

8790903

WHEN RECORDED, PLEASE RETURN TO:

West Jordan City Attorney
8000 South Redwood Road
West Jordan, Utah 84088

8790903
08/27/2003 11:01 AM 22.00
Book - 8870 Pg - 5537-5542
GARY W. DTT
RECORDER, SALT LAKE COUNTY, UTAH
WEST JORDAN CITY
8000 S REDWOOD RD
WEST JORDAN UT 84088
BY: LDT, DEPUTY - MA 6 P.

NOTICE

TO WHOM IT MAY CONCERN:

Nicholas J. Kiser and Kristie Kiser, of West Jordan, Utah, hereby acknowledge that we are the owners of that certain parcel of real property located in Salt Lake County, Utah, and more particularly described as follows:

Lot No. 46 of the Brigadoon Park subdivision, located in the Southeast Quarter of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, according to the official plat thereof as recorded in the Office of the Salt Lake County Recorder.
[Sidwell # 27-03-477-010]

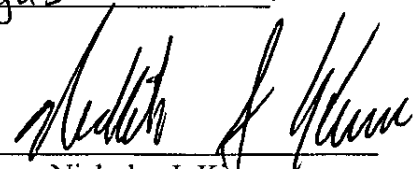
In accordance with Section 88-5-909 of the West Jordan Unified Development Code we have been granted permission to construct an accessory building upon a portion of said Lot No. 46 in a small area previously encumbered by that certain "public utilities easement" as shown on the aforementioned subdivision plat; provided, however, that the structure will not be located nearer to the boundary line of the Lot than is allowed by municipal ordinance. There are no existing utility lines within the platted easement to be built upon, per verification effected at our request through the "Blue Stakes" program.

We hereby, acknowledge that the location of the accessory structure may be "at risk" of relocation and may be subject to the superior interest of the intended beneficiary of the platted easement and that the structure may, except as affected by the legal doctrine of "waste", be required to be relocated, at the property owner's expense, to accommodate said use by the intended beneficiary of the platted easement. As used in this instrument, the term "intended beneficiaries of the platted easement" shall be construed to mean, in the case of a "public utility easement", those utilities currently licensed or franchised by West Jordan City to provide electrical power, telephone services, natural gas, culinary water, sanitary sewer services and/or cable television services to residents of the community. Provided, however, that the execution and recordation of this document are not intended to expand or restrict the rights or obligations of any party to any easement, platted or otherwise, possessed by any person or entity immediately prior to the execution and recordation of this document.

BK 8870 PG 5537

The provisions of this instrument shall be deemed to "run with the land" and shall be binding upon our heirs, successors and assigns, including future purchasers of the property.

Executed at West Jordan, Utah, this 7th day of August 2003.



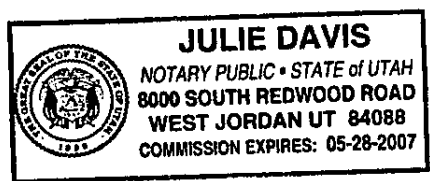
Nicholas J. Kiser



Kristie Kiser

STATE OF UTAH)
)ss
COUNTY OF SALT LAKE)

On this 7th day of August, 2003, Nicholas J. Kiser + Kristie^{Kiser} personally appeared before me and, on his/her oath, acknowledge to me that he/she signed the foregoing Notice for the purpose therein indicated.





NOTARY PUBLIC

STATE OF UTAH)
)ss
COUNTY OF SALT LAKE)

On this ____ day of _____, 20__, _____ personally appeared before me and, on his/her oath, acknowledge to me that he/she signed the foregoing Notice for the purpose therein indicated.

NOTARY PUBLIC

Space above for County Recorder's use
PARCEL I.D.#

DISCLAIMER OF UTILITY EASEMENT

The undersigned, QUESTAR GAS COMPANY, a corporation of the State of Utah, Grantor, hereby disclaims and releases any rights, title or interest which it may have in and to the following-described real property in Salt Lake County, Utah, to-wit:

All public utility easements, excepting the easement(s) or portion of easement(s) running adjacent and parallel to the street(s), located within Lot 46, Brigadoon Park Subdivision, located in the Southeast quarter of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian, Salt Lake County, Utah; said Subdivision recorded in the Office of the County Recorder for Salt Lake County, Utah.

IN WITNESS WHEREOF, this disclaimer and release of any right, title or interest has been duly executed on July 14, 2003.

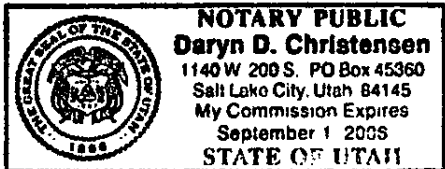
QUESTAR GAS COMPANY

By: Todd C. Cassity
Attorney-In-Fact

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On July 14, 2003, personally appeared before me Todd C. Cassity, who, being duly sworn, did say that he is Attorney-In-Fact for QUESTAR GAS COMPANY, and that the foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, an official certification of which is recorded as Entry #7376702, at Book 8284, Page 183, in the Office of the Salt Lake County Recorder.

Daryn D. Christensen
Notary Public



Salt Lake City, Utah
July 14, 2003

Nick Kiser
1459 West Misty Fen Way
West Jordan, Utah 84088



Dear Mr. Kiser:

I have examined our records regarding Qwest facilities on Lot 46 of the Brigadoon Park Estates Subdivision in West Jordan. There is the possibility of a buried cable that runs along the entire south line of your property.

Qwest has no objection to you building over the public utility easement in the southeast area of the property; however the following conditions would apply:

1. Call Blue Stakes on 532-5000 prior to the start of construction. Any relocation of our facilities or your service line due to the construction of the detached garage will be your responsibility.
2. The facilities are probably 3' north of the south property line. We prefer you build within 1 foot from the cable and do not build over the cable.
3. If you plan to place concrete over the cable it will be necessary to place a 4" conduit parallel to and directly above the cable to facilitate replacement of that cable should that ever become necessary.

As long as these conditions are met, Qwest has no objections to your plans. This letter should satisfy the requirements for you to obtain your building permit, please call me on 974-8130 if you have any questions.

Yours Truly,


Arlene Comstock
C.P. Specialist

Fax: 975-1411

TAX ID #: 27-03-477-010

BK 8870 PG 5540



UTAH POWER

Jordan Valley Operations
12840 Pony Express Road
Draper, Utah 84020-9273

July 14, 2003

Nicholas Kiser
1459 Misty Fen Way
West Jordan, Utah 84088

Dear Mr. Kiser:

As you requested, Utah Power hereby consents to a proposed encroachment of the utility easement on the South East Corner of lot 46 in Brigadoon Park Est at **1459 Misty Fen Way West Jordan, Utah.**

However, this consent does not waive or relinquish any rights necessary to the operation, maintenance, renewal, construction, repair, or removal of Power Company lines, conduit, or other power facilities, which are or may be located on said easement. Also, all clearances must be maintained from Power Company lines.

As consideration for the Power Company granting you permission to encroach upon said easement, it will be necessary for you to hold the Power company harmless from any and all claims for personal injuries or damages to property when such injuries or damages, directly or indirectly, arise out of the existence, construction, installation, maintenance, condition, use or presence of your structures upon said easement. Utah Power and Light Company shall not be responsible for any damages to structures or property located on said easement.

Please acknowledge receipt of this letter and your consent to the aforementioned terms by returning an executed copy of this letter to me.

Sincerely,

Scott DeNovellis
Estimator

BK 8870 PG 5541

TAX ID #: 27-03-477-010



Comcast Cable Communications, Inc.
9075 S. 700 W.
Sandy, UT 84070
801 401-3041 Tel
801 255-2711 Fax

July 14, 2003

Nick Kaiser
1459 W. Misty Fen Way
West Jordan, UT. 84088

Dear Nick,

Comcast Cable Communications, Inc. grants you permission to encroach upon the easement located on the south and east sides of the property located at 1459 West Misty Fen Way, West Jordan, Utah.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Goldstein".

Gary Goldstein
Design Supervisor