

WHEN RECORDED PLEASE MAIL TO GRANTEE:  
Solitude Improvement District #88  
P.O. Box 21350  
Salt Lake City, Utah 84121-0350

5859439  
06/27/94 08:56 AM\*\*NO FEE\*\*  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
SOLITUDE IMPROVEMENT DIST  
REC BY: B GRAY DEPUTY - MP

5859439

**GRANT OF EASEMENT**  
for  
**Construction and Maintenance of Sanitary Sewer Line**

KNOW ALL MEN BY THESE PRESENTS that Mabel B. Davidson, life estate interest, and the Arden Tesch Family Partnership (Grantor), does hereby grant, convey and warrant to the Solitude Improvement District, a public improvement district and to its successors and assigns (Grantee), of Salt Lake County, Utah, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, a perpetual permanent easement and right-of-way appurtenant to and in, over, upon and across a portion of the real property described in Exhibit B attached hereto and incorporated herein by this reference in which Grantor has an ownership interest, said easement to be TEN (10) FEET in width, (Easement Property), the center line being the actual location of Grantee's sewer line as described in the plat map attached hereto as Exhibit A and incorporated herein by this reference. Grantee shall have the right to use the Easement Property to construct, bury, locate, operate, maintain, alter, repair, relocate, inspect, and remove any portion of Grantee's sewer system and related facilities (System). Grantee shall have the right of ingress and egress to and from the Easement Property across any real property owned by Grantor that is contiguous to the Easement Property, including adequate access for equipment necessary to perform installation, maintenance and repair of the System. After the System is in place, nothing shall be constructed on or over the top of said System without the prior written consent of Grantee. The easement and right-of-way granted herein shall terminate when the purposes for which they are granted no longer exist. Failure to insist on strict performance of any provision hereof shall not be construed as a waiver thereof, and any waiver of the provisions hereof must be in writing and signed by the party whose rights are waived. All provisions of this instrument, including the benefits and burdens, shall run with the land and shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives, heirs, successors and assigns. Any party who prevails in an action to enforce the terms hereof shall be entitled to reasonable attorneys' fees and costs incurred in connection therewith.

SUBJECT TO the duty of Grantee to restore the existing surface to as close a natural state as possible under the circumstances, and otherwise perform obligations imposed upon it by contract or by law, and to repair any surface damage caused by Grantee's invasion or occupancy to service the easement or the sewer line and fixtures contained therein, at its expense and within a reasonable time, and in accordance with the standards established for the initial installation.

IN WITNESS WHEREOF, Grantor has executed this document on this 3 day of JUNE, 1994.

Mabel B. Davidson  
Grantor - Mabel B. Davidson, life estate interest  
Arden Tesch Family Partnership  
By [Signature]  
Grantor - Arden Tesch, General Partner

Address - 949 Bloomington Drive, E

Address - St. George, Utah 84770

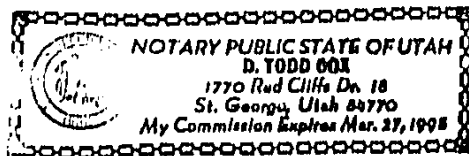
State of Utah )  
                  ) ss:  
County of Salt Lake )

On the 1<sup>st</sup> day of June, 1994, personally appeared before me Mabel B. Davidson and Arden Tesch who being by me duly sworn, did say that he and/or she duly executed the foregoing instrument, further, that Arden Tesch is the General Partner of the Arden Tesch Family Partnership and is duly authorized to execute the foregoing instrument.

[Signature]  
Notary Public  
Resides: Salt Lake City, Utah

Commission Expires: Mar. 27, 95

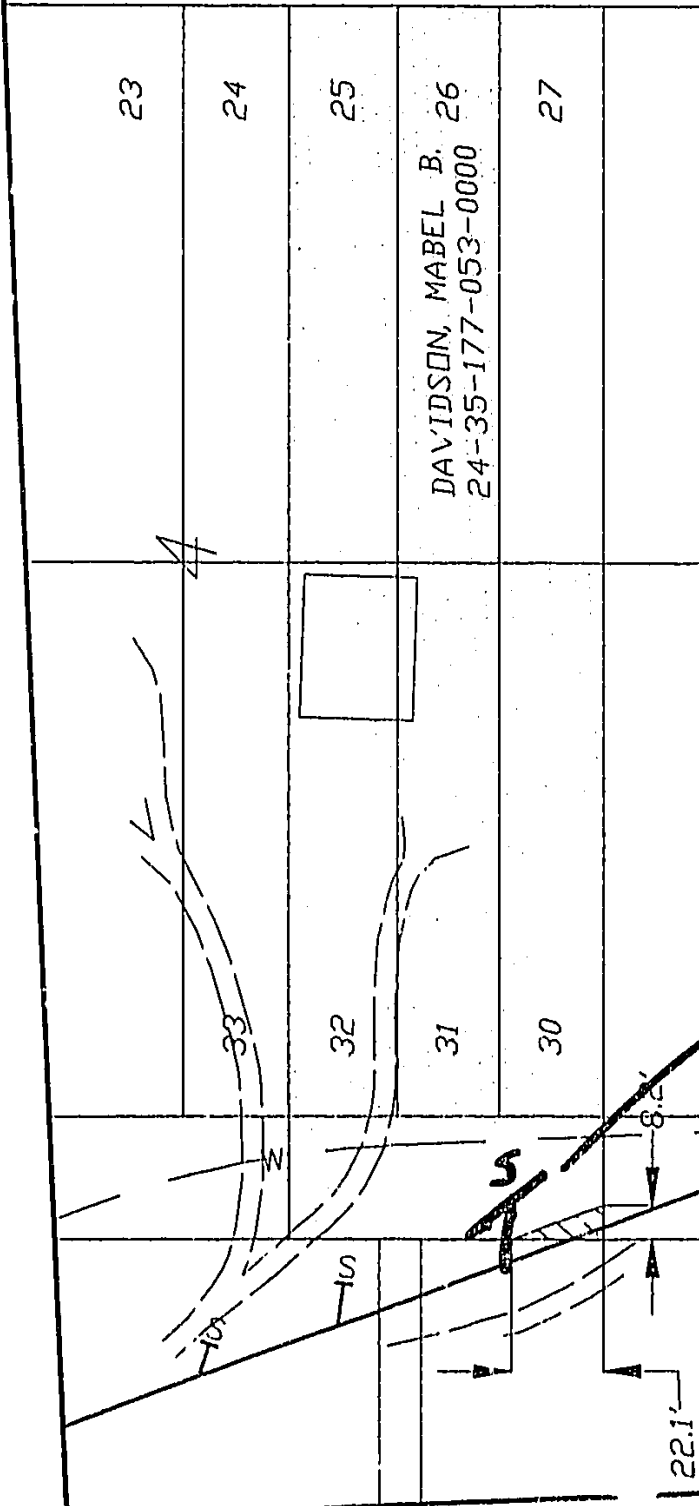
Property Tax Serial No. 24-35-177-053-0000  
Property Location Area: Brighton - Prospect Street



CO. RECORDED

BK 6969 PG 0383

Exhibit A



**LEGEND**

SUBJECT PROPERTY  
INDICATED BY APPROVALS

PERMANENT EASEMENT

MAIN SEWER LINE

SCALE  
 0 10 20 40

DAVIDSON, MABEL B. 26  
 24-35-177-053-0000

*add*  
*CP*

1" = 40'

SOLITUDE IMPROVEMENT DISTRICT BIG COTTONWOOD CANTON SANITARY SEWER - PHASE 3B BRIGHTON-EASEMENT DESCRIPTIONS	
DECKHOFF WATSON AND PREATOR ENGINEERING ENGINEERS PLANNERS SURVEYORS SALT LAKE CITY	Project Number: _____ Designed by: _____ Drawn by: _____ Checked by: _____
Date: _____ Sheet: _____ of _____	Scale: _____ Date: _____

BK6969PC038A

Exhibit B

VTDI 24-35-177-053-0000 DIST 40  
DAVIDSON, MABEL B (LIFE), PRINT F UPDATE  
ET AL LEGAL  
% ARDEN TESCH FAMILY PARTNER- TAX CLASS NE  
949 BLOOMINGTON DR S EDIT 1 BATCH NO 0  
ST GEORGE UT 84770 BATCH SEQ 0  
LOC: 12600 E 8100 S #APROX EDIT 1 BOOK 5724 PAGE 0002 DATE 10/02/86  
SUB: TYPE UNKN PLAT

PROPERTY DESCRIPTION  
LOTS 25, 26, 30, 31 & 32, BLK 4, SILVER LAKE SUMMER RESORT,  
(BEING PART OF E 1/2 OF NW 1/4 OF SEC 35, T 2S, R 3E, S L M.  
\*\*\* DAVIDSON, MABEL B (LIFE)  
\*\*\* TESCH, ARDEN B FAMILY PARTNERSHIP

BK6969PG0385