

WHEN RECORDED, PLEASE RETURN TO:  
Central Utah Water Conservancy District  
626 East 1200 South  
Heber City, UT 84032

Ent 301331 Bk 855 Pg 302-318  
Date: 12-MAY-2006 9:34AM  
Fee: None Filed By: MWC  
ELIZABETH PALMIER, Recorder  
WASATCH COUNTY CORPORATION  
CENTRAL UTAH WATER CONSERVANCY

### NOTICE OF LOCATION OF EASEMENT

WHEREAS, that certain Notice of Interest, recorded on August 18, 1999, under Entry No. 216973, Book 433, Page 775, of Records, Wasatch County, Utah, a copy of which is attached hereto as EXHIBIT "A" and incorporated by reference herein, was recorded by Wasatch County Special Service Area No. 1 (the "Service Area"), to document an unrecorded easement in favor of the Service Area for the purpose of construction, operation and maintenance of irrigation pipelines and related facilities (the "Easement"); and

WHEREAS, that certain Notice of Interest, recorded on January, 5, 2000, under Entry No. 220733, Book 448, Page 759, of Records, Wasatch County, Utah, a copy of which is attached hereto as EXHIBIT "A" and incorporated by reference herein, was recorded by Wasatch County Special Service Area No. 1 (the "Service Area"), to document an unrecorded easement in favor of the Service Area for the purpose of construction, operation and maintenance of irrigation pipelines and related facilities (the "Easement"); and

WHEREAS, the Notice of Interest generally describes the property burdened by the Easement as that parcel described in Book 373, Page 183, Wasatch County Recorder's Office, County Assessor Parcel No. OWC-0588-0-020-035 (the "Property"); and

WHEREAS, the Notice of Interest generally describes the property burdened by the Easement as that parcel described in Book 373, Page 183, Wasatch County Recorder's Office, County Assessor Parcel No. OWC-0623-0-029-035 (the "Property"); and

WHEREAS, as set forth in the Notice of Interest, the Easement was granted to the Service Area by virtue of an Easement Agreement between the owner of the property described therein and the Service Area, a copy of which agreement(s) is attached hereto as EXHIBIT "B" and incorporated by reference herein; and

WHEREAS, the Notice of Interest provides that following completion of construction, the exact location of the Easement across the Property would be determined and appropriate documentation filed with the Wasatch County Recorder's Office; and

WHEREAS, construction has been completed and the exact location of the Easement has been determined.


NOW, THEREFORE, NOTICE IS HEREBY GIVEN, that the exact location of the Easement referenced in the Notice of Interest is hereby documented as follows:

1. The Property burdened by the Easement is more particularly described in EXHIBIT "C" attached hereto and incorporated by reference herein.
2. The exact location of the Easement is identified in that certain document entitled WASATCH COUNTY WATER EFFICIENCY PROJECT, PIPELINE EASEMENTS, APRIL 2003 (the "Easement Book"), recorded on June 13, 2003, under Entry No. 259146, Book 0630, Pages 0752-0887, of Records, Wasatch County, Utah, under Lateral No. W-D, in recordation page(s) 768-769 of the Easement Book.

DATED this 6 day of April, 2006.

#### WASATCH COUNTY SPECIAL SERVICE AREA NO. 1

STATE OF UTAH  
County of Wasatch



**JANE GILES**  
Notary Public - State of Utah  
82 South 400 West  
Heber City, Ut 84032  
My Commission Expires May 18, 2007

By: Jonathan M Clegg  
Its Manager

On the 6<sup>th</sup> day of April, 2006, appeared before me Jonathan Clegg, who duly acknowledged that the within and foregoing instrument was signed by him on behalf of Wasatch County Special Service Area No. 1 by authority of its Board of Trustees, and that said District executed the same.

Jane Giles  
NOTARY PUBLIC

**EXHIBIT "A"**  
**NOTICE OF INTEREST**

When Recorded return to: Wasatch County Special Service Area No.1  
2210 South Highway 40 - P.O. Box 87  
Heber City, Utah 84032

~~00216973 Bk 00433 Pg 00775-00775  
WASATCH CO RECORDER-ELIZABETH M PARCELL  
1999 AUG 18 10:54 AM FEE \$1.00 BY MWC  
REQUEST WASATCH COUNTY SPECIAL SERVICE~~

**NOTICE OF INTEREST**

Wasatch County Special Service Area No.1 has an unrecorded easement across the following described parcel of real property located in Wasatch County, State of Utah, for the purpose of construction, operation and maintenance of irrigation pipelines and related facilities:

**General Legal Description of Property**

That certain real property located in NW of Section 29 Township 3 South, Range 5 East as described in Docket 373, Page 183, Wasatch County Recorders Office. Affects County Assessor Parcel No. OWC-0623-0-029-035.

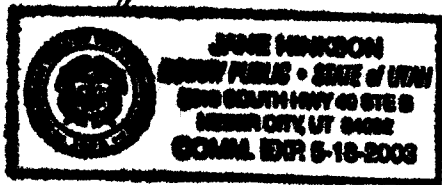
That certain real property located in SW of Section 20 Township 3 South, Range 5 East as described in Docket 373, Page 183, Wasatch County Recorders Office. Affects County Assessor Parcel No. OWC-0588-0-020-035.

Following completion of construction, the exact location of the easement across the above-described property will be determined and the appropriate documentation filed with the Wasatch County Recorder's Office.

The easement was granted to Wasatch County Special Service Area No.1 by virtue of an Easement Agreement between the property owner CLARK F. & JEANNE FITZGERALD FAMILY TRUST, and Wasatch County Special Service Area #1, signed by CLARK F. FITZGERALD, dated the 1ST day of SEPTEMBER, 1998. A copy of the Easement Agreement is on file at the office of the Special Service Area, located at 2210 South Highway 40, Suite B, Heber City, Utah 84032 and may be inspected at that location during regular business hours.

Signature: Claude R. Hatcher  
*Jane Henderson*

Date: 8/9/99



**EXHIBIT "B"**  
**EASEMENT AGREEMENT(S)**

### MAINLINE EASEMENT AGREEMENT

I CLARK & JEANNE FITZGERALD FAMILY TRUST and MONT FITZGERALD FAMILY TRUST, do hereby grant unto Wasatch County Special Service Area No. 1 otherwise known as WCSSA #1 and their successors or assigns, a temporary construction easement of approximately 40 feet left of centerline of Irrigation pipeline and 10 feet right of centerline of Irrigation pipeline for the purpose of installation of the Irrigation pipeline. The temporary construction easement will expire 3 years from the date of October 3, 1998. All distances are from centerline right or left of Irrigation pipelines looking in the direction of the flow of water in the Irrigation pipeline.

I CLARK & JEANNE FITZGERALD FAMILY TRUST and MONT FITZGERALD FAMILY TRUST, do hereby grant unto Wasatch County Special Service Area No. 1 otherwise known as WCSSA#1, and their successors or assigns, a permanent easement of approximately 10 feet left of centerline of Irrigation pipeline and 10 feet right of centerline of Irrigation pipeline for the purpose of operation and maintenance of said Irrigation pipeline and turnout or turnouts. The permanent easement will be recorded among the records of the County Recorder.

Said easements are situated in the County of Wasatch, State of Utah and are shown in attachment Exhibits A and B. Property that the Irrigation pipeline traverses is located SW 1/4 Sec 20 T. 3S R. 5E .

The undersigned gives the right to the contractor for construction and WCSSA #1 staff, CUWCD, or agents to enter onto the property for inspections, operation and maintenance of the Irrigation pipeline and turnout or turnouts. The participant will grant this easement for the right to use the delivery Irrigation pipeline.

The contractor shall restore the disturbed area to pre-existing conditions as required in the construction contract. The negotiation for the restoration of land and/or property is between the landowner and the contractor with the assistance of the WCSSA#1.

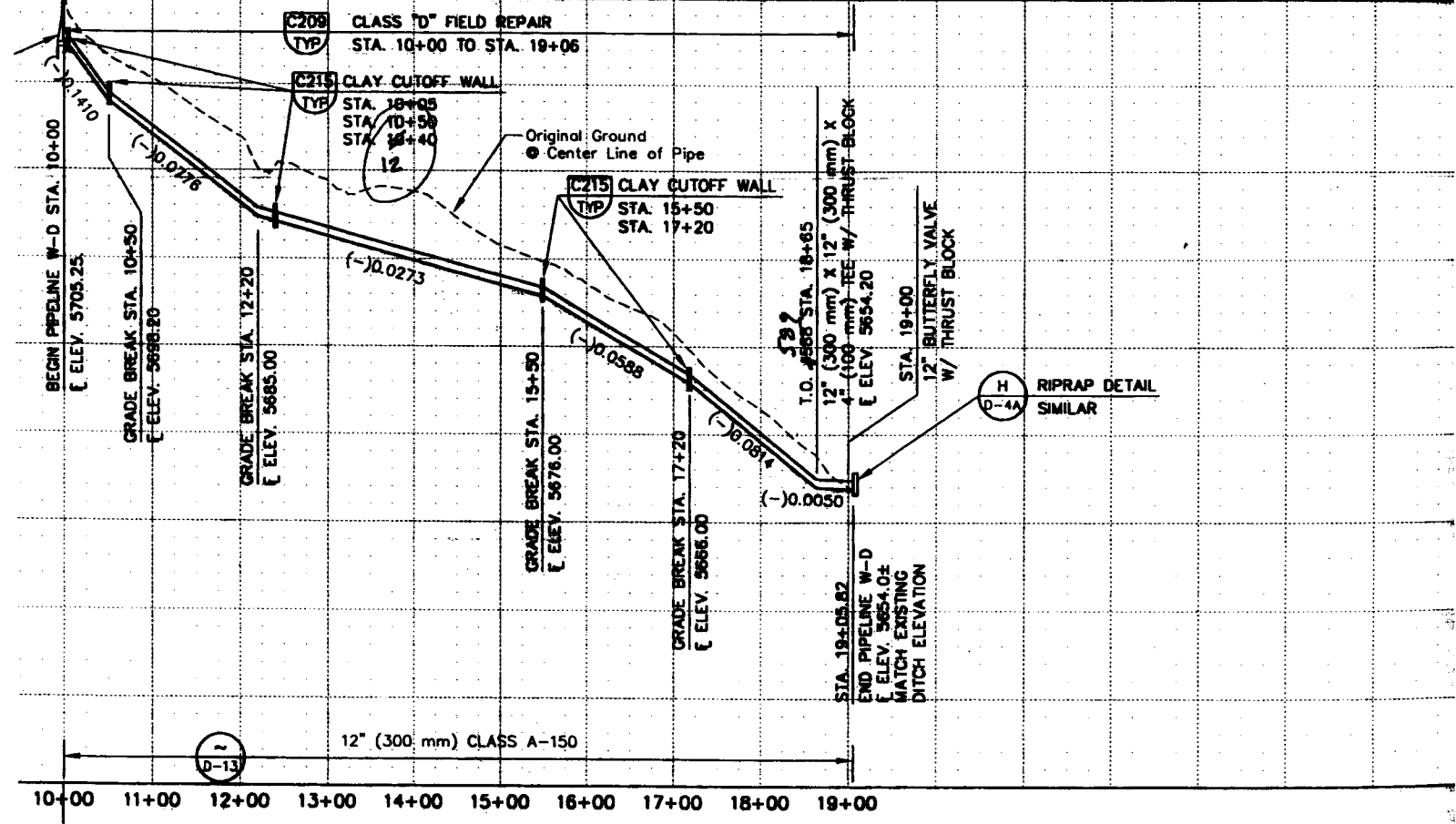
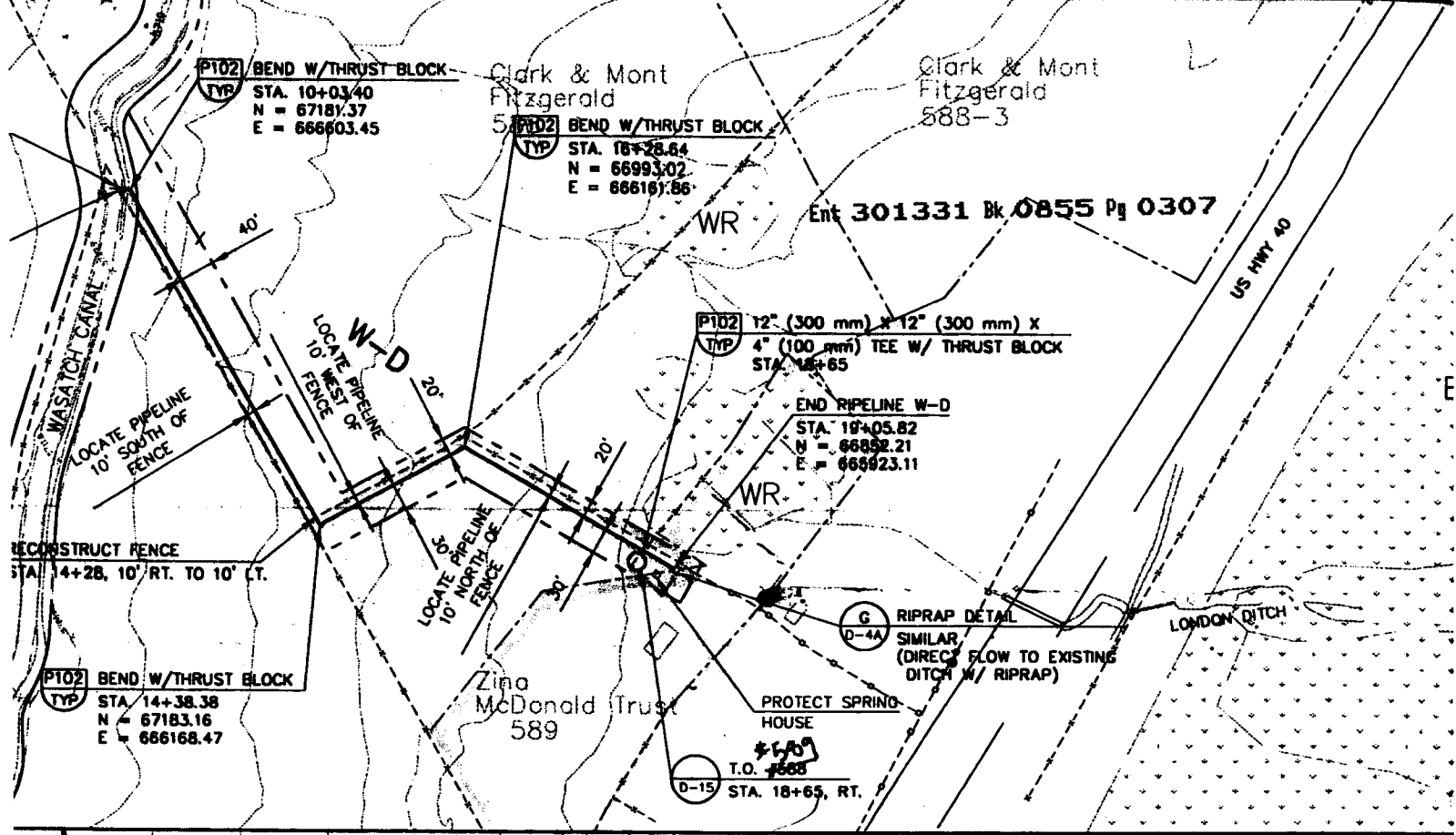
This easement is a legally binding document and cannot be altered without the agreement of all signatory parties.

Signed: Clark & Jeanne Fitzgerald Family Trust Date: 10/20/99  
Clark & Jeanne Fitzgerald Family Trust

Signed: Mont Fitzgerald (TRUSSEE) Date: 10/26/99  
Mont Fitzgerald Family Trust

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_



ED S. ROMNEY	SUBMITTED			<b>MONTGOMERY WATSON</b> Salt Lake City, Utah		CENTRAL UTAH Wasatch County W-D LONDON PLAN STA. 10
D. CARPENTER	PROJECT ENGINEER R.C.E. No. DATE					
D. M. BREITENBACH	MONTGOMERY WATSON R.C.E. No. DATE					
	EXP.					

**TURNOUT EASEMENT AGREEMENT**

Ent 301331 Bk 0855 Pg 0308

I, CLARK & JEANNE FITZGERALD, do hereby grant unto Wasatch County Special Service Area #1 otherwise known as WCSSA #1, and their successors or assigns, a construction easement of approximately 25 feet in all directions from centerline of the landowner's turnout. This easement is for construction only and will not be recorded on the County records. The construction easement expires 3 years from the date of Oct 3, 1998.

I, CLARK & JEANNE FITZGERALD, do hereby grant unto Wasatch County Special Service Area #1, otherwise known as WCSSA#1, and their successors or assigns, a permanent easement of approximately 12 1/2 feet in all directions from centerline of the landowners turnout or turnouts. This easement is for the purpose to operate and maintain the turnout. The permanent easement will be recorded on the County Recorder's records. This will be done after the turnout or turnouts are installed. WCSSA #1 will record the easements for the turnout or turnouts with the County Recorder after the total Wasatch County Water Efficiency Project is completed.

The turnout or turnouts are located on attached exhibits A and B. The location is NW 1/4 Sec. 29 T. 3S R. 5E.

The undersigned gives the right to the contractor for construction and WCSSA #1 staff, CUWCD, or agents to enter onto the property for inspection, operation and maintenance of the turnout or turnouts with their appurtenances. The participant will grant this easement for the right to use the delivery pipeline.

The contractor shall restore the disturbed area to pre-existing conditions, as required in the construction contract. The negotiation for the restoration of land and/or property is between the landowner and the contractor with the assistance of the WCSAA #1.

This easement is a legally binding document and cannot be altered without the agreement of all signatory parties.

Signed: Clark Fitzgerald

Date: 9/1/98

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: Jane Hinshaw

Date: 9-1-98

## MAINLINE & TURNOUT EASEMENT AGREEMENT

I, CLARK & JEANNE FITZGERALD, do hereby grant unto Wasatch County Special Service Area No. 1 otherwise known as WCSSA #1 and their successors or assigns, a temporary construction easement of approximately 40 feet left of centerline of Irrigation pipeline and 10 feet right of centerline of Irrigation pipeline for the purpose of installation of the Irrigation pipeline. The temporary construction easement will expire 3 years from the date of August 15, 1998. All distances are from centerline right or left of Irrigation pipelines looking in the direction of the flow of water in the Irrigation pipeline. The temporary construction easement will not be recorded.

I, CLARK & JEANNE FITZGERALD, do hereby grant unto Wasatch County Special Service Area No. 1 otherwise known as WCSSA#1, and their successors or assigns, a permanent easement of approximately 10 feet left of centerline of Irrigation pipeline and 10 feet right of centerline of Irrigation pipeline for the purpose of operation and maintenance of said Irrigation pipeline and turnout or turnouts. The permanent easement will be recorded among the records of the County Recorder. WCSSA#1 will record with the County Recorder the pipelines and turnout or turnouts easements after the installation is completed for the entire Wasatch County Water Efficiency Project.

Said easements are situated in the County of Wasatch, State of Utah and are shown in attachment Exhibits A and B. Property that the Irrigation pipeline traverses is located NW 1/4 Sec 29 T. 3S R. 5E .

The undersigned gives the right to the contractor for construction and WCSSA #1 staff, CUWCD, or agents to enter onto the property for inspections, operation and maintenance of the Irrigation pipeline and turnout or turnouts. The participant will grant this easement for the right to use the delivery Irrigation pipeline.

The contractor shall restore the disturbed area to pre-existing conditions as required in the construction contract. The negotiation for the restoration of land and/or property is between the landowner and the contractor with the assistance of the WCSSA#1.

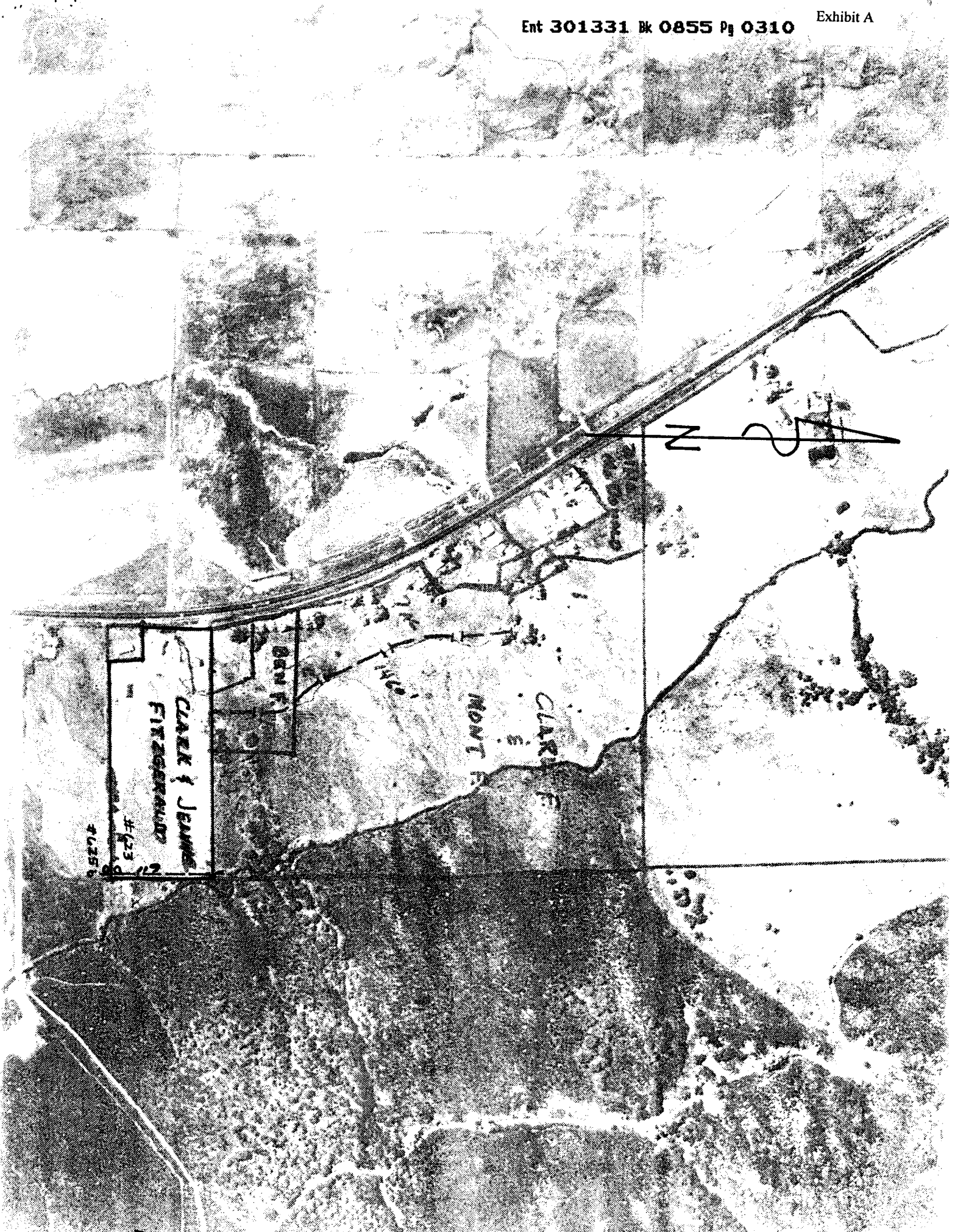
This easement is a legally binding document and cannot be altered without the agreement of all signatory parties.

Signed: Clark Fitzgerald Date: 9/1/98

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: Jane Hansen Date: 9-1-98





CLARK & JENNER  
FITZGERALD  
F 23  
MONT  
4255

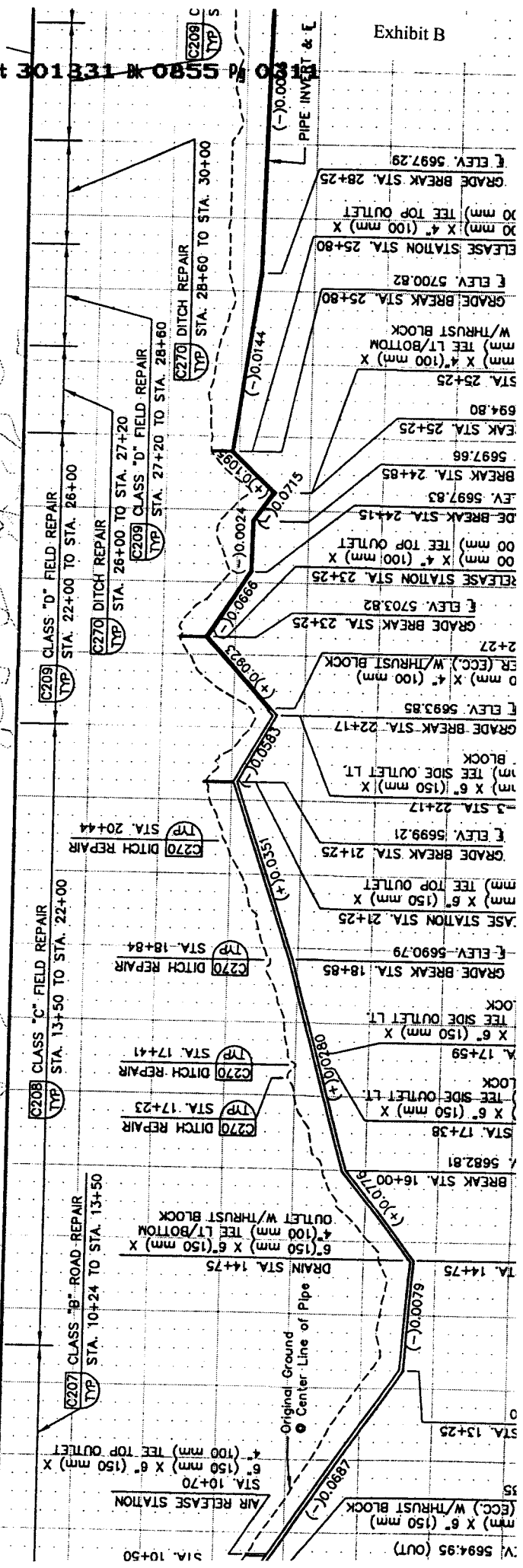
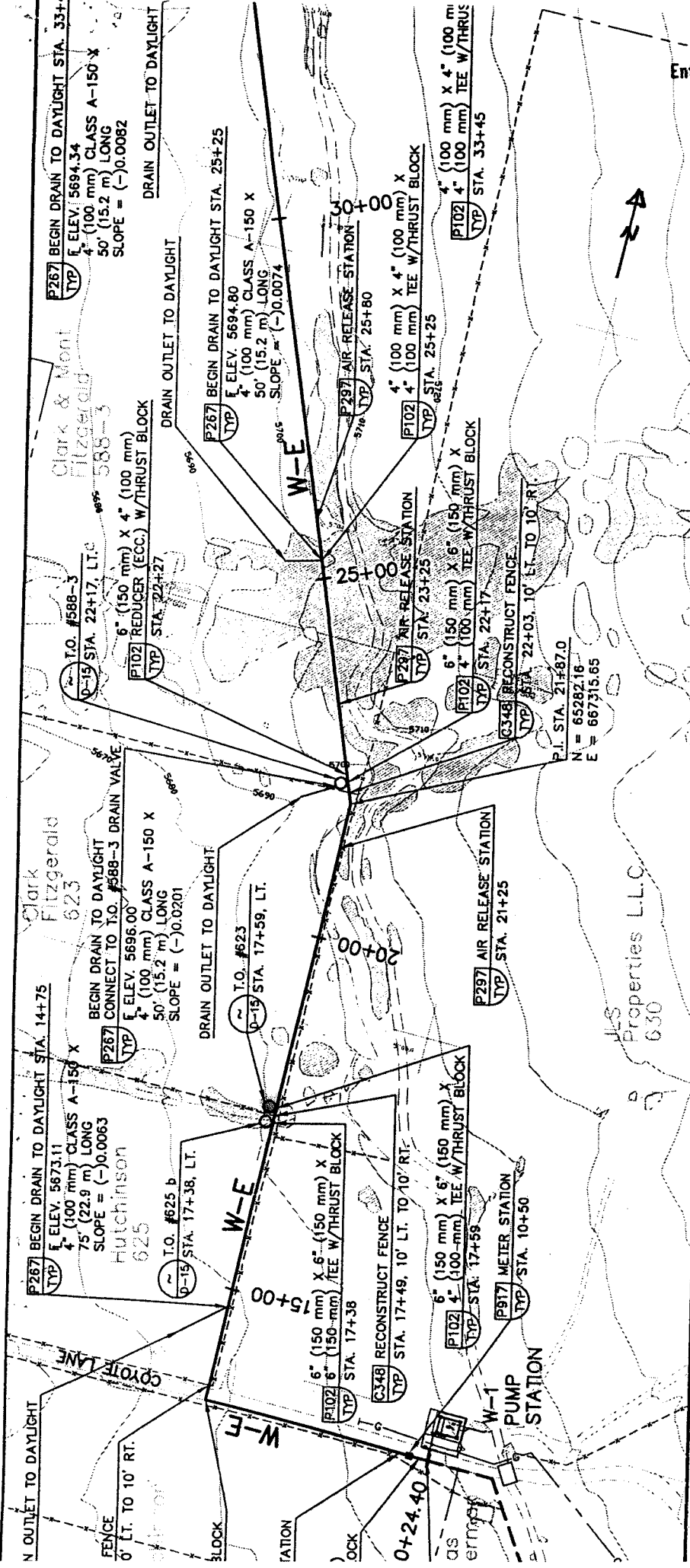
800 F

MONT

CLARK

N S

Ent 301331 R 0855 P 0331



**MAINLINE & TURNOUT EASEMENT AGREEMENT**

I, CLARK FITZGERALD & MONT FITZGERALD, do hereby grant unto Wasatch County Special Service Area No. 1 otherwise known as WCSSA #1 and their successors or assigns, a temporary construction easement of approximately 30 feet left of centerline of Irrigation pipeline and 20 feet right of centerline of Irrigation pipeline for the purpose of installation of the Irrigation pipeline. The temporary construction easement will expire \_\_\_\_\_ years from the date of August 15, 1998. All distances are from centerline right or left of Irrigation pipelines looking in the direction of the flow of water in the Irrigation pipeline. The temporary construction easement will not be recorded.

I, CLARK FITZGERALD & MONT FITZGERALD, do hereby grant unto Wasatch County Special Service Area No. 1 otherwise known as WCSSA#1, and their successors or assigns, a permanent easement of approximately 10 feet left of centerline of Irrigation pipeline and 10 feet right of centerline of Irrigation pipeline for the purpose of operation and maintenance of said Irrigation pipeline and turnout or turnouts. The permanent easement will be recorded among the records of the County Recorder. WCSSA#1 will record with the County Recorder the pipelines and turnout or turnouts easements after the installation is completed for the entire Wasatch County Water Efficiency Project.

Said easements are situated in the County of Wasatch, State of Utah and are shown in attachment Exhibits A and B. Property that the Irrigation pipeline traverses is located SE 1/4 Sec 20 T. 3S R. 5E and NW 1/4 Sec 29 T. 3S R. 5E..

The undersigned gives the right to the contractor for construction and WCSSA #1 staff, CUWCD, or agents to enter onto the property for inspections, operation and maintenance of the Irrigation pipeline and turnout or turnouts. The participant will grant this easement for the right to use the delivery Irrigation pipeline.

The contractor shall restore the disturbed area to pre-existing conditions as required in the construction contract. The negotiation for the restoration of land and/or property is between the landowner and the contractor with the assistance of the WCSSA#1.

This easement is a legally binding document and cannot be altered without the agreement of all signatory parties.

Signed: Clark Fitzgerald Date: 9/1/98

Signed: Mont Fitzgerald Date: 9/2/98  
Trustee for Mont Fitzgerald Trust

Witness: Claude R. Hicken Date: 9-2-98

## TURNOUT EASEMENT AGREEMENT

I, CLARK FITZGERALD & MONT FITZGERALD, do hereby grant unto Wasatch County Special Service Area #1 otherwise known as WCSSA #1, and their successors or assigns, a construction easement of approximately 25 feet in all directions from centerline of the landowner's turnout. This easement is for construction only and will not be recorded on the County records. The construction easement expires 3 years from the date of \_\_\_\_\_.

I, CLARK FITZGERALD & MONT FITZGERALD, do hereby grant unto Wasatch County Special Service Area #1, otherwise known as WCSSA #1, and their successors or assigns, a permanent easement of approximately 12 1/2 feet in all directions from centerline of the landowners turnout or turnouts. This easement is for the purpose to operate and maintain the turnout. The permanent easement will be recorded on the County Recorder's records. This will be done after the turnout or turnouts are installed. WCSSA #1 will record the easements for the turnout or turnouts with the County Recorder after the total Wasatch County Water Efficiency Project is completed.

The turnout or turnouts are located on attached exhibits A and B. The location is SE 1/4 Sec. 20 T. 3S R. 5E and NW 1/4 Sec 29 T. 3S R. 5E .

The undersigned gives the right to the contractor for construction and WCSSA #1 staff, CUWCD, or agents to enter onto the property for inspection, operation and maintenance of the turnout or turnouts with their appurtenances. The participant will grant this easement for the right to use the delivery pipeline.

The contractor shall restore the disturbed area to pre-existing conditions, as required in the construction contract. The negotiation for the restoration of land and/or property is between the landowner and the contractor with the assistance of the WCSAA #1.

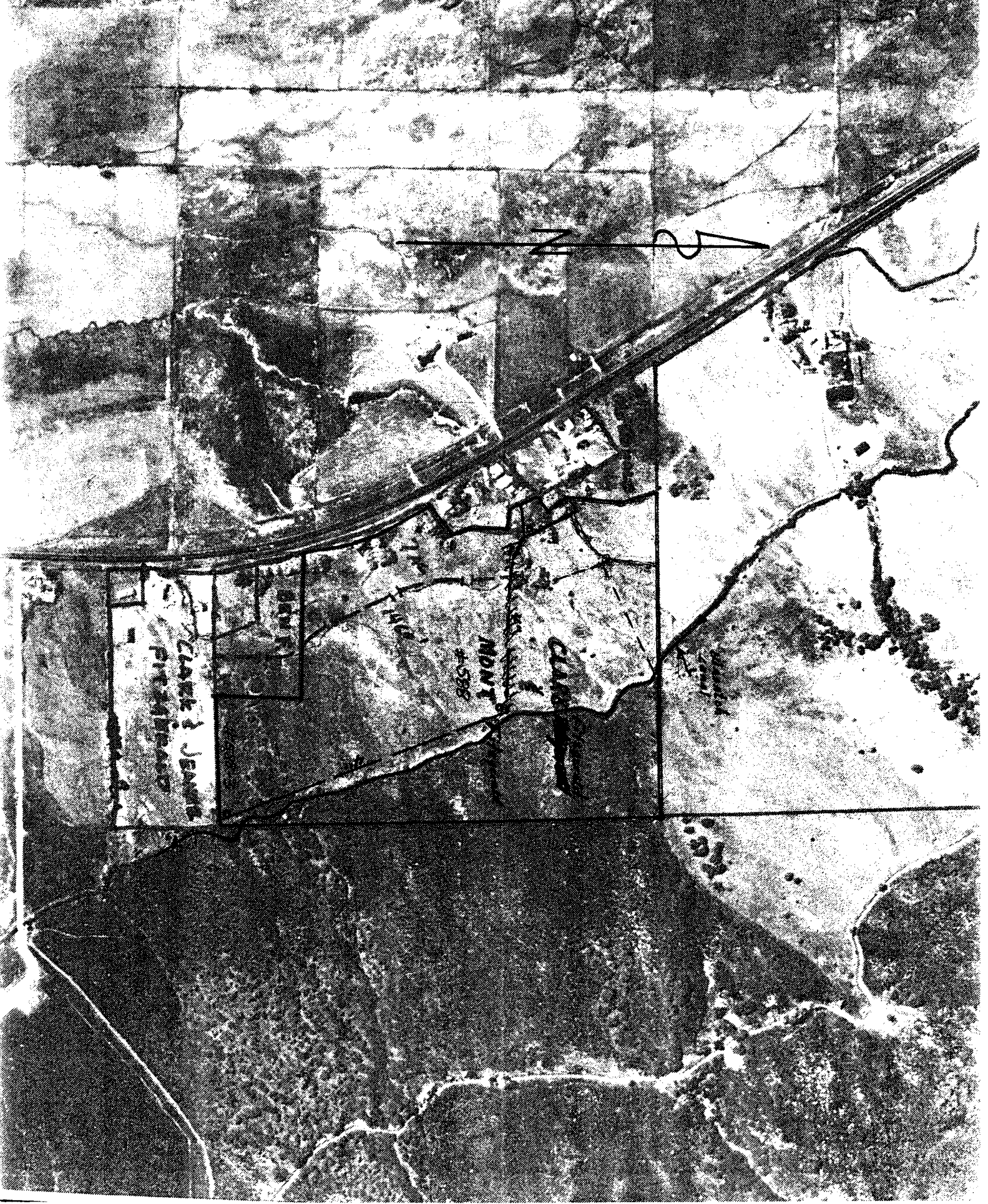
This easement is a legally binding document and cannot be altered without the agreement of all signatory parties.

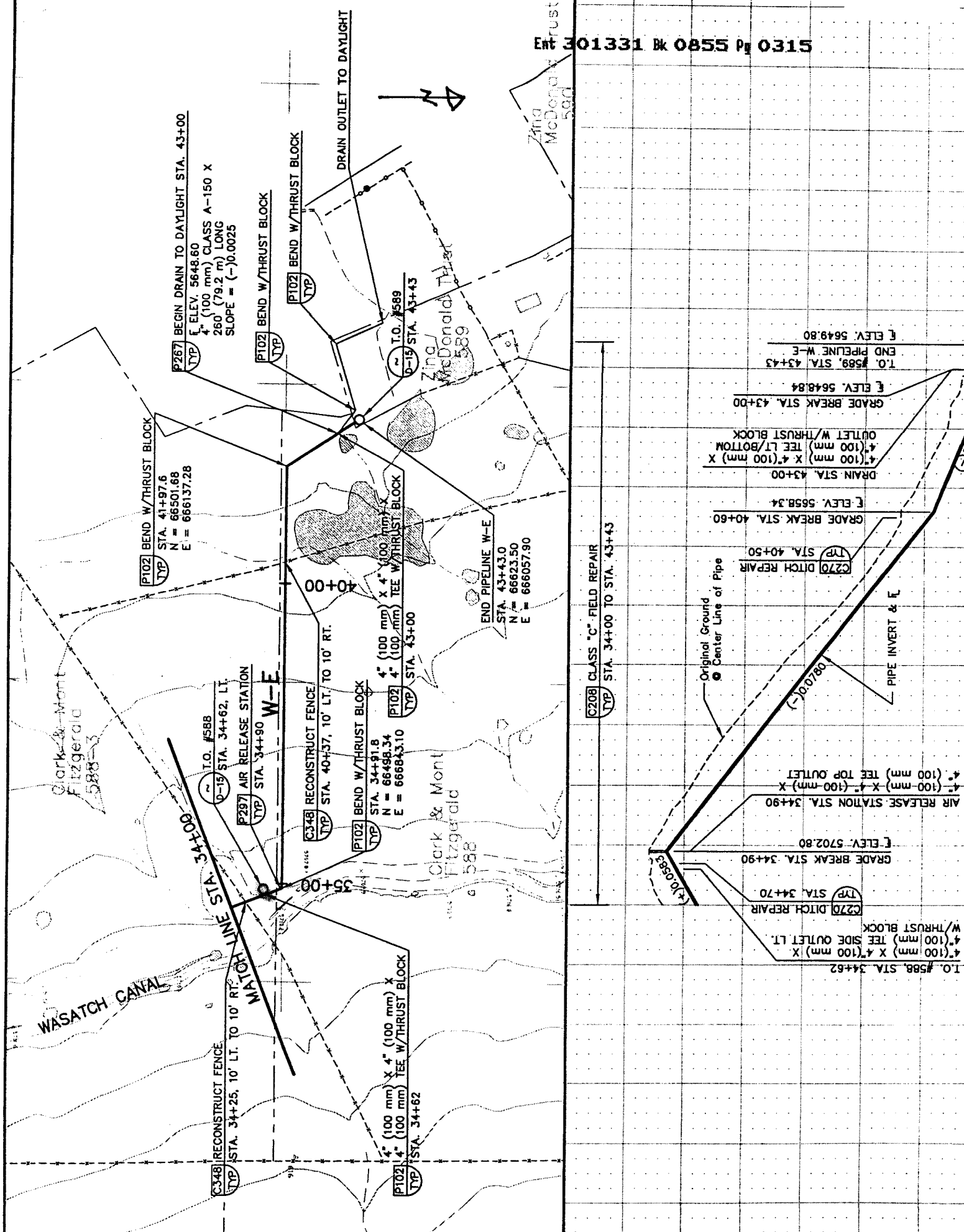
Signed: <u>Clark Fitzgerald</u>	Date: <u>9/1/98</u>
Signed: <u>Robney M. Fitzgerald</u>	Date: <u>9/2/98</u>
<small>Trustee for Mont Fitzgerald Trust</small>	
Witness: <u>Claude Ficken</u>	Date: <u>9/2/98</u>

30 1/4 29 T 35 R 35  
NW 1/4 29 T 35 R 35

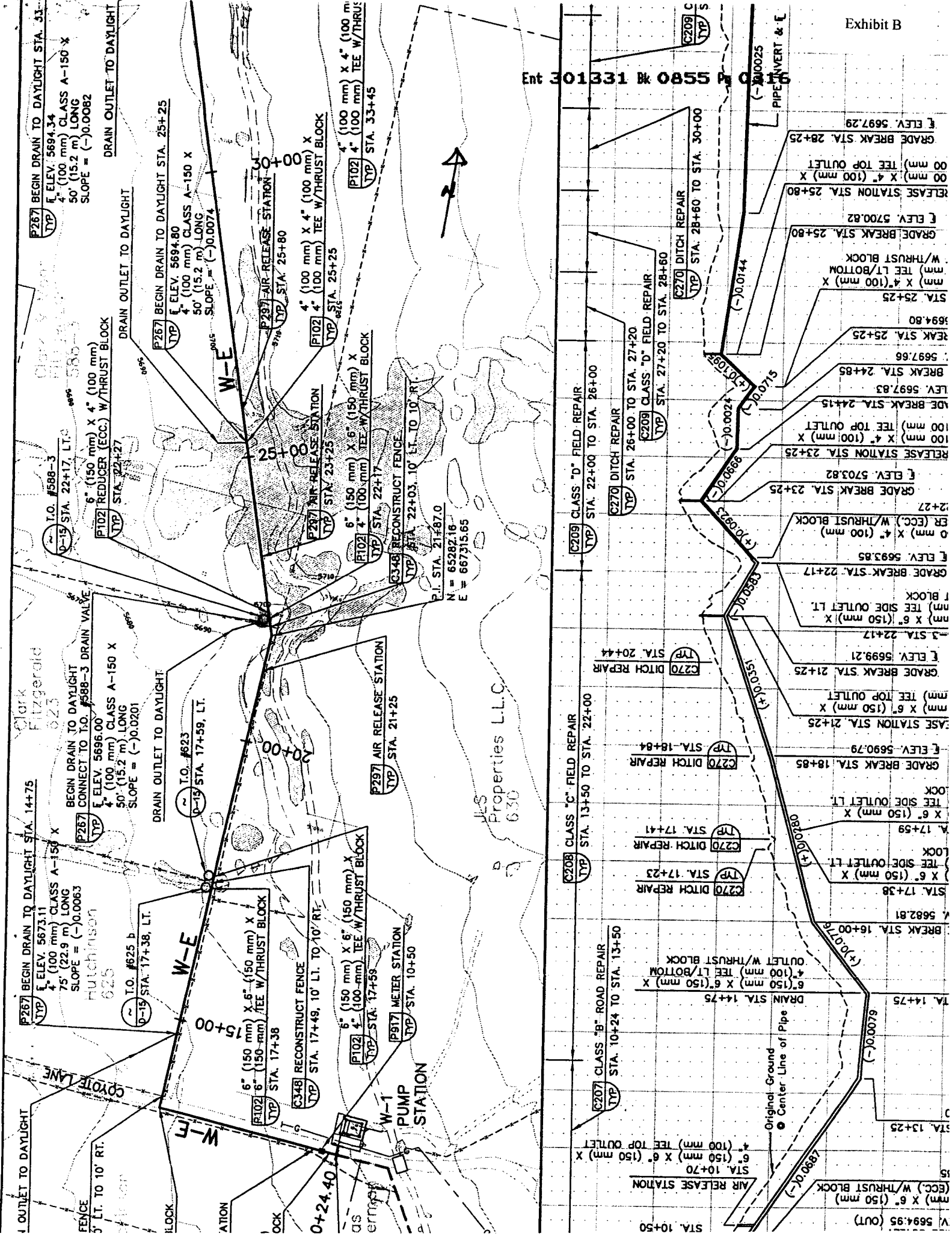
Exhibit A

Ent 301331 Bk 0855 Pg 0314

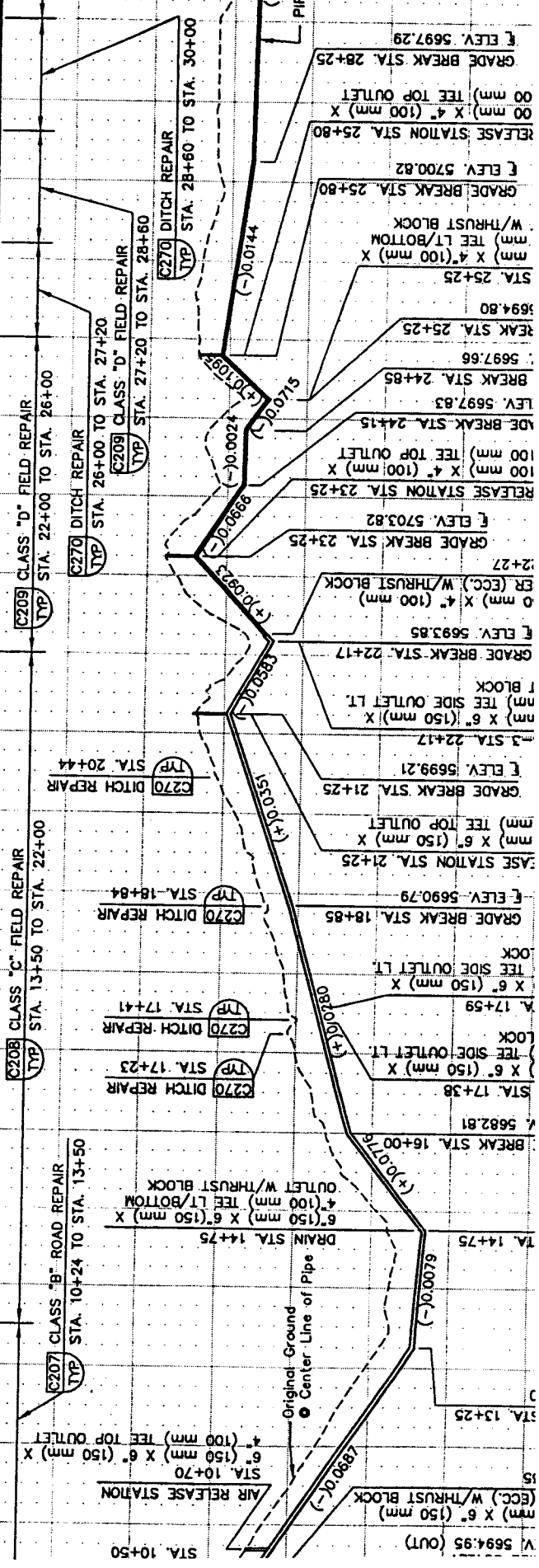




I.O. #588, STA. 34+62  
 4" (100 mm) X 4" (100 mm) X  
 W/THRUST BLOCK  
 C270 DITCH REPAIR  
 STA. 34+70  
 GRADE BREAK STA. 34+90  
 ELEV. 5702.80  
 AIR RELEASE STATION STA. 34+90  
 4" (100 mm) X 4" (100 mm) X  
 TEE TOP OUTLET  
 Original Ground  
 Center Line of Pipe  
 C270 DITCH REPAIR  
 STA. 40+50  
 GRADE BREAK STA. 40+60  
 ELEV. 5658.34  
 DRAIN STA. 43+00  
 4" (100 mm) X 4" (100 mm) X  
 TEE LT/BOTTOM  
 OUTLET W/THRUST BLOCK  
 GRADE BREAK STA. 43+00  
 ELEV. 5648.84  
 I.O. #589, STA. 43+43  
 END PIPELINE W-E  
 ELEV. 5649.80



Ent 301331 # 0855 P 0



Original-Ground  
Center Line of Pipe

EXHIBIT "C"

LEGAL DESCRIPTION OF THE PROPERTY

Beginning 1224 feet south of the North quarter corner of Section 29, Township 3 South, Range 5 East, Salt Lake Base and Meridian; thence West 953.45 feet, thence North 140 feet, thence West 154.9 feet, thence Northerly along Highway 40 322 feet, thence East 1119.36 feet, thence South 462 feet to the point of beginning.



**EXHIBIT "C"**  
**LEGAL DESCRIPTION OF THE PROPERTY**

Parcel 4:

Beginning South Quarter Corner of Section 20, Township 3 South, Range 5 East, Salt Lake Base and Meridian; thence North 660 feet, thence West 1397.88 feet, thence South 21 degrees East 220.49 feet, thence South 20 degrees 175.56 feet, thence North 60 degrees 30' East 66 feet, thence South 24 degrees East 250.8 feet, thence South 73 degrees 45' West 290.5 feet, thence South 63 degrees 45' West to the point of beginning.