Ph3a

WHEN RECORDED, PLEASE RETURN TO:

West Jordan City Recorder 8000 South Redwood Road West Jordan, Utah 84088

Portions of APN: 20-26-101-007-0000

20-26-151-002-0000 20-26-176-002-0000 20-26-176-003-0000 20-26-326-015-0000 20-26-326-019-0000 20-26-326-021-0000 13509438 12/22/2020 04:15 PM \$40.00 Book - 11086 P9 - 1927-1931 RASHELLE HOBBS RECORDER, SALT LAKE COUNTY, UTAH COTTONWOOD TITLE 1996 E 6400 S #120 SLC UT 84121 BY: MGA, DEPUTY - WI 5 P.

PERPETUAL SLOPE EASEMENT (Copper Rim Phase 3A)

CW COPPER RIM 1, LLC, a Utah limited liability company (referred to herein as "Grantor"), whose principal office address is 1222 West Legacy Crossing Blvd., Suite 6, Centerville, Utah 84014, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains and conveys unto the CITY OF WEST JORDAN, a municipal corporation and political subdivision of the State of Utah (hereinafter referred to as "Grantee"), whose principal office address is 8000 South Redwood Road, West Jordan, Utah 84088, its successors, assigns, licensees and agents, a PERPETUAL SLOPE EASEMENT upon, over, under, across and through the following described tract of land, which the Grantor owns or in which the Grantor has an interest, in Salt Lake County, State of Utah, more particularly described as follows, to wit:

[See Exhibit "A" attached hereto and incorporated herein by reference.]

The Easement herein granted is for the following purpose: <u>installation and maintenance of fill</u> material to support a public road, and any appurtenances connected thereto (the "Facilities").

Grantee shall have the right to plan, install, construct, operate, maintain, repair, remove and replace any material(s) comprising the Facilities from time to time as Grantee may require. Grantee shall have the right of reasonable ingress and egress to and from the Facilities over and across Grantor's land lying coincident with the land described above. Grantee shall have the right to clear and remove all trees and other obstructions that may interfere with the use of said Easement by Grantee. Grantor reserves the right to occupy and use said property for all purposes not inconsistent with the rights herein granted.

CW COPPER RIM 1, LLC, a Utah limited liability company Its: STATE OF **COUNTY OF** day of Mountain, 2020, personally appeared before me , who being by me duly sworn did say that s/he is the of CW COPPER RIM 1, LLC, a Utah limited liability company, and that the foregoing instrument was duly authorized by said limited liability company at a lawful meeting held or by authority of its bylaws and signed in behalf of said company. STEPHANIE HEINER Notary Public, State of Utah Commission #704554 My Commission Expires: Residing in **CITY OF WEST JORDAN ATTEST** Name: Dirk Burton Name: Tangee Sloan Title: City Clerk/Recorder Title: Mayor Dated:

Signed and delivered this 6th day of Movember, 2020.

## LENDER CONSENT AND SUBORDINATION

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the undersigned, as the beneficiary and holder of those certain Deeds of Trust filed in the official records of the Salt Lake County Recorder under Entry No. 12698422, in Book 10638, at Page 8656, and Entry No. 13181433, in Book 10890, at Page 1734, and Entry No. 13384535, in Book 11012, at Page 9210, respectively (the "Trust Deeds"), which Trust Deeds encumber real property owned by Grantor (the "Grantor's Property"), hereby: (1) consents to the execution and delivery of the within and foregoing Easement by Grantor affecting the Grantor's Property; and (2) subordinates all of its rights, title and interests under the Trust Deeds in and to the Grantor's Property to the rights, title, interests, obligations and benefits created by, or arising under, the within and foregoing Easement, so that the Easement shall unconditionally be and remain at all times an interest in real property prior and superior to the Trust Deeds. Nothing contained herein shall be construed to impose upon the undersigned any obligation created by the Easement, unless and until the undersigned has acquired fee title to all or a portion of the Grantor's Property.

## Exhibit "A"

BEGINNING AT A POINT NORTH 0°43'42" WEST 106.01 FEET, SOUTH 89°44'35" WEST 3198.78 FEET, AND NORTH 57°33'42" WEST 6.06 FEET FROM THE EAST CORNER OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN RUNNING THENCE NORTH 29°45'56" EAST 5.18 FEET; THENCE NORTH 52°44'37" WEST 18.12 FEET; THENCE NORTH 55°59'26" WEST 24.26 FEET; THENCE NORTH 56°11'37" WEST 59.24 FEET; NORTH 45°48'17" WEST 64.77 FEET; THENCE NORTH 56°08'20" WEST 36.48 FEET; THENCE NORTH 67°30'00" WEST 8.56 FEET; THENCE NORTH 68°12'02" WEST 53.21 FEET; THENCE NORTH 53°24'55" WEST 21.01 FEET; THENCE NORTH 56°50'34" WEST 53.35 FEET; THENCE NORTH 50°06'52" WEST 53.05 FEET; THENCE NORTH 43°36'27" WEST 42.20 FEET; THENCE NORTH 20°31'53" WEST 54.06 FEET; THENCE NORTH 32°39'28" WEST 29.77 FEET; THENCE NORTH 62°12'17" WEST 31.15 FEET; THENCE NORTH 77°32'40" WEST 24.91 FEET; THENCE SOUTH 83°00'14" WEST 16.06 FEET; THENCE NORTH 46°57'24" WEST 33.01 FEET; THENCE NORTH 14°59'34" WEST 42.14 FEET; THENCE NORTH 29°10'34" WEST 23.55 FEET: THENCE NORTH 74°28'49" WEST 28.76 FEET: THENCE SOUTH 79°31'27" WEST 29.84 FEET; THENCE NORTH 87°31'46" WEST 51.56 FEET; THENCE NORTH 81°19'59" WEST 32.38 FEET; THENCE NORTH 83°32'04" WEST 22.45 FEET; THENCE SOUTH 76°00'11" WEST 47.13 FEET; THENCE SOUTH 83°25'32" WEST 45.60 FEET; THENCE SOUTH 66°28'24" WEST 12.73 FEET; THENCE SOUTH 37°44'42" WEST 17.73 FEET; THENCE SOUTH 5°58'02" WEST 22.92 FEET; THENCE SOUTH 9°50'37" EAST 64.73 FEET; THENCE SOUTH 16°44'42" EAST 105.98 FEET; THENCE SOUTH 29°31'18" EAST 112.78 FEET; THENCE SOUTH 31°03'39" WEST 12.95 FEET; THENCE SOUTH 37°04'19" EAST 62.19 FEET; THENCE SOUTH 53°46'44" EAST 6.85 FEET; THENCE NORTH 59°40'06" EAST 10.38 FEET; THENCE SOUTH 49°28'20" EAST 142.20 FEET; THENCE SOUTH 60°39'37" EAST 80.14 FEET; THENCE SOUTH 25°54'21" EAST 13.17 FEET; THENCE SOUTH 26°16'37" WEST 12.78 FEET; THENCE SOUTH 59°16'30" EAST 56.84 FEET; THENCE NORTH 54°37'13" EAST 16.85 FEET; THENCE SOUTH 66°10'38" EAST 22.91 FEET; THENCE SOUTH 56°03'27" EAST 133.48 FEET; THENCE SOUTH 57°57'25" EAST 55.89 FEET; THENCE NORTH 32°38'45" EAST 3.04 FEET; THENCE NORTH 57°21'14" WEST 200.64 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A 19.00 FOOT RADIUS CURVE TO THE LEFT 29.85 FEET, HAVING A CENTRAL ANGLE OF 90°00'01" (CHORD S77°38'45"W, 26.87') TO A POINT ON A LINE; THENCE NORTH 57°21'13" WEST 53.50 FEET TO A POINT ON A CURVE, CENTER BEARS NORTH 57°21'15" WEST; THENCE NORTHWESTERLY ALONG A 19.00 FOOT RADIUS CURVE TO THE LEFT 29.84 FEET, HAVING A CENTRAL ANGLE OF 89°59'59" (CHORD N12°21'15"W, 26.87') TO A POINT OF TANGENCY; THENCE NORTH 57°18'54" WEST 42.13 FEET TO A POINT OF CURVATURE: THENCE NORTHWESTERLY ALONG A 545.00 FOOT RADIUS CURVE TO THE RIGHT 165.28 FEET, HAVING A CENTRAL ANGLE OF 17°22'32" (CHORD N48°40'06"W, 164.64') TO A POINT ON A REVERSE CURVE; THENCE NORTHWESTERLY ALONG A 19.00 FOOT RADIUS CURVE TO THE LEFT 28.30 FEET, HAVING A CENTRAL ANGLE OF 85°20'50" (CHORD N82°38'42"W, 25.76') TO A POINT ON A LINE; THENCE NORTH 35°19'07"

WEST 53.50 FEET TO A POINT ON A CURVE CENTER BEARS NORTH 35°19'07" WEST; THENCE NORTHEASTERLY ALONG A 19.00 FOOT RADIUS CURVE TO THE LEFT 28.30 FEET, HAVING A CENTRAL ANGLE OF 85°20'50" (CHORD N12°00'28"E, 25.76') TO A POINT ON A REVERSE CURVE; THENCE NORTHWESTERLY ALONG A 545.00 FOOT RADIUS CURVE TO THE RIGHT 269.53 FEET, HAVING A CENTRAL ANGLE OF 28°20'10" (CHORD N16°29'52"W, 266.80') TO A POINT ON A LINE; THENCE NORTH 87°40'13" EAST 70.00 FEET TO A POINT ON A CURVE CENTER BEARS SOUTH 39°31'41" EAST; THENCE NORTHEASTERLY ALONG A 50.00 FOOT RADIUS CURVE TO THE RIGHT 24.04 FEET, HAVING A CENTRAL ANGLE OF 27°32'44" (CHORD N64°14'45"E, 23.81') TO A POINT ON A LINE; THENCE NORTH 85°17'01" EAST 16.19 FEET; THENCE NORTH 89°22'11" EAST 103.70 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A 19.11 FOOT RADIUS CURVE TO THE RIGHT 28.21 FEET, HAVING A CENTRAL ANGLE OF 84°35'18" (CHORD S49°06'39"E, 25.71') TO A POINT ON A REVERSE CURVE; THENCE SOUTHEASTERLY ALONG A 89.52 FOOT RADIUS CURVE TO THE LEFT 60.17 FEET, HAVING A CENTRAL ANGLE 38°30'44" (CHORD S21°22'38"E, 59.05') TO A POINT ON A CURVE, CENTER BEARS NORTH 52°54'24" EAST: THENCE SOUTHEASTERLY ALONG A 60.32 FOOT RADIUS CURVE TO THE LEFT 48.18 FEET, HAVING A CENTRAL ANGLE 45°45'47" (CHORD S59°58'30"E, 46.91') TO A POINT; THENCE SOUTH 87°43'08" EAST 23.58 FEET; THENCE SOUTH 48°35'46" EAST 34.30 FEET; THENCE SOUTH 41°02'22" EAST 111.00 FEET; THENCE SOUTH 57°27'50" EAST 179.85 FEET; THENCE SOUTH 88°16'48" EAST 10.14 FEET; THENCE SOUTH 55°17'21" EAST 30.84 FEET; THENCE SOUTH 30°21'18" EAST 10.19 FEET; THENCE SOUTH 57°33'42" EAST 160.76 FEET TO THE POINT OF BEGINNING.