



**Sandy City Copy**

When recorded please return to:

Discover Financial 8475 South Sandy Parkway

Sandy City Recorder  
10000 Centennial Parkway  
Sandy, Utah 84070

8316468  
08/08/2002 10:51 AM NO FEE  
Book - 8630 Pg - 6042-6044  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
SANDY CITY  
10000 CENTENNIAL PARKWAY  
SANDY UT 84070  
BY: ZJM, DEPUTY - WI 3 P.

Parcel ID#21363770134003

### GRANT OF EASEMENT FOR A STORM WATER/IRRIGATION LINE

**DISCOVER FINANCIAL SERVICES, INC.**, formerly known as NOVUS Services, Inc., as successor-by-merger to Discover Card Services, Inc., a Delaware corporation, **Grantor**, hereby grants, conveys and warrants to **SANDY CITY CORPORATION**, a Utah municipal corporation, **Grantee**, for Nine Thousand Eight Hundred Dollars and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, a permanent, non-exclusive easement and right-of-way for the surveying, construction, repair, renewal, modification, reconstruction, relocation, maintenance, inspection, replacement or removal of storm water pipelines and reasonable necessary related facilities for the transportation of storm and/or irrigation water through, across, over and under the described premises (the "Utility Easement"), together with all rights of ingress and egress along said Easement Property (defined below) necessary or convenient for the full and complete use, occupation and enjoyment of the Utility Easement hereby granted, and all rights and privileges incident thereto, including the right to cut and remove timber, trees, brush, overhanging branches, and other obstructions which may injure or interfere with the Grantee's use, occupation and enjoyment of the Utility Easement, the right to go upon so much of Grantor's property near or adjacent to the Easement Property for reasonable periods of time incident to the purposes for which the Utility Easement is granted. The Utility Easement affects certain real property in Salt Lake County, Utah that is more particularly described as follows (the "Easement Property"):

A strip of land located in the Southeast Quarter of Section 36, Township 2 South, Range 1 West, Salt Lake Base and Meridian, said strip of land being 30 feet wide, 15 feet on each side of the following described centerline:

Beginning on the Easterly line of Sandy Parkway as shown on the official dedication plat in the Office of the Salt Lake County Recorder as entry No. 3698852 in Book 82-8, on Page 65 and as defined by found monuments in the street, said point being North 340.15 feet and East 1347.73 feet from a brass cap monument at the Southwest Corner of said Section 36, said brass cap monument bears N 0°15'11" E 2,643.65 feet (basis of bearing) from a brass cap monument at the West Quarter Corner of Section, Township 1 South,

**ORIGINAL DOCUMENT**  
**PROPERTY OF SANDY CITY RECORDERS OFFICE**

8316468

8630 PG 6042

Range 1 West, Salt Lake Base and Meridian; thence S 50°18'57" E 200.47 feet; thence N 75°21'33" E 248.18 feet to an existing storm drain manhole.

Grantor and its successors and assigns may use the surface of the Easement Property for such purposes as will not interfere with Grantee's use of the Utility Easement. Grantee shall restore the surface of the Easement Property (including the removal of any debris) upon constructing, repairing, maintaining, replacing or removing any storm water facilities installed in or under the Utility Easement or in making connections thereto, so that the same will be left in a sightly condition and restored to, as near as practicable, the condition of the surface and any constructed improvements thereon as existed prior to such work. The rights granted to Grantee hereunder shall be reasonably exercised and Grantee shall be liable for any damage done to the Easement Property or the remainder of Grantor's property resulting from such work.

The Utility Easement is subject to the following:

- (a) all encumbrances, covenants, conditions, restrictions, easements, reservations and other matters of record; and
- (b) all matters that a careful inspection or an accurate survey of the Easement Property would disclose.

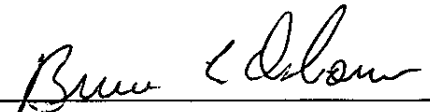
Nothing in this instrument shall be deemed to be a gift or dedication of all or any portion of the Easement Property for the general public, it being the intention of the parties that the rights granted herein be strictly limited to the purposes expressed in this instrument.

This instrument shall be binding on Grantor and Grantee and their respective successors and assigns.

**IN WITNESS WHEREOF**, Grantor and Grantee have executed this instrument on the dates set forth in the acknowledgements below.

**GRANTOR:**

**DISCOVER FINANCIAL SERVICES, INC.,**  
a Delaware corporation

By: 

Title: Sr. VP.

BK8630PG6043

STATE OF ILLINOIS )  
 )  
COUNTY OF LAKE ) SS

On the 1<sup>st</sup> day of August, 2002 personally appeared before me Bruce L. Osborne  
the Sr. V.P. of DISCOVER FINANCIAL SERVICES, INC., and  
acknowledged that he/she executed the foregoing instrument on behalf of said corporation.

Marjorie VanZant  
NOTARY PUBLIC Residing at

2500 Lake Cook Rd, Riverwoods, IL

My Commission Expires: 4-12-06



**GRANTEE:**

SANDY CITY CORPORATION,  
a Utah municipal corporation

ATTEST:

Tom Dolan  
Tom Dolan, Mayor



Dianne Aubrey  
City Recorder

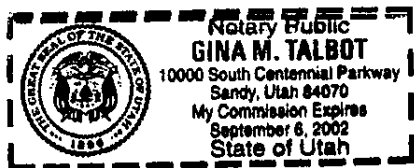
STATE OF UTAH )  
 )  
COUNTY OF SALT LAKE ) SS

On the 2<sup>nd</sup> day of August, 2002, personally appeared before me TOM  
DOLAN, and DIANNE AUBREY, who being duly sworn, did say they are the Mayor and City  
Recorder, respectively, of Sandy City Corporation, and acknowledged that the foregoing  
instrument was signed on behalf of said City.

Gina M. Talbot  
NOTARY PUBLIC, Residing at

Sandy, UT

My Commission Expires: 9-6-02



**SANDY CITY APPROVALS**

5-2-02 dho  
Department \_\_\_\_\_  
Risk Mgt. \_\_\_\_\_  
Budget \_\_\_\_\_  
Legal Form \_\_\_\_\_  
Purchasing Compliance N/A mjb

3K8630P66044