

WHEN RECORDED MAIL TO  
Metropolitan Water District  
of Salt Lake & Sandy  
3430 East Danish Road  
Sandy, UT 84093  
Attn: Robyn Clayton

9213882  
11/02/2004 02:13 PM \$0.00  
Book - 9056 Pg - 3956-3959  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
METROPOLITAN WATER DIST OF SL  
WELLS FARGO PLAZA  
170 S MAIN STE-650  
SLC UT 84101  
BY: SBM, DEPUTY - WI 4 P.

PARCEL ID #s 33-12-400-020 & 34-07-300-013

POMA #s 067 & 068

**TEMPORARY CONSTRUCTION EASEMENT AGREEMENT**

**Pine Hill Associates, a Utah Partnership**, Grantor, hereby grants and conveys to the METROPOLITAN WATER DISTRICT OF SALT LAKE & SANDY, a special district organized under the laws of the State of Utah, Grantee, for the sum of ten dollars and other valuable consideration, a non-exclusive easement and right-of-way to enter upon the property described in the attached Exhibit 1 (the "Easement Property") with necessary contractors, personnel, vehicles and equipment and to use the Easement Property for the construction of Grantee's water pipeline and related facilities known as the Point of the Mountain Aqueduct (the "Project").

This Easement is subject to the following terms and conditions:

1. The term of this Easement shall be from December 1, 2004 until December 1, 2005, or the completion of the Project, whichever occurs sooner.
2. Upon the termination of this Easement, the Easement Property shall be returned to a reasonable condition taking into account the anticipated future use of the property.
3. Nothing contained herein shall prohibit or restrict the Grantor's use of the Easement Property provided such use does not unreasonably interfere with Grantee's use thereof.
4. This Agreement may be amended only by written instrument executed by all parties.
5. All of the grants, covenants, terms, provisions and conditions in this Agreement shall run with the land and shall be binding upon and inure to the benefit of the successors, assigns, heirs, executors and administrators of the parties.
6. This Agreement, including any exhibits, constitutes the entire agreement of the parties and supersedes all prior understandings, representations or agreements of the parties regarding the subject matter in this document.
7. By accepting and recording this Agreement, Grantee agrees to be bound by its terms.

Executed this 27<sup>th</sup> day of October, 2004.

GRANTOR:

Pine Hill Associates LLC

By: M. Steve Rideout

Print Name: M. STEVE RIDEOUT

Title: Manager

STATE OF UTAH )

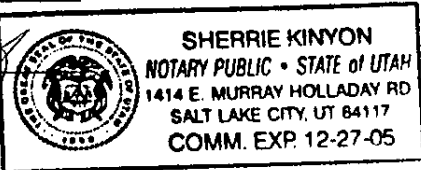
: ss.

COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 27 day of October, 2004, by M. Steve Rideout.

Sherrie Kinyon

Notary Public  
Residing at: Salt Lake County  
My Commission Expires: 12/27/05



## **Exhibit 1**

### **POMA 067**

A strip of land located in the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 12, Township 4 South, Range 1 West, S.L.B.&M. Salt Lake County, Utah, being the southerly 50.00 feet of said Pine Hill Associates property, referenced on the Salt Lake County ownership records as Tax ID #33-12-400-0020, as a remainder of a parcel of land recorded as entry No. 6184346, in Book 7244, at Page 341 in the office of the Salt Lake County Recorder, Utah. Containing 18,365 sq. feet or 0.42 acres of land, more or less.

### **POMA 068**

A strip of land located in the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 12, Township 4 South, Range 1 West, S.L.B.&M., and the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 7, Township 4 South, Range 1 East, S.L.B.&M., Salt Lake County, Utah being 50.00 feet in width, lying between 5.00 feet and 55.00 feet northwesterly from the following described center line of Grantee's Point of the Mountain Aqueduct (the "Pipeline"):

Beginning at a point on the proposed boundary line of said Pipeline, which point is 1334.19 feet North and 570.28 feet West, more or less, from the southwest corner of said Section 7: thence N.62°23'22"E. 83.19 feet to the point of curvature of a 2241.85-foot radius curve to the right; thence northeasterly 455.98 feet along the arc of said curve, having a central angle of 11°39'13", subtended by a chord that bears N.68°12'58"E. 144.16 feet; thence N.74°02'35"E. 1209.17 feet to the point of terminus, said point being S.53°36'46"W. 1321.13 feet, more or less, from the West Quarter corner of said Section 7. Containing 85,182 sq. feet or 1.96 acres of land, more or less.

The boundary lines of said strip easement shall be prolonged and/or shortened to begin and end on, and conform to, the Grantor's property lines.

