

5896188
08/11/94 10:52 AM**NO FEE**
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SOLITUDE IMPROVEMENT DISTRICT
REC BY: Z JOHANSON DEPUTY - WI

WHEN RECORDED PLEASE MAIL TO GRANTEE:
Solitude Improvement District #72
P.O. Box 21350
Salt Lake City, Utah 84121-0350

GRANT OF EASEMENT

for
Construction and Maintenance of Sanitary Sewer Line

KNOW ALL MEN BY THESE PRESENTS that Earl C. McCleary and Kenneth E. McCleary (Grantor), does hereby grant, convey and warrant to the Solitude Improvement District, a public improvement district and to its successors and assigns (Grantee), of Salt Lake County, Utah, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, a perpetual permanent easement and right-of-way appurtenant to and in, over, upon and across a portion of the real property described in Exhibit B attached hereto and incorporated herein by this reference in which Grantor has an ownership interest, said easement to be TEN (10) FEET in width, (Easement Property), the center line being the actual location of Grantee's sewer line as described in the plat map attached hereto as Exhibit A and incorporated herein by this reference. Grantee shall have the right to use the Easement Property to construct, bury, locate, operate, maintain, alter, repair, relocate, inspect, and remove any portion of Grantee's sewer system and related facilities (System). Grantee shall have the right of ingress and egress to and from the Easement Property across any real property owned by Grantor that is contiguous to the Easement Property, including adequate access for equipment necessary to perform installation, maintenance and repair of the System. After the System is in place, nothing shall be constructed on or over the top of said System without the prior written consent of Grantee. The easement and right-of-way granted herein shall terminate when the purposes for which they are granted no longer exist. Failure to insist on strict performance of any provision hereof shall not be construed as a waiver thereof, and any waiver of the provisions hereof must be in writing and signed by the party whose rights are waived. All provisions of this instrument, including the benefits and burdens, shall run with the land and shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives, heirs, successors and assigns. Any party who prevails in an action to enforce the terms hereof shall be entitled to reasonable attorneys' fees and costs incurred in connection therewith.

SUBJECT TO the duty of Grantee to restore the existing surface to as close a natural state as possible under the circumstances, and otherwise perform obligations imposed upon it by contract or by law, and to repair any surface damage caused by Grantee's invasion or occupancy to service the easement or the sewer line and fixtures contained therein, at its expense and within a reasonable time, and in accordance with the standards established for the initial installation.

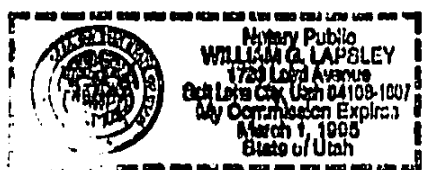
IN WITNESS WHEREOF, Grantor has executed this document on this 11th day of August, 1994.

Deceased
Grantor - Earl C. McCleary
Grantor - Kenneth E. McCleary

Address - 1723 East 6400 South
Address - Salt Lake City, Utah 84121
Address - _____

State of Utah)
County of Salt Lake) ss:

On the 11th day of August, 1994, personally appeared before me Earl C. McCleary and Kenneth E. McCleary, who being by me duly sworn, did say that he and/or she duly executed the foregoing instrument.



William G. Lapsley
Notary Public
Resides: Salt Lake City, Utah

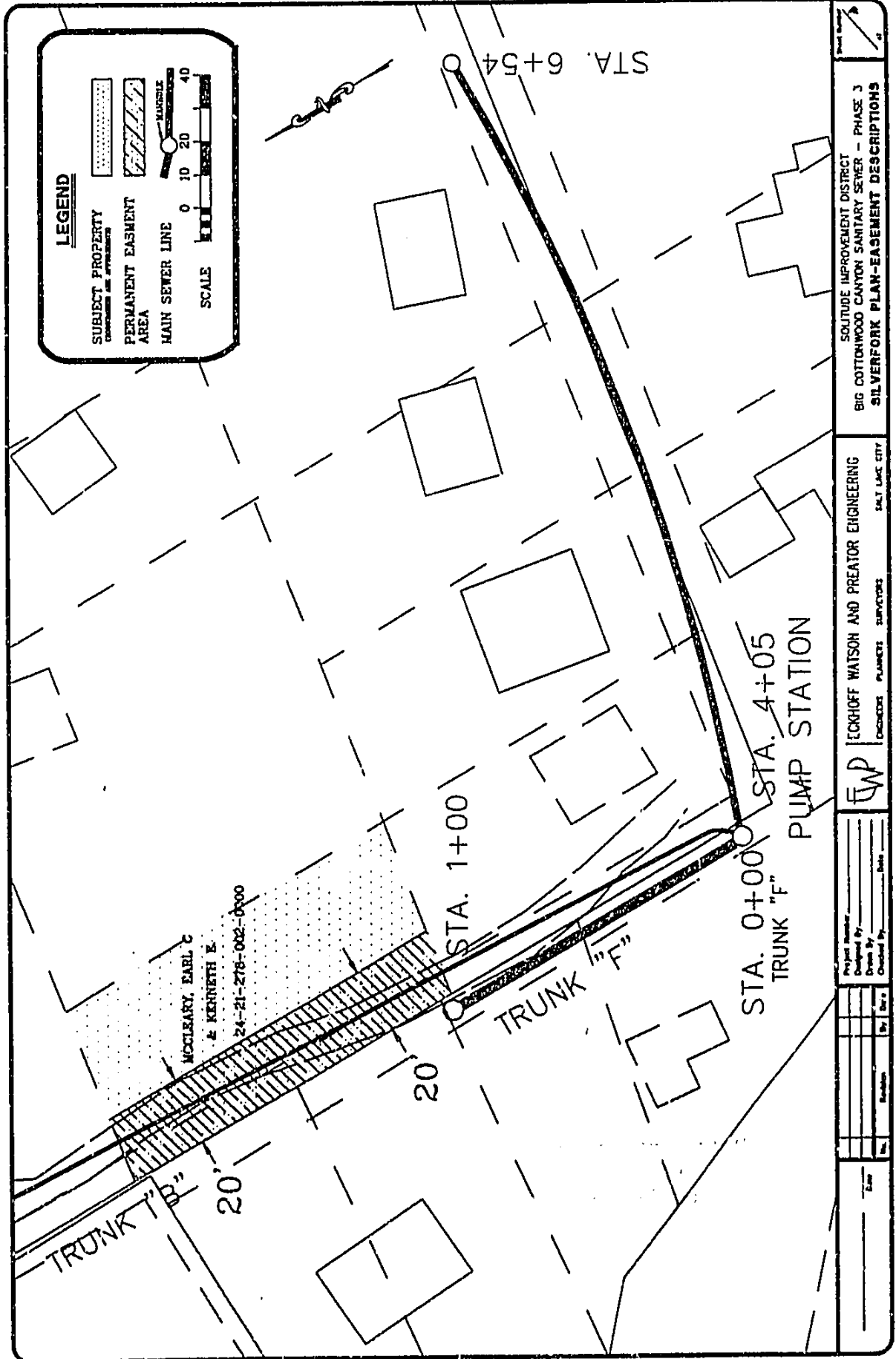
Commission Expires: March 1, 1995
Property Tax Serial No. 24-21-270-002-0000
Property Location Area: Silver Fork

8819688

FOR COPY - GO RECORDER

BK 6998 PG 1299

Exhibit A



LEGEND

SUBJECT PROPERTY
(Dotted pattern)

PERMANENT EASEMENT
AREA
(Hatched pattern)

MAIN SEWER LINE
(Solid line with manhole symbol)

SCALE

SOUTIDE IMPROVEMENT DISTRICT
BIG COTTONWOOD CANYON SANITARY SEWER - PHASE 3
SILVERFORK PLAN-EASEMENT DESCRIPTIONS

ECKHOFF WATSON AND PREATOR ENGINEERING
DESIGNERS PLANNERS SURVEYORS
SALT LAKE CITY

FWP
Project Number: _____
Designed By: _____
Drawn By: _____
Checked By: _____
Date: _____

No.	Revisions	By	Date

BK6998PG1300

Exhibit B

VTDI 24-21-278-002-0000 DIST 40
MCCLEARY, EARL C & KENNETH E. PRINT P UPDATE
LEGAL
TAX CLASS NE
TOTAL ACRES 0.15
REAL ESTATE 5000
BUILDINGS 0
MOTOR VEHIC 0
TOTAL VALUE 5000

1723 E 6400 S *277-509* EDIT 1 BATCH NO 0
SALT LAKE CTY UT 841212010 BATCH SEQ 0
LOC: 11306 E SILVER FORK RD EDIT 1 BOOK 0000 PAGE 0000 DATE 00/00/00
SUB: TYPE UNKN PLAT

PROPERTY DESCRIPTION
COM N 89°33' W 1264 FT & N 0°10' E 1004 FT FR E 1/4 COR SEC
21 T 2S R 3E SL MER S 79°31' E 57.5 FT N 0°18' E 110 FT TO
CEN OF 20 FT R OF W N 79°31' W 57.5 FT ALG SD R OF W S 0°10'
W 110 FT M OR L TO BEG 0.15 AC