

PUBLIC UTILITY AND RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

In consideration of One Dollar (\$1.00) and other good and valuable consideration paid to Thorley Cattle Company hereinafter referred to as "Grantors," by the City of Santa Clara and the Town of Ivins hereinafter referred to as "Grantees," Grantor does hereby grant, transfer and convey unto the Grantees a perpetual public utility easement and right of way easement for ingress and egress over, beneath and above Grantors property described in Exhibit "A" attached hereto and incorporated herein by this reference.

Grantees do agree to maintain the easement in good repair so that Grantor can continue to make such use of the surface of said easement as does not interfere with its purposes as described herein, and in such a manner that no damage results to the adjacent land of Grantor.

This easement shall inure to the benefit of Grantee, or any municipal successor thereof, but shall not inure to or be for the benefit of any private assignee of Grantee.

The Grantor and Grantee shall hereby agree that the exact alignment as described in Exhibit "A" may be slightly altered upon mutual agreement of all parties.

IN WITNESS WHEREOF, the Grantors have executed this easement this 31<sup>st</sup> day of July, 1996.

By: Thorley Cattle Co )  
STATE OF UTAH )  
 ) ss.  
COUNTY OF )

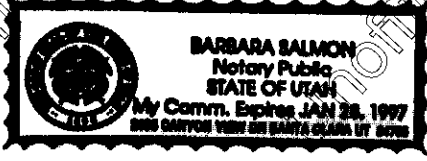
James S. Thorley

SUBSCRIBED AND SWORN to before me by James S. Thorley who acknowledged to me that they are Vice Pres. of Thorley Cattle Co. and that they executed the above easement.

Barbara Salmon  
Notary Public

My Commission Expires: Jan. 28, 1997

Residing In: Washington



00539821 Bk 1023 Pg 0440

RUSSELL SHIRTS & WASHINGTON CO RECORDER  
1996 AUG 01 13:58 PM FEE \$1.00 BY CB  
FOR: SANTA CLARA CITY

Exhibit "A"

A 66.00 foot wide right of way for a future dedicated public road, the centerline of which is more particularly described as follows:

Beginning at a point which is located N 89°22'31" E 1334.45 feet along the section line and N 00°43'26" W 1763.12 feet along the 1/16 line from the Southwest corner of Section 4, Township 42 South, Range 16 West, Salt Lake Base and Meridian, said point being the true point of beginning, said point also being a point on a 500.00 foot radius curve to the left, the radius point of which bears N 26°59'18" E and has a central angle of 42°48'01"; thence along the arc of said curve 373.50 feet; thence N 74°11'17" E 425.09 feet to a point on a 733.00 foot radius curve to the left, the radius point of which bears N 15°48'43" W and has a central angle of 29°45'36"; thence along the arc of said curve 380.73 feet; thence N 44°25'41" E 266.73 feet to a point on a 733.00 foot radius curve to the right, the radius point of which bears S 45°34'19" E and has a central angle of 30°12'18"; thence along the arc of said curve 386.42 feet; thence N 74°37'59" E 1573.41 feet to a point on a 633.00 foot radius curve to the left, the radius point of which bears N 15°22'01" W and has a central angle of 32°11'23"; thence along the arc of said curve 355.63 feet; thence N 42°26'33" E 351.72 feet to the point of intersection of the proposed Tuacahn Parkway roadway, said point being the terminus point of this right of way.

JR/lg