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W3173814

Recording requested by:

The Pointe at Wolf Creek, LLC
3718 Wolf Creek Drive
Eden, UT 84310

E# 3173814 PG 1 OF 8
Leann H. Kilts, WEBER COUNTY RECORDER
06-Aug-21 1053 AM FEE \$40.00 DEP DAC
REC FOR: METRO NATIONAL TITLE
ELECTRONICALLY RECORDED

For recorder's use only

ACCESS EASEMENT AGREEMENT

Wolf Creek Water and Sewer Improvement District, a Utah nonprofit corporation (“**Grantor**”) is the fee simple owner of that certain real property located in Weber County consisting of approximately 0.72 acres identified as Weber County Parcel No. 22-016-0075, which is more particularly described by the metes and bounds legal description attached to and made part of this Access Easement Agreement as Exhibit “A” (“**Grantor’s Parcel**”).

The Pointe at Wolf Creek, LLC, a Utah limited liability company (“**Grantee**”) is the fee simple owner of that certain real property located in Weber County consisting of approximately 0.75 acres identified as Weber County Parcel No. 22-016-0077, which serves as a private road and is more particularly described by the metes and bounds legal description for “Parcel A” that is attached to and made part of this Access Easement Agreement as Exhibit “B” (“**Grantee Parcel A**”).

Grantee is also the fee simple owner of that certain real property located in Weber County consisting of approximately 2.51 acres which is identified as Weber County Parcel No. 22-016-0034, which is more particularly described by the metes and bounds legal description for “Parcel B” that is also attached to and made part of this Access Easement Agreement as Exhibit “B” (“**Grantee Parcel B**”).

Grantee Parcel A and Grantee Parcel B are collectively referred to in this Access Easement Agreement as the “**Grantee’s Parcels**.”

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, Grantor hereby grants and conveys to Grantee a permanent, irrevocable and non-exclusive easement (“**Access Easement**”) for ingress and egress on, over and across that portion of Grantor’s Parcel that is described by the metes and bounds description attached to and made part of this Agreement as Exhibit “C” (the “**Access Easement Area**”). The Access Easement Area is depicted as the area marked by dotted lines within the Grantor’s Parcel, as shown on the diagram attached to and made part of this Agreement as Exhibit “D” (the “**Access Easement Diagram**”).

The Access Easement shall perpetually be appurtenant to, and shall forever run with, the Grantor’s Parcel and the Grantees’ Parcels, with the Grantor’s Parcel serving as the servient tenement and the Grantee’s Parcels functioning as the dominant tenements.

The Access Easement may be used for vehicular and pedestrian, recreational and non-recreational purposes including, for example and without limitation, passenger vehicles, maintenance vehicles, construction equipment, golf carts, walking and bicycling. The Access Easement is intended to provide the Grantee’s Parcels with access to and from Utah State Highway 158 (Wolf Creek Drive).

The Access Easement may be used by Grantee and Grantee's invitees, guests, employees, agents, and contractors, as well as any future owners and tenants of the Grantee's Parcels (including the owners and tenants of any subdivided portions of the Grantee's Parcels) and their respective invitees, guests, employees, agents, and contractors (individually, a "**Grantee Party**" and, collectively, the "**Grantees' Parties**").

The Access Easement shall inure to, be binding upon and benefit the respective legal representatives, heirs, executors, administrators, successors and assigns of the Grantor, the Grantee and any Grantee's Parties.

The Access Easement granted herein, shall become effective and enforceable immediately upon the recording of this Access Easement Agreement in the Weber County Recorder's Office.

IN WITNESS WHEREOF, Grantor has executed this Access Easement Agreement on this 4 day of August, 2021.

GRANTOR:

Wolf Creek Water and Sewer Improvement District,
a Utah nonprofit corporation

By: Robert Thomas
Name: Robert Thomas
Title: General Manager

Exhibit "A"
to
Access Easement Agreement

Legal Description of Grantor's Parcel
(Weber County Parcel No. 22-016-0075)

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP7 NORTH, RANGE 1 EAST SALT LAKE BASE & MERIDIAN, LOCATED IN THE COUNTY OF WEBER, STATE OF UTAH, DESCRIBED AS FOLLOWS: A CIRCULAR PARCEL OF LAND HAVING A RADIUS OF 100.00 FEET AND A CENTER POINT LOCATED SOUTH 89°07'33" EAST 2206.91 FEET ALONG THE SOUTHERLY LINE OF SAID SECTION 22 AND NORTH 00°00'00" EAST 1596.75 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 22. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER AND ACROSS EXISTING MAINTENANCE ROADS WITHIN THE GRANTOR'S LAND FOR ACCESS TO THE ABOVE DESCRIBED PARCEL OF LAND.

[WEBER COUNTY TAX PARCEL NO. 22-016-0075]

Exhibit "B"
to
Access Easement Agreement

Legal Description of Grantee's Parcels
(Weber County Parcel Nos. 22-016-0077 and 22-016-0034)

PARCEL A

PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U S SURVEY: BEGINNING AT A POINT ON THE WESTERLY LINE OF WOLF CREEK DRIVE(66 FOOT RIGHT OF WAY) BEING 1072.00 FEET SOUTH 0°00'33" WEST ALONG THE QUARTER SECTION LINE AND 115.75 FEET NORTH 89°59'27" WEST FROM THE CENTER OF SAID SECTION 22; AND RUNNING THENCE SOUTHWESTERLY ALONG THE ARC OF A 2603.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 51.07 FEET (CENTRAL ANGLE EQUALS 1°07'27" AND LONG CHORD BEARS SOUTH 37°17'05" WEST 51.07 FEET) ALONG SAID WESTERLY LINE; THENCE NORTH 55°39'59" WEST 141.11 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 42.77 FEET (CENTRAL ANGLE EQUALS 49°00'51" AND LONG CHORD BEARS NORTH 80°10'24" WEST 41.48 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 75°19'10" WEST 109.16 FEET; THENCE WESTERLY ALONG THE ARC OF A 110.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 47.13 FEET (CENTRAL ANGLE EQUALS 24°26'15" AND LONG CHORD BEARS NORTH 89°55'34" WEST 46.77 FEET) TO A POINT OF COMPOUND CURVE; THENCE WESTERLY AND NORTHWESTERLY ALONG THE ARC OF A 290.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 602.55 FEET (CENTRAL ANGLE EQUALS 118°50'33" AND LONG CHORD BEARS NORTH 18°17'11" WEST 500.20 FEET); THENCE SOUTH 35°52'46" EAST 46.41 FEET; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF A 245.50 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 498.78 FEET (CENTRAL ANGLE EQUALS 116°24'29" AND LONG CHORD BEARS SOUTH 19°30'13" EAST 417.32 FEET) TO A POINT OF COMPOUND CURVE; THENCE ALONG THE ARC OF A 65.50 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 25.04 FEET (CENTRAL ANGLE EQUALS 21°54'20" AND LONG CHORD BEARS SOUTH 88°39'37" EAST 24.89 FEET) TO A POINT OF TANGENCY; THENCE NORTH 80°23'13" EAST 117.78 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 142.62 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE 109.39 FEET (CENTRAL ANGLE EQUALS 43°56'48" AND LONG CHORD BEARS SOUTH 77°38'23" EAST 106.73 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 55°39'59" EAST 103.97 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM: THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST SALT LAKE BASE & MERIDIAN, LOCATED IN THE COUNTY OF WEBER, STATE OF UTAH, DESCRIBED AS FOLLOWS: A CIRCULAR PARCEL OF LAND HAVING A RADIUS OF 100.00 FEET AND A CENTER POINT LOCATED SOUTH 89°07'33" EAST 2206.91 FEET ALONG THE SOUTHERLY LINE OF SAID SECTION 22 AND NORTH 00°00'00" EAST 1596.75 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 22. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS PURPOSES OVER AND ACROSS EXISTING MAINTENANCE ROADS WITHIN THE GRANTOR'S LAND FOR ACCESS TO THE ABOVE DESCRIBED PARCEL OF LAND. [WEBER COUNTY TAX PARCEL NO. 22-016-0077]

PARCEL B

PART OF THE SOUTH 1/2 OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U S SURVEY: BEGINNING 352.79 FEET SOUTH 0°00'33" WEST ALONG THE QUARTER SECTION LINE AND NORTH 75°36'42" WEST 745.27 FEET FROM THE CENTER OF SAID SECTION 22; AND RUNNING THENCE SOUTH 30°52'12" WEST 95.32 FEET THENCE SOUTH 79°58'16" WEST 11.10 FEET, THENCE SOUTH 36°50'43" WEST 35.42 FEET, THENCE SOUTH 34°38'04" EAST 40.68 FEET, THENCE SOUTH 42°16'04" EAST 181.60 FEET, THENCE SOUTH 35°52'46" EAST 125.67 FEET, THENCE NORTHEASTERLY ALONG THE ARC OF A 290.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 84.96 FEET (LONG CHORD BEARS NORTH 57°42'21" EAST 84.66 FEET) THENCE SOUTH 43°30'00" EAST 48.45 FEET MORE OR LESS, THENCE SOUTHWESTERLY ALONG THE ARC OF A 245.50 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 133.55 FEET (CENTRAL ANGLE EQUALS 31°10'02" AND LONG CHORD BEARS SOUTH 54°17'03" WEST 131.90 FEET); THENCE NORTH 35°52'46" WEST 173.54 FEET; THENCE NORTH 41°53'00" WEST 80.66 FEET; THENCE SOUTH 47°35'44" WEST 164.12 FEET; THENCE NORTH 30°56'12" WEST 187.57 FEET (RECORD NORTH 30°56'12" WEST); THENCE NORTH 36°45'57" WEST 292.66 FEET; THENCE NORTH 42°09'04" EAST 51.82 FEET; THENCE NORTH 71°55'50" EAST 39.43 FEET; THENCE SOUTH 75°36'42" EAST 351.54 FEET TO THE POINT OF BEGINNING.

[WEBER COUNTY TAX PARCEL NO. 22-016-0034]

Exhibit "C"
to
Access Easement Agreement

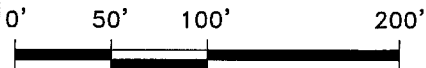
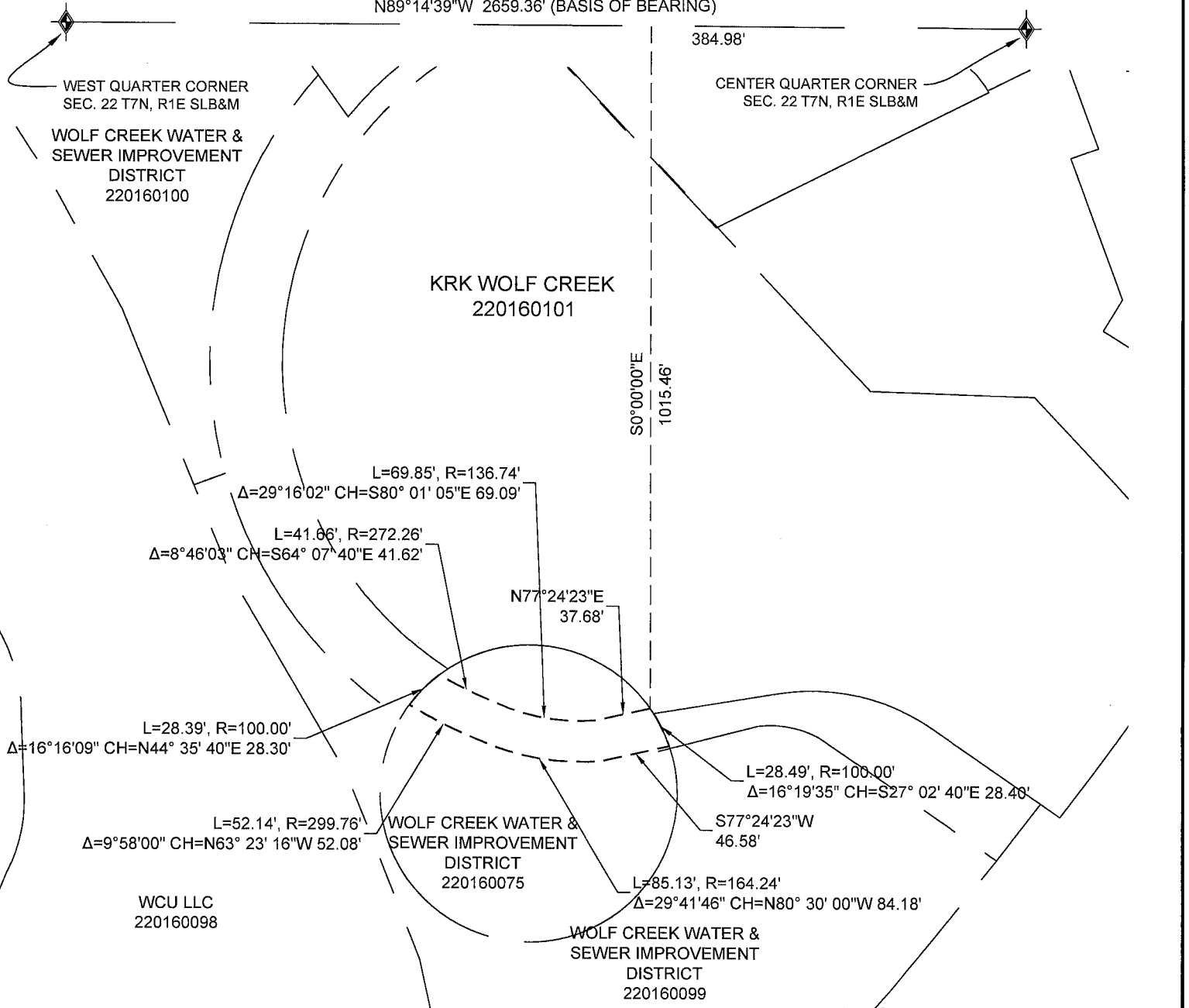
Legal Description of Access Easement Area

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE INTERSECTION OF THE GRANTORS EASTERLY PROPERTY LINE AND THE NORTH LINE OF AN EXISTING ROADWAY BEING LOCATED NORTH 89°14'39" WEST 384.98 FEET ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER AND SOUTH 00°00'00" EAST 1015.46 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; RUNNING THENCE ALONG THE GRANTORS EASTERLY PROPERTY LINE ALONG THE ARC OF A 100.00 FOOT RADIUS CURVE TO THE RIGHT 28.49 FEET, HAVING A CENTRAL ANGLE OF 16°19'35", CHORD BEARS SOUTH 27°02'40" EAST 28.40 FEET TO THE SOUTH LINE OF SAID EXISTING ROADWAY; THENCE ALONG SAID SOUTH LINE THE FOLLOWING THREE (3) COURSES: (1) SOUTH 77°24'23" WEST 46.58 FEET; (2) ALONG THE ARC OF A 164.24 FOOT RADIUS CURVE TO THE RIGHT 85.13 FEET, HAVING A CENTRAL ANGLE OF 29°41'46", CHORD BEARS NORTH 80°30'00" WEST 84.18 FEET; (3) ALONG THE ARC OF A 299.76 FOOT RADIUS CURVE TO THE RIGHT 52.14 FEET, HAVING A CENTRAL ANGLE OF 09°58'00", CHORD BEARS NORTH 63°23'16" WEST 52.08 FEET TO THE GRANTORS WESTERLY PROPERTY LINE; THENCE ALONG SAID WESTERLY PROPERTY LINE ALONG THE ARC OF A 100.00 FOOT RADIUS CURVE TO THE RIGHT 28.39 FEET, HAVING A CENTRAL ANGLE OF 16°16'09", CHORD BEARS NORTH 44°35'40" EAST 28.30 FEET TO THE NORTH LINE OF SAID EXISTING ROADWAY; THENCE ALONG SAID NORTH LINE THE FOLLOWING THREE (3) COURSES: (1) ALONG THE ARC OF A 272.26 FOOT RADIUS CURVE TO THE LEFT 41.66 FEET, HAVING A CENTRAL ANGLE OF 08°46'03", CHORD BEARS SOUTH 64°07'40" EAST 41.62 FEET; (2) ALONG THE ARC OF A 136.74 FEET 69.85 FEET, HAVING A CENTRAL ANGLE OF 29°16'02", CHORD BEARS SOUTH 80°01'05" EAST 69.09 FEET; THENCE NORTH 77°24'23" EAST 37.68 FEET TO THE POINT OF BEGINNING.

ACCESS EASEMENT AREA DIAGRAM

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 7
NORTH, RANGE 1 EAST
OF THE SALT LAKE BASE AND MERIDIAN

N89°14'39"W 2659.36' (BASIS OF BEARING)



Scale in Feet
1" = 100'



LEGEND

- WEBER COUNTY MONUMENT AS NOTED
- SET 24" REBAR AND CAP MARKED GARDNER ENGINEERING
- SUBDIVISION BOUNDARY
- LOT LINE
- ADJACENT PARCEL
- SECTION LINE
- ACCESS EASEMENT AREA
- EXISTING FENCE LINE

WEBER COUNTY LOCAL ENGINEERING AND SURVEYING DIVISION - LEVISED MONUMENTS TO THE POINT SURVEY MONUMENT POINT - EASEMENT DESCRIPTION (DMS)