

When Recorded Mail to:  
West Haven Lowe Property, LLC  
6028 S Ridgeline Drive Ste 203  
South Ogden, UT 84405

Ent: 399986 - Pg 1 of 4  
Date: 6/20/2014 2:21:00 PM  
Fee: \$18.00  
Filed By: eCASH  
Jerry M. Houghton, Recorder  
Tooele County Corporation  
For: Inwest Title Services - Layton

### UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of ten dollars (\$10.00) and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, **TOOELE ENDEAVOR, LLC**, hereinafter called "Grantor" and **WEST HAVEN LOWE PROPERTY, LLC**, hereinafter called "Grantee," does hereby GRANT, BARGAIN, SELL AND CONVEY unto said Grantee a utility easement and right-of-way into, upon and across the following described real property of the Grantor situated in Tooele County, Utah:

PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 16; THENCE NORTH 00°21'58" WEST 42.00 FEET; THENCE SOUTH 89°43'22" WEST 1062.17 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF 1000 NORTH STREET; THENCE SOUTH 89°43'22" WEST ALONG SAID NORTH RIGHT OF WAY LINE 200.00 FEET TO THE EAST RIGHT OF WAY LINE OF MAIN STREET (U-36); THENCE NORTH 06°42'05" EAST ALONG SAID EAST RIGHT OF WAY LINE 189.15 FEET; THENCE SOUTH 80°46'21" EAST 198.71 FEET; THENCE SOUTH 06°42'05" WEST 156.09 FEET TO THE POINT OF BEGINNING.

SITUATE IN TOOELE COUNTY, STATE OF UTAH.

TAX PARCEL NO. 02-127-0-0056

The utility easement and right-of-way on the above-described property is more particularly described as follows:

PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH LIES NORTH 00°21'58" WEST ALONG THE SECTION LINE 198.47 FEET AND SOUTH 89°38'02" WEST 1042.97 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE SOUTH 06°41'49" WEST 156.01 FEET; THENCE SOUTH 89°43'22" WEST 10.07 FEET; THENCE NORTH 06°41'49" EAST 157.67 FEET; THENCE SOUTH 80°46'37" EAST 10.01 FEET TO THE POINT OF BEGINNING.

SITUATE IN TOOELE COUNTY, STATE OF UTAH.

The right-of-way, easement, rights, and privileges herein granted shall be used to install, maintain, operate, construct, use, alter, repair, remove, relocate and replace any and all utilities facilities including sewer/drainage lines along with the rights of ingress, egress and excavation therein for said purposes for the benefit of the following described real property of the Grantee situated in

Tooele County, Utah:

PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 00°21'58" WEST 198.47 FEET AND SOUTH 89°38'02" WEST 1042.97 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE NORTH 80°46'37" WEST 38.55 FEET; THENCE NORTH 06°41'49" EAST 240.23 FEET; THENCE SOUTH 80°46'37" EAST 38.55 FEET; THENCE SOUTH 06°41'49" WEST 240.23 FEET TO THE POINT OF BEGINNING.

SITUATE IN TOOELE COUNTY, STATE OF UTAH.

TAX PARCEL NO. 02-127-0-0058

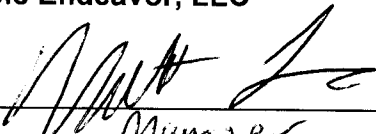
The easement, rights, and privileges granted herein are exclusive, and Grantor covenants that it will not convey any other easement or conflicting rights within the area covered by this grant. The easement, rights and privileges herein granted shall be perpetual and shall run with the land. Grantor hereby binds itself, its successors, assigns, and legal representatives, to warrant and forever defend the above-described easement and rights unto Grantee, its successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

In addition to the easement, rights, and privileges herein conveyed, Grantee shall have the right to use so much of the surface of the above-described property of Grantor as may be reasonably necessary to construct and install within the right-of-way granted hereby the facilities contemplated by this grant of utility easement.

The Grantor agrees not to erect or allow to be erected any structures on said right of way, and shall not plant or allow to be planted any large trees or other vegetation with invasive root structures, which may endanger or interfere with the utility facilities including sewer and drainage lines.

IN WITNESS WHEREOF, this instrument is executed this 13 day of <sup>June</sup>~~May~~, 2014.

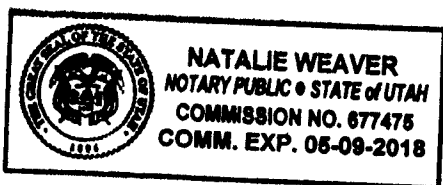
Tooele Endeavor, LLC

By: , Manager

ACKNOWLEDGMENT

STATE OF UTAH )  
 )  
COUNTY OF Weber ) (ss.  
 )

On this 13 day of <sup>June</sup>~~May~~, 2014, personally appeared before me Matt Lowe, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the **Manager of Tooele Endeavor, LLC**, and that said document was signed by him/her in behalf of said Limited Liability Company by the authority of its Articles of Organization, Operating Agreement, or by Consent of the Company Members, and said individual acknowledged to me that the said Limited Liability Company executed the same.



Natalie Weaver  
NOTARY PUBLIC

My Commission Expires: 5-9-18  
Residing at: Pleasant View, UT

IN WITNESS WHEREOF, this instrument is executed this 13 day of ~~May~~ <sup>June</sup>, 2014.

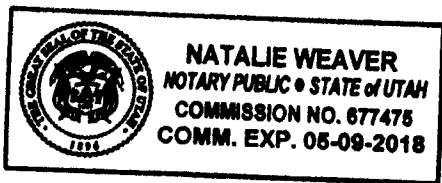
**West Haven Lowe Property, LLC**

[Signature]  
By: Matthew Lowe  
Its: Manager

**ACKNOWLEDGMENT**

STATE OF UTAH )  
COUNTY OF Weber ) (ss.)

On this 13 day of ~~May~~ <sup>June</sup>, 2014, personally appeared before me Matthew Lowe, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the manager of **West Haven Lowe Property, LLC**, and that said document was signed by him/her in behalf of said Limited Liability Company by the authority of its Articles of Organization, Operating Agreement, or by Consent of the Company Members, and said individual acknowledged to me that the said Limited Liability Company executed the same.



[Signature]  
NOTARY PUBLIC

My Commission Expires: 5-9-18  
Residing at: Pleasant View, UT