When Recorded Return to: Mr. Craig L. White South Valley Sewer District P.O. Box 908 Draper, Utah 84020 9387097
05/26/2005 11:28 AM \$0.00
Book - 9135 P9 - 8675-8677
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SOUTH VALLEY SEWER DISTRICT
PO BOX 908
874 E 12400 S
DRAPER UT 84020
BY: NEH, DEPUTY - WI 3 P.

PARCEL I.D. #27-32-300-021 GRANTOR: Home Depot U.S.A., Inc. as part of Home Depot, Riverton

## **EASEMENT**

A twenty (20) foot wide sanitary sewer easement located in the Southwest Quarter of Section 32, Township 3 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey.

For the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned as GRANTOR hereby grants, conveys, sells, and sets over unto South Valley Sewer District, a body politic of the State of Utah, hereinafter referred to as GRANTEE, its successors and assigns, a non-exclusive perpetual right-of-way and easement to construct, maintain, operate, repair, inspect, protect, install, remove and replace sewer pipelines, valves, valve boxes and other sewer transmission and distribution structures and facilities, hereinafter called the FACILITIES, said right-of-way and easement, being situate in Salt Lake County, State of Utah, over and through a parcel(s) of the GRANTOR'S land lying within a strip twenty (20) feet wide, said strip extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point on the North Line of 13400 South Street as widened being 1070.97 feet North 89°51'35" West along the Section Line, and 53.26 feet North 0°08'37" East from the South Quarter Corner of said Section 32, and running thence North 02°42'09" West 296.14 feet, thence North 89°46'40" West 76.66 feet, thence North 7'34'17" West 79.00 feet, thence North 43°23'21" West 182.00 feet, thence South 86°34'39" West 58.00 feet, thence North 57°33'23" West 278.19 feet, thence North 45°00'00" West 474.17 feet to the endpoint of this easement centerline

Contains: 0.663 acres (approx. 28,883.20 l.f.)

TO HAVE AND HOLD the same unto the GRANTEE, its successors and assigns, with the right of ingress and egress in the GRANTEE, its officers, employees, agents and assigns to enter upon the above-described property with such equipment and vehicles as is necessary to construct, install, maintain, operate, repair, inspect, protect, remove and replace the FACILITIES. During construction periods, GRANTEE and its contractors may use such portion of GRANTOR'S property along and adjacent to the right-of-way and easement as may be reasonably necessary in connection with the construction or repair of the FACILITIES. The contractor performing the work shall restore all property, through which the work traverses, to as near its original condition as is reasonably possible. GRANTOR shall have the right to use the

above-described property except for the purposes for which this right-of-way and easement is granted to the GRANTEE, provided such use shall not interfere with the FACILITIES or with the discharge and conveyance of sewage through the FACILITIES, or any other rights granted to the GRANTEE hereunder.

GRANTOR shall not build or construct, or permit to be built or constructed, any building or other improvements over or across this right-of-way and easement nor change the contour thereof without the written consent of GRANTEE. Nothing herein shall prohibit GRANTOR from constructing, maintaining, repairing and replacing curbs and gutters, sidewalks, pavement, landscaping or other similar improvements not having footings or a foundation over and across the above described easement area that do not unreasonably interfere with the FACILITIES or any other rights granted to GRANTEE hereunder. This right-of-way and easement grant shall be binding upon, and inure to the benefit of, the successors and assigns of the GRANTOR and the successors and assigns of the GRANTEE, and may be assigned in whole or in part by GRANTEE.

IN WITNESS WHEREOF, the GRANTOR has executed this right-of-way and Easement this 17 day of May,2005.

County Parcel No.

Acreage

27-32-300-021

0.663 acres

(approx. 28,882.20 l.f.)

GRANTOR(S): HOME DEPOT U.S.A., INC.

Corporate Counsel

STATE OF CALIFORNIA ) : ss.
COUNTY OF ORANGE )

The foregoing instrument was acknowledged before me this 17 day of 2005, by Erika M Straws the Corporate Obour of HOME

Title:

DEPOT V.S.A., INC.

714578 2

LISA M. SMITH
Commission # 1542011
Notary Public - California
Orange County
My Comm. Expires Jan 12, 2009

NOTARY PUBLI

Residing at: Pacentia