

43598

RECORDED AT THE OFFICE OF THE RECORDER
William D. ...

1995 DEC 18 PM 12:00

NINA B. REED
UTAH COUNTY RECORDER
SALT LAKE CITY, UTAH

WHEN RECORDED, MAIL TO:
C. Craig Liljenquist, Esq.
Prince, Yeates & Geldzahler
City Centre I, Suite 900
175 East Fourth South
Salt Lake City, UT 84111

43598

Space Above for Recorder's Use Only

EASEMENT DEED

CGMI UTAH, INC., a Texas corporation (herein called "Grantor"), hereby quitclaims to the respective owners of the property constituting the Dominant Tenement, as hereinafter defined, including, without limitation, C. ROBERT REDFORD, an individual, SUNDANCE DEVELOPMENT CORPORATION, a Utah corporation, LOWER ELK MEADOWS PROPERTY OWNERS ASSOCIATION, a Utah nonprofit corporation, NORTH PINE PROPERTY OWNERS ASSOCIATION, a Utah nonprofit corporation, and the respective owners of lots and/or parcels within Sundance Recreational Resort Plats "C," "D," "E" and within Timphaven Homes Plats "1-A," "2" and "3," according to the respective official plats thereof on file in the office of the Utah County Recorder (herein collectively called "Grantees"), their successors and assigns in interest in the Dominant Tenement, as hereinafter defined, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following perpetual nonexclusive easements, in, under, over, along, upon, through and across:

Those portions of those certain private roads which from time to time exist within that certain real property situated in the County of Utah, State of Utah, more particularly described on Exhibit A attached hereto and by this reference made a part hereof (hereinafter called the "Servient Tenement"), which extend completely through the Servient Tenement and which thereby provide access through the Servient Tenement to the Dominant Tenement, as hereinafter defined;

for the benefit of and appurtenant to:

That certain real property situated in the County of Utah, State of Utah, more particularly described on Exhibit B attached

BOOK 2367 PAGE 225

hereto and by this reference made a part hereof (herein collectively called the "Dominant Tenement"):

A NONEXCLUSIVE EASEMENT over, along, across and upon the Servient Tenement for pedestrian and vehicular ingress to and egress from the Dominant Tenement and each and every part thereof, including, without limitation, any and all lots, parcels and/or condominiums which now exist or which may be developed within the Dominant Tenement in the future; and

A NONEXCLUSIVE EASEMENT in, under, through, along and across the Servient Tenement to install, use, keep, maintain, repair and replace, as required, utility lines, pipes and conduits of all types for the benefit of and appurtenant to the Dominant Tenement and each and every part thereof, including, without limitation, any and all lots, parcels and/or condominiums which now exist or which may be developed within the Dominant Tenement in the future;

RESERVING UNTO GRANTOR, its successors and assigns in interest in the Servient Tenement, the right to use the Servient Tenement for any and all purposes that do not unreasonably interfere with the use thereof by Grantees, their successors and assigns in interest in the Dominant Tenement, for the purposes herein specified.

IN WITNESS WHEREOF, Grantor has executed this Easement Deed this 20th day of OCTOBER, 1986.

GRANTOR: CGMI UTAH, INC., a Texas corporation

By Jack A. Morgan, Jr.
Jack A. Morgan, Jr., President

STATE OF TEXAS)
: ss.
COUNTY OF TRAVIS)

On the 20 day of October, 1986, personally appeared before me Jack A. Morgan, Jr., who being by me duly sworn, did say that he is the president of CGMI Utah, Inc., a corporation, and that the foregoing instrument was signed on behalf of said corporation by authority of its Bylaws or a

BOOK 2367 PAGE 226

resolution of its Board of Directors, and said Jack A. Morgan, Jr. acknowledged to me that said corporation executed the same.



My Commission Expires:

11-8-89

3972L
102286

Klotia K. Lilly
NOTARY PUBLIC
Residing at: Austin, Texas

KLETIA K. LILLY
Notary Public - State of Texas
My Commission Expires April 8, 1989

BOOK 2367 PAGE 227

Legal Description of the Servient Tenement

Beginning at the corner common to Sections 10, 11, 14 and 15, Township 5 South, Range 3 East, Salt Lake Base and Meridian; thence South 0°07'50" East 168.25 feet; thence North 49°01'00" East 497.93 feet; thence North 0°50'00" East 259.71 feet; thence along the arc of a 211.27 foot radius curve to the right 89.51 feet, the chord of which bears North 66°55'14" East 88.85 feet; thence along the arc of a 87.70 foot radius curve to the left 66.28 feet, the chord of which bears North 57°24'22" East 64.72 feet; thence NORTH 92.23 feet; thence North 42°57'18" West 329.41 feet to the southeast corner of the KENNETH FRANCK property described as lot "A" and lot "B" on Administratrix's Deed 6437; thence along the south line of said FRANCK property South 89°52'10" West 293.71 feet to the east line of TIMPHAVEN HOMES Plat "2"; thence South 0°07'50" East along said plat line 820.35 feet to the Point of Beginning. Containing 7.738 Acres. Basis of Bearings: The Section line between the Southeast corner of Section 10 and the East Quarter Corner of Section 10, Township 5 South, Range 3 East, Salt Lake Base and Meridian being North 0°07'50" West; and

Beginning at the corner common to Sections 10, 11, 14 and 15, Township 5 South, Range 3 East, Salt Lake Base and Meridian, thence South 89°42'40" West along the south line of TIMPHAVEN HOMES Plat "2" 805.00 feet; thence North 82°11'41" West along the South line of Sundance Recreational Resort Plat "C" 185.00 feet; thence South 58°01'27" West along said plat line 491.87 feet to the southwest corner of said plat; thence SOUTH 282.670 feet; thence South 31°20'48" East 345.174 feet; thence North 56°19'26" East 1473.171 feet to the point of beginning. Containing 13.207 acres. Basis of Bearings: The Section line between the Southeast corner of Section 10 and the East Quarter Corner of Section 10, Township 5 South, Range 3 East, Salt Lake Base and Meridian being North 0°07'50" West.

3972L
052286

Exhibit A

BOOK 2367
PAGE 228

Legal Description of the Dominant Tenement

Sundance Recreational Resort Plats "C," "D" and "E" and Timphaven Homes Plats "1-A," "2" and "3," according to the respective official plats thereof on file in the office of the Utah County Recorder; and

Beginning at a point South 89°42'40" West 1621.67 feet along the Section line from the Southeast corner of Section 10, Township 5 South, Range 3 East, Salt Lake Base and Meridian; thence South 46°38'54" West 4.55 feet along the North boundary of Sundance Recreational Resort Plat "C"; thence South 43°53'25" East 316.53 feet along the West boundary of said plat; thence SOUTH 282.67 feet; thence South 61°00'00" West 1350.00 feet; thence WEST 2839.56 feet to a point on the West line of Section 15, Township 5 South, Range 3 East, Salt Lake Base and Meridian; thence North 0°10'53" West along the Section line 1234.07 feet to the Northwest corner of Section 15, Township 5 South, Range 3 East, Salt Lake Base and Meridian; thence North 0°10'54" West 3861.86 feet along the Section line; thence South 82°29'00" East 1221.25 feet; thence EAST 525.78 feet to a point on the West boundary of Sundance Recreational Resort Plat "B"; thence South 33°29'30" East 249.24 feet along the West boundary of said plat; thence South 82°36'30" East 44.42 feet along the West boundary of said plat; thence South 17°23'46" East 129.27 feet along the West boundary of said plat; thence South 61°00'00" East 62.12 feet along the West boundary of said plat to a point on the West boundary of Sundance Recreational Resort Plat "D"; thence South 70°07'32" West 77.59 feet along the West boundary of said plat; thence South 19°08'54" West 237.18 feet along the West boundary of said plat; thence South 24°00'44" East 150.00 feet along the West boundary of said plat; thence South 42°04'57" East 297.87 feet along the West boundary of said plat; thence South 31°11'10" East 188.04 feet along the West boundary of said plat; thence South 57°30'31" East 175.37 feet along the West boundary of said plat; thence South 38°20'49" East 457.75 feet along the West boundary of said plat; thence South 66°24'30" East 138.77 feet along the West boundary of said plat; thence along the arc of a circular curve to the left 96.16 feet, whose radius is 165.81 feet, whose central angle is 33°13'44", and whose chord bearing and chord are South 46°45'36" East 94.82 feet; thence South 63°22'29" East 113.99 feet along the West boundary of said plat; thence along the arc of a circular curve to the right 17.09 feet, whose radius is 90.26 feet, whose central angle is 10°51'05", and whose chord bearing and chord are South 57°56'56" East 17.07 feet; thence South 52°31'24" East 88.14 feet along the West boundary of said plat; thence along the arc of a circular curve to the left 41.25 feet, whose radius is 364.95 feet, whose central angle is 6°28'36", and whose chord bearing and chord are South 55°45'42" East 41.23 feet; thence South 59°00'00" East 174.77 feet along the West boundary of said plat to a point on the West boundary of Timphaven Homes Plat "1-A"; thence South 31°00'00" West 145.78 feet along the West boundary of said plat; thence South 44°00'00" East 382.37 feet along the West boundary of said plat; thence South 72°00'00" East 256.29 feet along the West boundary of said plat; thence South 44°00'00" East 134.04 feet along the West boundary of said plat to a point on the West boundary of Sundance Recreational Resort Plat "E"; thence South 19°26'54" West 537.85 feet along the West boundary of said plat; thence South 56°27'55" East 411.73 feet along the West boundary of said plat; thence South 55°46'32" East 325.65 feet along the West boundary of said plat to a point on the West boundary of Sundance Recreational Resort Plat "C"; thence South 46°38'54" West 491.24 feet along the West boundary of said plat to the point of beginning.

3972L
052286

43598

Exhibit B

BOOK 2367 PAGE 229