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02/04/2016 10:53 AM \$0.00  
Book - 10400 Pg - 6732-6734  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
HERRIMAN  
13011 S PIONEER ST  
HERRIMAN UT 84096  
BY: TRA, DEPUTY - MA 3 P.

When Recorded, Return to:

Herriman City  
13011 South Pioneer Street  
Herriman, Utah 84096

## Consent to Encroachment of Utility Easement

**HERRIMAN CITY**, a Utah municipality, whose address is 13011 South Pioneer Street, Herriman, UT 84096 ("Grantor"), hereby consents to STEVE MARSOLEK and MARCIA MARSOLEK, JT, ("Grantee") encroaching on the 10' public utility easement located on the south property line of the following described real property ("**Property**") located in Salt Lake County, Utah:

Lot 37, Herriman Heights, located in the south half of the northeast quarter of Section 11, Township 4 South, Range 2 West, Salt Lake Base and Meridian.  
Address: 5863 West Friendship Drive  
Parcel No. 3211254001

This consent to encroachment of utility easement shall be for the limited purpose of constructing a rock wall as indicated on attached Exhibit "A." In no event shall this consent waive or relinquish any rights of Grantor or any other public utility which are necessary to the operation, maintenance, renewal, construction or repair of Grantor's lines, conduit, or other facilities, which are or may be located in said public utility easement. Grantees are encroaching on said public utility easement at their own risk, and Grantees agree to indemnify and hold Grantor harmless from any and all claims for personal injuries or damages resulting, directly or indirectly, from such encroachment. Grantor shall not be responsible for any damage to structures or properties located on said easement. This consent does not relinquish the rights of any other parties to use of the public utility easement. This consent does not vest Grantees with authority to construct said rock wall without obtaining all necessary approvals from Grantor. This consent shall run with the land and shall be binding on all Grantee's successors and assigns.

DATED this 26<sup>th</sup> day of January, 2016.

GRANTOR:

HERRIMAN CITY

By Carmen R. Freeman  
Mayor Carmen R. Freeman

ATTEST:

Jackie Nostrom  
Jackie Nostrom, City Recorder

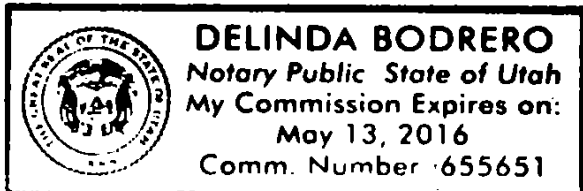
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Ent 12216975 BK 10400 PG 6732

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

The foregoing instrument was acknowledged before me this 26 day of January, 2016, by **CARMEN R. FREEMAN** and **JACKIE NOSTROM**, as the Mayor and the City Recorder, respectively, of **HERRIMAN CITY**, a Utah municipality.



Delinda Bodrero  
Notary Public

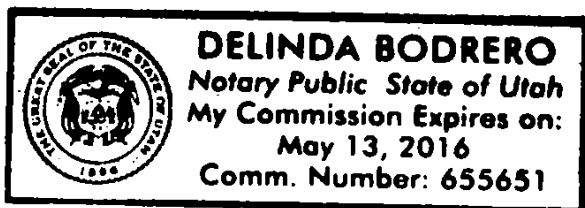
**GRANTEES:**

Steve Marsolek  
STEVE MARSOLEK

Marcia Marsolek  
MARCIA MARSOLEK

STATE OF UTAH )  
 SS:  
COUNTY OF SALT LAKE )

Personally appeared before me **STEVE MARSOLEK** and **MARCIA MARSOLEK**, who acknowledged to me that they executed the foregoing document in my presence this 15 day of January, 2016.



Delinda Bodrero  
Notary Public

