

9
WHEN RECORDED RETURN TO:
Farnsworth Johnson PLLC
180 N. University Ave., Ste. 260
Provo, UT 84601

DOC # 20180034309

Consent Page 1 of 9
Russell Shirts Washington County Recorder
08/21/2018 10:00:42 AM Fee \$ 0.00
By ST GEORGE CITY



Tax I.D. No. SG-CIVI-2

ACKNOWLEDGMENT AND CONSENT

Recitals

Whereas the City View Subdivision Plat was recorded with the Washington County Recorder on April 5, 2018 as Doc. #20180013606 (the "Subdivision Plat"); and

Whereas there are public utility easements (the "Original PUE") noted on the recorded plat dedicated and conveyed to the City of St. George which affect Lot 2, City View Subdivision, according to the official plat thereof; and

Whereas there has been indication that the foundation of the buildings will encroach slightly onto the Original PUE as shown on the Plat (the "Encroachment"), which is shown on the attached Exhibit A; and

Whereas, Lot 2 owner proposes to add additional width to the Original PUE to the south to the extent of the Encroachment (the "Additional PUE") in the form attached Exhibit B and incorporated hereto; and

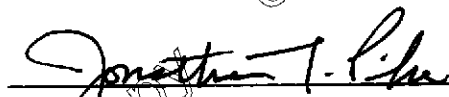
Whereas, Green Gate Village Investors, LLP, the owner of the adjacent land to the south of Lot 2 will consent to and execute the Additional PUE.

Acknowledgment and Consent

Now therefore, the City of St. George consents to the Additional PUE and acknowledges the Encroachment of the building and foundation onto the Original PUE specifically as set forth herein, and on condition of recording of the Additional PUE.

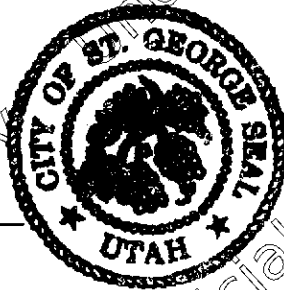
Dated this 8th day of August, 2018.

CITY OF ST. GEORGE


Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez
Christina Fernandez, City Recorder



Approved as to form:

V. Hales 8/3/18
Victoria H. Hales, Assistant City Attorney

State of Utah

County of Washington

On the 8th day of AUGUST, 2018, personally appeared before me, Jonathan T. Pike, Mayor of the City of St. George, who being by me duly sworn, said that the foregoing instrument was signed on behalf of said municipal corporation, by authority of its by-laws or a resolution of its City Council, and he did acknowledge to me that said corporation executed the same.

Carina Mace
Notary Public

Commission Expires: 09-15-2018
Residing at: St. George, UT

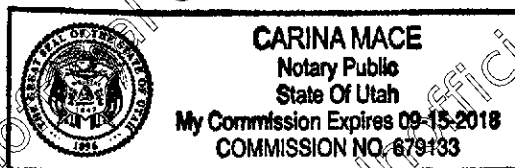


Exhibit A
Encroachment

Exhibit B
Additional PUE

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

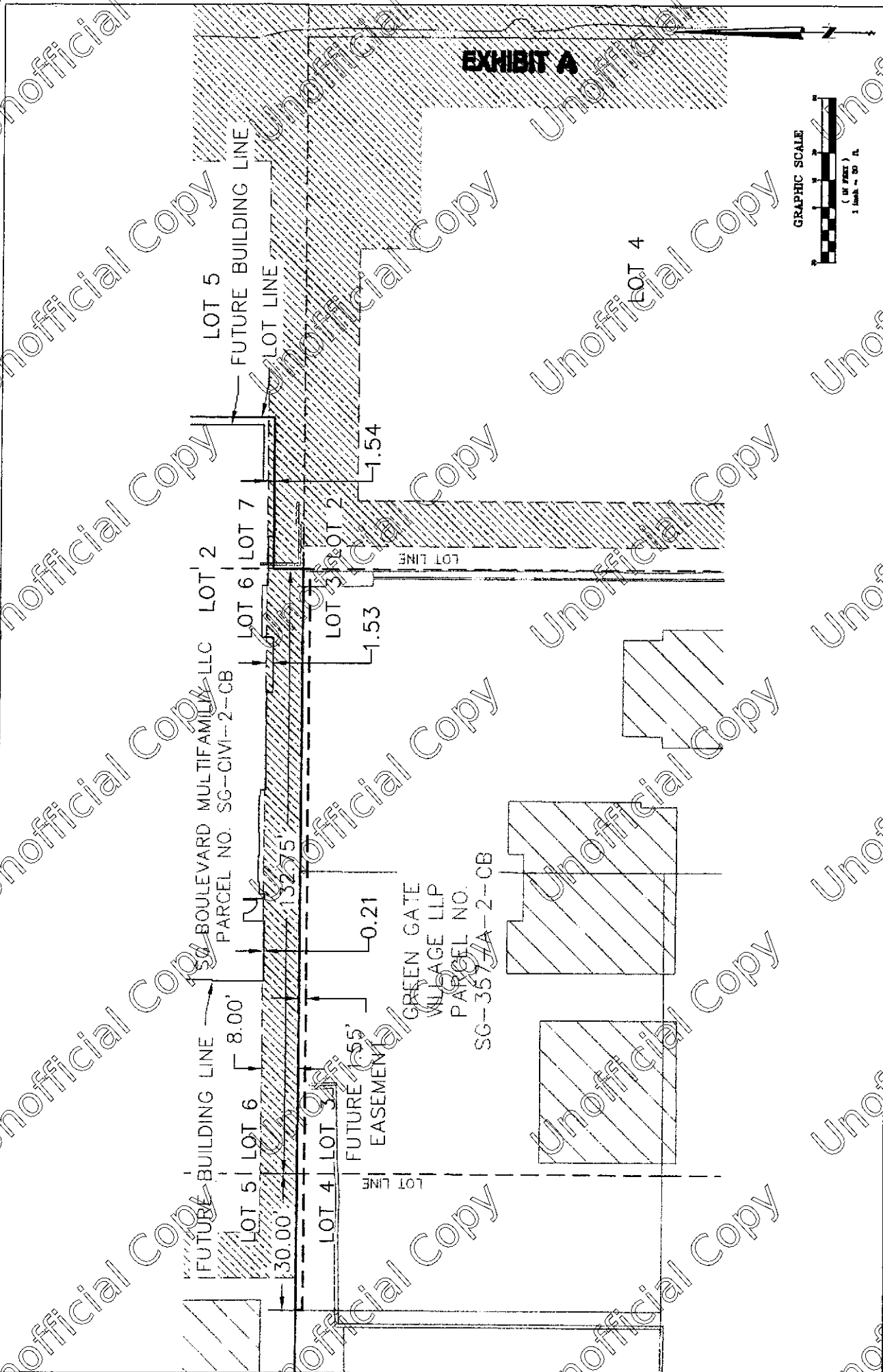
Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy

Unofficial Copy



BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3461

EXHIBIT A
UTILITY EASEMENT
B&G #181057

EXHIBIT B

When Recorded Return To
City of St. George
City Attorney's Office
175 East 200 North
St. George, Utah 84770

Tax ID: SG-357-A-2-CB, SG-358-CB

PUBLIC UTILITY EASEMENT

That in consideration of Ten Dollars and other good and valuable consideration paid to GREEN GATE VILLAGE INVESTORS, LLP, a limited liability partnership, Grantor, by the City of St. George, a Utah municipal corporation, Grantee, the receipt of which is hereby acknowledged, Grantor does hereby grant, bargain, sell, transfer and convey unto Grantee, its successors and assigns, a perpetual easement for ingress and egress, to use, install, operate, maintain, repair, remove, relocate and replace public utility and drainage facilities; for unimpeded perpetual ingress and egress for vehicular and pedestrian traffic over, upon and across the roads, driveways, access ways, entrances, exits and sidewalks as such currently exist and may be developed from time to time by Grantor, and for other public use, in and along real property owned by Grantor in Washington County, State of Utah, and the easement being more fully described as follows:

THE NORTH 1.55 FEET OF THE EAST 30.00 FEET OF LOT 4 AND THE NORTH 1.55 FEET OF LOT 3 OF BLOCK 25, PLAT A, ST. GEORGE CITY SURVEY.

TO HAVE AND TO HOLD such property to Grantee, the City of St. George, forever for the uses and purposes normally associated with public uses such as utilities and drainage.

Grantor may not install, build, place or cause or allow anything to be installed, built, or placed in the easement. Grantor may not interfere in the easement in any way. If any improvement is installed, built, or placed within the easement by Grantor or its successors or assigns, Grantor bears the risk of loss or damage to those improvements resulting from the exercise of the easement rights, and Grantee is not responsible to repair, replace, maintain, indemnify or reimburse Grantor for any damage or loss. Grantor shall pay for any extra costs which Grantee incurs as a result of Grantor burdening the easement.


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 Grantor has executed this instrument this 25 day of July, 2018.

GRANTOR: Green Gate Village Investors, LLP,
a limited liability partnership

By its General Partner:

Branson Ventures, LLC



Ryan McCoy, Manager

STATE OF UTAH

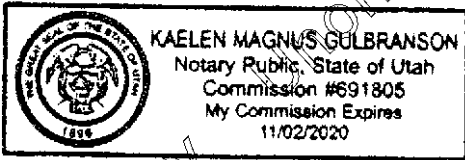
COUNTY OF _____

Salt Lake

The foregoing instrument was acknowledged before me this 25th day of July,
2018, by Ryan McCoy as Manager of Branson Ventures, LLC, who represented that he has
authority from and executed this document for and on behalf of Green Gate Village Investors,
LLP.

Kaelen Magnus Gulbranson

Notary Public



ACCEPTANCE OF DEDICATION

The City of St. George, a municipal corporation of the State of Utah, hereby accepts the above conveyance and dedication, and in consideration thereof agrees that it will utilize and maintain the same for purposes consistent with the above dedication.

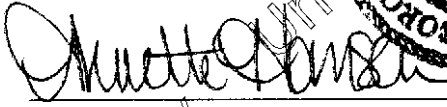
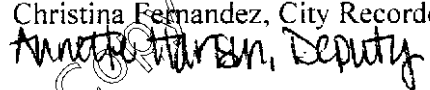
DATED this 30 day of July, 2018.

CITY OF ST. GEORGE


Jonathan T. Pike, Mayor



ATTEST:


Christina Fernandez, City Recorder

Amanda Hansen, Deputy

Approved as to form:

 7/27/18
Victoria H. Hales, Assistant City Attorney

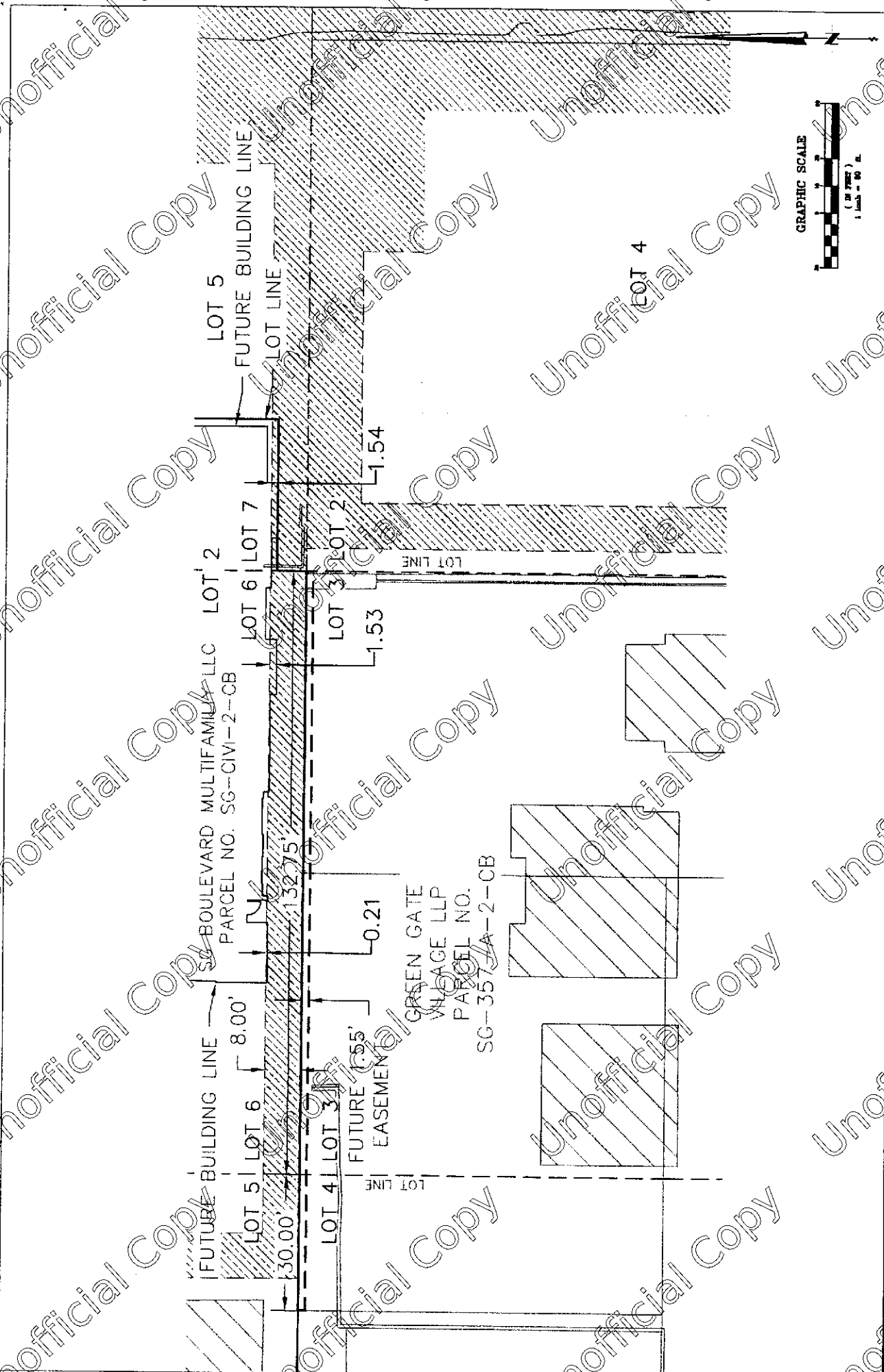


Bush and Gudge, Inc.
Engineers • Planners • Surveyors
Salt Lake City - St. George
www.bushandgudge.com

EXHIBIT "A"
UTILITY EASEMENT LEGAL DESCRIPTION

THE NORTH 1.55 FEET OF THE EAST 30.00 FEET OF LOT 4 AND THE NORTH 1.55 FEET OF LOT 3 OF BLOCK 25, PLAT A, ST. GEORGE CITY SURVEY.

B&G #181057



BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161

EXHIBIT "B"
UTILITY EASEMENT
B&G #181057