

When recorded, return to:

Draper City Corporation
c/o City Recorder
1020 E. Pioneer Rd.
Draper, UT 84020

11988238
02/05/2015 03:45 PM \$0.00
Book - 10293 Pg - 9484-9487
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
CITY OF DRAPER
1020 E PIONEER RD
DRAPER UT 84020
BY: DDP, DEPUTY - WI 4 P.

PARTIAL RELEASE OF COVENANT

This Partial Release of Covenant is entered into between FIDUCIARY TRUST COMPANY and ERIC A. STERN, trustees under Agreement of Trust of Edith R. Stern dated June 1, 1955, ("Releasors,") owners of the property located in Salt Lake County and described in Exhibit A ("Releasors' Property,") and DRAPER CITY CORPORATION, a Utah municipal corporation, ("Releasee,") owner of the property located in Salt Lake County known as the Draper Irrigation Canal ("Releasee's Property,") originally granted in that certain Warranty Deed, executed by Charles M. Crosgrove and his wife Elizabeth Crosgrove in favor of Utah Lake Irrigation Company on April 8, 1914, and recorded with the Salt Lake County Recorder on April 10, 1914, as entry no. 323386, in Book 9-C, Pages 115-116 (the "Crosgrove Warranty Deed.")

Releasors' Property benefits from certain covenants (the Covenants") contained in the Crosgrove Warranty Deed, including a covenant providing that the "strip of land [is] to be used for canal purposes only."

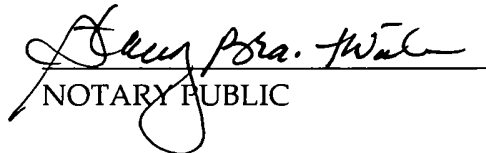
FOR TEN DOLLARS and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Releasors partially release the Covenants, in perpetuity, to the full extent necessary to allow Releasee, and its successors and assigns, to operate, maintain and, if necessary, repair and replace the existing underground storm drainage line and a surface pathway for pedestrian, bicycle and other non-motorized vehicular traffic over and under Releasee's Property.

DATED this 3rd day of February, 2015.

By 
ERIC A. STERN, Trustee

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)

On this 3rd day of February, 2015, personally appeared before me Eric A. Stern, Trustee whose identity is personally known to me (or proven on the basis of satisfactory evidence) to be the person who executed the Partial Release of Covenant and who duly acknowledged to me that he/she executed the same for the purposes therein stated.


NOTARY PUBLIC



FIDUCIARY TRUST COMPANY,
dated June 1, 1955

By Robert M. Karelitz
Its Vice President

STATE OF MASSACHUSETTS)
)
:ss.
COUNTY OF SUFFOLK)

On this 3rd day of February, 2011, personally appeared before me Robert M. Karelitz, the Vice President of Fiduciary Trust Company, dated June 1, 1955, whose identity is personally known to me (or proven on the basis of satisfactory evidence) to be the person who executed the Partial Release of Covenant in behalf of said company and who duly acknowledged to me that he/she executed the same for the purposes therein stated.

Regina Merkel
Notary Public



REGINA MERKEL
Notary Public
Commonwealth of Massachusetts
My Commission Expires
September 9, 2016

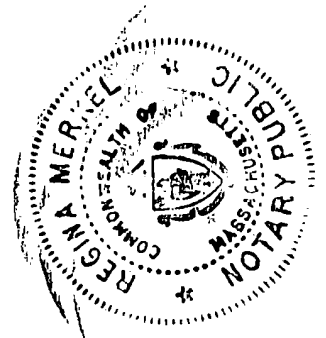


EXHIBIT A

PARCEL 1:

BEGINNING AT A POINT SOUTH 0°13'56" WEST 693.00 FEET ALONG THE SECTION LINE ALONG A FENCE NORTH 89°44' WEST 1186.89 FEET, NORTH 89°32'40" WEST 800.0 FEET, NORTH 89°53'50" WEST 554.14 FEET TO A FENCE CORNER, AND SOUTH 30°10'10" WEST 328.80 FEET ALONG A FENCE FROM THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT OF BEGINNING ALSO BEING THE NORTHEAST CORNER OF A 50.0 FOOT RIGHT OF WAY; AND RUNNING THENCE NORTH 30°10'10" EAST 330.81 FEET, MORE OR LESS; TO A FENCE LINE; THENCE WEST 539.58 FEET, MORE OR LESS TO THE EAST LINE OF THE UTAH LAKE IRRIGATION CO. CANAL; THENCE SOUTHEASTERLY ALONG SAID CANAL 300.00 FEET, MORE OR LESS; THENCE NORTH 89°39' EAST 300.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 2:

TOGETHER WITH A ROAD WAY AND UTILITY RIGHT OF WAY OVER THE FOLLOWING DESCRIBED PARCEL OF LAND.

BEGINNING AT THE SOUTHEAST CORNER OF THE ABOVE DESCRIBED PARCEL; AND RUNNING THENCE SOUTH 89°39' WEST 809.56 FEET; THENCE SOUTH 38°54'30" EAST 63.94 FEET; THENCE NORTH 89°39' EAST 740.23 FEET; THENCE NORTH 30°10'10" EAST 58.04 FEET TO THE POINT OF BEGINNING.

Said property is also known by the street address of:
12751 South Costanza Way
Draper, UT 84020

2833130011

BK 10293 PG 9487