

Return to:

Real Estate Administration
University of Utah
505 Wakara Way, Suite 210
Salt Lake City, UT 84108

Attn: Executive Director

WO:
ROW:

ENT 111120: 2022 PG 1 of 5
Andrea Allen
Utah County Recorder
2022 Oct 19 04:15 PM FEE 40.00 BY IP
RECORDED FOR Cottonwood Title Insurance Agency, Inc.
ELECTRONICALLY RECORDED

EASEMENT

For value received, the **UNIVERSITY OF UTAH**, a body politic and corporate of the State of Utah ("Grantor") hereby grants to **WESTERLY PROPERTIES, LLC**, a Delaware limited liability company, its successors and assigns ("Grantee"), easements for a right of way over, under and across that real property described herein for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of an irrigation system, including existing ditches and pipelines, and for access to and from irrigation facilities operated by Utah Lake Irrigation Company. The real property is located in Utah County, State of Utah, more particularly described at Exhibit "A" attached hereto and by this reference made a part hereof (herein the "Property").

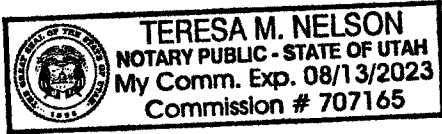
The easements granted herein are described at Exhibit "B", attached hereto and by reference made a part hereof (herein "Easements").

The Easements include the right of access and ingress and egress, over and across the Property encompassed by the Easements for the purpose of operating the irrigation systems and maintenance and repair, and for access to the Utah Lake Irrigation Company canal; together with the present and (without payment therefor) the future right to keep the Easements clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities. To the extent that access to the Easements, or activities of Grantee in its use of the facilities causes any damage or destruction to the Property adjacent to the Easements, Grantee shall immediately repair and restore the surface to a condition at least as good as the prior condition, or better.

The surface of the Easements may be used by Grantor or its successors or assigns for any purposes not inconsistent with the purposes for which the Easements have been granted. Grantee shall not be liable for damage to landscaping or other improvements to the Easements area if such damage occurs during the use of the Easements for the purposes authorized herein.

These Easements shall not be affected by any prior easements or rights of way granted by Grantor and shall be perpetual, except if the Easements are no longer required as provided in that separate Easement Agreement executed between Grantor and Grantee dated October 19, 2022. The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns, and shall be governed by the terms of said Easement Agreement.

Dated this 19 day of October, 2022.



By: **University of Utah**, a body politic and corporate of the State of Utah

Cathy Anderson

By: *Cathy Anderson*
Its: *Chief Financial Officer and Vice President for Administrative Services*

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

On the 19 day of October, 2022, personally appeared before me Cathy Anderson, who being by me duly sworn, did say that she executed the foregoing instrument as Chief Financial Officer and Vice President for Administrative Services of the University of Utah and she acknowledged to me that the University of Utah executed the same.

[Signature]

NOTARY PUBLIC, Residing in Salt Lake City, Utah

My Commission Expires:
8/13/23

Exhibit "A"
(Property)

PARCEL 1-A EAST:

A parcel of land situate in the Northwest quarter of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point on the South line of the Northwest corner of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian, said point being South 89°48'58" West 389.49 feet along the South line of the Northwest quarter from the center of said Section 35 and running thence South 89°48'58" West 869.69 feet along said South line of the Northwest corner to a point at the centerline of an existing concrete canal; thence along the centerline of said concrete canal the following (12) twelve courses: 1) North 21°10'50" East 512.45 feet; 2) North 15°04'06" East 51.98 feet; 3) North 06°48'21" East 61.07 feet; 4) North 02°58'33" East 69.68 feet; 5) North 04°21'04" East 218.01 feet; 6) North 03°01'11" West 51.06 feet; 7) North 12°14'20" West 105.33 feet; 8) North 03°26'20" East 47.60 feet; 9) North 21°07'43" East 52.83 feet; 10) North 24°27'08" East 112.52 feet; 11) North 18°24'13" East 57.40 feet; 12) North 13°05'10" East 52.32 feet to a point on the East-West 40-acre line of the Northwest quarter of said Section 35; thence North 89°31'58" East 712.97 feet along said 40-acre line; thence South 41°18'16" East 154.77 feet; thence South 17°47'00" West 396.62 feet; thence South 08°21'00" West 852.33 feet to the point of beginning.

PARCEL 1-B:

A parcel of land situate in the Northwest quarter of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point South 89°48'58" West 16.90 feet along the quarter section line from the center of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian and running thence South 89°48'58" West 314.17 feet along the quarter section line; thence North 08°21'00" East 838.90 feet; thence North 17°47'00" East 357.27 feet; thence South 41°18'16" East 131.63 feet; thence South 00°11'44" West 1,070.32 feet to the point of beginning.

PARCEL 1-C:

A parcel of land situate in the Northwest quarter of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point South 00°10'41" West 193.78 feet West 16.50 feet from the East 1/16th corner of the Northwest quarter of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian; thence South 00°10'41" West 24.26 feet; thence North 41°18'16" West 114.18 feet; thence North 17°47'00" East 51.50 feet to the Southerly line of a parcel of land conveyed by Warranty Deed to the United States of America, recorded November 3, 1988, Entry No. 33539, Book, 2555, Page 141; thence Southeasterly 125.71 feet along the arc of a 1,195.92 foot radius curve to the left (center bears North 64°38'16" East and the chord bears South 28°22'26" East 125.66 feet with a central angle of 06°01'22") along said Southerly line of said United States of America property to the point of beginning.

PARCEL 1-D:

A parcel of land situate in the Northwest quarter of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point South 89°31'58" West 124.82 feet from the East 1/16th corner of the Northwest quarter of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian; thence South 01°23'58" West 46.26 feet; thence South 17°47'00" West 36.16 feet; thence North 41°18'16" West 106.49 feet thence North 89°31'58" East 82.47 feet to the point of beginning.

PARCEL 2:

A parcel of land situate in the Northwest quarter of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point South 89°48'58" West 331.08 feet from the center of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian and running thence South 89°48'58" West 58.41 feet; thence North 08°21'00" East 852.33 feet; thence North 17°47'00" East 396.62 feet; thence North 17°47'00" East 74.62 feet; thence North 01°23'58" East 46.26 feet; thence North 89°31'58" East 57.80 feet; thence South 01°24'00" West 56.46 feet; thence South 17°47'00" West 474.79 feet; thence South 08°21'00" West 838.90 feet to the point of beginning.

Tax Id No.: 58-005-0043, 58-005-0044, 58-005-0045, 58-005-0046 and 58-005-0042

Exhibit "B"
(Easements)

12.0' Irrigation Easement North

A parcel of land situate in the Northwest Quarter of Section 35, Township 4 south, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows;

Beginning at a point being North $0^{\circ}10'41''$ East 1338.04 feet along the Quarter section line to the 1/16 corner and South $89^{\circ}31'58''$ West 67.02 feet from the Center of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian, and running;

thence South $1^{\circ}24'00''$ West 12.01 feet;
thence South $89^{\circ}31'58''$ West 899.35 feet;
thence North $13^{\circ}05'10''$ East 12.34 feet;
thence North $89^{\circ}31'58''$ East 896.85 feet to the point of beginning.

Contains 21,547 square feet.

20.0' Irrigation Easement South

A parcel of land situate in the Northwest Quarter of Section 35, Township 4 south, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows;

Beginning at a point being South $89^{\circ}48'58''$ West 16.90 feet from the Center of Section 35, Township 4 South, Range 1 West, Salt Lake Base and Meridian, and running;

thence South $89^{\circ}48'58''$ West 1242.27 feet;
thence North $21^{\circ}10'50''$ East 21.46 feet;
thence North $89^{\circ}48'58''$ East 1234.58 feet;
thence South $0^{\circ}11'44''$ West 20.01 feet to the point of beginning.

Contains 24,750 square feet.