

16  
When Recorded Return To:  
City of St. George  
175 East 200 North  
St. George, Utah 84770

00985632 Bk 1815 Pg 0105  
RUSSELL SHIRTS \* WASHINGTON CO RECORDER  
2005 NOV 17 09:05 AM FEE \$16.00 BY SW  
FOR: SOUTHERN UTAH TITLE CO

### UTILITIES AND DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar and other good and valuable consideration paid to **S.W.A.C., EAST, LLC, a Utah limited liability company**, herein referred to as Grantor, by the **City of St. George, a Utah municipal corporation**, herein referred to as Grantee, the receipt of which is hereby acknowledged, the Grantors do hereby grant, bargain, sell, transfer and convey unto Grantee, its successors and assigns, a perpetual easement to use, install, operate, maintain, repair and replace utility and drainage facilities, in, upon and along real property owned by Grantor in Washington County, State of Utah, and the easement being more fully described as follows:

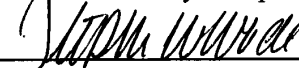
### SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION.

Grantee shall maintain the perpetual easement in good repair, although to the extent that the easement provides drainage, there is no representation on the part of Grantee that the easement shall have capacity to accommodate all drainage problems that arise. Grantee does agree to in no way encumber said easement or subject it to the imposition of liens of any type during the term of this easement, and to hold Grantor harmless and indemnify him from any loss, liability or expense incurred in connection with the activities of the Grantee during the term of the easement herein granted.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the Grantee its successors and assigns.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 16 day of November, 2005.

S.W.A.C. EAST, LLC, a Utah  
Limited Liability Company



Stephen W. Wade, Manager

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Sec Additional Page for Notary

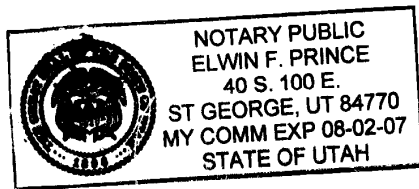
Attached to and made a part of that certain Right-of-Way, Utility and Drainage Easement, granted by S.W.A.C. EAST, LLC, a Utah Limited Liability Company, in favor of the City of St. George.


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**NOTARY**

STATE OF UTAH                    )  
  ) ss  
County of Washington         )

On the 16<sup>th</sup> day of November, A. D. 2005, personally appeared before me STEPHEN W. WADE, Manager of S.W.A.C. EAST, LLC, a Utah Limited Liability Company and known to me to be members or designated agents of the Limited Liability Company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that they are authorized to execute this instrument on behalf of the Limited Liability Company.



  
Notary Public

Attached to Utilities and Drainage Easement - S.W.A.C. EAST, LLC, grantor to City of St. George, grantee.

**Exhibit "A" - Legal Description**

## **EASEMENT DESCRIPTIONS**

### **PUBLIC UTILITIES AND DRAINAGE EASEMENT #1**

BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN; THENCE RUNNING N89°28'23"E 670.52 FEET ALONG THE SECTION LINE AND S00°31'37"E 704.61 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 15; THENCE N11°07'54"E 45.93 FEET; THENCE S78°52'06"E 10.00 FEET; THENCE S11°07'54"W 35.93 FEET; THENCE S78°52'06"E 126.48 FEET; THENCE S00°10'00"E 10.19 FEET; THENCE N78°52'06"W 138.41 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 1,734 sq. ft.

### **PUBLIC UTILITIES AND DRAINAGE EASEMENT #2**

BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN; THENCE RUNNING N89°28'23"E 670.52 FEET ALONG THE SECTION LINE AND S00°31'37"E 704.61 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 15; THENCE S78°52'06"E 138.41 FEET; THENCE S00°10'00"E 10.19 FEET; THENCE N78°52'06"W 130.35 FEET; THENCE S11°07'54"E 309.45 FEET TO A POINT ON A 5574.98 FOOT RADIUS CURVE TO THE LEFT; THENCE 177.93 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 1°49'43", (LONG CHORD BEARS S05°07'11"W 177.92 FEET); THENCE N89°28'00"W 10.02 FEET TO A POINT ON A 5584.98 FOOT RADIUS CURVE TO THE RIGHT, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY OF INTERSTATE 15; THENCE 179.55 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 1°50'31", (LONG CORD BEARS N05°07'11"E 179.54 FEET); THENCE N11°07'54"E 319.69 FEET ALONG SAID INTERSTATE 15 RIGHT-OF-WAY TO THE POINT OF BEGINNING:

CONTAINS 6,280 sq. ft.

### **PUBLIC UTILITIES AND DRAINAGE EASEMENT #3**

BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN; THENCE RUNNING N89°28'23"E 587.42 FEET ALONG THE SECTION LINE AND S00°31'37"E 1206.35 FEET TO THE SOUTHWEST CORNER OF CRACKER BARREL PARCEL 1, AT A POINT ON A 5584.98 FOOT RADIUS CURVE TO THE RIGHT; THENCE 10.02 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°06'10", (LONG CHORD BEARS N04°08'50"E 10.02 FEET); THENCE S89°28'00"E 212.22 FEET; THENCE S00°10'00"E 10.00 FEET; THENCE N89°28'00"W 212.91 FEET ALONG THE PROPERTY LINE TO THE SOUTHWEST CORNER OF SAID PARCEL 1.

CONTAINS 2,126 sq. ft.