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WHEN RECORDED, MAIL TO:

M. Stephen Rideout
RIDEOUT INVESTMENT REALTORS
3400 South Highland Drive
Salt Lake City, Utah 84106
TIA: 48115

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5128463
19 SEPTEMBER 91 01:37 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
TITLE INSURANCE AGENCY
REC BY: KARMA BLANCHARD, DEPUTY

NON-EXCLUSIVE EASEMENT AND RIGHT-OF-WAY GRANT

This Easement and Right-of-Way is recorded to correct a previously recorded Easement and Right-of-Way which was recorded on April 12, 1991, as Entry Number 5050871 on Page Numbers 2574 through 2575 in Book 6305 of the Official Salt Lake County Records.

The STATE OF UTAH, by and through the Division of Facilities Construction and Management, a division of the Department of Administrative Services, GRANTOR, does hereby grant and convey to PINE HILLS ASSOCIATES, a Utah general partnership, GRANTEE, for the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, a non-exclusive easement and right-of-way situated in the County of Salt Lake, State of Utah, more particularly described as follows:

A THIRTY-FIVE (35) FOOT WIDE EASEMENT, 17.5 FEET ON EACH SIDE OF THE FOLLOWING CENTER LINE: BEGINNING AT A POINT WHICH IS NORTH ALONG THE SECTION 12, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, THENCE RUNNING S. 70°16'41"W. 693.42 FEET TO THE POINT OF A 332.39 FOOT RADIUS CURVE TO THE RIGHT, (CORD BEARS S.78°49'57"W. 98.89 FEET), THENCE ALONG THE ARC OF SAID CURVE 99.26 FEET, THENCE S.87°23'14"W. 157.02 FEET TO THE POINT OF A 57.35 RADIUS CURVE TO THE RIGHT, (CORD BEARS N.71°37'29"W. 41.08 FEET), THENCE ALONG THE ARC OF SAID CURVE 42.01 FEET MORE OR LESS TO THE EAST RIGHT-OF-WAY OF A FRONTAGE ROAD.

Said easement and right-of-way is granted only for the purpose of ingress and egress to GRANTEE'S property located to the east of the subject easement and right-of-way. GRANTOR makes no warranty or representation as to the suitability of such easement for ingress or egress. GRANTEE shall be solely responsible for the maintenance of such easement and right-of-way.


The foregoing easement and right-of-way is subject and subordinate to the prior and continuing right of GRANTOR to fully use, enjoy and improve the said property, and do anything and everything desired by it in its operations and/or conduct of its business, provided such use does not interfere with any other rights granted to GRANTEE hereunder. This easement and right-of-way grant shall be binding upon and inure to the benefit of the successors and assigns of GRANTOR. This right-of-way and easement grant can only be assigned in whole or in part with the written consent of GRANTOR, which consent shall not be withheld unreasonably.

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GRANTEE shall indemnify and hold GRANTOR harmless from any and all claims with respect to bodily injury or property damage arising from GRANTEE'S use of said easement and right-of-way, or its negligence or the negligence of any of its agents, employees, contractors, subcontractors, or invitees, including all costs, counsel fees, expenses and liabilities incurred in connection with any such claim; and if any action or proceeding is brought against GRANTOR by reason of any such claim, GRANTEE shall defend such action or proceeding at its expense, subject to GRANTOR'S control.

IN WITNESS WHEREOF, the STATE OF UTAH, by and through the Division of Facilities Construction and Management, a division of the Department of Administrative Services, has caused this instrument to be executed this 1st day of July, 1991.

STATE OF UTAH
DIVISION OF FACILITIES CONSTRUCTION
AND MANAGEMENT




Neal P. Stowe, AIA, Director

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

On this 1st day of July, 1991, personally appeared before me Neal P. Stowe who, being duly sworn, did say that he is the Director of the Division of Facilities Construction and Management, a division of the Department of Administrative Services, State of Utah, and that the foregoing instrument was signed on behalf of said agency by statutory authority, and that the aforesaid agency executed the same.

My Commission Expires:

2-6-92



NOTARY PUBLIC

Residing at: Salt Lake City UT



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