

7169281

PERMANENT EASEMENT AGREEMENT
98-5746

7169281
11/27/98 1:21 PM 10.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
PARAMOUNT TITLE
REC BY: R JORDAN , DEPUTY - WI

Recitals:

1. Vaughn L. Smith and Maria D. Smith, as Trustees, (Smith) own the north 25 feet of Lot 10, Block 6, The Groves, Salt Lake County Recorder (Smith property);
2. Guy Merritt Winn and Michelle S. Winn (Winn) own Lot 9 and the south 25 feet of Lot 10, Block 6, The Groves, Salt Lake County Recorder (Winn property);
3. Part of the existing gravel driveway and existing block retaining wall used with the Winn property lie over a portion of the approximate southerly 5 feet of the Smith property;
4. Smith and Winn desire that the existing gravel driveway and block retaining wall described in Paragraph 3 continue to exist and be used with the Winn property.

Now therefore, Smith and Winn agree to the following:

- a. Smith hereby grants to Winn and Winn's successors to the Winn property a perpetual and appurtenant easement for the continued existence, maintenance and replacement of the improvements described in paragraph 3 of this agreement. This easement will be a perpetual and appurtenant burden to the Smith property, and will be a perpetual and appurtenant benefit to the Winn property.
- b. Winn and Winn's successors to the Winn property will maintain the improvements described in paragraph 3 of this agreement. This covenant will be a perpetual and appurtenant burden to the Smith property and will be a perpetual and appurtenant benefit to the Winn property.
- c. Smith and Smith's successors will pay the annual general property taxes on the north 25 feet of Lot 10.
- d. The owners of the Winn property will have the duty to maintain the block retaining wall and all of the gravel driveway.
- e. Smith will keep current and pay any existing obligations secured by the Smith property.
- f. This agreement will bind the successors, heirs, or assigns of Smith and Winn.

Dated this 25th day of November, 1998.

Guy Merritt Winn
Guy Merritt Winn

Michelle S. Winn
Michelle S. Winn

Vaughn L. Smith
Vaughn L. Smith, Trustee

Maria D. Smith
Maria D. Smith, Trustee

State of Utah)
County of Salt Lake) ss.

On the 25th day of November, 1998, personally appeared before me Guy Merritt Winn and Michelle S. Winn, and Vaughn L. Smith, Trustee and Maria D. Smith, Trustee, the signer(s) of the foregoing instrument who duly acknowledged to me that they executed the same.

Notary Public
JANICE K. RICHARDS
1326 South 900 East
Salt Lake City, Utah 84105
My Commission Expires
July 10, 2000
State of Utah

Janice K. Richards
Notary Public

My Commission Expires: 7-10-00 Residing at: See, ut

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