WHEN RECORDED, PLEASE RETURN TO: Central Utah Water Conservancy District 626 East 1200 South Heber City, UT 84032

Ent 295732 Bk 824 Pt 533-542
Date: 26-JAN-2006 8:56AM
Fee: NoneFiled By: MWC
ELIZABETH PALMIER, Recorder
WASATCH COUNTY CORPORATION
For: CENTRAL UTAH WATER CONSERVANCY

# NOTICE OF LOCATION OF EASEMENT

WHEREAS, that certain Notice of Interest, recorded on August 5, 1999 under Entry No. 216541, Book 432, Page 406, of Records, Wasatch County, Utah, a copy of which is attached hereto as EXHIBIT "A" and incorporated by reference herein, was recorded by Wasatch County Special Service Area No. 1 (the "Service Area"), to document an unrecorded easement in favor of the Service Area for the purpose of construction, operation and maintenance of irrigation pipelines and related facilities (the "Easement"); and

WHEREAS, the Notice of Interest generally describes the property burdened by the Easement as that parcel described in Book 227, Page 579, Wasatch County Recorder's Office, County Assessor Parcel No. OWC-1348-0-013-044 (the "Property"); and

WHEREAS, as set forth in the Notice of Interest, the Easement was granted to the Service Area by virtue of an Easement Agreement between the owner of the property described therein and the Service Area, a copy of which agreement(s) is attached hereto as EXHIBIT "B" and incorporated by reference herein; and

WHEREAS, the Notice of Interest provides that following completion of construction, the exact location of the Easement across the Property would be determined and appropriate documentation filed with the Wasatch County Recorder's Office; and

WHEREAS, construction has been completed and the exact location of the Easement has been determined.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN, that the exact location of the Easement referenced in the Notice of Interest is hereby documented as follows:

- 1. The Property burdened by the Easement is more particularly described in EXHIBIT "C" attached hereto and incorporated by reference herein.
- 2. The exact location of the Easement is identified in that certain document entitled WASATCH COUNTY WATER EFFICIENCY PROJECT, PIPELINE EASEMENTS, APRIL 2003 (the "Easement Book"), recorded on June 13, 2003, under Entry No. 259146, Book 0630, Pages 0752-0887, of Records, Wasatch County, Utah, under Lateral No. WS-1, in recordation page(s) 868-869 of the Easement Book.

DATED this **Z7** day of **luly**, 2005.

WASATCH COUNTY SPECIAL SERVICE AREA NO. 1

STATE OF UTAH )

: ss. County of Wasatch)

On the <u>37</u> day of <u>July</u>, 200 <u>5</u>, appeared before me <u>Joria Lan Clegg</u>, who duly acknowledged that the within and foregoing instrument was signed by him on behalf of Wasatch County Special Service Area No. 1 by authority of its Board of Trustees, and that said District executed the same.

NOTARY PUBLIC
STATE OF UTAH
My Commission Expires
May 18 2007
JANE MINKSON
82 South 400 West
Heber City, Utah 84032

Jane Hunkson

### Ent 295732 Bk 0824 Pg 0534

## EXHIBIT "A" NOTICE OF INTEREST

### Ent 295732 Bk 0824 Pg 0535

When Recorded return to:

Wasatch County Special Service Area No.1

2210 South Highway 40 - P.O. Box 87

Heber City, Utah 84032

W216541 BR 00432 P3 00406-00406
WASATCH CO RECORDER-ELIZABETH N PARCELL
1999 AUG 05 09:00 AM FEE \$.00 BY MUC
REQUEST: WASATCH COUNTY SPECIAL SERVICE

NOTICE OF INTEREST

Wasatch County Special Service Area No.1 has an unrecorded easement across the following described parcel of real property located in Wasatch County, State of Utah, for the purpose of construction, operation and maintenance of irrigation pipelines and related facilities:

### General Legal Description of Property

That certain real property located in <u>NW %</u> of Section <u>13</u> Township <u>4</u> South, Range <u>4</u> East as described in Docket <u>227</u>, Page <u>579</u>, Wasatch County Recorders Office. Affects County Assessor Parcel No. <u>OWC-1348-0-013-044</u>.

Following completion of construction, the exact location of the easement across the above-described property will be determined and the appropriate documentation filed with the Wasatch County Recorder's Office.

The easement was granted to Wasatch County Special Service Area No.1 by virtue of an Easement Agreement between the property owner \_\_\_RICHARD L. MAXFIELD (DECEASED), TRUSTEE of the RICHARD L. MAXFIELD & JOYCE D. MAXFIELD FAMILY TRUST \_\_\_, and Wasatch County Special Service Area #1, signed by \_JOYCE D MAXFIELD , dated the \_\_11TH \_\_ day of \_\_\_DECEMBER \_\_, 199\_8 \_. A copy of the Easement Agreement is on file at the office of the Special Service Area, located at 2210 South Highway 40, Suite B, Heber City, Utah 84032 and may be inspected at that location during regular business hours.

Signature:

Date

JANE HINKSON

MOTARY PUBLIC • STATE OF UTAH

2210 SOUTH HWY 40 STE B

HEBER CITY, UT 84032

COMM. EXP. 5-18-2003

Jane Henkson

# EXHIBIT "B" EASEMENT AGREEMENT(S)

#### MAINLINE EASEMENT AGREEMENT

I RICHARD L. MAXFIELD TRUST, do hereby grant unto Wasatch County Special Service Area No. 1 otherwise known as WCSSA #1 and their successors or assigns, a temporary construction easement of approximately \_\_\_\_\_\_ feet left of centerline of Irrigation pipeline and feet right of centerline of Irrigation pipeline for the purpose of installation of the Irrigation pipeline. The temporary construction easement will expire 3 years from the date of October 3, 1998. All distances are from centerline right or left of Irrigation pipelines looking in the direction of the flow of water in the Irrigation pipeline.

I RICHARD L. MAXFIELD TRUST, do hereby grant unto Wasatch County Special Service Area No. 1 otherwise known as WCSSA#1, and their successors or assigns, a permanent easement of approximately \_\_\_\_\_\_\_ feet left of centerline of Irrigation pipeline and \_\_\_\_\_\_ [O feet right of centerline of Irrigation pipeline for the purpose of operation and maintenance of said Irrigation pipeline and turnout or turnouts. The permanent easement will be recorded among the records of the County Recorder.

Said easements are situated in the County of Wasatch, State of Utah and are shown in attachment Exhibits A and B. Property that the Irrigation pipeline traverses is located NW 1/4 Sec 13 T. 4S R. 4E.

The undersigned gives the right to the contractor for construction and WCSSA #1 staff, CUWCD, or agents to enter onto the property for inspections, operation and maintenance of the Irrigation pipeline and turnout or turnouts. The participant will grant this easement for the right to use the delivery Irrigation pipeline.

The contractor shall restore the disturbed area to pre-existing conditions as required in the construction contract. The negotiation for the restoration of land and/or property is between the landowner and the contractor with the assistance of the WCSSA#1.

This easement is a legally binding document and cannot be altered without the agreement of all signatory parties.

Witness: Carale M. Jachman Date: <u>Au 11, 19</u>98

#### **TURNOUT EASEMENT AGREEMENT**

I RICHARD L. MAXFIELD TRUST, do hereby grant unto Wasatch County Special Service Area #1, otherwise known as WCSSA#1, and their successors or assigns, a permanent easement of approximately  $\frac{12}{2}$  feet in all directions from centerline of the landowners turnout or turnouts. This easement is for the purpose to operate and maintain the turnout. The permanent easement will be recorded on the County Recorder's records.

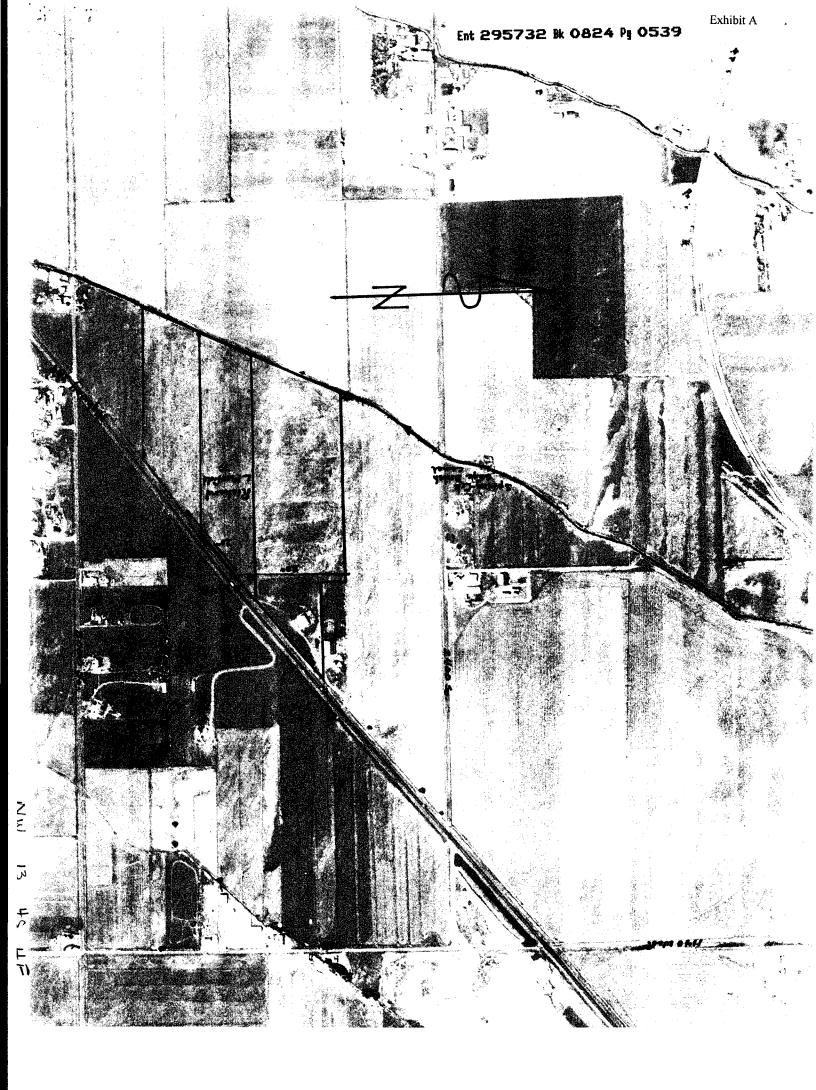
The turnout or turnouts are located on attached exhibits A and B. The location is NW 1/4 Sec. 13 T. 4S R. 4E .

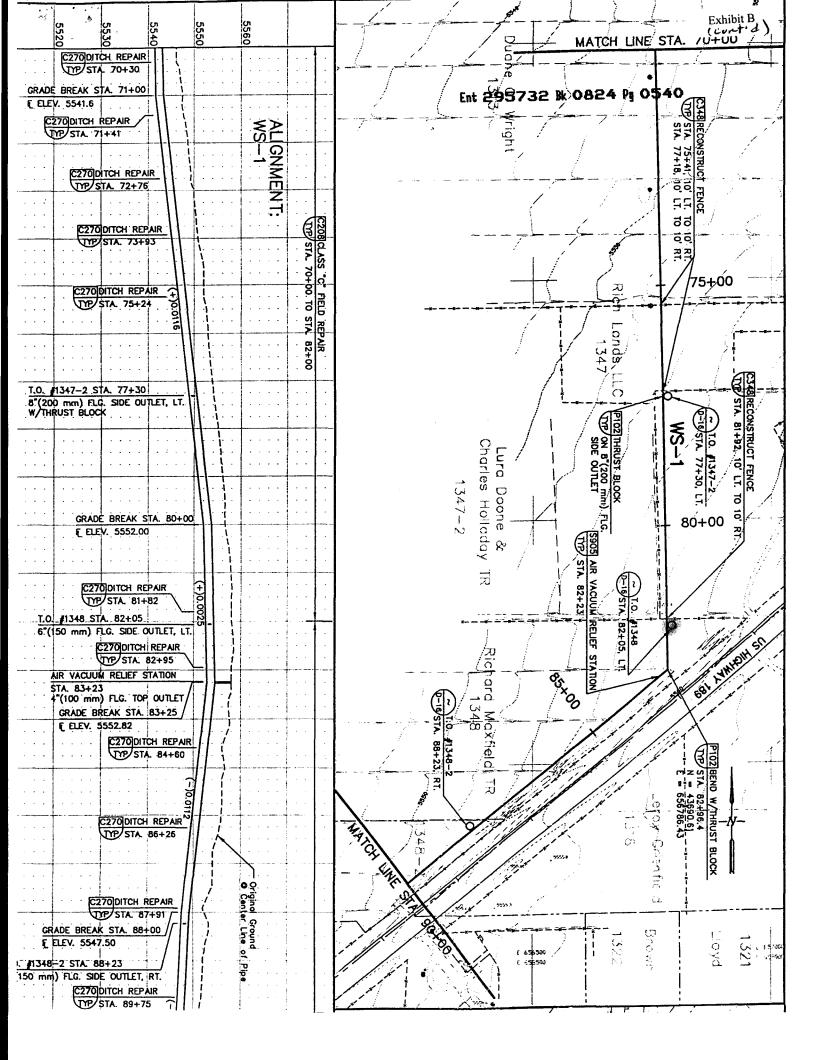
The undersigned gives the right to the contractor for construction and WCSSA #1 staff, CUWCD, or agents to enter onto the property for inspection, operation and maintenance of the turnout or turnouts with their appurtenances. The participant will grant this easement for the right to use the delivery pipeline.

The contractor shall restore the disturbed area to pre-existing conditions, as required in the construction contract. The negotiation for the restoration of land and/or property is between the landowner and the contractor with the assistance of the WCSAA #1.

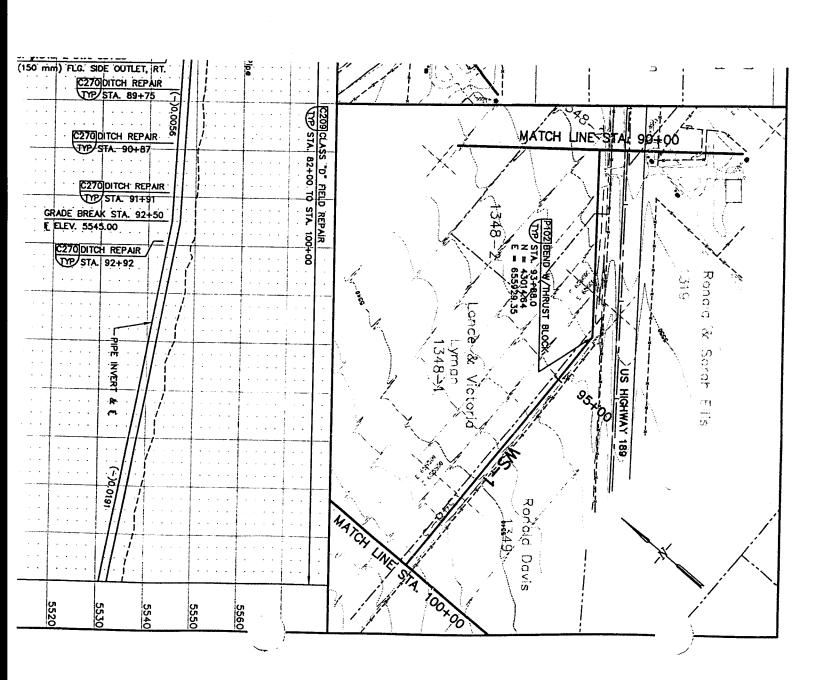
This easement is a legally binding document and cannot be altered without the agreement of all signatory parties.

Witness: Carpet M. Jackman Date: Dev-11, 1998





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### EXHIBIT "C" LEGAL DESCRIPTION OF THE PROPERTY

Beginning at a point on the Northwesterly line of the County road South 20.29 chains and East 2.63 chains from the Northwest corner of the Northeast quarter of Section 13, Township 4 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the Northwesterly line of road South 50 degrees West 2.75 chains; thence along road South 52 degrees West 16.55 chains; thence West 16.70 chains to a point one rod East of the East bank of the Sage Brush Canal; thence parallel to and one rod East of the East bank of the Sage Brush Canal North 23 degrees 15' East 10.48 chains; thence West to the East bank of said canal 25 links, more or less; thence along the East bank of said canal North 23 degrees 15' East 2.30 chains; thence along the East bank of said canal North 23 degrees 45' East 25 links, more or less, to a point on the East bank of said canal due West from the place of beginning; thence East 26.64 chains to the place of beginning. containing 26.06 acres.