining, operating or repairing it, in, over or upon the described premises and they and each of them shall be governed by and comply with all of the covenants of this grant and also all of the rules, bylaws, ordinances and regulations that may from time to time be made or adopted by Grantee or its proper officers for the management, government, operation or control of the sanitary sewer pipeline and related facilities installed or operated by Grantee, so far as it may be applicable.

This grant is further made upon the consideration that Grantee will waive the equivalent of the five (5) 3/4" meter size wastewater capital facilities (sewer) impact fees for Grantor, upon Grantor's property through which these easements run, when and if Grantor develops said property and connects to the Grantee's sewer system running through said property. This waiver of sewer impact fees does not authorize Grantor the automatic right to develop said real property and any such development shall otherwise be in compliance with the ordinances and regulations that may from time to time be made or adopted by Grantee.

This Grant shall run with the land and shall be binding on and shall enure to the benefit of the parties hereto, their heirs, successors, or assigns.

In witness whereof, Grantor has caused these presence to be signed on the 4 day of Dec, 2003.

GRANTSVILLE, L.L.C.

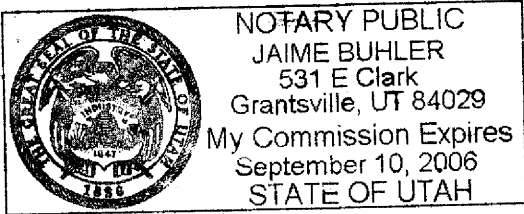
  
Darrell Nielsen  
Authorized Agent

STATE OF UTAH )

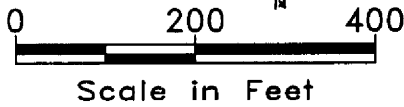
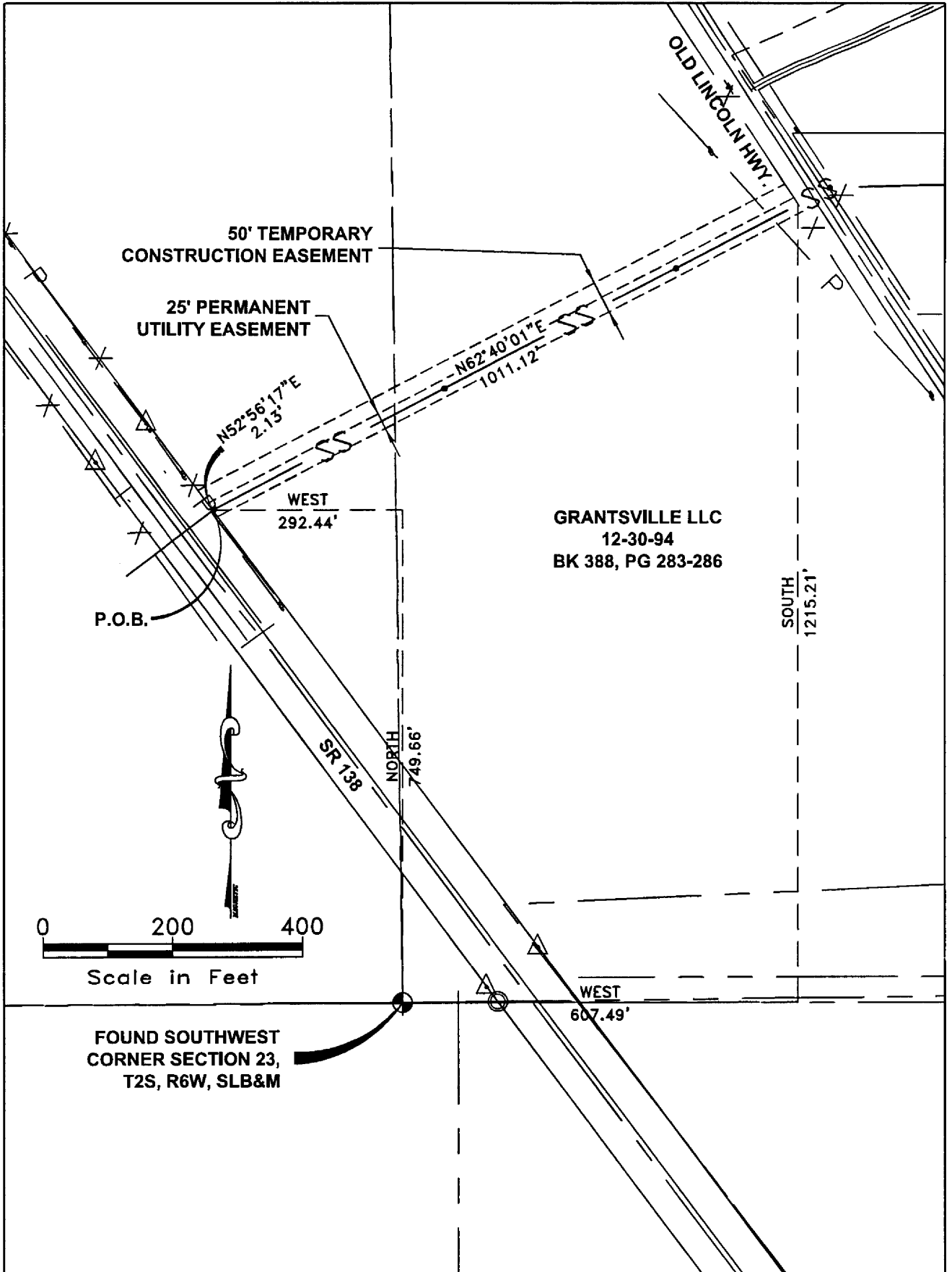
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COUNTY OF Tooele )

The foregoing Deed Granting Easements was executed and acknowledged to before me on the 4 day of December, 2003 by Darrell Nielsen, an authorized agent of Grantsville L.L.C. an Arizona limited liability company.



Jaime Buhler  
Notary Public



FOUND SOUTHWEST  
CORNER SECTION 23,  
T2S, R6W, SLB&M

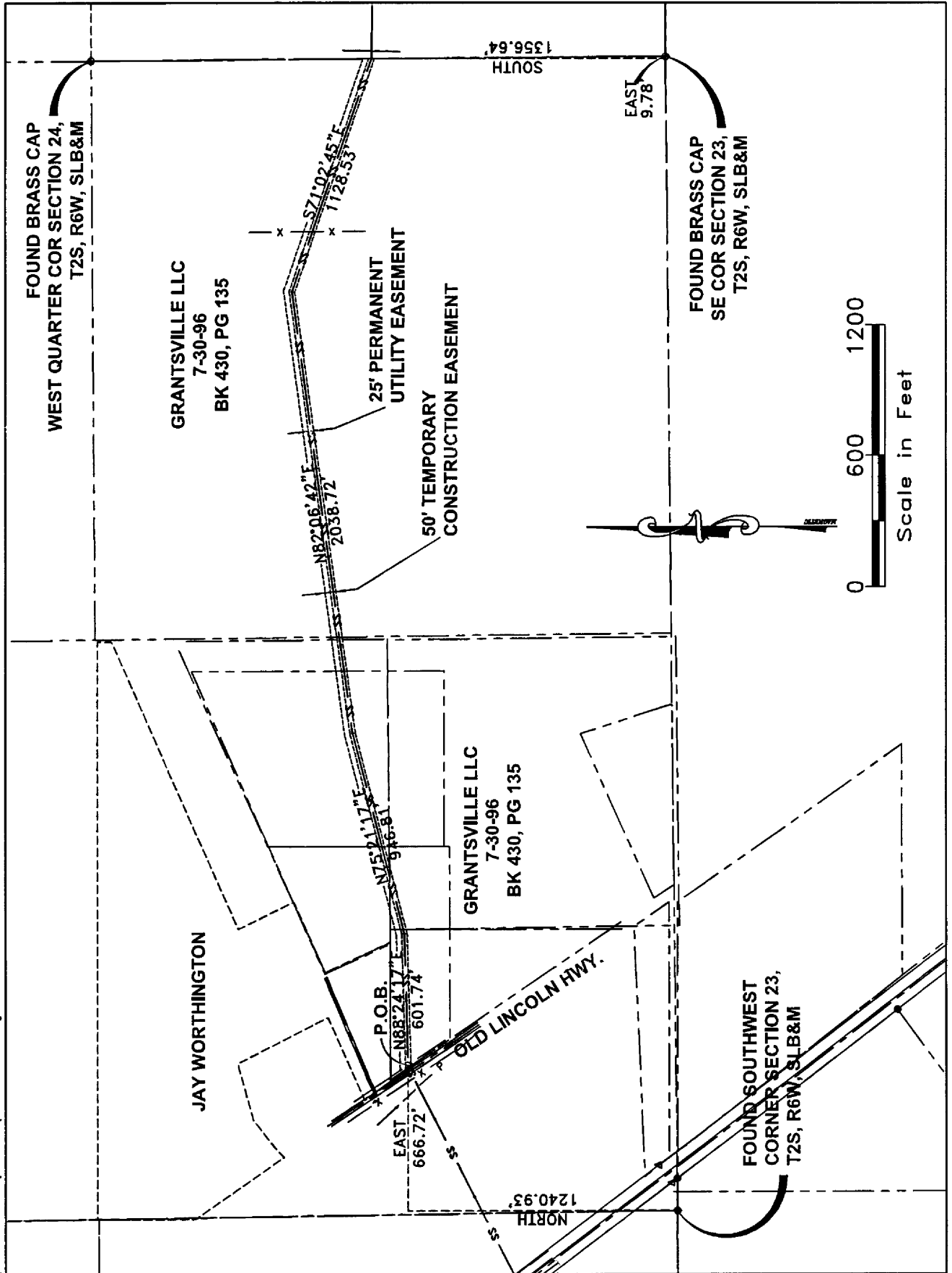
TWE 10/07/2003 X:\GRANTS W\DRAWING\ESMETS EXHIBITS.dwg

DESIGN: CGN  
 DRAWN: TWE  
 CHECKED: CGN  
 SCALE:  
 DATE: SEPT. 2003

**AQUA**  
 ENGINEERING, INC.  
 533 W. 2600 SO. SUITE 275 BOUNTIFUL, UT 84010  
 PHONE (801) 299-1327 FAX (801) 299-0153

GRANTSVILLE CITY  
 SEWER LINE EASEMENT  
 EXHIBIT A - GRANTSVILLE LLC

FIGURE:  
**A**



THE 10/07/2003 X:\GRANTS WALMART\DRAWING\ESMITS EXHIBITS.dwg

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GRANTSVILLE CITY  
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 EXHIBIT B - GRANTSVILLE LLC

FIGURE:  
**B**

