2984547 BK 6650 PG 1046

## RETURNED

NOV 28 2016

GRANT OF EASEMENT

E 2984547 B 6650 P 1046-1049
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/28/2016 01:15 PM
FEE \$17.00 Pps: 4
DEP RT REC'D FOR COMCAST MDU CONCI

14-003-011b 14-506-000|

This Grant of Easement (this "Easement") dated March 10, 2016, is made by and between Comcast of Wasatch, Inc., with an address of, 8000 E Iliff Ave, Denver CO 80231 its successors and assigns, hereinafter referred to as "Grantee" and Clinton Care Group, LLC, with an address of 5101 NE 82nd Avenue Suite 200 \_\_\_\_\_\_, Vancouver, WA 98662 hereinafter referred to as "Grantor."

The Grantor and the Grantee are parties to a(n) Installation and Services Agreement dated March 10, 2016, pursuant to which the Grantee provides certain broadband communications services to the Premises described below.

In consideration of One Dollar (\$1.00), the Grantor(s), owner(s) of the Premises described below, hereby grant(s) to the Grantee, its successors and assigns, a non-exclusive easement in gross and right-of-way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time a broadband communications system (hereinafter referred to as the "Company Wiring") consisting of wires, underground conduits, cables, pedestals, vaults, and including but not limited to above ground enclosures, markers and concrete pads or other appurtenant fixtures and equipment necessary or useful for distributing broadband services and other like communications, in, on, over, under, across and along that certain real property (the "Premises") limited to a 10 foot wide strip centered on each part of the Company Wiring and those portions of the Premises necessary for ingress and egress to the Company Wiring for the purposes set forth in the Installation and Services Agreement located at 1424 North 2000 West \_\_\_\_\_\_, Clinton, UT 84015 in Davis County, Utah described as follows:

## LEGAL DESCRIPTION:

(See Attached)

The Grantor(s) agree(s) for itself and its heirs and assigns that the Company Wiring on the Premises shall be and remain the personal property of the Grantee and may not be altered, obstructed or removed without the express written consent of the Grantee. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut trees and/or roots which may endanger or interfere with said Company Wiring and shall have free access to said Company Wiring and every part thereof, at all times for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on said Premises of the Grantor, the Grantee shall make the same in such manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the area to as near the same condition as it was prior to such excavation as is practical. This Easement shall run with the land for so long as the Grantee, its successors or assigns provides broadband service to the Premises.

IN WITNESS WHEREOF, the parties hereto have caused this Easement to be executed by their duly authorized representatives as of the date first written above.

**GRANTOR** 

WITNESS/ATTEST:

Clinton Care Group, LLC

Name: Trudi Kinsman

Jame: 14) (Podu

itle: Managing Men

**GRANTEE** 

Comcast of Wasatch, Inc.

By: Name: Richard C. Jennings

Title: Regional Senior Vice President, Cable Management

Name:

| STATE OF Washington  COUNTY OF Washington  SS.   |
|--|
| SOLDIENLOE Aland   |
| COUNTY OF COUNTY OF  |
| $oldsymbol{\Lambda}$   |
| The foregoing instrument was acknowledged before me this 11th day of 4pn, 2016   |
| by W. Cody Erwin, the Managing Member of Clinton Care  |
| Group, LLC, on behalf of said entity. He/she is personally known to me or has presented (type of identification) as identification and did/flid not take an oath.                      |
| Witness my hand and official seal.   |
| T. alut Juli   |
| Tamra Mekander-Miller Notary Public (Print Name)   |
| My commission expires: 12/01/2017 NOTARY PUBLIC  |
| STATE OF WASHINGTON  |
| TAMRA L. ALEXANDER-MILLER  |
| MY COMMISSION EXPIRES DECEMBER 1, 2017   |
| STATE OF OLONASO)  |
| SS.  |
| COUNTY OF WAY ALLOE  |
| th T   |
| The foregoing instrument was acknowledged before me this day of July, 201  |
| by Richard C. Jennings, the Regional Senior Vice President, Cable Management of Corncast of Wasatch, Inc., on behalf of said entity. He/She is personally known to me or has presented |
| (type of identification) as identification and did/did not take an   |
| oath.  |
|  |
| Witness my hand and official seal.   |
| Labricia Janches   |
| PATRICIA SANCHEZ Notary Public   |
| My Commission expires: 428/18 (Print Name)   |
|  |
| PATRICIA J. SANCHEZ NOTARY PUBLIC  |
| STATE OF COLORADO NOTARY ID 20144017314  |

## 2984547 BK 6650 PG 1049

## EXHIBIT A LEGAL DESCRIPTION

The land referred to herein is situated in the County of Davis, State of Utah, and is described as follows:

Beginning at a point on the Easterly right of way line of 2000 West Street said point being North 00°09'39" East along the Section line 439.96 feet and South 89°50'12" East 38.00 feet from the Southwest corner of Section 27, Township 5 North, Range 2 West, Salt Lake Base and Meridian, and running thence along said right of way line the following four courses: 1) North 00°09'37" East 160.87 feet to a point of curvature, 2) Northeasterly along the arc of a 93.00 foot radius curve to the right through a central angle of 26°14'20" a distance of 42.59 feet (chord bears North 13°16'47" East 42.22 feet) to a point of reverse curvature, 3) Northeasterly along the arc of a 72.00 foot radius curve to the left through a central angle of 26°17'33" a distance of 33.04 feet (chord bears North 13°15'16" East 32.75 feet), 4) North 00°06'24" East 5.65 feet to a point on the Southerly line of Clinton Plaza Phase 1, as recorded with the office of the Davis County Recorder, thence East along said Southerly line and line extended 463.77 feet to a point on the Southerly line of Tartan Cove Subdivision, as recorded with the Office of the Davis County Recorder, thence South 00°19'14" West 284.68 feet, thence North 89°40'46" West 97.72 feet to the point of beginning.

Tax ID: Part of 14-005-0140-14-003-0106-and 14-003-0111-0116 + 14-506-5001

