

KATIE L. DIXON  
RECORDER  
SALT LAKE COUNTY,  
UTAH

JAN 5 10 56 AM '87  
S. L. City Suburban  
District.

REQ OF \_\_\_\_\_  
DEP \_\_\_\_\_

Gold & Bogenschultz  
ATTORNEYS AT LAW  
CHICAGO, ILL.

No fee

4378640

ASSIGNMENT OF EASEMENT

ASSIGNMENT made this 14<sup>th</sup> day of August, 1986, by SMITH'S FOOD KING PROPERTIES, INC. ("Assignor") to SALT LAKE CITY SUBURBAN SANITARY DISTRICT #1 ("Assignee").

WITNESSETH:

WHEREAS, Assignor has acquired sewer easement rights to certain property (the "Property") as described on Exhibit "A" attached hereto by virtue of an Easement Agreement ("Easement") dated on or about May 19, 1986, and recorded June 4, 1986, as Entry No. 4256135, Book 5774, Page 2752, in the Office of the Salt Lake County Recorder, State of Utah, by and between Smith's Food King Properties, Inc., Chrysalis Company (Joel Kester, General Partner), Lynn M. Bushman, Sharon K. Snow and Dimond Way Properties, as Grantors, and Smith's Food King Properties, Inc., as Grantee, a copy of which is attached hereto as Exhibit "B" and by this reference made a part hereof;

WHEREAS, in order to meet the requirements to develop its property to the South, Assignor desires to give all of its rights under the Easement to Assignee; and

WHEREAS, the legal description for the centerline of the Easement is attached hereto as Exhibit "C."

NOW, THEREFORE, in consideration of the premises and agreements herein set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,

3932 So. 500 E.  
SLC, ut. 84107

BOOK 5861 PAGE 1603

Assignor does hereby assign all of the rights, title and interest created in it by virtue of that certain Easement attached as Exhibit "B" hereto for the property described therein to Assignee.

IN WITNESS WHEREOF, Assignor has executed this Assignment the day and year first above written.

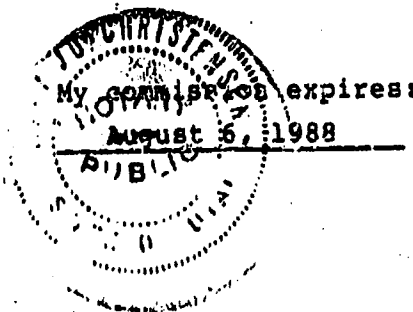
ASSIGNOR

SMITH'S FOOD KING PROPERTIES, INC.

By *Tom Welch*  
Tom Welch, Vice President

STATE OF UTAH )  
: ss.  
County of Salt Lake )

On the 14th day of August, 1986, personally appeared before me Tom Welch, who being by me duly sworn did say that he is the Vice President of SMITH'S FOOD KING PROPERTIES, INC., and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors and said Tom Welch duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.



*Mary D. Christensen*  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

BOOK 5861 PGS 1604

DESCRIPTION

A part of Block 5, TEN ACRE PLAT "A", BIG FIELD SURVEY in Section 5,  
Township 2 South, Range 1 East, Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point 582.17 feet North  $0^{\circ}05'44''$  East along the East  
line of Lot 1 in said Block 5, and 681.27 feet South  $89^{\circ}54'14''$  West from  
the Southeast corner of said Lot 1; and running thence North  $0^{\circ}05'46''$  West  
10.00 feet; thence North  $89^{\circ}54'14''$  East 50.00 feet; thence South  $0^{\circ}05'46''$  East  
20.00 feet; thence South  $89^{\circ}54'14''$  West 50.05 feet; thence North  $0^{\circ}09'59''$  East  
10.00 feet to the point of beginning.

Contains 1,000 Square Feet

BOOK 5861 PAGE 1605

EXHIBIT "A"

~~4250136~~

EASEMENT

AN EASEMENT granted this \_\_\_\_\_ day of May, 1986, by  
 SMITH'S FOOD KING PROPERTIES, INC., \*JOEL KESTER, LYNN M. BUSHMAN,  
 SHARON K. SNOW and <sup>Diamond, ss.</sup> DIAMOND WAY PROPERTIES, a Utah General  
 Partnership, hereafter collectively referred to as "Grantor," to  
 SMITH'S FOOD KING PROPERTIES, INC., hereafter referred to as  
 "Grantee." \* *Chrysalis Company by its General Partner Joel Kester* (OK)

1. For good and valuable consideration, the receipt and  
 sufficiency of which is hereby acknowledged, Grantor grants to  
 Grantee an easement over the following described property located  
 in Salt Lake County, State of Utah:

Sub - 1 of 16  
 8/16/86

A part of Block 5, TEN ACRE PLAT "A," BIG FIELD  
 SURVEY, in Section 5, Township 2 South, Range 1 East,  
 Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point 582.17 feet North 0°05'44"  
 East along the East line of Lot 1 in said Block 5, and  
 681.27 feet South 89°54'14" West from the Southeast  
 corner of said Lot 1; and running thence North 0°05'46"  
 West 10.00 feet; thence North 89°54'14" East 50.00  
 feet; thence South 0°05'46" East 20.00 feet; thence  
 South 89°54'14" West 50.05 feet; thence North 0°09'59"  
 East 10.00 feet to the point of beginning.

Contains 1,000 square feet.

(the "Property").

2. The easement created hereby shall be for the purpose of  
 allowing Grantee to install and maintain an underground sanitary  
 sewer line only.

"FOOT COPY"  
 CO. RECORDER

572481 2258

BOOK 5861 PAGE 1666

EXHIBIT "B"

JUN 4 3 25 PM '86  
 KATHLEEN R. BROWN  
 COUNTY CLERK  
 SALT LAKE COUNTY

*APRIL R. BROWN*  
 APPLICIA R. BROWN

3. Grantee agrees that after any such installation or maintenance permitted by this Easement, it will restore the Property to its condition prior to disturbance.

IN WITNESS WHEREOF, the parties have executed this Easement the day and year first above written.

GRANTOR:

SMITH'S FOOD KING PROPERTIES, INC.

By Tom Welch  
Tom Welch, Vice President

Joel Rester  
JOEL RESTER  
for Chrysalis Company

Lynn H. Bushman  
LYNN H. BUSHMAN

Sharon K. Snow  
SHARON K. SNOW

Diamond S.F.  
DIAMOND WAY PROPERTIES, Utah  
General Partnership

By Sharon K. Snow  
Its MANAGER

POOR COPY  
CO. INCORPORATED

BOOK 5861 PAGE 1607

GRANTEE:

SMITH'S FOOD KING PROPERTIES, INC.

By Tom Welch  
Tom Welch, Vice President

BOOK 5774 PAGE 2757

STATE OF UTAH )  
 : SS.  
County of Salt Lake )

On the 15th day of May, 1986, personally appeared before me Tom Welch who being by me duly sworn did say that he, the said Tom Welch is the Vice President of SMITH'S FOOD KING PROPERTIES, INC., and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors and said Tom Welch duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

Mary Jo Christensen  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

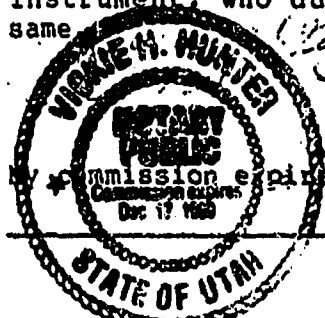
My commission expires:

August 6, 1988

- POOR COPY -  
CO. RECORDER

STATE OF UTAH )  
 : SS.  
County of Salt Lake )

On the 3rd day of June, 1986, personally appeared before me JOEL KESTER, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same



Warbur McLaughlin  
Compromiser  
Vickie H. Hunter  
NOTARY PUBLIC  
Residing at: Salt Lake City, Utah

My commission expires:

STATE OF UTAH )  
 : SS.  
County of Salt Lake )

On the 23rd day of May, 1986, personally appeared before me LYNN M. BUSHMAN, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Lynn M. Bushman  
NOTARY PUBLIC  
Residing at: Salt Lake City

My commission expires:

5/1/88

BOOK 5861 PAGE 1608

FILE 5774 PAGE 2758

STATE OF UTAH

)  
: ss.

County of Salt Lake

On the 23rd day of May, 1986, personally appeared before me SHARON K. SNOW, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

Mance Vincent

NOTARY PUBLIC

Residing at: Salt Lake City

My commission expires:

5/1/88

STATE OF UTAH

)  
: ss.

County of Salt Lake

On the 23rd day of May, 1986, personally appeared before me Sharon K. Snow, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same on behalf of DIAMOND WAY PROPERTIES, a Utah General Partnership.

Mance Vincent

NOTARY PUBLIC

Residing at: Salt Lake City

My commission expires:

5/1/88

STATE OF UTAH

)  
: ss.

County of Salt Lake

On the 9th day of May, 1986, personally appeared before me Tom Welch who being by me duly sworn did say that he, the said Tom Welch is the Vice President of SMITH'S FOOD KING PROPERTIES, INC., and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors and said Tom Welch duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

Thomas W. Christensen

NOTARY PUBLIC

Residing at: Salt Lake City, Utah

My commission expires:

August 6, 1988

- POOR COPY -  
CO. RECORDER

BOOK 5861 PAGE 1669

EX-5774 P. 2759

Smith's Food King Store No. 133  
4500 South 900 East  
Salt Lake City, Utah

**Center Line Description for Sanitary Sewer**

A part of Block 5, 10 Acre Plat A, Big Field Survey, in Section 5, Township 2 South, Range 1 East, Salt Lake Base and Meridian, U.S. Survey:

Beginning at an existing sanitary sewer cleanout being 589.05 feet North  $0^{\circ}05'44''$  East along the East line of Lot 1 in said Block 5 and 674.40 feet South  $89^{\circ}54'14''$  West from the Southeast corner of said Lot 1; and running thence South  $72^{\circ}53'$  East 40.2 feet.

BOOK 5861 PAGE 1610

EXHIBIT "C"