

When recorded return to:

Gardner Jordan Bluffs, L.C.
201 S. Main Street, Suite 2000
Salt Lake City, Utah 84111

Tax I.D. No: 62-3135931

13965470 B: 11346 P: 1664 Total Pages: 8
06/07/2022 09:37 AM By: bmeans Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: GARDNER JORDAN BLUFFS LC
201 S MAIN STREET SUITE 2000 SALT LAKE CITY, UT 84111



**GRANT OF EASEMENT
FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF PUBLIC
UTILITY SEWER FACILITIES**

GARDNER JORDAN BLUFFS, L.C., a Utah limited liability company ("**Gardner**"), the owner of "Parcel A" as described on Exhibit "A" attached hereto and incorporated herein by this reference, **ZIONS CENTER OF EXCELLENCE, LLC**, a Delaware limited liability company ("**Zions**"), the owner of "Lot 1" as described on Exhibit "A", and **MIDVALE CITY**, a municipal corporation of the State of Utah (in its capacity as a Grantor, "**Midvale**" and, together with Gardner and Zions, "**Grantor**"), the owner of "Binary Way" as depicted on Exhibit "C" attached hereto and incorporated herein by this reference, hereby grant and convey to **MIDVALE CITY**, a municipal corporation of the State of Utah (in its capacity as Grantee, the "**City**" or "**Grantee**"), for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the following easement interests:

Sewer Easement:

A perpetual non-exclusive easement and right-of-way for the purpose of constructing, operating, and maintaining public sewer utilities and related appurtenances and facilities (collectively, the "**Sewer Facilities**") for the use of the City over, across, through and under the portion of Grantor's property which is legally described on Exhibit "B" (the "**Easement Area**"). The Easement Area is crosshatched and depicted as the "Sanitary Sewer Force Main Easement" on Exhibit "C" attached hereto and incorporated herein by this reference.

Together with a perpetual non-exclusive right of ingress and egress to and from and along said Easement Area as necessary to construct, operate, repair, replace, augment and maintain the Sewer Facilities within the Easement Area; provided, Grantee shall use commercially reasonable efforts to minimize any interference with Grantor's operations on their respective properties. Each Grantor, for itself and not on behalf of any other Grantor, covenant that Grantor will not construct or erect or allow or cause to be constructed or erected a permanent structure of any kind within the Easement Area.

The easement rights granted herein are subject to the condition that the Grantee shall indemnify and hold harmless each Grantor, their heirs, and successors against any and all liability caused by the acts of the Grantee, its contractors or agents, during the construction, operation or maintenance of the Sewer Facilities provided for in this easement. Exclusive use of

the Easement Area is not hereby granted. Each Grantor shall have the right to make any use of the Easement Area located on its property, so long as, except as otherwise specified herein, any such use does not unreasonably interfere with the rights and easements which are herein granted to the Grantee. Grantee agrees that the Easement Area is provided in its "as is" condition, without representation or warranty by Grantor whatsoever.


(Signature pages follow)

WITNESS the hand of Gardner this 25th day of May, 2022.

GARDNER:


GARDNER JORDAN BLUFFS, L.C., a Utah limited liability company, by its Manager

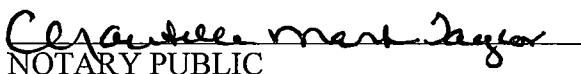
KC GARDNER COMPANY, L.C., a Utah limited liability company

By: 
Name: Chastin Gardner
Title: manager

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

On the 25th day of May, 2022, personally appeared before me Christina Gardner, a Manager of KC Gardner Company, L.C., a Utah limited liability company, the Manager of Gardner Jordan Bluffs, L.C., a Utah limited liability company, who did personally acknowledge to me that the foregoing easement was executed by him on behalf of such entity.


NOTARY PUBLIC
CHANTELLE MARTIN TAYLOR
COMM. # 713730
MY COMMISSION EXPIRES
AUGUST 26, 2024
STATE OF UTAH


NOTARY PUBLIC

WITNESS the hand of Zions this 26th day of May, 2022.

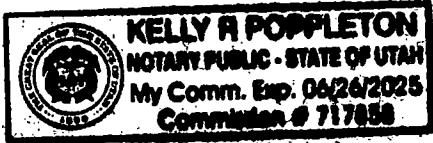
ZIONS:

ZIONS CENTER OF EXCELLENCE, LLC, a Delaware limited liability

By: [Signature]
Name: DAVID D. PENROD
Title: VP - ZCOE/ ZB.N.A.

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

On the 26 day of May, 2022, personally appeared before me DAVID D. PENROD, the VP - ZCOE of Zions Center of Excellence, LLC, a Delaware limited liability, who did personally acknowledge to me that the foregoing easement was executed by him or her on behalf of such entity.



[Signature]
NOTARY PUBLIC

EXHIBIT "A"
To
Grant of Easement
For Construction, Operation, and Maintenance of Public Utility Sewer Facilities

PARCEL A:

Parcel A, Jordan Bluffs 2nd Amended Subdivision, according to the plat thereof as recorded in the office of the Salt Lake County Recorder.

LOT 1:

Lot 1, Jordan Bluffs 2nd Amended Subdivision, according to the plat thereof as recorded in the office of the Salt Lake County Recorder.

21 35 128017

EXHIBIT "B"
To
Grant of Easement
For Construction, Operation, and Maintenance of Public Utility Sewer Facilities

**Jordan Bluffs Infrastructure – Binary Way
Sanitary Sewer Force Main Easement**

Beginning at a point being South 00°12'34" West 470.59 feet along the section line and West 1,629.20 feet from the Northeast Corner of Section 35, Township 2.South, Range 1 West, Salt Lake Base and Meridian; and running

thence Southeasterly 379.57 feet along the arc of a 871.00 foot radius curve to the left (center bears South 81°02'50" East and the chord bears South 03°31'54" East 376.57 feet with a central angle of 24°58'07");

thence South 16°00'58" East 54.04 feet;

thence North 30°48'36" West 38.31 feet;

thence Northwesterly 43.82 feet along the arc of a 125.00 foot radius curve to the right (center bears North 59°11'24" East and the chord bears North 20°46'01" West 43.60 feet with a central angle of 20°05'10");

thence North 10°43'26" West 18.36 feet;

thence Northwesterly 120.26 feet along the arc of a 750.00 foot radius curve to the right (center bears North 79°16'34" East and the chord bears North 06°07'49" West 120.13 feet with a central angle of 09°11'13");

thence Northwesterly 41.49 feet along the arc of a 2,250.00 foot radius curve to the left (center bears South 88°27'47" West and the chord bears North 02°03'55" West 41.49 feet with a central angle of 01°03'24");

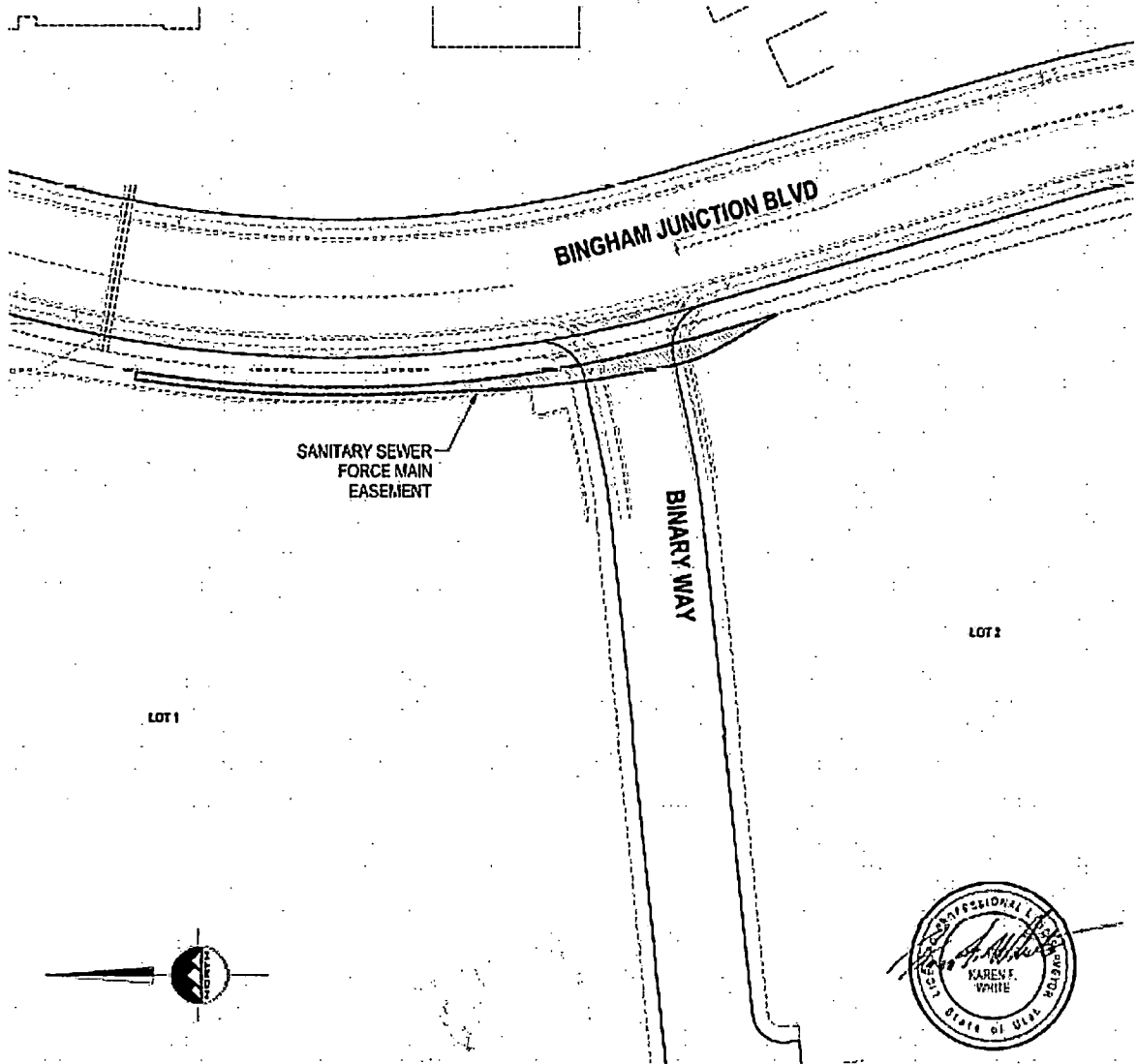
thence Northeasterly 176.53 feet along the arc of a 876.00 foot radius curve to the right (center bears North 87°24'23" East and the chord bears North 03°10'47" East 176.23 feet with a central angle of 11°32'46");

thence South 81°02'50" East 5.00 feet to the point of beginning.

Contains 3,263 Square Feet or 0.075 Acres



EXHIBIT "C"
 To
 Grant of Easement
 For Construction, Operation, and Maintenance of Public Utility Sewer Facilities



PROJECT# 70561 DATE 3/22/22 1 OF 1 <small>FILE: S02LASE-S02W1E33A0</small>	JORDAN BLUFFS INFRASTRUCTURE 700 WEST STREET MIDVALE, UTAH SANITARY SEWER FORCE MAIN EASEMENT EXHIBIT	<small>BY:</small> GARDNER COMPANY 213 S. MAIN STREET, SUITE 2032 SALT LAKE CITY, UTAH 84111 PHONE: 801.815.1822	45 W. 10000 S. Ste 300 Sandy, UT 84070 Phone: 801.255.0529 Fax: 801.255.4449 www.ensigneng.com	
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