

3831292

When Recorded Return To:

East Robertson Homes  
6653 Embury Dr.  
Stockton, Calif 95201

EASEMENT

Sewer Pipeline

3832426

THIS EASEMENT AGREEMENT is made and entered into as of the 6<sup>th</sup> day of July, 1983, by and between EASTON BLAKE and BARBARA H. BLAKE his wife ("Grantors") and ROBERTSON HOMES, a division of CATWIL CORPORATION ("Grantee").

WHEREAS, Grantors are the owners of that certain real property situated in Salt Lake County, State of Utah as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference ("Grantors' Property"); and

WHEREAS, Grantee desires that Grantors grant Grantee a an easement for the purpose of locating a sanitary sewer pipeline on a portion of Grantors' Property, and for the purpose of allowing Grantee to connect such pipeline to Grantor's existing sewer pipeline;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantors and Grantee agree as follows:

1. Grantors hereby grant, bargain, sell and convey to Grantee, its successors and assigns, a perpetual easement to construct, operate, repair, maintain, replace and use an underground sewer pipeline and related mains, valves and other appurtenances, as are reasonably necessary to service those

THIS EASEMENT IS BEING RE-RECORDED FOR THE PURPOSE OF  
ADDING THE BENEFITED PROPERTY DESCRIPTION.

1050  
JUL 26 10 21 AM '83  
KATIE L. LEXON  
RECORDED  
SALT LAKE COUNTY  
UTAH  
AUG 15 2 52 PM '83  
SECURITY TRUST CO.  
REF  
SECURITY TRUST CO.  
REF  
WYNNE HARRIS  
13<sup>2</sup>

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certain improvements to be located on Grantee's real property located north of Grantors' Property ("Grantee's Property"), over, under and across a portion of the Grantors' Property (the "Easement"), which Easement is more particularly described on Exhibit "B" attached hereto and incorporated herein by reference. Grantors further grant to Grantee the right to connect the aforementioned sewer pipeline to Grantor's existing sewer pipeline located at the southern portion of the Easement.

2. Grantee shall at all times have the right of full and free ingress and egress to the Easement over Grantors' Property for the purposes heretofore specified.

3. Grantee shall pay Grantors the sum of Seven Thousand Five Hundred Dollars (\$7,500.00) as a sewer pipeline connection fee, which sum shall be due and payable within seven (7) days following Grantee's receipt of a building permit from West Valley City for construction of an apartment complex to be located on Grantee's Property.

4. The Easement and rights and obligations contained herein shall be appurtenant to Grantee's Property, shall run with the land and shall inure to the benefit and bind the owners of Grantee's Property and the owners of Grantors' Property.

5. In the event that legal proceedings are brought or commenced to enforce any of the terms of this Agreement, the successful party in such action shall be entitled to receive and shall receive from the defaulting party, a reasonable sum as attorneys' fees and costs, to be fixed by the court in the same action.

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IN WITNESS WHEREOF, this Agreement is executed as of  
the date first above written.

Easton Blake  
EASTON BLAKE

Barbara H. Blake  
BARBARA H. BLAKE

"Grantors"

ROBERTSON HOMES  
a division of CATWIL CORPORATION

By: [Signature]  
Its: David W. Fisher  
"Grantee"

STATE OF UTAH )  
COUNTY OF SALT LAKE ) ss.

On the 6<sup>th</sup> day of JULY, 1983, personally  
appeared before me Barbara H. Blake, the signer of the  
foregoing instrument, who duly acknowledged to me that she  
executed the same.

[Signature]  
NOTARY PUBLIC  
Residing at: SALT LAKE

My Commission Expires:

Nov. 15, 1986

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STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

On the 6<sup>th</sup> day of July, 1983, personally  
appeared before me Easton Blake, the signer of the foregoing  
instrument, who duly acknowledged to me that he executed the  
same.

Emil Smith  
NOTARY PUBLIC  
Residing at: SALT LAKE

My Commission Expires:

Nov. 15, 1986

STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

On the \_\_\_\_ day of \_\_\_\_\_, 1983, personally  
appeared before me \_\_\_\_\_ and \_\_\_\_\_,  
who, being by me duly sworn, did say that they are the  
\_\_\_\_\_ and \_\_\_\_\_, respectively of  
Robertson Homes, a division of Catwil Corporation, that said  
instrument was signed in behalf of said corporation by  
authority of its by-laws or a resolution of its board of  
directors, and said \_\_\_\_\_ and  
\_\_\_\_\_ acknowledged to me that said  
corporation executed the same.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_

0058h  
EMH

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EXHIBIT "A"

BEGINNING at a point on the North line of 4700 South Street, said point being East 623.44 feet and North 53.00 feet from the Southwest Corner of the Southeast Quarter of the Southwest Quarter of Section 4, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 466.69 feet; thence West, parallel to the North line of 4700 South Street, 466.69 feet; thence South 466.69 feet to the North line of 4700 South Street; thence East 466.69 feet along the said North line to the point of BEGINNING.

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EXHIBIT "B"

Attach a legal description of the Easement.

Beginning at a point 1470.2 ft. N 89°51'30" E and N 0°01'27" W, 213.0 ft. from the SW Cor Sec 4 T2S R1W S.L.C. & M. Running N 0° 01'27" W, 20.0 ft. thence N 89°51'30" E, 25.0 ft. thence 50° 01'27" E 20.0 ft., thence S 89° 51'30"W 25.0 ft. to the point of beg.

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GRANTEES PROPERTY TO BE BENEFITED BY THIS EASEMENT

PARCEL A:

BEGINNING at a point North  $0^{\circ}08'10''$  West 413.00 feet and North  $89^{\circ}51'30''$  East 1096.57 feet from the Southwest Corner of Section 4, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running thence North  $0^{\circ}08'10''$  West 106.68 feet, thence North  $89^{\circ}51'30''$  East 18.65 feet, thence North  $0^{\circ}08'10''$  West 488.57 feet, thence North  $89^{\circ}51'30''$  East 202.07 feet, thence North  $0^{\circ}03'40''$  West 262.07 feet, thence North  $89^{\circ}51'30''$  East 623.81 feet, thence South  $0^{\circ}01'27''$  East 750.63 feet, to the North Boundary Line of the Easton Blake Property; thence South  $89^{\circ}51'30''$  West along said North Line 468.86 feet to the Northwest Corner of said Blake Property; thence South  $0^{\circ}01'27''$  East along the West Boundary Line of said Blake Property 106.69 feet, thence South  $89^{\circ}51'30''$  West 374.33 feet more or less, to the point of BEGINNING.

PARCEL B:

BEGINNING at a point which is North  $89^{\circ}51'30''$  East 1939.06 feet and North  $0^{\circ}01'27''$  West 519.69 feet from the Southwest corner of Section 4, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running thence North  $0^{\circ}01'27''$  West 750.63 feet; thence North  $89^{\circ}51'30''$  East 35.00 feet; thence South  $0^{\circ}01'27''$  East 750.63 feet; thence South  $89^{\circ}51'30''$  West 35.00 feet to the point of BEGINNING.

PARCEL C:

BEGINNING at a point on the North line of 4700 South Street, said point being North  $0^{\circ}08'10''$  West 53.00 feet and North  $89^{\circ}51'30''$  East 1396.57 feet from the Southwest Corner of Section 4, Township 2 South, Range 1 West, Salt Lake Base and Meridian, and running thence North  $0^{\circ}08'10''$  West 360.00 feet, thence North  $89^{\circ}51'30''$  East 74.33 feet, to the West Boundary Line of the Easton Blake Property; thence South  $0^{\circ}01'27''$  East along said West Boundary Line 360.00 feet to the North Line of 4700 South Street; thence South  $89^{\circ}51'30''$  West along said North line 73.63 feet to the point of BEGINNING.

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