

WHEN RECORDED, MAIL TO:

City of Saratoga Springs
1307 N Commerce Drive, Suite 200
Saratoga Springs, Utah 84045

ENT 74855:2022 PG 1 of 5
ANDREA ALLEN
UTAH COUNTY RECORDER
2022 Jun 28 10:16 am FEE 0.00 BY KR
RECORDED FOR SARATOGA SPRINGS CITY



Perpetual Trail and Utility Easement

Utah County

Tax ID Number(s): 59:002:0172

Calvin K. Jacob Family Partnership Grantor, a Utah Limited Liability Company/Corporation, hereby GRANTS AND CONVEYS to **City of Saratoga Springs, Utah**, Grantee, at 1307 N Commerce Drive, Suite 100, Saratoga Springs, Utah, 84045, for the sum of TEN (\$10.00), Dollars, and other good and valuable consideration, the following described easement in Utah County, State of Utah, to-wit:

A perpetual and exclusive easement to be used for the installation, maintenance, repair, and replacement of a public trail and city public utilities ("Facilities"), including the rights of ingress and egress from Grantor's adjacent property, and a perpetual public access easement for the public's use of the Easement Area. Said easement situate upon a portion of Utah County Parcel number 59:002:0172, located in the Northeast Quarter Section 2, Township 6 South, Range 1 West, Salt Lake Base and Meridian, further described on the attached "EXHIBIT A" and "EXHIBIT B".

Provided that Grantee shall restore Grantor's immediately adjacent property as near as possible to its original condition should Grantee damage Grantor's adjacent property in the construction, maintenance, repair, and replacement of the Facilities on the Easement Area.

Provided further that Grantee shall have the right to occupy, use, and cultivate said Easement Area for all purposes consistent with the rights herein granted.

Provided further that Grantee will not permit any lien or claim of mechanics, laborers, or materialmen to be filed against the property for any work, labor or materials furnished, alleged to have been furnished, or to be furnished pursuant to any agreement by Grantee. Provided further that Grantee will indemnify Grantor from and against all damages, claims, losses, costs, expenses, or other liabilities that arise by reason of the use of the Easement Area and the Facilities by Grantee or its contractors, employees, and invitees,

Page 2

Tax ID Number(s): 59:002:0172

including claims for death or injury to person or damage to property, attorneys' fees, and court costs. The indemnities set forth in this paragraph are in addition to, and not in limitation of, any indemnification or other rights or remedies available to Grantor at law or in equity.

Facilities are further defined to mean public utilities owned, operated, and maintained by the Grantee, including pipelines conveying water, irrigation, storm drain, sewer; and conduits conveying electric power and communications cables or fibers.

Grantee may remove fencing and gates from within the Easement area. Grantee will replace the fencing and gates within 90 days as follows:

- A livestock fence made of 6' steel posts placed no more than 15 feet with metal stays between the posts
- 11 gauge wire field fence 47" high with 12.5 gauge barb on top

The replaced fencing and gates shall be constructed along the western edge of the Easement.

After Grantor dedicates the land to the City in fee simple, the Grantor shall receive an acre-for-acre credit towards the open space land dedication requirements in Title 19 of the Saratoga Springs City Code. Provided, however, that this credit shall be only for the land dedication portion of the open space requirements and Grantor must still meet the amenity portion of the open space requirements.

The rights, conditions, and provisions of this easement shall run with the land and inure to the benefit of and be binding upon the heirs, executors, administrators, successors, and assigns of the respective parties.

[SIGNATURE PAGE FOLLOWING]

Page 3

Tax ID Number(s): 59:002:0172

GRANTOR:

Calvin K. Jacob Family Partnership

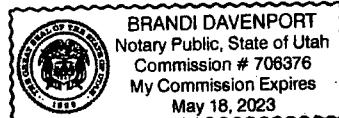
By James C. Jacob James C. Jacob
 Its: managing member

STATE OF UTAH)
) ss.

COUNTY OF UTAH)

On this 13 day of June, in the year 2020, before me personally appeared James C. Jacob, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me being duly sworn/affirmed, did say that he/she is the Managing Member of the Calvin K. Jacob Family Partnership and that said document was signed by him/her on behalf of said Partnership by Authority of its Family Partnership Agreement.

Brandi Davenport
 Notary Public



GRANTEE:

City of Saratoga Springs, Utah

Mark Christensen
 City Manager MARK CHRISTENSEN

ATTEST:

City Recorder Candy Corriveau
 City Recorder Candy Corriveau



TRAIL AND UTILITY EASEMENT DESCRIPTION
(CALVIN K. JACOB FAMILY PARTNERSHIP PARCEL NO. 59:002:0172)

"EXHIBIT A"

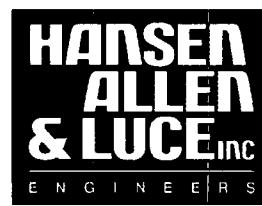
A 30.00 FOOT WIDE PERMANENT AND PERPETUAL TRAIL AND UTILITY EASEMENT SITUATE UPON A PORTION OF UTAH COUNTY PARCEL NUMBER 59:002:0172, SAID PARCEL DESCRIBED IN A QUIT CLAIM DEED, ENTRY NUMBER 62843:2011, RECORDED IN THE UTAH COUNTY RECORDER'S OFFICE, SAID EASEMENT LOCATED IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SARATOGA SPRINGS, UTAH COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 3 INCH UTAH COUNTY BRASS CAP MONUMENT MARKING THE NORTH ONE-QUARTER CORNER OF SAID SECTION 2, THENCE EAST 830.10 FEET, THENCE SOUTH 3.27 FEET TO A POINT ON THE NORTHERLY LINE OF SAID COUNTY PARCEL AND THE POINT OF BEGINNING; THENCE SOUTH $89^{\circ}47'33''$ EAST 67.38 FEET ALONG SAID NORTHERLY PARCEL LINE; THENCE SOUTH $45^{\circ}03'02''$ EAST 934.10 FEET ALONG THE EASTERLY LINE OF SAID PARCEL; THENCE NORTH $89^{\circ}47'09''$ WEST 42.62 FEET; THENCE NORTH $45^{\circ}03'02''$ WEST 858.16 FEET; THENCE NORTH $62^{\circ}16'19''$ WEST 58.98 FEET; THENCE NORTH $45^{\circ}00'00''$ WEST 37.19 FEET TO THE POINT OF BEGINNING.

CONTAINS: 29,010 S.F. / 0.66 AC +/-

THE BASIS OF BEARING FOR THE EASEMENT IS SOUTH $89^{\circ}42'39''$ EAST BETWEEN TWO FOUND UTAH COUNTY BRASS CAP MONUMENTS MARKING THE SOUTHWEST CORNER AND THE NORTH ONE-QUARTER CORNER OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN WITH A MEASURED DISTANCE OF 2742.50 FEET.

ENT 74855:2022 PG 4 of 5



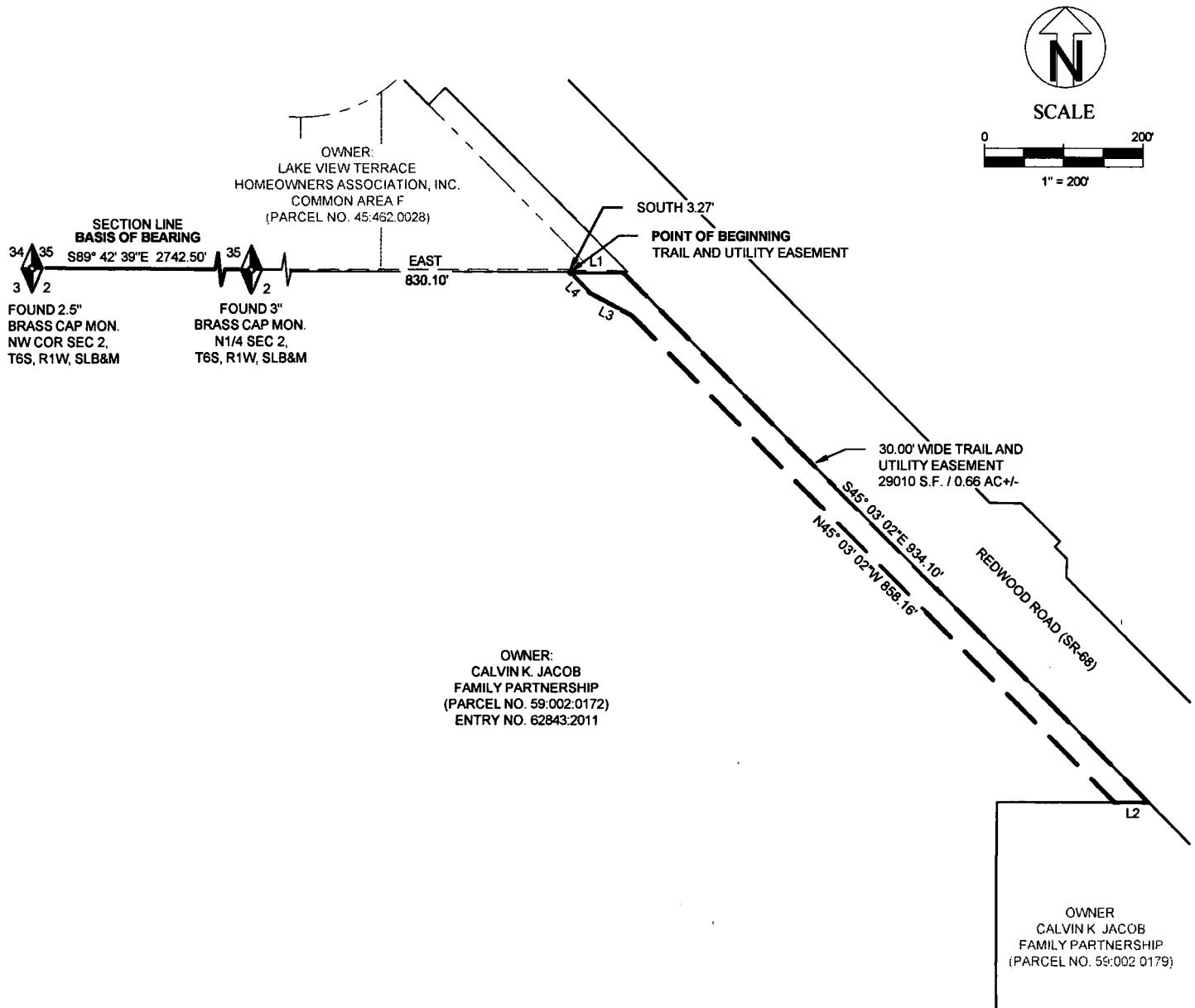
LAND SURVEYING	PROJECT NUMBER: 211117
FLINT	DRAWN BY: JD
DEVELOPMENT	CHECKED BY: PC
	DRAWING DATE: 03/09/2022
	SHEET NUMBER: 1 OF 2

TRAIL AND UTILITY EASEMENT EXHIBIT
(CALVIN K. JACOB FAMILY PARTNERSHIP PARCEL NO. 59:002:0172)

LOCATED IN:

NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 6 SOUTH, RANGE 1 WEST,
 SALT LAKE BASE AND MERIDIAN, SARATOGA SPRINGS, UTAH COUNTY, UTAH

"EXHIBIT B"



ENT 74855:2022 PG 5 of 5

LEGEND

SECTION CORNER (FOUND)	
SECTION LINE	
1/4 SECTION LINE	
TIE LINE	
PARCEL LINE	
ADJACENT LOT LINE	
EASEMENT LINE	

Parcel Line Table		
Line #	Length	Direction
L1	67.38	S89°47'33"E
L2	42.62	N89°47'09"W
L3	58.98	N62°16'19"W
L4	37.19	N45°00'00"W



LAND SURVEYING	PROJECT NUMBER: 211117
FLINT	DRAWN BY: JD
DEVELOPMENT	CHECKED BY: PC
PO BOX. 95029 SOUTH JORDAN, UT 84095 PHONE: (801) 446-1820 WWW.FLINTUTAH.COM	
DRAWING DATE: 03/09/2022	
SHEET NUMBER: 2 OF 2	