

When recorded return to:  
Snyderville Basin Water Reclamation District  
2800 Homestead Road, Park City, Utah 84098

00775942 BK01787 PG00362-00362

ALAN SPRIGGS, SUMMIT CO RECORDER  
2006 APR 28 11:00 AM FEE \$1.00 BY GGB  
REQUEST: SNYDERVILLE BASIN SID

**GRANT OF EASEMENT  
FOR CONSTRUCTION AND MAINTENANCE OF WASTEWATER COLLECTION  
AND TRANSPORTATION PIPELINE(S)**

PIVOTAL PROMONTORY DEVELOPMENT, L.L.C., a(n) Arizona limited liability company, and PIVOTAL PROMONTORY, L.L.C., a(n) Arizona limited liability company, Grantors, do hereby convey and warrant to the Snyderville Basin Water Reclamation District, a special District of the state of Utah (the District), Grantee, of Summit County, Utah, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, a permanent non-exclusive easement and right-of-way for the purpose of constructing, operating and maintaining one or more underground pipelines in the non-exclusive easement granted herein for the collection and transportation of wastewater as permitted by the District in the exclusive discretion of the District, over, across, through and under the premises of the Grantors situated in Summit County, Utah which are more specifically described as follows:

**Easement A**

A 50.00 foot wide sanitary sewer easement, lying 25.00 feet perpendicularly distant on each side of the following described centerline all within Northgate Canyon Subdivision road right of ways; said centerline being the centerline of Canyon Gate Road, and being more particularly described as follows:

Beginning at a point located North 00°48'17" East 1142.91 feet and East 3538.22 feet from the Southwest Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 00°48'17" East 4816.75 feet between the Northwest Corner and the Southwest Corner of said Section 2, both corners being found monuments), said point being on Promontory Ridge SBWRD Easement E and running thence to a point of curvature of a 250.00 foot radius to the left, the center of which bears South 44°20'16" East, thence along the arc of said curve 269.36 feet through a central angle of 61°43'57"; thence South 16°04'13" East 82.20 feet to a point of curvature of a 100.00 foot radius to the right, the center of which bears South 73°55'47" West, thence along the arc of said curve 267.59 feet through a central angle of 153°18'56"; thence North 42°45'17" West 48.18 feet to a point of curvature of a 150.00 foot radius to the left, the center of which bears South 47°14'43" West, thence along the arc of said curve 225.36 feet through a central angle of 86°04'54"; thence South 51°09'49" West 457.82 feet to a point of curvature of a 150.00 foot radius to the right, the center of which bears North 38°50'11" West, thence along the arc of said curve 157.55 feet through a central angle of

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60°10'49"; thence North 68°39'22" West 110.39 feet to a point of curvature of a 100.00 foot radius to the right, the center of which bears North 21°20'38" East, thence along the arc of said curve 192.20 feet through a central angle of 110°07'31"; thence North 41°28'09" East 388.74 feet to a point of curvature of a 150.00 foot radius to the left, the center of which bears North 48°31'51" West, thence along the arc of said curve 261.30 feet through a central angle of 99°48'34" to a point of reverse curvature of a 165.00 foot radius to the right, the center of which bears North 31°39'35" East, thence along the arc of said curve 270.23 feet through a central angle of 93°50'10" to a point of reverse curvature of a 300.00 foot radius to the left, the center of which bears North 54°30'15" West, thence along the arc of said curve 352.38 feet through a central angle of 67°17'57"; thence North 31°48'12" West 801.31 feet to a point of curvature of a 400.00 foot radius to the right, the center of which bears North 58°11'48" East, thence along the arc of said curve 185.23 feet through a central angle of 26°31'54"; thence North 05°16'18" West 145.83 feet to a point of curvature of a 100.00 foot radius to the left, the center of which bears South 84°43'42" West, thence along the arc of said curve 331.92 feet through a central angle of 190°10'36" to a point of reverse curvature of a 325.00 foot radius to the right, the center of which bears South 74°33'06" West, thence along the arc of said curve 424.61 feet through a central angle of 74°51'25"; thence South 59°24'31" West 146.79 feet to a point of curvature of a 500.00 foot radius to the left, the center of which bears South 30°35'29" East, thence along the arc of said curve 365.25 feet through a central angle of 41°51'16" West; thence South 17°33'15" West 241.88 feet to a point of curvature of a 300.00 foot radius to the left, the center of which bears South 72°26'45" East, thence along the arc of said curve 211.16 feet through a central angle of 40°19'46"; thence South 22°46'31" East 108.68 feet to a point of curvature of a 300.00 foot radius to the right, the center of which bears South 67°13'29" West, thence along the arc of said curve 226.45 feet through a central angle of 43°14'55" to a point of reverse curvature of a 300.00 foot radius to the left, the center of which bears South 69°31'36" East, thence along the arc of said curve 142.78 feet through a central angle of 27°16'08"; thence South 06°47'44" East 176.46 feet to a point of curvature of a 100.00 foot radius to the right, the center of which bears South 83°12'16" West, thence along the arc of said curve 145.35 feet through a central angle of 83°16'51"; thence South 76°29'07" West 116.70 feet to a point of curvature of a 135.00 foot radius to the left, the center of which bears South 13°30'53" East, thence along the arc of said curve 404.34 feet through a central angle of 171°36'32"; thence North 84°52'35" East 231.22 feet to a point of curvature of a 250.00 foot radius to the left, the center of which bears North 05°07'25" West, thence along the arc of said curve 234.82 feet through a central angle of 53°48'58" to a point of reverse curvature of a 200.00 foot radius to the right, the center of which

bears South 58°56'23" East, thence along the arc of said curve 111.62 feet through a central angle of 31°58'35"; thence North 63°02'12" East 121.09 feet to a point of curvature of a 200.00 foot radius to the left, the center of which bears North 26°57'48" West, thence along the arc of said curve 242.19 feet through a central angle of 69°22'53"; thence North 06°20'41" West 200.03 feet to a point of curvature of a 200.00 foot radius to the right, the center of which bears North 83°39'19" East, thence along the arc of said curve 115.90 feet through a central angle of 33°12'07"; thence North 26°51'26" East 236.08 feet to a point of curvature of a 225.00 foot radius to the left, the center of which bears North 63°08'34" West, thence along the arc of said curve 154.14 feet through a central angle of 39°15'06"; thence North 12°23'40" West 74.00 feet to a point of curvature of a 375.00 foot radius to the right, the center of which bears North 77°36'20" East, thence along the arc of said curve 462.02 feet through a central angle of 70°35'28"; thence North 58°11'48" East 96.04 feet to a point of terminus.

#### **Easement B**

A 30.00 foot wide sanitary sewer easement, lying 15.00 feet perpendicularly distant on each side of the following described centerline all within Northgate Canyon Subdivision shared driveway easement, said centerline being the centerline of Nighthawk Circle shared driveway, and being more particularly described as follows:

Beginning at a point located North 00°48'17" East 1820.61 feet and East 2092.59 feet from the Southwest Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 00°48'17" East 4816.75 feet between the Northwest Corner and the Southwest Corner of said Section 2, both corners being found monuments), said point being on Northgate Canyon SBWRD Easement A and running thence North 88°26'13" West 19.53 feet to a point of curvature of a 250.00 foot radius to the left, the center of which bears South 01°33'47" West, thence along the arc of said curve 238.96 feet through a central angle of 54°45'57" to a point of compound curvature of a 50.00 foot radius to the left, the center of which bears South 53°12'10" East, thence along the arc of said curve 37.42 feet through a central angle of 42°53'08"; thence South 06°05'18" East 51.53 feet to the point of terminus.

#### **Easement C**

A 50.00 foot wide sanitary sewer easement, lying 25.00 feet perpendicularly distant on each side of the following described centerline all within Northgate Canyon Subdivision road right of

ways; said centerline being the centerline of Spotted Owl Court, and being more particularly described as follows:

Beginning at a point located North 00°48'17" East 2365.90 feet and East 1804.72 feet from the Southwest Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 00°48'17" East 4816.75 feet between the Northwest Corner and the Southwest Corner of said Section 2, both corners being found monuments), said point being on Northgate Canyon SBWRD Easement A and running thence North 37°05'40" West 102.18 feet to a point of curvature of a 100.00 foot radius to the right, the center of which bears North 52°54'20" East, thence along the arc of said curve 71.06 feet through a central angle of 40°42'48"; thence North 03°37'08" East 183.71 feet to a point of curvature of a 200.00 foot radius to the left, the center of which bears North 86°22'52" West, thence along the arc of said curve 84.72 feet through a central angle of 24°16'14"; thence North 20°39'06" West 120.03 feet to a point of terminus.

#### **Easement D**

A 30.00 foot wide sanitary sewer easement, lying 15.00 feet perpendicularly distant on each side of the following described centerline all within the Northgate Canyon Subdivision shared driveway easement; said centerline being the centerline of Longspur Lane shared driveway, and being more particularly described as follows:

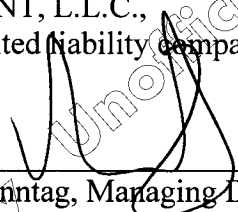
Beginning at a point located South 01°28'53" East 3575.95 feet and West 1863.00 feet from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°56'06" East 267.68 feet between the Northeast Corner of said Section 2 and the Southwest Corner of said Section 36, both corners being found monuments), said point being on Promontory Ridge SBWRD Easement E and running thence North 18°44'13" West 412.44 feet to a point of curvature of a 75.00 foot radius curve to the left, the center of which bears South 71°15'47" West, thence along the arc of said curve 206.64 feet through a central angle of 157°51'43"; thence South 03°24'04" West 143.74 feet to a point of curvature of a 150.00 foot radius curve to the right, the center of which bears North 86°35'56" West, thence along the arc of said curve 161.01 feet through a central angle of 61°30'02"; thence South 64°54'06" West 104.65 feet to the point of terminus.

Also granting to the Snyderville Basin Water Reclamation District a perpetual non-exclusive right of ingress and egress to and from and along said right-of-way and with the right to operate, maintain, repair, replace, augment and/or remove the pipelines deemed necessary by the District for the collection and transportation of wastewater; also the right to trim, clear or remove, at any time from said right-of-way any tree, brush, structure or obstruction of any character whatsoever, which in the sole judgment of the Grantee may endanger the safety of or interfere with the operation of Grantee's facilities. The Grantors and their successors in interest hereby forever relinquish the right to construct any improvement which would interfere with the operation, replacement or repair of the pipelines constructed and maintained under the provisions of this non-exclusive easement and covenant and agree that no improvement, trees or structures will be constructed over the surface of the easement granted herein, without the express written consent in advance of the Grantee, which would interfere with the right of the Grantee to operate, maintain, repair or replace the sewer pipeline constructed by or for the Grantee.

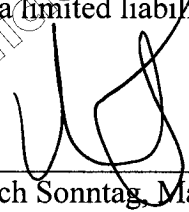
The non-exclusive easement granted herein is subject to the condition that the Grantee shall indemnify and hold harmless, the Grantors, their heirs and successors against any and all liability caused by the acts of the Grantee, its contractors or agents, during the construction, operation or maintenance of the sewer pipeline provided for in this easement; the Grantors' right to indemnification or to be held harmless by the Grantee under the terms of this paragraph are expressly conditioned upon prompt and immediate notice to the Grantee of any claim or demand which would cause a claim against the Grantee and upon the Grantee's right to defend any claim against the Grantors which would cause a claim of indemnification against the Grantors. This provision shall not be interpreted or construed to waive the rights of the Grantee to the affirmative defenses to claims provided under the Utah Governmental Immunity Act.

WITNESS the hand of said Grantors this 24<sup>th</sup> day of April, 2006.

PIVOTAL PROMONTORY  
DEVELOPMENT, L.L.C.,  
an Arizona limited liability company.

By:   
\_\_\_\_\_  
Rich Sonntag, Managing Director

PIVOTAL PROMONTORY, L.L.C.,  
an Arizona limited liability company.

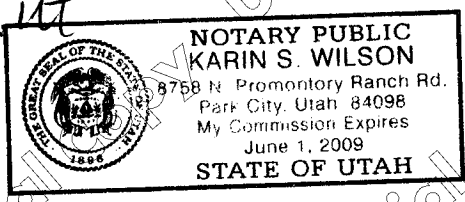
By:   
\_\_\_\_\_  
Rich Sonntag, Managing Director

State of Utah )  
County of Summit ) :SS

The foregoing was acknowledged before me this 26th day of April, 2006 by Rich Sonntag, Managing Director of Pivotal Promontory Development, LLC.

[Signature]  
Notary Public  
Residing at: Park City, UT

My Commission Expires: 6/1/09

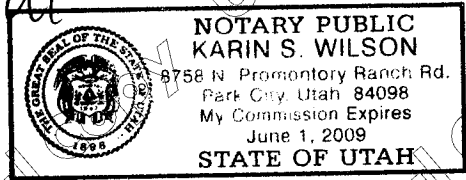


State of Utah )  
County of Summit ) :SS

The foregoing was acknowledged before me this 26th day of April, 2006 by Rich Sonntag, Managing Director of Pivotal Promontory, LLC.

[Signature]  
Notary Public  
Residing at: Park City, UT

My Commission Expires: 6/1/09





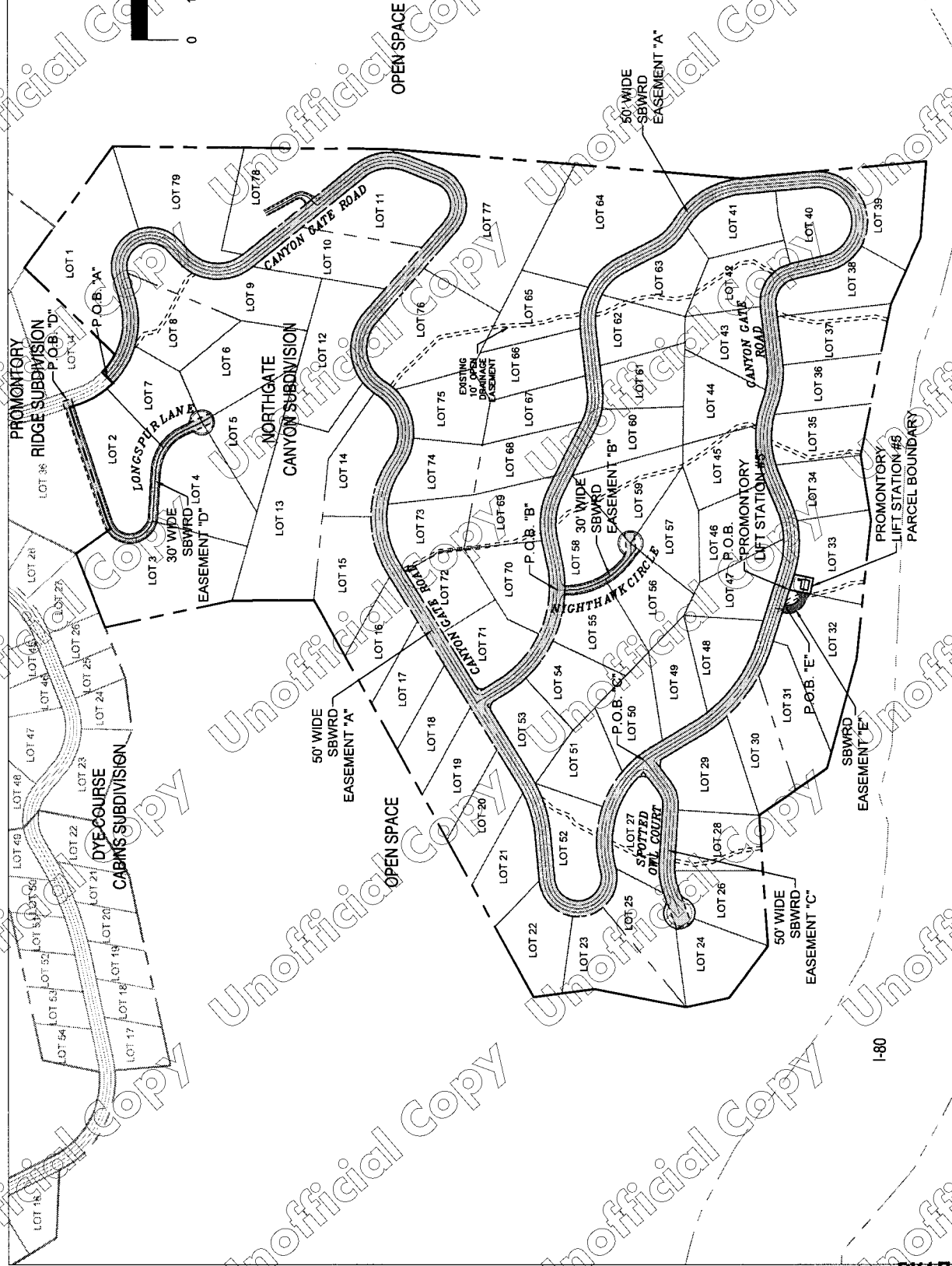
1"=300'



**JACK JOHNSON COMPANY**  
Designing World Destinations

**PROMONTORY NORTHGATE CANYON**  
SBWRD EASEMENTS "A", "B", "C" & "D"

SUMMIT COUNTY, UT  
with AAS (Promontory) Planning Services, Inc. and JPH (Northgate Canyon) Planning Services, Inc.  
JAC Date: April 23, 2006 | Issued by: JAC



ISSUE DATE: APRIL 24, 2006

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