

When Recorded Return To:  
City of St. George  
175 East 200 North  
St. George, Utah 84770

00712918 Bk 1397 Pg 2187  
RUSSELL SHIRTS \* WASHINGTON CO RECORDER  
2001 MAR 01 15:33 PM FEE \$4.00 BY DC  
FOR: ST GEORGE CITY - ENGINEERING DEPT

**EASEMENT**

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar and other good and valuable consideration paid to SHEFCO, LTD., a Utah partnership, herein referred to as Grantors, by the City of St. George, a Utah municipal corporation, herein referred to as Grantee, the receipt of which is hereby acknowledged, the Grantors do hereby grant, bargain, sell, transfer and convey unto Grantee, its successors and assigns, a temporary easement to contain flood control drainage along River Road. The drainage easement shall remain in place until such time as curb and gutter are installed on River Road thus replacing the need for the drainage easement. Therefore the easement shall automatically expire and be deemed vacated upon the installation of curb and gutter along the east side of River Road adjacent to this easement. Should the curb and gutter improvements on the east side of River Road be installed in stages, then the temporary easement shall be deemed vacated as to that portion of the easement that the curb and gutter improvements are installed upon.

The easement shall be a maximum of fifty feet (50') wide and shall grant to the City of St. George the right to use, operate, inspect, repair, maintain, replace or remove drainage facilities and associated structures over, across and through the land owned by Shefco, situated in Washington County, State of Utah, as more particularly as follows:

See Exhibit "A", attached hereto.

Said easement is also shown on Exhibit B, attached hereto.

During the existence of the easement, the City of St. George shall have the exclusive and sole responsibility to maintain the drainage ditch on a regular basis. Maintenance shall include keeping the drainage ditch clear of debris and weeds. City of St. George shall also be responsible to keep the drainage ditch safe, operational, and free of defects or dangers to the general public. The City of St. George is granted the right of ingress, egress and reasonable access to the property subject to the easement for said maintenance and repair. Grantee does agree to in no way encumber said easement or subject it to the imposition of liens of any type during the term of this easement, and to hold Grantors harmless and indemnify him from any loss, liability or expense incurred in connection with the activities of the Grantee during the term of the easement herein granted.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the Grantee its successors and assigns.

IN WITNESS WHEREOF, the Grantors have executed this instrument this \_\_\_\_ day of October, 2000.

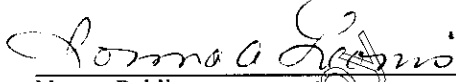
GRANTORS:

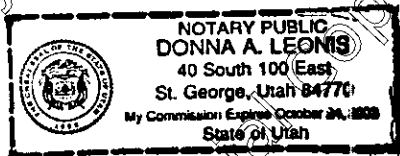
  
\_\_\_\_\_  
Stephen N. Sheffield, General Partner

STATE OF UTAH

County of Washington

On this 23 day of October, 2000, personally appeared before me Stephen N. Sheffield, whose identity is personally known to me or proved to me on the basis of satisfactory evidence and who by me duly affirmed, did say that he is the General Partner of Shefco, Ltd., and that said document was signed by him in behalf of said partnership by authority of the partnership agreement, and said Stephen N. Sheffield acknowledged to me that said partnership executed the same.

  
\_\_\_\_\_  
Notary Public



**EAST SIDE OF RIVER ROAD TEMPORARY DRAINAGE EASEMENT**

Beginning at a point on the easterly right-of-way line of River Road approximately 25 feet northwesterly of intersecting point of River Road and the south line of Section 32, Township 42 South, Range 15 West, SLB&M and running thence northwesterly along said easterly right-of-way line of River Road 960 feet to a point approximately 985 feet northwesterly from said south line of section 32. Thence northerly meandering along the east side of said River Road through a metal culvert (CMP) under 1450 South Street to the north end of said culvert; said north end of culvert being the terminating point of this temporary drainage easement.

Drainage easement will automatically be terminated upon placement of curb and gutter.

SECTION LINE

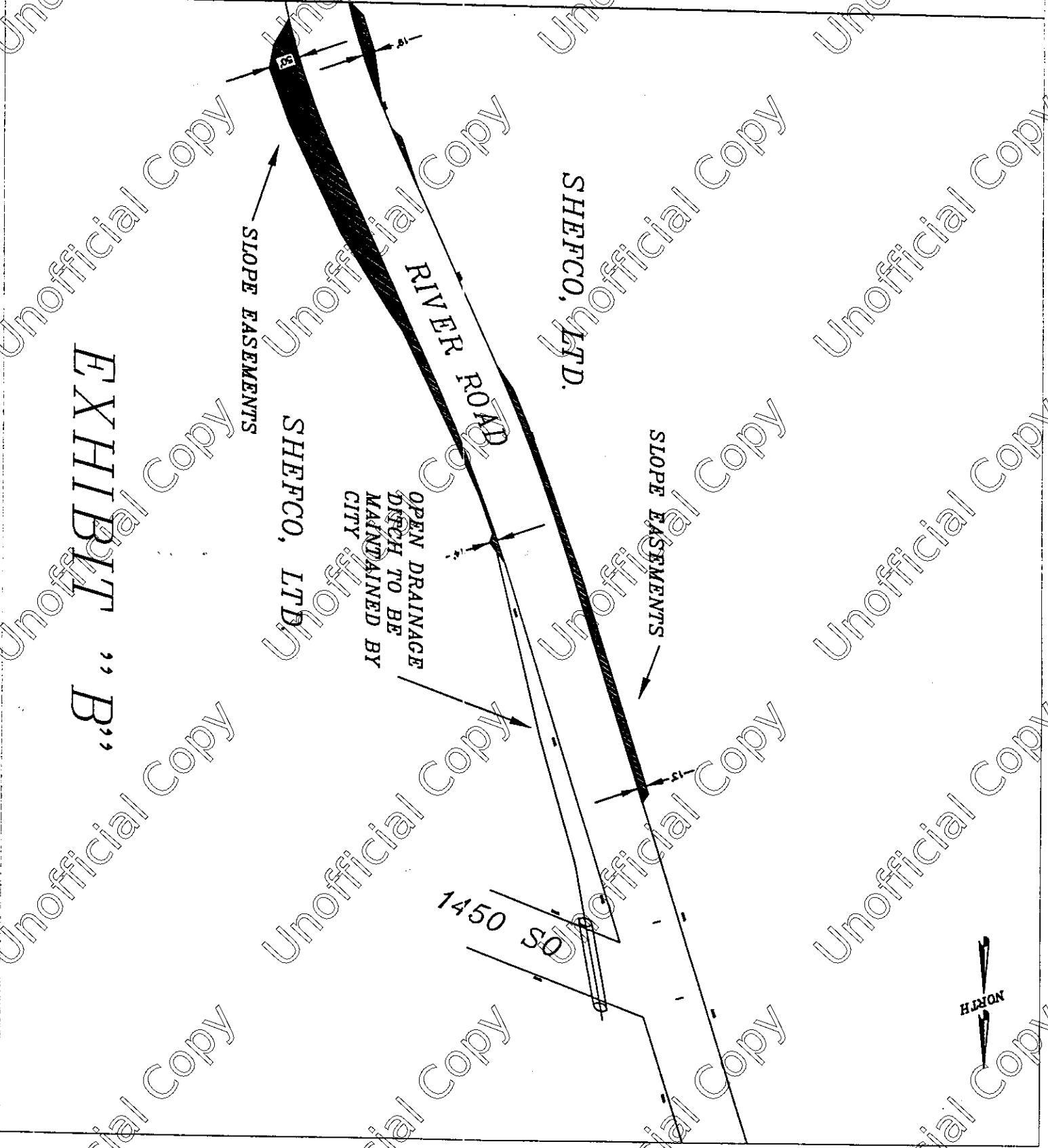


EXHIBIT "B"