CTC# 4504/P

WHEN RECORDED, MAIL TO: Utah Department of Transportation Right of Way, Fourth Floor Box 148420 Salt Lake City, Utah 84114-8420

Ent 1082650 Bk 1757 Pg 964
Date: 5-Mar-2013 12:06 PM Fee \$12.00
Cache County, UT
Michael Gleed, Rec. - Filed By JA
For CACHE TITLE COMPANY

Perpetual Easement

Tax ID No. 02-083-0008 Parcel No. 0252:19:E Project No. S-0252(6)0

Cache County

ICON Health & Fitness, INC a corporation of the State of Delaware Grantor, hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, at 4501 South 2700 West, Salt Lake City, Utah 84119, Grantee, for the sum of _______Dollars, a permanent easement, upon part of an entire tract of property, situate in the SW½ SE½ of Section 8, T.11N, R.1E, SLB&M, in Cache County, Utah, for the purpose of relocating existing public utilities thereon and also constructing thereon slopes and appurtenant parts thereof incident to the widening of the existing State Highway SR-252 known as Project No. 0252(6)0. The easement includes the right to maintain and continue the existence of said relocated public utilities and cut/or fill slopes in the same grade and slope ratio as constructed by UDOT. The easement shall run with the Real Property and shall be binding upon the Grantor and the Grantor's successors, heirs and assigns, and includes and conveys all rights of grantor to change the vertical distance or grade of said cut and/or fill slopes.

The boundaries of said part of an entire tract are described as follows:

Beginning on the east right of way line of State Highway SR-252 at a point 55.5± feet perpendicularly distant easterly from the control line of said State Highway at Engineer Station 120+77.5±, which point is 2083.51 feet S. 89°55'28" W. and 880.96 feet NORTH from the Southeast corner of said Section 8; running thence S. 89°55'09" E. a distance of 15.00 feet along grantor's southerly boundary line; thence N. 0°31'42" W. a distance of 360.34 feet; thence N. 44°32'52" E. a distance of 31.37 feet; thence N. 89°37'26" E. a distance of 54.72 feet; thence N. 0°22'34" W. a distance of 10.00 feet; thence S. 89°37'26" W. a distance of 58.87 feet; thence S. 44°32'52" W. a distance of 46.73 feet; thence S. 0°31'42" E. a distance of 359.34 feet along said east right of way line of State Highway SR-252 to the point of beginning as shown on the official plans for said project on file in the office of the Utah Department of Transportation.

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Parcel No. 0252:19:E Project No. S-0252(6)0

The above described parcel contains 6,356 sq. ft. or 0.146 acre in area.

All bearings in the above description are Highway Bearings and are based on the Utah State Plane Coordinate System, NAD 83, North Zone.

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The officers who sign the within instrument certify that the transfer represented thereby was duly authorized under a resolution duly adopted by the Board of Directors of the Grantor at a lawful meeting duly held and attended by a quorum.

IN WITNESS WHEREOF, said Grantor has caused its corporate name and seal to A.D. 20 10 . ICON Health & Fitness, INC CORPORATION By Wullace South Vice - President CORPORATE SEAL: STATE OF) ss. **COUNTY OF** Wallace J. Smith above written personally appeared before me, and Everett Smith, who, being by me duly sworn, did say, each for himself, that he, said Wallace Everett Smith is the secretary of $\sqrt{|\omega|}$ president, and that he, said _ ICON Health & Firtness, INC, a corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said president and said secretary each duly acknowledged to me that said corporation executed the same, and that the seal affixed is the seal of said corporation. WITNESS my hand and official stamp the date in this certificate first above written: NARAYNE M. ROUGEAU 🛚 Commission #600038

My Commission Expires

Prepared by: Civil Science Inc. (DPM) 10/26/2009

CORPORATION RW-09CS (12-01-03)

August 22, 2014 State of Utah