

When recorded, return to:

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

11989775
02/09/2015 02:40 PM \$0.00
Book - 10294 Pg - 6514-6517
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
CITY OF DRAPER
1020 E PIONEER RD
DRAPER UT 84020
BY: KRP, DEPUTY - WI 4 P.

PARTIAL RELEASE OF COVENANT

This Partial Release of Covenant is entered into between **DEVONA K. COSTANZA**, individually and as trustee of the **THE COSTANZA FAMILY TRUST**, dated **March 25, 2005** ("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 those certain Warranty Deeds, 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, and that certain Warranty Deed, executed by Bayard M. Crosgrove and Matilda Crosgrove in favor of Utah Lake Irrigation Company on April 8, 1914, and recorded on April 10, 1914, as entry no. 323387, in Book 9-C, Page 116 ("the Crosgrove Warranty Deeds.")

Releasors' Property benefits from certain covenants (the Covenants") contained in the Crosgrove Warranty Deeds, 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.

THE COSTANZA FAMILY TRUST,
dated March 25, 2005

By Devona K. Costanza
Devona K. Costanza, trustee

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

On this 3rd day of February, 2015 personally appeared before me Devona K. Costanza, trustee of the **THE COSTANZA FAMILY TRUST, dated March 25, 2005**, 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 Trust and who duly acknowledged to me that he/she executed the same for the purposes therein stated.

Stacey Braithwaite
Notary Public



DATED this 3rd day of February, 2015.

By Devona K. Costanza
Devona K. Costanza

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

On this 3rd day of February, 2015, personally appeared before me Devona K. Costanza, 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.

Stacey Braithwaite
Notary Public



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EXHIBIT A

PARCEL NO. 1: Tax I.D. 28-33-177-015-0000

BEGINNING AT A POINT BEING 1554.20 FEET SOUTH 00°18'36" WEST ALONG THE SECTION LINE AND 2724.12 FEET WEST FROM THE NORTHEAST QUARTER CORNER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, DRAPER CITY, SALT LAKE COUNTY, STATE OF UTAH, AND RUNNING THENCE ALONG THE SOMERLIN MEADOWS COURT SUBDIVISION THE FOLLOWING (4) CALLS; (1) NORTH 89°57'08" WEST 189.67 FEET; (2) SOUTH 41°36'45" WEST 32.17 FEET; (3) SOUTH 82°14'23" WEST 49.54 FEET; (4) NORTH 77°27'48" WEST 113.57 FEET; THENCE WEST 1.09 FEET; THENCE NORTH 28°31'03" WEST 136.57 FEET; THENCE EAST 430.59 FEET ALONG THE SOMERSET RIDGE SUBDIVISION; THENCE SOUTH 03°21'11" EAST 114.26 FEET ALONG LOT 4 OF THE SOMERLIN MEADOWS SUBDIVISION TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THE PORTION LOCATED WITHIN THE DRAPER IRRIGATION COMPANY PROPERTY AS DESCRIBED AS ENTRY NO. 7154757, RECORDED NOVEMBER 16, 1998.

PARCEL NO. 2: Tax I.D. 28-33-129-024-0000

THE SOUTH 60 FEET OF THE FOLLOWING:

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF THE DRAPER IRRIGATION COMPANY CANAL. SAID POINT BEING EAST 2255.0 FEET AND SOUTH 1419.0 FEET FROM THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 166.10 FEET; THENCE NORTH 33° WEST 226.38 FEET; THENCE NORTH 37° WEST 198.0 FEET; THENCE NORTH 40° WEST 110.22 FEET; THENCE EAST 455.55 FEET, MORE OR LESS, TO THE WEST RIGHT OF WAY OF THE DRAPER IRRIGATION COMPANY CANAL; THENCE SOUTH 34.0 FEET ALONG SAID RIGHT OF WAY TO AN EXISTING EAST-WEST FENCE; THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 15°35' EAST 197.5 FEET; THENCE SOUTH 7°48' WEST 214.30 FEET TO POINT OF BEGINNING.

Said property is also known by the street address of:
Parcel No. 1: 1641 East Costanza Way, Draper, UT 84020
Parcel No. 2: 12775 South 1600 East, Draper, UT 84020