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12/12/2003 03:50 PM 16.00
Book - 8923 Pg - 1615-1618
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
AMERICA WEST TITLE
BY: BRN, DEPUTY - WE 4 P.

Recording requested by
and when recorded return to:

Avenue Heights Condominiums LLC
5121 American Saddle
Park City, UT 84066

(Space Above This Line For Recorder's Use)

APN: 09-30-455-008

GRANT OF EASEMENT

AVENUE HEIGHTS CONDOMINIUMS, L.L.C., a Utah limited liability company ("AHC") hereby grants and conveys to the CAPITOL PARK HOMEOWNER'S ASSOCIATION, INC., a Utah non-profit corporation ("HOA"), a continuous, perpetual non-exclusive easement and right of way on that certain real property located in Salt Lake County, State of Utah, as more particularly described in Exhibit "A", attached hereto and incorporated herein ("**Easement Property**") for the placement, installation, maintenance, and repair of utilities and for pedestrian and vehicular ingress to and egress from the road known as Capitol Park Avenue as depicted on the plat for Capitol Park Planned Development Phase 4 filed June 13, 2002 with the Salt Lake County Recorder's Office as Instrument Number 0930414; provided that the HOA shall repair any damage to the improvements located on the Easement Property caused by the HOA or anyone using the Easement Property by, through or under the HOA. This instrument shall run with the land.

Nothing contained in this instrument will be deemed to be a gift or a dedication of any portion of the Easement Property to the general public or for the general public or for any public purpose whatsoever.

IN WITNESS WHEREOF, the AHC has executed this instrument as of the day and year first above written.

AVENUE HEIGHTS CONDOMINIUMS, L.L.C.,
a Utah limited liability company

By: [Signature] Member

By: Walter A. [Signature]

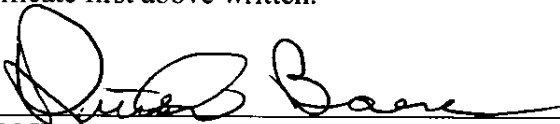
By: Greenwich East LLC Member
[Signature] Member

STATE OF UTAH)

: ss.
COUNTY OF SALT LAKE)

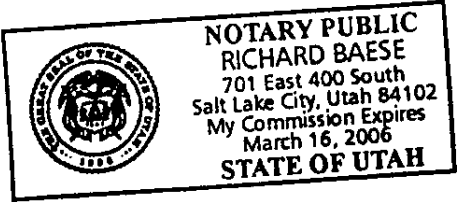
On the 2 day of July, 2003, before me, a Notary Public in and for such state, personally appeared Wallace A. Wright, Jr., personally known to me (or proved or acknowledged to me on the basis of satisfactory evidence) to be a Member/Manager of Avenue Heights Condominiums, L.L.C. and the person who executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


NOTARY PUBLIC

Residing at: Salt Lake

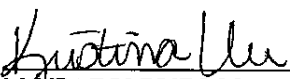
My Commission Expires: 3-16-2006



STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 7 day of July, 2003, before me, a Notary Public in and for such state, personally appeared David R. Sabey, personally known to me (or proved or acknowledged to me on the basis of satisfactory evidence) to be a Member/Manager of Avenue Heights Condominiums, L.L.C. and the person who executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


NOTARY PUBLIC

Residing at:

My Commission Expires:



Utah
STATE OF CALIFORNIA)
:SS
COUNTY OF Summit)

On 7th day July, 2003, before me, _____, personally appeared Kenny Griswold, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Kristina Ure



EXHIBIT "A"

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF CAPITOL PARK AVENUE, A PRIVATE STREET, SOUTH $00^{\circ}00'24''$ EAST 365.35 FEET FROM THE NORTHEAST CORNER OF LOT 4, BLOCK 188, PLAT "D", SALT LAKE CITY SURVEY, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF "F" STREET AND RUNNING THENCE SOUTH $00^{\circ}00'24''$ EAST ALONG SAID WEST LINE 40.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID CAPITOL PARK AVENUE, SAID POINT BEING NORTH $00^{\circ}00'24''$ WEST 337.24 FEET (DEED= 337.15 FEET) FROM THE SOUTHEAST CORNER OF LOT 1, BLOCK 177, PLAT "D", SALT LAKE CITY SURVEY; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF CAPITOL PARK AVENUE THE FOLLOWING FOUR (4) COURSES; WEST 34.78 FEET TO A POINT OF CURVATURE; NORTHWESTERLY ALONG THE ARC OF A 142.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF $35^{\circ}00'00''$, A DISTANCE OF 86.74 FEET TO A POINT OF TANGENCY; NORTH $55^{\circ}00'00''$ WEST 180.63 FEET TO A POINT OF CURVATURE; NORTHWESTERLY ALONG THE ARC OF A 222.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF $35^{\circ}00'00''$, A DISTANCE OF 135.61 FEET; THENCE NORTH 40.00 FEET TO THE SOUTHEAST CORNER OF LOT 415, CAPITOL PARK PLANNED DEVELOPMENT PHASE 4, AS RECORDED WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER AND THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CAPITOL PARK AVENUE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES; SOUTHEASTERLY ALONG THE ARC OF A 262.00 FOOT RADIUS CURVE TO THE RIGHT, (CENTER BEARS DUE SOUTH), THROUGH A CENTRAL ANGLE OF $35^{\circ}00'00''$ A DISTANCE OF 160.05 FEET TO A POINT OF TANGENCY; SOUTH $55^{\circ}00'00''$ EAST 180.63 FEET TO A POINT OF CURVATURE; SOUTHEASTERLY ALONG THE ARC OF A 102.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF $35^{\circ}00'00''$ A DISTANCE OF 62.31 FEET TO A POINT OF TANGENCY AND EAST 34.78 FEET TO THE POINT OF BEGINNING.

0930-455.008