

When Recorded Return to:  
Mr. Craig L. White  
South Valley Sewer District  
P.O. Box 629  
Riverton, UT 84065

12914383  
01/07/2019 11:13 AM \$0.00  
Book - 10744 Pg - 480-490  
ADAM GARDINER  
RECORDER, SALT LAKE COUNTY, UTAH  
SOUTH VALLEY SEWER DISTRICT  
PO BOX 629  
RIVERTON UT 84065  
BY: NPA, DEPUTY - WI 11 P.

PARCEL I.D.# 26-23-103-001  
GRANTOR: VP Daybreak Operations, LLC  
(Daybreak Village 8 Plat 5A)  
Page 1 of 9

## EASEMENTS

Twenty (20) foot wide sanitary sewer easements located in the Northeast Quarter of Section 22 and the Northeast Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey.

For the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned as GRANTORS hereby grant, convey, sell, and set over unto South Valley Sewer District, a body politic of the State of Utah, hereinafter referred to as GRANTEE, its successors and assigns, perpetual rights-of-way and easements to construct, maintain, operate, repair, inspect, protect, install, remove and replace sewer pipelines, valves, valve boxes and other sewer transmission and distribution structures and facilities, hereinafter called the FACILITIES, said rights-of-way and easements, being situate in Salt Lake County, State of Utah, over and through a parcel(s) of the GRANTORS' land lying within strips twenty (20) feet wide, said strip extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Contains: 166,302 square feet or 3.818 acres

TO HAVE AND HOLD the same unto the GRANTEE, its successors and assigns, with the right of ingress and egress in the GRANTEE, its officers, employees, agents and assigns to enter upon the above-described property with such equipment and vehicles as is necessary to construct, install, maintain, operate, repair, inspect, protect, remove and replace the FACILITIES. During construction periods, GRANTEE and its contractors may use such portion of GRANTORS' property along and adjacent to the rights-of-way and easements as may be reasonably necessary in connection with the construction or repair of the FACILITIES. The contractor performing the work shall restore all property, through which the work traverses, to as near its original condition as is reasonably possible. GRANTORS shall have the right to use the above-described property except for the purposes for which these rights-of-way and easements are granted to the GRANTEE, provided such use shall not interfere with the FACILITIES or with the discharge

and conveyance of sewage through the FACILITIES, or any other rights granted to the GRANTEE hereunder. GRANTORS shall not build or construct, or permit to be built or constructed, any building or other improvement over or across these rights-of-way and easements nor change the contour thereof without the written consent of GRANTEE. These rights-of-way and easement grants shall be binding upon, and inure to the benefit of, the successors and assigns of the GRANTORS and the successors and assigns of the GRANTEE, and may be assigned in whole or in part by GRANTEE.

IN WITNESS WHEREOF, the GRANTORS have executed these rights-of-way and Easements this 21 day of December, 2018.

GRANTOR(S)

VP Daybreak Operations LLC,  
a Delaware limited liability company

By: Daybreak Communities LLC,  
a Delaware limited liability company,  
Its: Project Manager.

By: [Signature]

Its: PRESIDENT & CEO  
Title

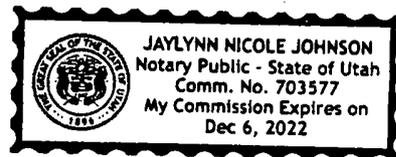
STATE OF UTAH )  
 ) :ss  
COUNTY OF SALT LAKE )

On the 21<sup>st</sup> day of December, 2018, personally appeared before me Ty McCutcheon who being by me duly sworn did say that he is the President & CEO of Daybreak Communities LLC, a Delaware limited liability company, the project manager of **VP Daybreak Operations LLC, a Delaware limited liability company** and that the within and foregoing instrument was duly authorized by the limited liability company at a lawful meeting held by authority of its operating agreement; and duly acknowledged to me that said limited liability company executed the same.

[Signature]  
Notary Public

My Commission Expires: Dec 6, 2022

Residing in: Salt Lake County



**Exhibit 'A'**  
**DAYBREAK VILLAGE 8 PLAT 5A**  
**SEWER EASEMENTS**

**(Line 1)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies West 544.533 feet and North 3352.155 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence West 88.429 feet to the point of terminus.

Contains: (approx. 88 L.F.)

**(Line 2)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies West 544.533 feet and North 3601.655 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence West 68.565 feet to the point of terminus.

Contains: (approx. 69 L.F.)

**(Line 3)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies West 544.533 feet and North 3745.655 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence West 61.186 feet to the point of terminus.

Contains: (approx. 61 L.F.)

**(Line 4)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and

projection thereof, more particularly described as follows:

Beginning at a point that lies West 535.314 feet and North 4399.655 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence West 66.192 feet to the point of terminus.

Contains: (approx. 66 L.F.)

**(Line 5)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies West 544.533 feet and North 3181.268 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence North 22.500 feet; thence North 148.387 feet; thence North 249.500 feet; thence North 144.000 feet; thence North 136.000 feet; thence North 276.000 feet; thence North 02°10'54" East 242.176 feet; thence North 10°41'54" East 233.814 feet; thence North 19°33'22" East 228.830 feet; thence North 23°54'58" East 418.895 feet; thence North 24°52'02" East 22.500 feet to the point of terminus.

Contains: (approx. 2123 L.F.)

**(Line 6)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies West 71.429 feet and North 3743.655 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence West 339.104 feet to the point of terminus.

Contains: (approx. 339 L.F.)

**(Line 7)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies West 90.533 feet and North 4019.655 feet from the Southwest Corner

of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence West 319.000 feet to the point of terminus.

Contains: (approx. 319 L.F.)

**(Line 8)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies West 90.533 feet and North 4158.655 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence West 319.000 feet to the point of terminus.

Contains: (approx. 319 L.F.)

**(Line 9)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies West 67.459 feet and North 4407.657 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence South 89°59'58" West 310.603 feet; thence North 01°40'04" East 67.639 feet; thence North 15°42'35" East 290.409 feet to the point of terminus.

Contains: (approx. 669 L.F.)

**(Line 10)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies West 388.533 feet and North 3482.655 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence East 319.651 feet; thence North 03°36'53" East 118.395 feet; thence North 04°00'33" West 143.191 feet; thence North 18°26'06" West 85.711 feet; thence North 07°53'43" East 58.239 feet; thence North 137.000 feet; thence North 139.000 feet; thence North 91.830 feet; thence North 21°00'37" East 78.681 feet; thence North 03°30'37" West 83.880 feet;

thence North 00°12'00" West 82.275 feet; thence North 18°19'58" West 93.181 feet; thence North 83.271 feet; thence North 24°34'27" East 69.861 feet; thence North 00°05'39" East 203.668 feet; thence North 68°00'00" West 164.373 feet to the point of terminus.

Contains: (approx. 1952 L.F.)

**(Line 11)**

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies North 89°56'14" East 92.752 feet along the Section Line and North 5128.317 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence South 24°52'02" West 55.500 feet; thence South 62°33'28" East 64.343 feet; thence South 89°29'41" East 89.264 feet to the point of terminus.

Contains: (approx. 209 L.F.)

**(Line 12)**

A twenty (20) foot wide sanitary sewer easement, located in the Northeast Quarter of Section 22 and the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies West 61.418 feet and North 3600.814 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian (Basis of bearings is North 89°56'14" East between the Southwest Corner and the South Quarter Corner of said Section 23) and running thence North 87°30'00" East 135.609 feet to the point of terminus.

Contains: (approx. 136 L.F.)

**(Line 13)**

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies North 89°56'14" East 122.104 feet along the Section Line and North 3190.256 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 20°29'35" West 99.397 feet; thence North 02°20'47" West 323.505 feet; thence North 00°00'42" West 72.459 feet to the point of terminus.

Contains: (approx. 495 L.F.)

**(Line 14)**

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies North 89°56'14" East 228.691 feet along the Section Line and North 3454.079 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 87°30'00" East 295.876 feet; thence North 87°30'00" East 70.230 feet to the point of terminus.

Contains: (approx. 366 L.F.)

**(Line 15)**

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies North 89°56'14" East 524.286 feet along the Section Line and North 3466.662 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 24°33'27" East 41.463 feet; thence North 02°30'00" West 120.379 feet to the point of terminus.

Contains: (approx. 162 L.F.)

**(Line 16)**

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies North 89°56'14" East 756.455 feet along the Section Line and North 3441.492 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 02°30'00" West 198.782 feet to the point of terminus.

Contains: (approx. 199 L.F.)

**(Line 17)**

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies North 89°56'14" East 858.757 feet along the Section Line and North

3593.063 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 04°53'28" West 55.000 feet to the point of terminus.

Contains: (approx. 55 L.F.)

**(Line 18)**

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies North 89°56'14" East 271.519 feet along the Section Line and North 3613.355 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 87°30'00" East 265.000 feet; thence North 85°45'17" East 212.098 feet; thence North 85°45'17" East 106.576 feet; thence North 85°06'32" East 102.896 feet to the point of terminus.

Contains: (approx. 687 L.F.)

**(Line 19)**

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at a point that lies North 89°56'14" East 1006.134 feet along the Section Line and North 3203.572 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 74°42'48" East 73.678 feet to the point of terminus.

Contains: (approx. 74 L.F.)

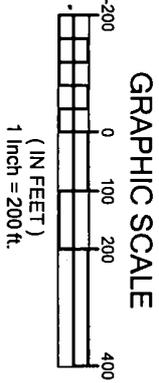
**(Line 20)**

A twenty (20) foot wide sanitary sewer easement, located in the Northwest Quarter of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, said easement extending ten (10) feet on each side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

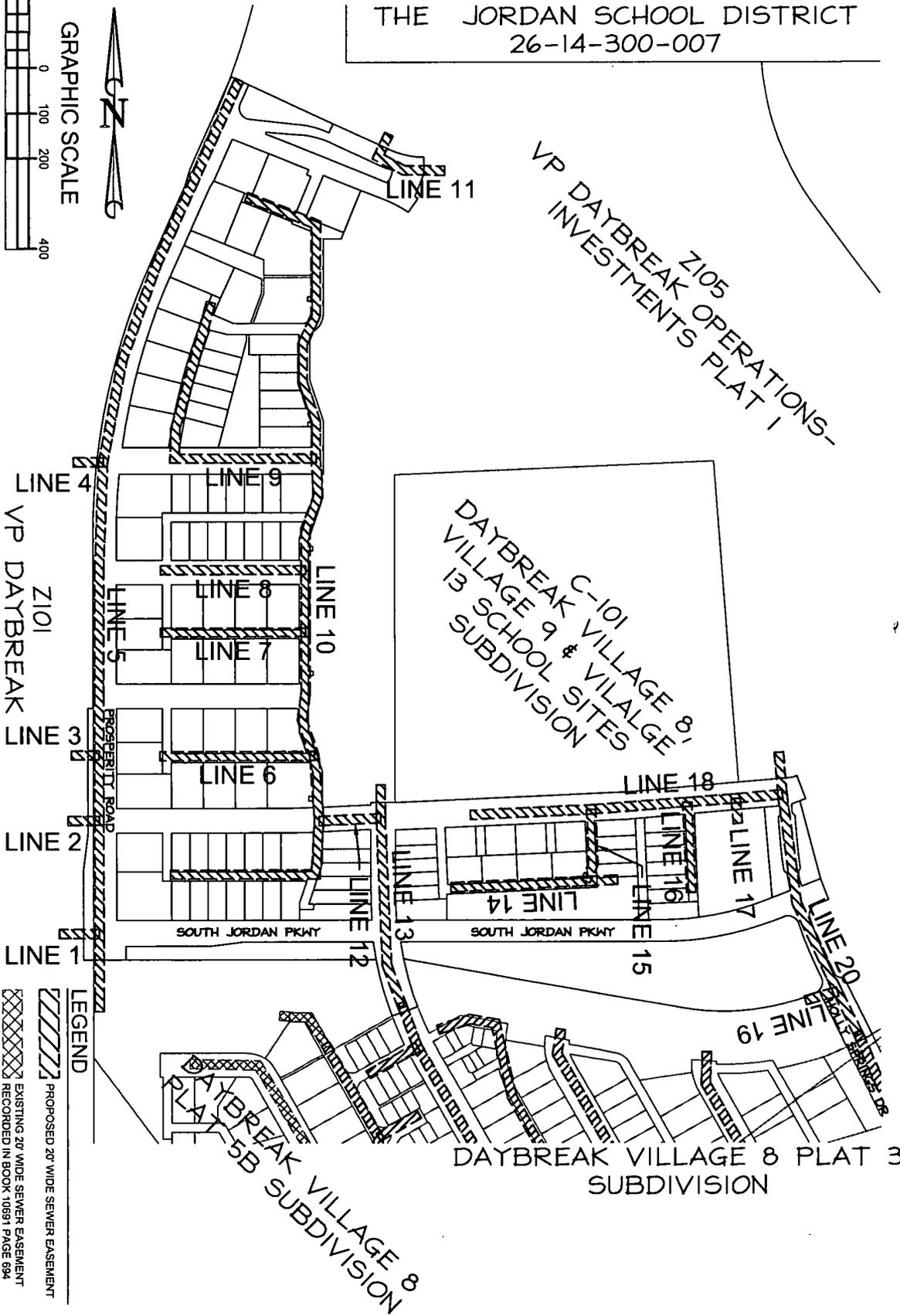
Beginning at a point that lies North 89°56'14" East 1123.389 feet along the Section Line and North 3126.467 feet from the Southwest Corner of Section 23, Township 3 South, Range 2 West, Salt Lake Base and Meridian and running thence North 25°35'51" West 106.893 feet; thence North 24°39'39" West 214.479 feet; thence North 07°26'01" West 240.582 feet; thence North 04°53'28" West 92.974 feet to the point of terminus.

Contains: (approx. 655 L.F.)

THE BOARD OF EDUCATION OF  
THE JORDAN SCHOOL DISTRICT  
26-14-300-007



OPERATIONS-  
INVESTMENTS PLAT 1



**LEGEND**

	PROPOSED 20" WIDE SEWER EASEMENT
	EXISTING 20" WIDE SEWER EASEMENT RECORDED IN BOOK 10691 PAGE 694
	EXISTING 20" WIDE SEWER EASEMENT RECORDED IN BOOK 10545 PAGE 3764

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_  
 NETWORK: \_\_\_\_\_  
 PATH: \_\_\_\_\_  
 DWG NAME: \_\_\_\_\_  
 LAYOUT: \_\_\_\_\_  
 DESIGNER: \_\_\_\_\_ MGR: \_\_\_\_\_

**PERIGEE CONSULTING**  
 CIVIL • STRUCTURAL • SURVEY

2000 SOUTH 900 WEST, SUITE 200  
 SALT LAKE CITY, UTAH 84119  
 (801) 488-8888

**EXHIBIT A**  
 SEWER EASEMENTS  
 DAYBREAK VILLAGE 8 PLAT 5A

PREPARED FOR: DAYBREAK COMMUNITIES      DATE SUBMITTED: 11-27-2018

**LENDER'S CONSENT AND SUBORDINATION**

EASEMENTS – PARCEL I.D. # 26-23-103-001  
DAYBREAK VILLAGE 8 PLAT 5A  
(TO SOUTH VALLEY SEWER DISTRICT)

THE UNDERSIGNED, THE BENEFICIARY UNDER THAT CERTAIN DEED OF TRUST, DATED DECEMBER 19, 2016, ENCUMBERING THE HEREIN DESCRIBED REAL PROPERTY (THE "DEED OF TRUST"), HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THOSE CERTAIN SEWER EASEMENTS, DATED AS OF DECEMBER 21, 2018, FROM VP DAYBREAK OPERATIONS LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO SOUTH VALLEY SEWER DISTRICT, A BODY POLITIC OF THE STATE OF UTAH (THE "EASEMENTS"), TO WHICH THIS LENDER'S CONSENT AND SUBORDINATION IS ATTACHED.

THE UNDERSIGNED LENDER HEREBY CONSENTS TO THE EASEMENTS AND MAKES THE LIEN OF THE DEED OF TRUST SUBORDINATE THERETO. THIS LENDER'S CONSENT AND SUBORDINATION SHALL NOT OTHERWISE AFFECT THE PRIORITY OF MORTGAGES AND/OR LIENS AGAINST THE REAL PROPERTY DESCRIBED HEREIN, BUT SHALL SOLELY EVIDENCE THE LENDER'S INTENT TO SUBORDINATE ITS LIEN OF THE DEED OF TRUST TO THE EASEMENTS. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE LENDER.

**U.S. BANK NATIONAL ASSOCIATION**  
d/b/a Housing Capital Company

By:   
Name: CARY F. SWANSON  
Title: SVP

[SIGNATURE MUST BE NOTARIZED]  
[Notary acknowledgement on following page]

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF FRESNO

On December 19, 2018, before me, **Lori Beckman, a Notary Public**, personally appeared **Carl F. Swanson** who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Lori Beckman*

[SEAL]

