

WHEN RECORDED RETURN TO:
BIELE, HASLAM & HATCH
50 West Broadway, Fourth Floor
Salt Lake City, Utah 84101

EASEMENT

4412272

This indenture, made this 1st day of August, 1986, by and among ARBOR PARK EAST, a Utah General Partnership; SMITH MANAGEMENT CORPORATION; BOYER GUST PARTNERSHIP, a Utah General Partnership; and, ARBOR PARK P.U.D., a Utah General Partnership, GRANTORS, and MAGMA WATER COMPANY, an improvement district, a body politic of Salt Lake County, State of Utah, GRANTEE, its successors and assigns.

WITNESS, that for valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby conveys and warrants unto Grantee, its successors and assigns, a permanent easement and right-of-way, including a perpetual right to enter upon the real estate hereinafter described, at any time that it may see fit, and construct, reconstruct, operate, repair, replace and maintain culinary water and sewer lines, and appurtenant structures, on, over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of said pipelines and/or mains, and a further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said pipelines and/or mains.

The land affected by the grant of this easement and right-of-way is located in the County of Salt Lake, State of Utah and is more particularly described as follows:

Parcels of land located in the Northeast 1/4 of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian to be granted as easements for maintenance of sewer and water facilities, said parcels being more particularly described as follows:

Beginning at a point on the South line of the widened 3500 South Street right-of-way, said point also being 42.41 feet South and 780.95 feet

East of the North 1/4 corner of said Section 32; basis of bearing being the north line of said Section 32 which bears South 89°49'24" East; thence along said South right-of-way line South 89°49'24" East, 25.00 feet; thence departing therefrom South 0°03'36" West, 416.86 feet; thence South 89°49'24" East, 281.00 feet; thence South 0°03'36" West, 12.00 feet; thence North 89°49'24" West, 281.00 feet; thence South 0°03'36" West, 8.03 feet; thence South 39°01'29" East, 107.10 feet; thence South 0°15'36" West, 175.37 feet; thence North 89°44'24" West, 12.00 feet; thence North 0°15'36" East, 171.09 feet; thence North 39°01'29" West, 88.04 feet; thence South 0°03'36" West, 142.20 feet; thence South 55°15'00" West, 109.91 feet; thence North 34°45'00" West, 4.05 feet; thence South 55°15'00" West, 65.00 feet; thence North 89°44'24" West, 20.92 feet; thence North 55°15'00" East, 130.00 feet; thence North 40°19'36" East, 54.31 feet; thence North 0°03'36" East, 578.98 feet more or less to the point of beginning, containing 0.559 acres.

Together with the following described parcel:

Beginning at a point on the South line of the widened 3500 South Street right-of-way, said point also lying 44.01 feet South and 1,300.13 feet East of the North 1/4 corner of said Section 32; basis of bearing being the North line of said Section 32 which bears South 89°49'24" East; thence following said south right-of-way line South 89°49'24" East, 20.00 feet; thence departing therefrom South 0°15'45" West, 416.00 feet; thence North 89°49'24" West, 111.78 feet; thence South, 279.74 feet; thence North 89°44'24" West, 12.00 feet; thence North, 291.72 feet; thence South 89°49'24" East, 103.84 feet; thence North 0°15'45" East, 404.00 feet to the point of beginning, containing 0.297 acres.

A parcel of land located in the Northeast 1/4 of Section 32, Township 1 South, Range 2 West, Salt Lake Base & Meridian to be granted as an easement for maintenance of Sewer and Water systems, being more particularly described as follows:

Beginning at a point which lies more or less on the east line of the 8400 West Street right-of-way, said point also being 874.69 feet South and 63.54 feet East of the North 1/4 corner of said

Section 32; basis of bearing being the North line of said Section 32 which bears South 89°49'24" East; thence South 89°44'24" East, 536.39 feet; thence North 0°15'36" East, 116.69 feet; thence North 55°15'00" East, 41.30 feet; thence South 89°44'24" East, 20.92 feet; thence South 55°15'00" West, 52.19 feet; thence South 0°15'36" West, 100.43 feet; thence South 89°44'24" East, 202.28 feet; thence North 69°42'14" East, 44.10 feet; thence North 0°15'36" East, 114.89 feet; thence South 89°44'24" East, 12.00 feet; thence South 0°15'36" West, 114.89 feet; thence South 89°44'24" East, 103.00 feet; thence South 34°45'00" East, 163.11 feet; thence East 125.86 feet; thence North, 247.91 feet; thence South 89°44'24" East, 12.00 feet; thence South, 608.67 feet to a point on the north line of a proposed Utah and Salt Lake Canal 80.00 foot right-of-way; thence following said north right-of-way line North 57°44'03" West, 29.57 feet; thence departing from said right-of-way North 320.03 feet; thence West, 125.94 feet; thence North 34°45'00" West, 147.92 feet; thence North 89°44'24" West, 285.36 feet; thence South 0°15'36" West, 200.00 feet; thence North 89°44'24" West, 25.00 feet; thence North 0°15'36" East, 200.00 feet; thence North 89°44'24" West, 592.33 feet more or less to a point on the east line of the aforementioned 8400 West Street right-of-way; thence following said right-of-way line North 0°08'25" East, 12.00 feet to the point of beginning, containing 0.998 acres.

TO HAVE AND TO HOLD said easement and right-of-way to Grantee, and to its successors and assign forever.

ARBOR PARK P.U.D.,
A Utah General Partnership

By:


JOHN GUST
General Partner

ARBOR PARK EAST,
a Utah General Partnership

By:


JOHN GUST
General Partner

BOYER GUST,
a Utah General Partnership

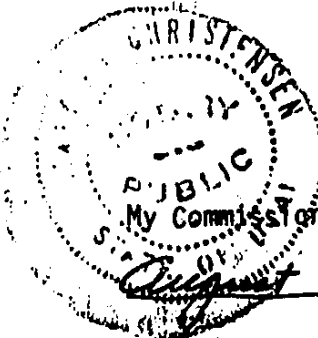
SMITH MANAGEMENT CORPORATION

By: [Signature]
JOHN GUST
General Partner

By: [Signature]
TOM WELCH
Title: vice president

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

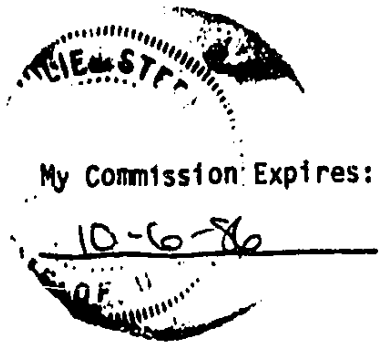
On the 1st day of August, 1986, personally appeared before me, TOM WELCH, who is the VICE PRESIDENT of Smith Management Corporation, being personally known to me or whose identity was proved to me, duly acknowledged to me that he executed the same.



[Signature]
NOTARY PUBLIC
Residing at: Salt Lake City, Utah

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On the 1st day of August, 1986, personally appeared before me, JOHN GUST, who is a General Partner of Arbor Park P.U.D.; a General Partner of Arbor Park East; and, a General Partner of Boyer Gust, being personally known to me or whose identity was proved to me, duly acknowledged to me that he executed the same.



[Signature]
NOTARY PUBLIC
Residing at: Davis County, UT

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\$ 1000 DEPOSIT
Biele, Haslam,
LEO OF Hatch,
JED BOGERSCHITZ
DEP

MAR 5 3 48 PM '87
KATIE L. DIXON
RECORDER
SALT LAKE COUNTY,
UTAH

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