

When recorded, please return to:
Lake Point Improvement District
7856 North Mountain View Road
Lake Point, UT 84074

SUBSTITUTE GRANT OF EASEMENT

A portion of Tooele County Tax Parcel No.: 04-070-0-0021

THIS SUBSTITUTE GRANT OF EASEMENT (“SUBSTITUTE GRANT OF EASEMENT”) is executed this ^{July} ~~June~~ ^{1st} day of ~~June~~, 2022, by and between CARY EDWARD TRATOS (the “Grantor”), whose address is 4886 Choctaw, West Valley City, Utah, 84120, and the LAKE POINT IMPROVEMENT DISTRICT, a political subdivision of the State of Utah, whose address is 7856 North Mountain View Road, Lake Point, Utah, 84074 (the “Grantee”). The Grantor and Grantee are individually referred to herein as a “Party” and collectively as the “Parties”.

RECITALS:

WHEREAS, the Parties are the Grantor and Grantee under that certain Grant of Easement dated October 13, 2021 and recorded October 15, 2021 as Entry No. 557433 in the Office of the Tooele County Recorder, State of Utah (the “Original Easement”); a copy of the Original Easement is attached hereto as Appendix “A” and by this reference made a part hereof;

WHEREAS, one or more pages of the Original Easement were inadvertently omitted from being recorded;

WHEREAS, the Parties also desire to amend the legal description and graphic depiction contained in the Original Easement; and

WHEREAS, for the reasons recited above, the Parties desire to execute and record this Substitute Grant of Easement in order release and extinguish, *ab initio*, the Original Easement and replace it with this Substitute Grant of Easement.

NOW, THEREFORE, in consideration of \$10.00 and other good and valuable consideration and by signing below, the Parties do hereby declare the Original Easement to be null and void, *ab initio*, and do hereby replace the Original Easement in its entirety with this

Substitute Grant of Easement.

The Grantor hereby grants, sells, bargains, conveys and warrants to the Grantee a non-exclusive Sewer Main easement (the "Easement"), solely for the purpose of constructing, operating, maintaining, cleaning, and repairing the sewer main piping on, over, under, and across certain real property owned by Grantor, located in Tooele County, State of Utah and more particularly described in Exhibit "A" attached hereto and as graphically depicted on Exhibit "B" attached hereto.

Notwithstanding anything in this Substitute Grant of Easement to the contrary, nothing herein shall prohibit the Grantor from using the Easement or any other real property owned by Grantor adjacent thereto, for any lawful purpose, including, but not limited to any development thereon, so long as such use is not incompatible or inconsistent with the quiet enjoyment of the rights and easements granted herein.

This Substitute Grant of Easement shall be deemed to run with the real properties described on Exhibit "A" and as depicted on Exhibit "B" attached hereto and shall be binding upon and inure to the benefit of the successors and assigns of Grantor.

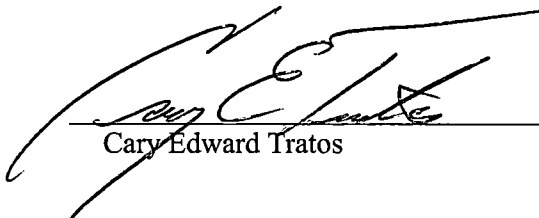
The provisions of this Substitute Grant of Easement shall be governed by and construed in accordance with the laws of the State of Utah. If any provision of this instrument or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this instrument and the application of such provision to other persons or circumstances shall not be affected thereby, and shall be enforced to the extent permitted by applicable by law.

The person signing below hereby represent and warrant that he is authorized to execute this Substitute Grant of Easement.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK; SIGNATURES FOLLOW ON NEXT PAGES]

WITNESS the hand of the Grantor this 1st day of July, 2022.

GRANTOR:



Cary Edward Tratos

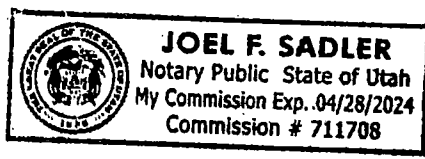
STATE OF UTAH)
 SS:
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 1st day of July, 2022, by CARY EDWARD TRATOS.



NOTARY PUBLIC

Residing At: Druid City



My Commission Expires:
4/28/24

WITNESS the hand of the Grantee this 5th day of July, 2022.

GRANTEE:

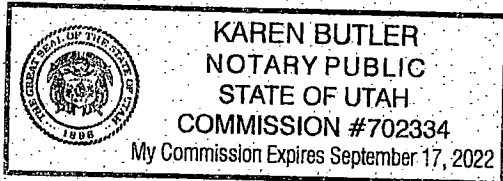
LAKE POINT IMPROVEMENT DISTRICT,
A political subdivision of the State of Utah

By: Keith B. Fryer
Keith B. Fryer, Chairman

STATE OF UTAH)

County of Tooele) :SS

The foregoing instrument was acknowledged before me this 5th day of July, 2022, by Keith B. Fryer, the Chairman of LAKE POINT IMPROVEMENT DISTRICT, a political subdivision of the State of Utah.



Karen Butler
NOTARY PUBLIC
Residing At: Stansbury Park, UT
My Commission Expires:
9-17-22

APPENDIX "A"

TO

SUBSTITUTE GRANT OF EASEMENT

**COPY OF ORIGINAL EASEMENT
(WHICH IS BEING TERMINATED AND REPLACED IN ITS ENTIRETY BY THIS
SUBSTITUTE GRANT OF EASEMENT**

[SEE ATTACHED]

Entry #: 557433

10/15/2021 09:39 AM EASEMENT

Page: 1 of 4

FEE: \$40.00 BY: FIRST AMERICAN - SALT LAKE ESCROW

Jerry Houghton, Tooele County, Recorder

When recorded, please return to:
Saddleback Pastures, L.C.
Attention: Christopher F. Robinson
P.O. Box 540478
North Salt Lake, Utah 84054

GRANT OF EASEMENT

A portion of Tooele County Tax Parcel No.: 04-070-0-0021

THIS GRANT OF EASEMENT ("GRANT OF EASEMENT") is executed this 13th day of October, 2021, by CARY EDWARD TRATOS (the "Grantor"), whose address is 4886 Choctaw, West Valley City, Utah, 84120, in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants, sells, bargains, conveys and warrants to LAKE POINT IMPROVEMENT DISTRICT, a non-exclusive Sewer Main easement (the "Easement"), solely for the purpose of constructing, operating, maintaining, cleaning, and repairing the sewer main piping on, over, under, and across certain real property owned by Grantor, located in Tooele County, State of Utah and more particularly described in Exhibit "A" attached hereto and as graphically depicted on Exhibit "B" attached hereto.

The easements and improvements associated with the easement shall remain in effect and functional until such time that the property over the easement is developed and platted. Upon the platting of the land, the easements within the platted parcels will be terminated.

Notwithstanding anything in this Grant of Easement to the contrary, nothing herein shall prohibit the Grantor from using the Easement or any other real property owned by Grantor adjacent thereto, for any lawful purpose, including, but not limited to any development thereon, so long as such use is not incompatible or inconsistent with the quiet enjoyment of the rights and easements granted herein.

This Grant of Easement shall be deemed to run with the real properties described on Exhibit "A" and as depicted on Exhibit "B" attached hereto, and shall be binding upon and inure to the benefit of the successors and assigns of Grantor.

The provisions of this Grant of Easement shall be governed by and construed in accordance with the laws of the State of Utah. If any provision of this instrument or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent,

EXHIBIT "A"
TO
GRANT OF EASEMENT

LEGAL DESCRIPTION OF EASEMENT

Beginning at a point on the east line of that certain property conveyed to Cary Edward Tratos as recorded in the office of the Tooele County Recorder as Entry No. 93664, said point lies South 00°16'05" West along the section line 699.51 feet and South 89°59'25" West 976.65 feet from the East Quarter Corner of Section 35, Township 1 South, Range 4 West, Salt Lake Base and Meridian (basis of bearing being South 00°16'05" West between the East Quarter Corner and the Southeast Corner of Section 35, T1S, R4W, SLB&M) and running thence South 00°14'19" West along said east line 15.00 feet; thence South 89°59'25" West 359.94 feet to the west line of said Tratos property; thence North 00°02'22" East along said west line 15.00 feet; thence North 89°59'25" East 359.99 feet to the point of beginning.

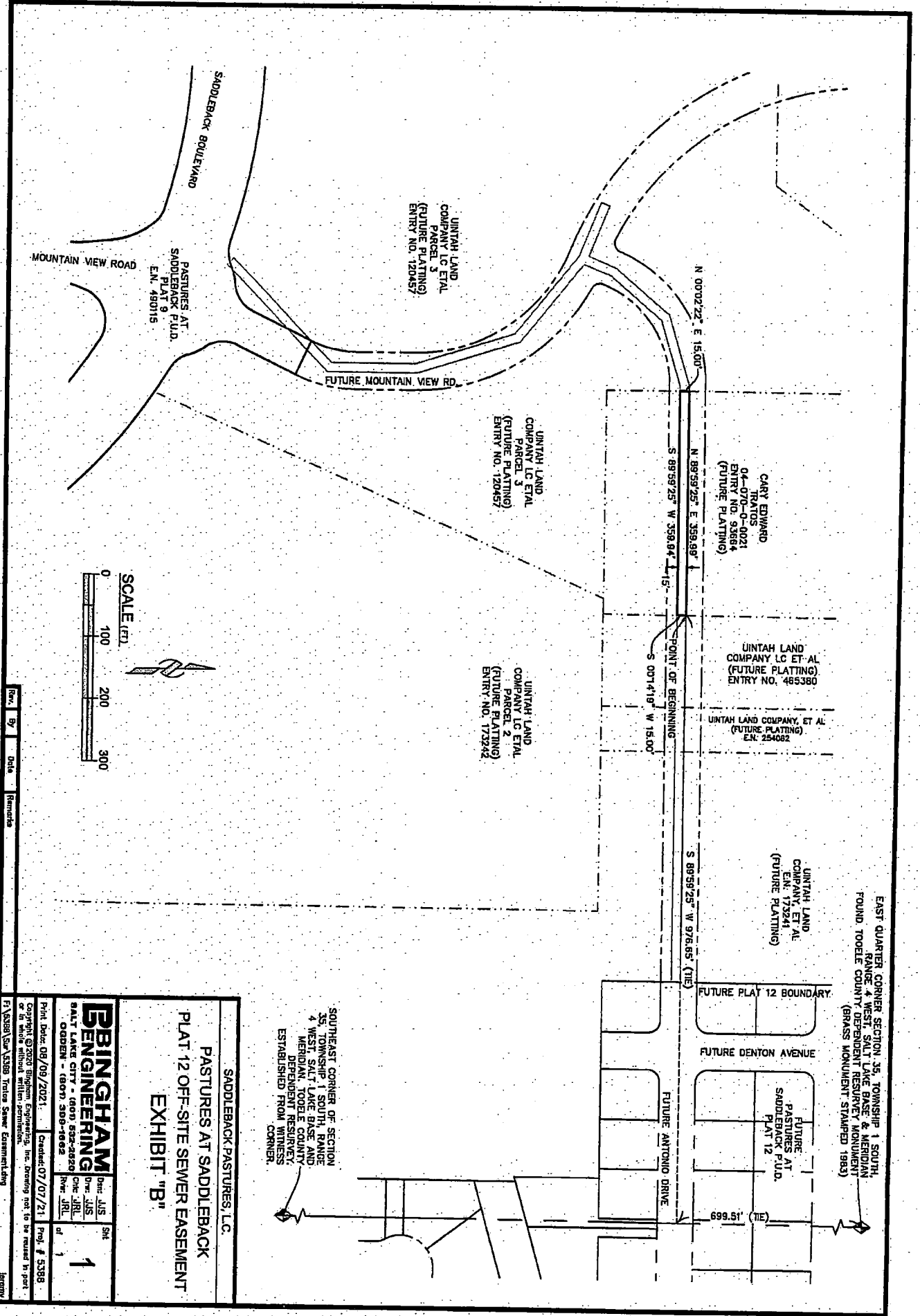
Containing 5,399 Square feet or 0.124 Acres.

A portion of Tooele County Tax Parcel No.: 04-070-0-0021

EXHIBIT "B"
TO
GRANT OF EASEMENT

GRAPHIC DEPICTION OF EASEMENT

[SEE ATTACHED]



BINGHAM ENGINEERING 9411 S. 1100 E. SUITE 100 SALT LAKE CITY, UT 84114 (801) 488-1000		Date: 08/09/2021 Drawn: JLS Check: JBL Rev: JBL Scale: 1" = 1'
Project: PASTURES AT SADDLEBACK PLAT 12 OFF-SITE SEWER EASEMENT EXHIBIT "B"		Sheet: 1 of 1 Title: PLAT 12 OFF-SITE SEWER EASEMENT EXHIBIT "B"
Copyright © 2021 Bingham Engineering, Inc. Drawing not to be reused in part or whole without written permission. Project No: 08/09/2021 Drawing No: 07/21 Project # 5388 File Path: \\S388\5388\Drawings\5388 Pastures Sewer Easement.dwg		

EXHIBIT "A"

TO

SUBSTITUTE GRANT OF EASEMENT

LEGAL DESCRIPTION OF EASEMENT

Beginning at a point on the east line of that certain property conveyed to Cary Edward Tratos as recorded in the office of the Tooele County Recorder as Entry No. 93664, said point lies South $00^{\circ}16'05''$ West along the section line 699.51 feet and South $89^{\circ}59'25''$ West 976.65 feet from the East Quarter Corner of Section 35, Township 1 South, Range 4 West, Salt Lake Base and Meridian (basis of bearing being South $00^{\circ}16'05''$ West between the East Quarter Corner and the Southeast Corner of Section 35, T1S, R4W, SLB&M) and running thence South $00^{\circ}14'19''$ West along said east line 15.00 feet; thence South $89^{\circ}59'25''$ West 309.24 feet; thence North $00^{\circ}00'35''$ West 80.00 feet; thence South $89^{\circ}59'25''$ West 45.38 feet; thence South $73^{\circ}02'34''$ West 5.49 feet to the west line of said Tratos property; thence North $00^{\circ}02'22''$ East along said west line 15.69 feet; thence North $73^{\circ}02'34''$ East 3.14 feet; thence North $89^{\circ}59'25''$ East 62.62 feet; thence South $00^{\circ}00'35''$ East 80.00 feet; thence North $89^{\circ}59'25''$ East 294.30 feet to the point of beginning.

Containing 6,601 Square feet or 0.152 Acres.

A portion of Tooele County Tax Parcel No. 04-070-0-0021

EXHIBIT "B"

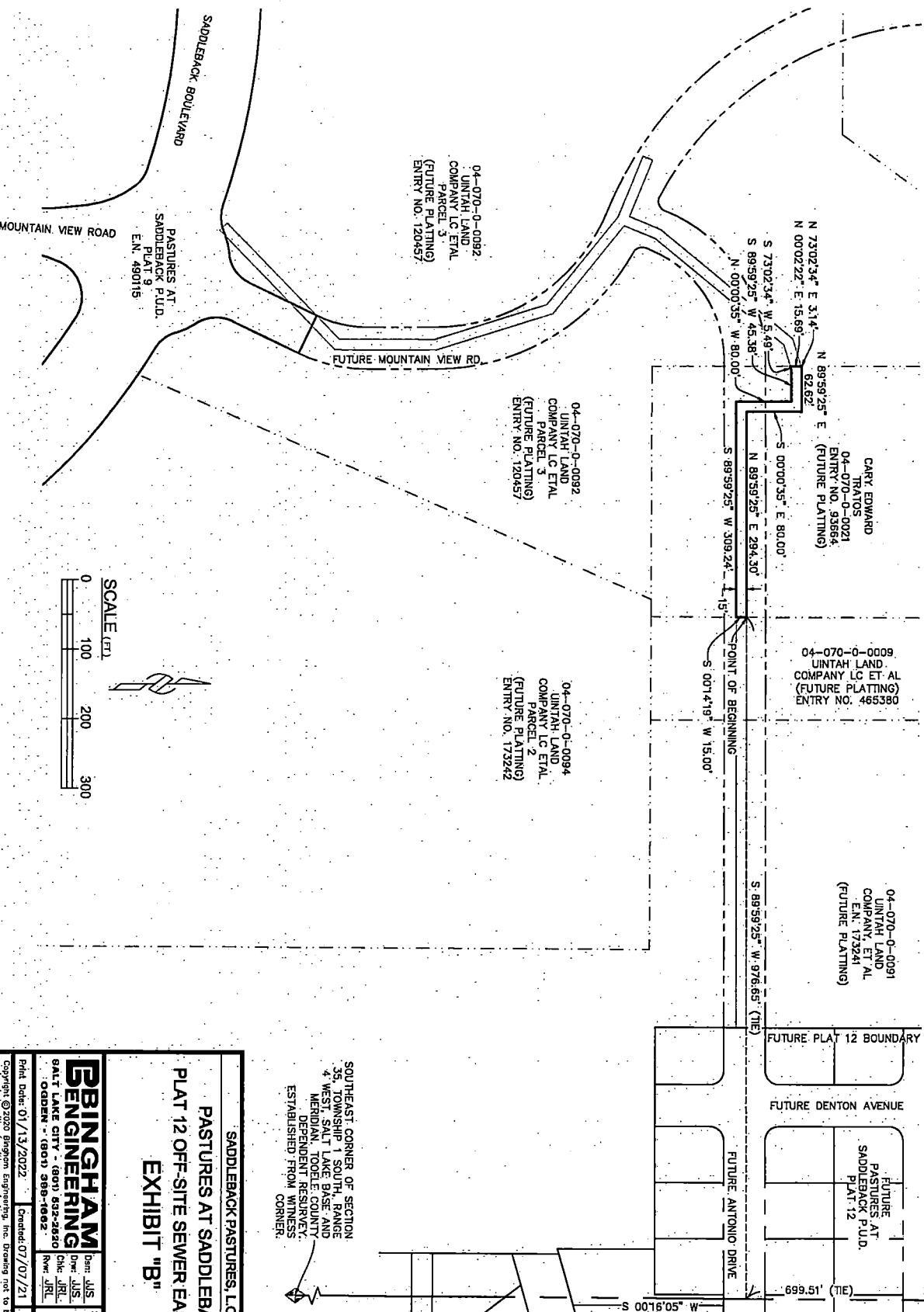
TO

SUBSTITUTE GRANT OF EASEMENT

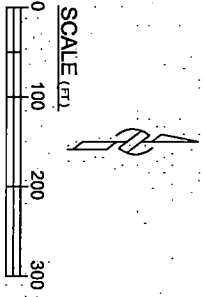
GRAPHIC DEPICTION OF EASEMENT

[SEE ATTACHED]

EAST QUARTER CORNER SECTION 35, TOWNSHIP-1 SOUTH;
 RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
 FOUND TOOELE COUNTY-DEPENDENT RESERVE MONUMENT
 (BRASS MONUMENT STAMPED 1983)



SOUTHEAST CORNER OF SECTION
 35, TOWNSHIP 1 SOUTH, RANGE
 4 WEST, SALT LAKE BASE AND
 MERIDIAN, TOOELE COUNTY-
 DEPENDENT RESERVE;
 ESTABLISHED FROM WITNESS
 CORNER.



SADDLEBACK PASTURES, L.C.
PASTURES AT SADDLEBACK
PLAT 12 OFF-SITE SEWER EASEMENT
EXHIBIT "B"

BINGHAM
ENGINEERING

PLAT DATE: 01/13/2022
 SHEET: 1
 OF: 1

Rev.	By	Date	Remarks

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