

9859838

RECORDED AT THE REQUEST OF,
AND AFTER RECORDING RETURN TO:

Janna T. McConkie
Charles Briton McConkie
4014 Splendor Way
Salt Lake City, Utah 84117

East Meadow Road Easement from Simonson to Doxey Layton
File No. 13607-1

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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
JANNA T MCCONKIE
4014 SPLENDOR WY
SLC UT 84117
BY: ZJM, DEPUTY - WI 3 P.

Easement

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, JOHN M. SIMONSEN, whose address is 1262 North 625 West, Orem Utah 84057-2922, hereby conveys and grants to JANNA T. MCCONKIE and CHARLES BRITON MCCONKIE, as tenants in common (collectively "*McConkie*"), whose address is 4014 Splendor Way, Salt Lake City, Utah 84117 and to DAVID W. DOXEY, GRAHAM W. DOXEY and ROGER W. DOXEY, TRUSTEES (collectively "*Doxey*"), whose address is c/o David W. Doxey, 1434 Roxbury Road, Salt Lake City, Utah 84108, a nonexclusive easement (the "*Easement*") upon, over, under and across the following parcel of real property (the "*Burdened Property*") that is located in Salt Lake County, Utah:

TEN FEET on either side of the centerline of an existing roadway that is located within the easterly 60 feet of the following parcel of land:

BEGINNING at a point North 0°47'30" West along the quarter section line 775.0 feet and South 59°57'30" East 125 feet and North 0°47'30" West 125 feet and South 80°02'30" East 99.34 feet from the center of Section 18, Township 2 South, Range 3 East, Salt Lake Base and Meridian; and running thence South 83°08'30" East 119.74 feet; thence South 0°47'30" East 195.74 feet; thence North 74°30' West 123.64 feet; thence North 0°47'30" West 177 feet to point of beginning.
[Part of tax parcel no. 24-18-253-003]

for the purpose of providing the following to the "*Doxey Property*," which is owned as of the date of this Easement by Doxey, and to the "*Layton Property*," which is owned as of the date of this Easement by McConkie, as such parcels are described below (collectively the "*Benefited Property*"): (1) ingress and egress by vehicular, pedestrian and emergency traffic; and (2) the installation, operation, maintenance, repair, relocation, replacement and removal of utility lines, systems and structures, including, but not limited to, water mains and lines, storm and sanitary sewer lines, telephone lines, television cable lines, electrical conduits or systems and other utilities (collectively the "*Utility Lines*");

"Doxey Property":

BEGINNING at a point North 0°47'30" West along the quarter section line 497.61 feet and South 55°15'30" East 141.28 feet from the center of Section 18, Township 2 South, Range 3 East, Salt Lake Base and Meridian, and running thence North 0°47'30" West 109.62 feet; thence North 23°28' East 137.22 feet; thence South 74°30' East 158.62 feet; thence South 0°47'30" East 156.22 feet; thence North 68°28' West 95.39 feet; thence South 9°10' West 82.19 feet; thence South 34°46' East 66.80 feet; thence North 72°03' East 68.16 feet; thence South 0°47'30" East 103.00 feet; thence North 55°15'30" West 256.38 feet to the point of beginning

[Tax parcel no. 24-18-253-007]

"Layton Property":

BEGINNING at a point North 0°47'30" West along the quarter section line 497.61 feet from the center of Section 18, Township 2 South, Range 3 East, Salt Lake Base and Meridian and running thence North 0°47'30" West along said quarter section line 235.39 feet; thence South 59°57'30" East 125.00 feet; thence South 74°30' East 66.70 feet; thence South 23°28' West 137.22 feet; thence South 0°47'30" East 109.62 feet; thence North 55°15'30" West 141.28 feet to the point of beginning.

[Tax parcel no. 24-18-253-006]

The Easement is subject to the following terms and conditions:

1. **Benefited Property.** The Easement is appurtenant to and shall benefit the Benefited Property and may not be transferred, assigned or encumbered except as an appurtenance thereto. The Benefited Property shall constitute the dominant estate, and the Burdened Property shall constitute the servient estate.
2. **Character of Easement.** The Easement (a) shall bind every person having any fee, leasehold or other interest in any portion of the Burdened Property at any time or from time to time; and (b) shall inure to the benefit of and shall be binding upon the parties hereto, their respective successors and assigns and their respective tenants and subtenants.
3. **Installation and Maintenance of Utility Lines.** All Utility Lines placed or maintained on the Burdened Property pursuant to the Easement shall be installed and maintained below ground level, except for ground-mounted transformers and such other similar facilities as are required to be above ground by the utility providing the service. Each Utility Line that is installed or maintained on the Burdened Property pursuant to this Easement must of a sufficient depth that will avoid damage to the Utility Line from reasonable surface use of the Burdened Property and from freezing. In installing, maintaining, relocating or removing any Utility Line, the person performing the work shall, at the person's sole expense and without the imposition of any mechanics' or materialmen's liens: (a) pay all costs in taking the action; (b) make a reasonable effort to avoid removing or damaging trees or other vegetation (especially mature trees); and (c) restore the surface of the Burdened Property and surrounding property to the approximate condition

