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6/29/2018 8:42:00 AM \$40.00  
Book - 10688 Pg - 9821-9832  
ADAM GARDINER  
Recorder, Salt Lake County, UT  
FOUNDERS TITLE  
BY: eCASH, DEPUTY - EF 12 P.

**WHEN RECORDED, RETURN TO:**

SNELL & WILMER L.L.P.  
Attn: Wade R. Budge  
15 West South Temple, Suite 1200  
Salt Lake City, UT 84101

CTIA # 101152-WHP

Affects Parcel Nos. 27-01-251-039;  
27-01-251-021; 27-01-251-027;  
27-01-251-026; 27-01-251-037

**DECLARATION OF ACCESS AND UTILITY EASEMENTS**

**THIS DECLARATION OF ACCESS AND UTILITY EASEMENTS ("Declaration")** is executed as of the 28<sup>th</sup> day of June, 2018 (the "**Effective Date**"), by **MILLER FAMILY REAL ESTATE, L.L.C.**, a Utah limited liability company ("**Declarant**").

A. Declarant owns certain real property located in Salt Lake County, State of Utah, more particularly described on the attached **Exhibit A** (the "**Burdened Property**"); and

B. In advance of transferring the Burdened Property to a third party, Declarant executes this Declaration in order to provide for certain easements for the benefit of the property retained by Declarant and more particularly described on the attached **Exhibit B** (the "**Benefitted Property**"), in accordance with the terms herein.

**NOW, THEREFORE**, Declarant executes, and shall cause to be recorded, this Declaration, subject to the following terms, conditions, and provisions:

1. **Access Easement.** Declarant hereby conveys, declares and grants a perpetual, non-exclusive, and continuous easement and right-of-way (the "**Access Easement**"), for the benefit of and appurtenant to the Benefitted Property, over that portion of the Burdened Property depicted on **Exhibit C** attached hereto (the "**Access Easement Area**"), for the purposes of providing vehicular and pedestrian ingress and egress to and from the Benefitted Property.

2. **Utility Easement.** Declarant hereby conveys, declares, and grants a perpetual, non-exclusive, and continuous easement (the "**Utility Easement**"), for the benefit of and appurtenant to the Benefitted Property, under those portions of the Burdened Property described as the "10 Foot Wide Storm Drain Easement" and the "25 Foot Wide Foot Wide Waterline Easement" on **Exhibit D** attached hereto and depicted on **Exhibit E** attached hereto (collectively, the "**Utility Easement Area**"), for the purposes of installation, construction, maintenance, use, repair, replacement, and removal of underground storm drain, sewer, and water utility lines and facilities, together with the right to enter upon the surface or any portion of the Utility Easement Area to implement the foregoing rights. The Utility Easement and the Access Easement are collectively referred to herein as the "**Easements**"; the Access Easement Area and Utility Easement Area are collectively referred to herein as the "**Easement Areas**"). After performing any installation or maintenance of the intended utilities, the entity performing such work shall restore the surface of the Easement Areas to the condition existing prior to such work.

3. **No Interference; Use.** Except to the extent reasonably necessary (on a temporary basis) for reasonable construction, for repair and maintenance, for traffic regulation and control or to prevent a public dedication or the accrual of any rights to the public, no fence, gate, wall, barricade or other

obstruction, whether temporary or permanent in nature, that limits or impairs the free and unimpeded use of the Easements shall be constructed or erected, nor shall any party in any other manner obstruct or interfere with the use of such Easements.

4. **Rights Run With The Land.** All provisions of this Declaration, including the benefits and burdens, shall run with the land and are binding upon and shall inure to the benefit of the successors-in-title of the owner(s) of the Benefitted Property and Burdened Property.

5. **No Public Dedication/No Third Party Beneficiaries.** The provisions of this Declaration are not intended to and do not constitute a dedication for public use of the Easements, and the rights herein created are for the private use and for the Benefitted Property, and no other. This Declaration is not intended to confer benefits other than on the owners of the properties defined herein.

6. **Miscellaneous.** If any term, provision or condition contained in this Declaration shall to any extent be deemed invalid or unenforceable, the remainder of the Declaration shall not be affected thereby, and each remaining term, provision and condition of this Declaration shall be valid and enforceable to the fullest extent permitted by law. This Declaration shall be governed by the laws of the State of Utah, without giving effect to its conflict of laws principles. All references in this Declaration to exhibits shall, unless otherwise expressly provided, be deemed to be references to the exhibits attached to this Declaration. All such exhibits attached hereto are incorporated into this Declaration as though fully set forth herein. No modification, waiver, or amendment of any provision of this Declaration shall be made except by a written agreement signed by the owners of the Benefitted Property and Burdened Property, or its successors or assigns, and recorded in the Salt Lake County recorder's office.

*[Signature and Acknowledgement Follow]*



**Exhibit A**  
**[Legal Description of the Burdened Property]**

**PARCEL 5:**

A tract of land in fee, being all of an entire tract of property, situate in the Southwest quarter of the Northeast quarter of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian, the boundaries of said tract of land are described as follows:

Beginning at the Southeast corner of said entire tract at a point which is 2119.79 feet (646.112 meters record) South 89°53'00" West and 75.00 feet (22.860 meters record) North 00°07'00" West from an existing monument in the intersection of 9000 South and State Streets, said point of beginning also being 166.50 feet (50.750 meters record) North and 624.99 feet (190.469 meters record) East from the center of said Section 1 and running thence North 00°07'00" West 200.00 feet (60.960 meters record) along the Easterly boundary line of said entire tract to the Northeast corner of said entire tract; thence South 89°53'00" West 184.37 feet (56.195 meters record), more or less, along the Northerly boundary line of said entire tract to the existing Easterly right of way line of a frontage road (240 West Street); thence Southerly 173.38 feet along the arc of a 766.20 foot (233.538 meter record) radius curve to the right (Note: Chord to said curve bears South 10°59'39" East for a distance of 173.01 feet) and along said existing Easterly right of way line to the Northerly right of way and no access line of 9000 South Street; thence South 50°38'30" East 3.16 feet along said Northerly line to Right of Way Monument No. 1128; thence South 75°05'09" East 108.27 feet along said Northerly line; thence North 89°53'00" East 44.71 feet along said Northerly line to the point of beginning.

**PARCEL 6:**

The West 100 feet of Lot 1, ARK SUBDIVISION, according to the official plat thereof, recorded January 25, 1977 as Entry No. 2902042 in Book 77-1 of Plats at Page 20, records of Salt Lake County, Utah.

TOGETHER WITH a non-exclusive 25.0 foot wide right of way limited use easement in connection with adjoining property to which it is appurtenant and the center line of which is described as follows:

Beginning on the North line of 9000 South Street, said point being South 89°53' West along the center line of 9000 South Street 1866.81 feet and North 00°07' West 73.00 feet from an existing monument in the intersection of 9000 South and State Street, said point being also North 162.60 feet and East 869.86 feet from the center of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian and running thence North 00°07' West 214.50 feet; thence South 89°53' West 444 feet, more or less, to the Easterly line of 240 West Street, the location of the right of way may be changed upon mutual agreement among the owners of adjoining property to which it is appurtenant.

**PARCEL 7:**

The East 10 feet of Lot 1 and all of Lot 2, ARK SUBDIVISION, according to the official plat thereof, filed on January 25, 1977 as Entry No. 2902042 in Book "77-1" of Plats, at Page 20, of the official records of the Salt Lake County Recorder.

SUBJECT TO AND TOGETHER WITH a non-exclusive 25.00 foot wide right-of-way limited to use in connection with adjoining property to which it is appurtenant, and the center line of which is described as follows:

Beginning on the North line of 9000 South Street, said point being South 89°53" West along the center line of 9000 South Street 1866.81 feet and North 00°07' West 73.00 feet from an existing monument in the intersection of 9000 South and State Street, said point being also North 162.60 feet and East 869.86

feet from the center of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian and running thence North 00°07' West 214.50 feet; thence South 89°53' West 444.00 feet, more or less, to the Easterly line of 240 West Street.

LESS AND EXCEPTING from Parcels 5, 6, and 7, the following:

A parcel of land in fee for the widening of the existing highway State Route 209 known as Project No. F-0209(31)7, being part of an entire tract of property situate in the Southwest quarter of the Northeast quarter of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point in the Southeasterly boundary line of said entire tract which point is 1,478.22 feet South 89°53'00" West and 73.00 feet North 00°07'00" West and 7.99 feet North 44°51'38" East from a Salt Lake County monument in the intersection of SR-209 (9000 South Street) and SR-89 (State Street), said point is 171.85 feet North 00°01'02" East along the section line and 1,272.21 feet South 89°58'58" East from the center quarter corner of said Section 1, said point is also approximately 61.56 feet perpendicularly distant Northerly from the control line of said project opposite Engineer Station 119+21.90 and running thence Westerly along the arc of a 24.23-foot radius non-tangent curve to the right (Note: center bears South 89°48'49" East) 2.90 feet through a delta of 06°51'32" (Note: chord to said curve bears South 88°18'35" West for a distance of 2.90 feet); thence North 89°59'37" West 270.43 feet; thence South 89°46'05" West 242.58 feet to the beginning of a 1,328.87-foot radius curve to the right; thence Westerly along the arc of said curve 51.99 feet through a delta of 02°14'31" (Note: chord to said curve bears North 89°22'18" West for a distance of 51.99 feet) to a point 65.47 feet perpendicularly distant Northerly from said control line opposite Engineer Station 113+54.02; thence continuing along the arc of said curve 185.75 feet through a delta of 08°00'32" (Note: chord to said curve bears North 84°14'46" West for a distance of 185.60 feet) to the beginning of a 132.44-foot radius curve to the right; thence Northwesterly along the arc of said curve 85.57 feet through a delta of 37°01'06" (Note: chord to said curve bears North 62°48'35" West for a distance of 84.09 feet); thence North 39°25'56" West 13.51 feet to a point 135.00 feet perpendicularly distant Northerly from said control line opposite Engineer Station 110+86.50; thence North 61°24'53" East 8.15 feet to a point 138.84 feet perpendicularly distant Northerly from said control line opposite Engineer Station 110+93.68; thence South 39°25'56" East 11.63 feet to the beginning of a 124.44-foot radius curve to the left at a point 129.80 feet perpendicularly distant Northerly from said control line opposite Engineer Station 111+01.00; thence Southeasterly along the arc of said curve 33.14 feet through a delta of 15°15'24" (Note: chord to said curve bears South 52°04'59" East for a distance of 33.04 feet) to a point designated as Point "A", which point is 109.30 feet perpendicularly distant Northerly from said control line opposite Engineer Station 111+26.91; thence continuing Southeasterly along the arc of said curve 41.66 feet through a delta of 19°10'50" (Note: chord to said curve bears South 69°18'06" East for a distance of 41.47 feet) to the beginning of a 1,320.87-foot radius curve to the left at a point 94.34 feet perpendicularly distant Northerly from said control line opposite Engineer Station 111+65.58; thence Easterly along the arc of said curve 190.06 feet through a delta of 08°14'39" (Note: chord to said curve bears South 84°07'43" East for a distance of 189.89 feet) to a point designated as Point "B", which point is 73.46 feet perpendicularly distant Northerly from said control line opposite Engineer Station 113+54.32; thence continuing Easterly along the arc of said curve 51.70 feet through a delta of 02°14'33" (Note: chord to said curve bears South 89°22'19" East for a distance of 51.70 feet) to a point 72.50 feet perpendicularly distant Northerly from said control line opposite Engineer Station 114+06.01; thence North 89°46'05" East 242.61 feet to a point 71.61 feet perpendicularly distant Northerly from said control line opposite Engineer Station 116+48.62; thence South 89°59'37" East 281.22 feet to a point in said existing Northerly right of way line which point is 69.42 feet perpendicularly distant Northerly from said control line; thence South 44°51'38" West 11.16 feet along said existing Northerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

ALSO LESS AND EXCEPTING from Parcels 5, 6, and 7 the following:

A parcel of land in fee for the widening of the existing highway State Route 209 known as Project No. F-0209(31)7, being part of an entire tract of property situate in the Southwest quarter of the Northeast

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quarter of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point in said existing Northerly right of way line, which point is 1,478.22 feet South 89°53'00" West and 73.00 feet North 00°07'00" West from a Salt Lake County monument in the intersection of SR-209 (9000 South Street) and State Street, said point is also 166.19 feet North 00°01'02" East along the section line and 1,266.58 feet South 89°58'58" East from the center quarter corner of said Section 1, said point is also approximately 55.95 feet perpendicularly distant Northerly from the control line of said project opposite Engineer Station 119+16.22 and running thence along said existing Northerly right of way line the following three (3) courses: (1) South 89°53'00" West 434.09 feet; (2) North 88°13'07" West 62.26 feet; (3) thence South 89°52'22" West (South 89°53'00" West by record) 66.05 feet to the Northerly right of way and no-access line of said existing highway; thence along said existing Northerly right of way and no-access line the following four (4) courses: (1) thence South 89°52'22" West (South 89°53'00" West by record) 124.71 feet; (2) thence North 75°05'47" West 108.27 feet; (3) thence North 50°39'07" West 49.21 feet; (4) thence North 27°07'50" West 11.66 feet to a point designated as Point "A", which point is 132.43 feet perpendicularly distant Northerly from said control line opposite Engineer Station 110+81.70; thence North 61°24'53" East 5.44 feet to a point 135.00 feet perpendicularly distant Northerly from said control line opposite Engineer Station 110+86.50; thence South 39°25'56" East 13.51 feet to the beginning of a 132.44-foot radius non-tangent curve to the left at a point 124.50 feet perpendicularly distant Northerly from said control line opposite Engineer Station 110+95.00; thence Southeasterly along the arc of said curve 85.57 feet through a delta of 37°01'08" (Note: chord to said curve bears South 62°48'35" East for a distance of 84.09 feet) to the beginning of a 1,328.87-foot radius non-tangent curve to the left at a point 85.50 feet perpendicularly distant Northerly from said control line opposite Engineer Station 111+69.50; thence Easterly along the arc of said curve 185.75 feet through a delta of 08°00'32" (Note: chord to said curve bears South 84°14'46" East for a distance of 185.60 feet) to the beginning of a 1,328.87-foot radius non-tangent curve to the left at a point designated as Point "B", which point is 65.47 feet perpendicularly distant Northerly from said control line opposite Engineer Station 113+54.02; thence along the arc of said curve 51.99 feet through a delta of 02°14'31" (Note: chord to said curve bears South 89°22'18" East 51.99 feet) to a point 64.50 feet perpendicularly distant Northerly from said control line opposite Engineer Station 114+06.00; thence North 89°46'05" East 242.58 feet to a point 63.61 feet perpendicularly distant Northerly from said control line opposite Engineer Station 116+48.58; thence South 89°59'37" East 270.43 feet to the beginning of a 24.23-foot radius non-tangent curve to the left; thence Easterly along the arc of said curve 2.90 feet through a delta of 06°51'32" (Note: chord to said curve bears North 88°18'34" East for a distance of 2.90 feet) to said existing Northerly right of way line at a point 61.56 feet perpendicularly distant Northerly from said control line opposite Engineer Station 119+21.90; thence South 44°51'38" West 7.99 feet along said existing Northerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

ALSO LESS AND EXCEPTING from Parcel 5 the following:

A parcel of land in fee for the widening of the existing highway State Route 209 (9000 South Street) known as Project No. F-0209(31)7, being part of an entire tract of property situate in the Southwest quarter of the Northeast quarter of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point in the existing Easterly right of way line and no-access line of I-15 which point is 2,313.16 feet South 89°53'00" West and 144.76 feet North 00°07'00" West from a Salt Lake County monument in the intersection of said SR-209 (9000 South Street) and SR-89 (State Street), said point is 235.99 feet North 00°01'02" East along the section line and 431.47 feet South 89°58'58" East from the center quarter corner of said Section 1, said corner is also approximately 132.43 feet perpendicularly distant Northerly from the 9000 South control line opposite Engineer Station 110+81.70 and running thence North 27°07'50" West 146.19 feet along said Easterly right of way line and no-access line to a Northerly boundary line of said entire tract; thence North 89°53'00" East 33.67 feet along said Northerly boundary line to a point 54.37 feet perpendicularly distant Easterly from the Ramp A1 control line opposite Engineer Station 205+33.36; thence South 27°07'50" East 171.87 feet to a point in a 124.44-

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foot radius non-tangent curve to the right (Note: center bears South 89°48'49" East) at a point 109.30 feet perpendicularly distant Northerly from the 9000 South control line opposite Engineer Station 111+26.91; thence Northwesterly along the arc of said curve 33.14 feet through a delta of 15°15'24" (Note: chord to said curve bears North 52°04'59" West for a distance of 33.04 feet) to a point 129.80 feet perpendicularly distant Northerly from said control line opposite Engineer Station 111+01.00; thence North 39°25'56" West 11.63 feet to a point 138.84 feet perpendicularly distant Northerly from said control line opposite Engineer Station 110+93.68; thence South 61°24'53" West 13.59 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Tax Id Nos.: 27-01-251-037, 27-01-251-026, 27-01-251-027, 27-01-251-021

**Exhibit B**  
**[Legal Description of the Benefitted Property]**

BEGINNING on the North right of way line of 90th South Street said point being South 89°53'00" West along the centerline of 90th South Street 1441.17 feet and North 00°07'00" West 73.00 feet from an existing monument in the intersection of 9000 South and State Streets, said point also being North 163.39 feet and East 1295.00 feet from the center of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 00°07'00" West 527.18 feet; thence South 89°53'00" West 413.14 feet; thence South 00°07'00" East 527.18 feet; thence North 89°53'00" East 413.14 feet to the point of beginning.

Less and Excepting therefrom the following described property:

A parcel of land in fee for a connector road incident to the reconstruction of a freeway known as Project No. 15-7, being part of an entire tract of property situate in the Southwest quarter of the Northeast quarter of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning in the Northerly Right of Way line of 9000 South Street at the Southeast corner of said entire tract, which point is 439.269 meters South 89°53'00" West along the monument line in said 9000 South Street and 22.250 meters North 00°07'00" West from a Salt Lake County Monument in the intersection of 9000 South Street and State Street (Note: said point of beginning is also 394.716 meters (by deed, but 397.313 meters by measurement) East and 49.801 meters (by deed, but 50.562 meters by measurement) North from the center of Section 1), said point of beginning being 8.967 meters perpendicularly distant Westerly from the centerline of said connector road known as Monroe Street North of said project at Engineer Station 12 + 016.237; and running thence North 00°07'00" West 8.000 meters along the Easterly boundary line of said entire tract to a point 8.939 meters perpendicularly distant Westerly from said centerline at Engineer Station 12 + 024.237; thence South 44°53'00" West 11.314 meters to the Southerly boundary line of said entire tract and the Northerly right of way line of 9000 South Street; thence North 89°53'00" East 8.000 meters along said Southerly boundary line and Northerly Right of Way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Also, less excepting therefrom the following described property:

A parcel of land in fee for a connector road incident to the reconstruction of a freeway known as Project No. 15-7, being part of an entire tract of property situate in the Southwest quarter of the Northeast quarter of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at the Northeast corner of said entire tract, which point is 439.269 meters South 89°53'00" West along the monument line in 9000 South Street and 182.935 meters North 00°07'00" West from a Salt Lake County monument in the intersection of said 9000 South Street and State Street (Note: said point of beginning is also 396.986 meters North 89°58'43" East along the quarter section line and 211.097 meters North from the center of said Section 1), said point of beginning being 8.401 meters perpendicularly distant Westerly from the centerline of said connector road known as Monroe Street North of said project at Engineer Station 12 + 176.921; and running thence South 00°07'00" East 9.010 meters along the Easterly boundary line of said entire tract to a point which is 8.432 meters perpendicularly distant Westerly from the centerline of said connector road at Engineer Station 12 + 167.911; thence North 45°07'00" West 12.742 meters to the Northerly boundary line of said entire tract at a point 9.445 meters perpendicularly distant Southerly from the centerline of said connector road known

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as 8920 South Street of said project at Engineer Station 18 + 408.844; thence North 89°53'00" East 9.010 meters along said Northerly boundary line parallel to said centerline to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

also Less and Excepting:

A parcel of land in fee, being part of an entire tract of property situate in the SW1/4NE1/4 of Section 1, T.3S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a southeast corner of said entire tract in the northerly right of way line of the existing highway State Route 209 which corner is 1,441.17 feet (alternately 439.269 meters by record) S.89°53'00"W. and 73.00 feet (alternately 22.250 meters by record) N.00°07'00"W. and 26.25 feet (8.00 meters by record) S.89°53'00"W. from a Salt Lake County monument in the intersection of 9000 South Street and State Street, said corner is also approximately 48.29 feet perpendicularly distant northerly from the control line of said project opposite engineer station 0+66.49; and running thence S.89°53'00"W. 11.31 feet along said northerly right of way line to a point 48.36 feet perpendicularly distant northerly from said control line; thence N.44°53'00"E. 44.39 feet to a line parallel with and 35.00 feet perpendicularly distant westerly from the control line of Monroe Street opposite engineer station 606+32.62; thence N.00°14'13"W. 91.56 feet along said parallel line to a point opposite engineer station 607+24.18; thence N.06°39'40"E. 41.63 feet to a line parallel with and 30.00 feet perpendicularly distant westerly from said control line opposite engineer station 607+65.51; thence N.00°14'13"W. 30.96 feet along said parallel line to a point opposite engineer station 607+96.47; thence N.89°34'53"E. 1.52 feet to the westerly right of way line of Monroe Street; thence S.00°07'00"E. 169.00 feet along said westerly right of way line to a southeast corner of said entire tract; thence S.44°53'00"W. 37.12 feet (11.314 meters by record) along said northerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Tax ID No. 27-01-251-039



**Exhibit D**  
**[Description of Utility Easement Area]**

**10 Foot Wide  
Storm Drain Easement**

A part of the Northeast Quarter of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey in Salt Lake County, Utah:

Beginning at a point on the North Line of 9000 South Street as widened at a point on the East Line of Lot 2 of Ark Subdivision located 13.93 feet North 0°07'00" West along said East Line from the Southeast Corner of said Lot 2; said Southeast Corner of Lot 2 is described of record as being North 162.60 feet and East 881.86 feet from the Center of said Section 1; the point of beginning is also located 1854.31 feet South 89°53'00" West along the original Monument Line and 86.93 feet North 0°07'00" West from the Salt Lake County Brass Cap Monument at the intersection of 9000 South Street and State Street; and running thence along said North Line of 9000 South Street the following three courses: South 89°46'05" West 134.20 feet; Westerly along the arc of a 1320.87 foot radius curve to the right a distance of 241.75 feet (Center bears North 0°29'35" West, Central Angle equals 10°29'11" and Long Chord bears North 85°15'00" West 241.41 feet); and Northwesterly along the arc of a 124.44 foot radius curve to the right a distance of 41.66 feet (Center bears North 11°06'27" East, Central Angle equals 19°10'50" and Long Chord bears North 69°18'08" West 41.46 feet) to the Easterly Line of Interstate Highway I-15 as widened; thence North 27°07'50" West 21.16 feet along said Easterly Line; thence Southeasterly along the arc of a 114.44 foot radius curve to the left a distance of 56.02 feet (Center bears North 39°15'08" East, Central Angle equals 28°02'50" and Long Chord bears South 64°46'17" East 55.46 feet); thence Easterly along the arc of a 1310.87 foot radius curve to the left a distance of 239.92 feet (Center bears North 9°59'36" East, Central Angle equals 10°29'11" and Long Chord bears South 85°15'00" East 239.59 feet); thence North 89°46'05" East 134.27 feet to the East Line of Lot 2 of said Ark Subdivision; thence South 0°07'00" East 10.00 feet along the East Line of said Ark Subdivision to the North Line of 9000 South Street and the point of beginning.

**Contains 4,235 sq. ft.**

**25 Foot Wide  
Waterline Easement**

A part of the Northeast Quarter of Section 1, Township 3 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey in Salt Lake County, Utah:

Beginning at a point on the North Line of 9000 South Street as widened at a point on the East Line of Lot 2 of Ark Subdivision located 13.93 feet North 0°07'00" West along said East Line from the Southeast Corner of said Lot 2; said Southeast Corner of Lot 2 is described of record as being North 162.60 feet and East 881.86 feet from the Center of said Section 1; the point of beginning is also located 1854.31 feet South 89°53'00" West along the original Monument Line and 86.93 feet North 0°07'00" West from the Salt Lake County Brass Cap Monument at the intersection of 9000 South Street and State Street; and running thence South 89°46'05" West 25.00 feet along said North Line of 9000 South Street; thence North 0°07'00" West 188.12 feet to the North Line of Lot 2 of said Ark Subdivision; thence North 89°53'00" East 25.00 feet along said North Line of Lot 2 to the Northeast Corner thereof; thence South 0°07'00" East 188.07 feet along the East Line of said Ark Subdivision to the North Line of 9000 South Street and the point of beginning.

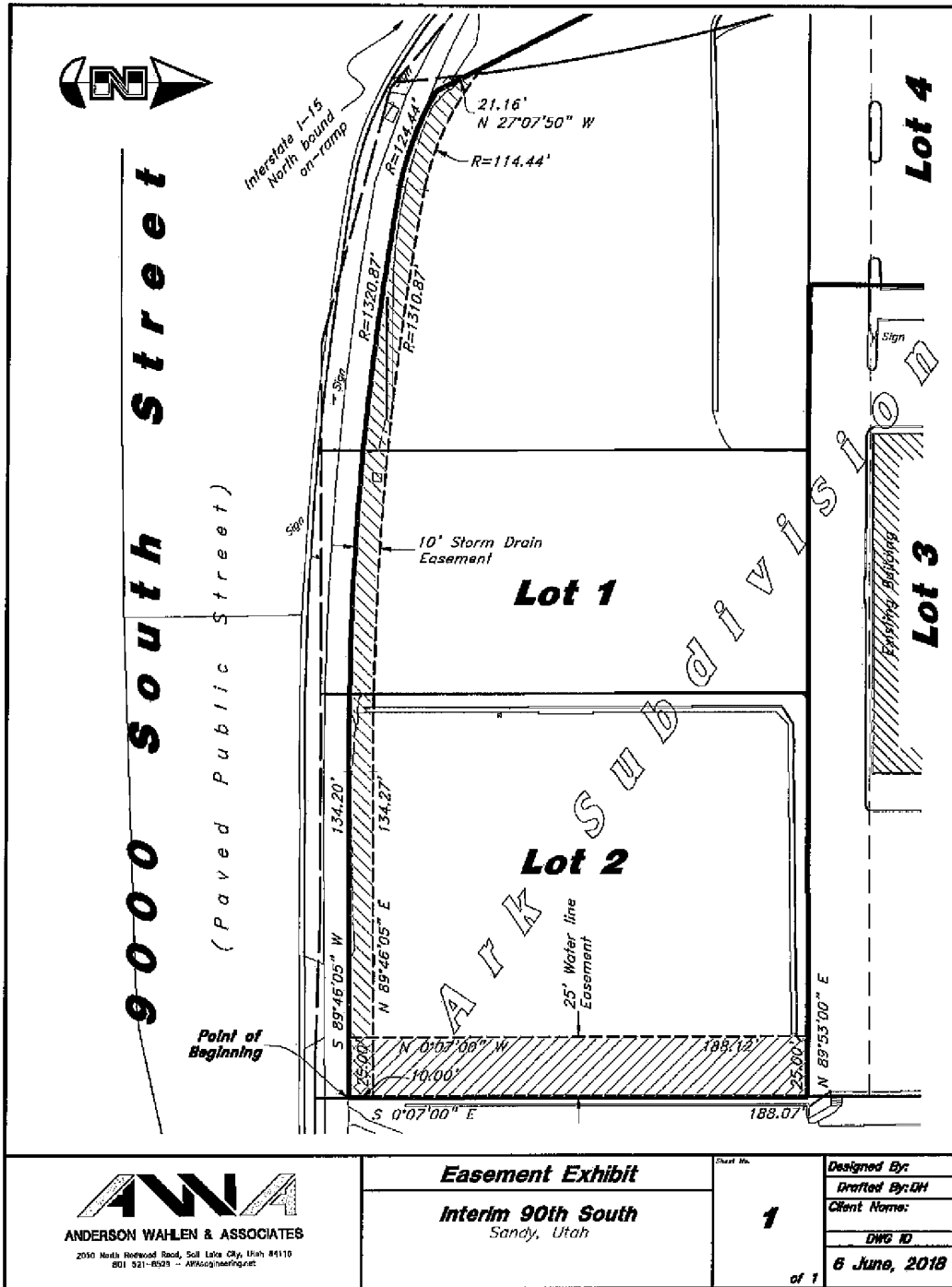
**Contains 4,702 sq. ft.**

Exhibit D to Declaration of Access and Utility Easements

4832-2304-0870

**BK 10688 PG 9831**

**Exhibit E**  
**[Depiction of Utility Easement Area]**



**AWA**  
**ANDERSON WAHLEN & ASSOCIATES**  
2010 North Redwood Road, Salt Lake City, Utah 84110  
801 521-8923 - awa@awaheng.com

**Easement Exhibit**  
**Interim 90th South**  
Sandy, Utah

Sheet No. **1**

Designed By:  
Drafted By: **DH**  
Client Name:  
**DWG ID**  
**6 June, 2018**

of 1

Exhibit E to Declaration of Access and Utility Easements