

Entry No. 141888	Book 12103
Date 10-4-77	Page 418-27
Martinez & Meek	
WARRANTY DEED	
2800	By: [Signature]
INDEXED	ABSTRACT

GRANT AND TERMINATION OF EASEMENTS
AND RIGHTS-OF-WAY AT THE
ECHO CREEK RANCHES SUBDIVISION

This Grant and Termination of Easements and Rights-of-Way is made and executed this 26 day of October, 1977, by ECHO CREEK RANCH, a Utah limited partnership (hereinafter referred to as "Developer").

RECITALS:

A. On July 28, 1977, the Developer filed a subdivision plat in the Office of the County Recorder of Summit County, State of Utah, for the creation of the Subdivision known as Echo Creek Ranches. The Plat, as so filed, created a total of 208 Lots and, with respect to said Lots, created certain easements and rights including Road Strips or portions thereof on each Lot as nonexclusive rights-of-way for access by vehicular, pedestrian, and animal traffic. At the present time, the Developer is the record owner of all of the Lots in the Subdivision.

B. Since the filing of the Plat, the Developer has caused access roads to be constructed on the Property, the intention being that all such access roads would be included within the Road Strips. However, because of the contour of certain portions of the Property, it has been necessary in certain instances for portions of the access roads to be constructed on land not included within the Road Strips. Also, as a result certain portions of the Road Strips are not required for access purposes. Accordingly, Developer desires to create additional easements and rights-of-way covering the areas on the Property on which the access roads have been constructed and which are not within the boundaries of the Road Strips, and to terminate the easements and rights-of-way with respect to those portions of the Road Strips over which the access roads have not been constructed and which are not required in connection with the access roads on the Property.

NOW, THEREFORE, for the foregoing purposes, Developer does hereby, for itself and its successors in interest, grantees and assigns declare and provide as follows:

1. When used herein the following terms shall have the following respective meanings:

(a) Property shall mean and refer to the real property and interests therein situated in Summit County, State of Utah, described as follows:

Lots 1 through 208 of the ECHO CREEK RANCHES SUBDIVISION as set forth in the Subdivision Plat of Echo Creek Ranches filed on July 28, 1977 in the Office of the Recorder of Summit County, Utah as Entry No. 139278.

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(b) Plat shall mean and refer to the subdivision plat of Echo Creek Ranches filed on July 28, 1977 in the Office of the Recorder, Summit County, Utah as Entry No. 139278.

(c) Subdivision shall mean and refer to the entire development which is created and covered by the Plat.

(d) Road Strips shall mean, refer to and consist of the rights-of-way set forth and referred to on the Plat for the purposes of providing access on the Property and easements for public utilities purposes.

(e) Owner shall mean and refer to the person who is the owner of record (in the Office of the County Recorder, Summit County, Utah) of a fee or an undivided fee interest in any Lot or portion thereof. Notwithstanding any applicable theory relating to a mortgage, deed of trust or a like instrument, the term Owner shall not mean or include a mortgagee under a mortgage or a beneficiary or trustee under a deed of trust unless and until such party has acquired title pursuant to foreclosure or any arrangement or proceeding in lieu thereof.

(f) Lot shall mean and refer to one of the 208 separately numbered and individually described plots of land which is covered by and included in the Plat.

2. The Developer does hereby create and grant to each Owner and each future Owner of a Lot, for the benefit of the Lot which is or comes to be owned by the Owner or future Owner concerned, nonexclusive rights-of-way for purposes of access by vehicular, pedestrian and animal traffic and easements for public utilities purposes on and over those portions of the real property situated within the Property and which are more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof. It is intended that the property covered by such rights-of-way and easements shall be used as part of and in connection with the Road Strips, subject to the termination of a portion of the Road Strips pursuant to Section 3 hereof.

3. As a result of the granting of the rights-of-way and easements in Section 2 hereof, and the use thereof in connection with portions of the Road Strips, it is no longer required that certain portions of the Road Strips be used for or be available for use as such. Accordingly, the Developer does hereby terminate, vacate and extinguish those portions of the Road Strips which are described in Exhibit "B" attached hereto and by this reference made a part hereof, and does hereby declare that from and after the date hereof, such portions shall not be used or available for use for access to the Lots and shall not be burdened by any right-of-way or easement created by or provided for in the Plat. Notwithstanding the foregoing, the Developer expressly declares its intention that the provisions of this Section 3 shall not be deemed to constitute a formal amendment to the Plat, and that if for any reason this Section 3 may be deemed to be such an amendment, then this Section 3 shall be null and void and of no force and effect whatever.

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4. On September 13, 1977, the Developer executed a Declaration Concerning Access at the Echo Creek Ranches Subdivision (the "Declaration") which, among other things, provided for the use and maintenance of the Road Strips. It is the intention of the Developer in executing this instrument, and the Developer does hereby provide and declare, that the Road Strips as defined and referred to in the Declaration shall be and they are hereby revised and amended to include the rights-of-way and easements granted in Section 2 hereof, and to exclude the rights-of-way and easements terminated pursuant to Section 3 hereof.

5. Developer hereby represents and certifies that it is, and upon recordation of this instrument will be, the Owner of record of the Property and each and every Lot contained therein.

6. This instrument shall take effect upon its being filed for record in the Office of the County Recorder of Summit County, Utah.

7. This instrument and all of the provisions hereof shall be binding upon and inure to the benefit of the Developer, each Owner of the Lots and their respective heirs, devisees, grantees, successors and assigns.

Executed the day and year first above written.

ECHO CREEK RANCH, a limited Partnership

By: VILLA WESTBROOK, INC., a Utah corporation and one of the general partners of said limited partnership

By Jay L. Murphy
Jay L. Murphy,
Vice President

STATE OF UTAH]
] ss.
COUNTY OF SALT LAKE]

On this 26 day of October, 1977, personally appeared before me JAY L. MURPHY, who being by me duly sworn did say that he is the Vice President of VILLA WESTBROOK, INC., a Utah corporation, that said corporation is a General Partner of ECHO CREEK RANCH, a Utah Limited Partnership, and that the foregoing "Grant and Termination of Easements and Rights-of-Way At the Echo Creek Ranches Subdivision" was signed on behalf of said corporation, in its capacity as a General Partner in said Limited Partnership, by authority of its Bylaws or a resolution of its Board of Directors, and said JAY L. MURPHY acknowledged to me that said corporation executed the same on behalf of said Limited Partnership.

Carlene Scarfess
Notary Public
Residing at Salt Lake City, Utah

My Commission Expires:

September 1981
STATE OF UTAH

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RIGHT OF WAY AFFECTING

LOTS 100, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111

A 100.00 foot right of way in Section 5, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point South 8° 00' East 90.00 feet from the Northeast corner of Lot 111, Echo Creek Ranches Subdivision, in said Section 5, and running thence North 76° 00' East 235.00 feet; thence South 60° 00' East 725.00 feet; thence North 69° 00' East 200.00 feet; thence South 73° 00' East 430.00 feet; thence South 51° 00' East 400.00 feet; thence South 31° 30' East 2228.52 feet; thence South 12° 58' East 1393.00 feet to a point on the East line of Lot 108 of said subdivision.

RIGHT OF WAY AFFECTING

LOTS 152, 153, 154, 155

(155 not subject to)

A 100.00 foot right of way in Section 31, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point South 34° 00' East 450.00 feet from the Northwest corner of Lot 152, Echo Creek Ranches Subdivision, in said Section 31, and running thence North 12° 40' West 500.00 feet; thence North 7° 40' East 735.00 feet; thence North 30° 00' West 382.17 feet to the South line of Lot 155 of said subdivision.

RIGHT OF WAY AFFECTING

LOTS 18, 20, 21, 22, 28

A 100.00 foot right of way 50.00 feet on each side of the following described centerline:

Beginning at a point North 58° 32' 05" West 50.00 feet from the Northwest corner of Section 33, Township 4 North, Range 6 East, Salt Lake Base and Meridian and running thence South 58° 32' 05" East 1580.25 feet except portions that lie within Section 28, Township 4 North, Range 6 East.

Exhibit "A"

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RIGHT OF WAY AFFECTING
LOTS 161, 162, 163, 164, 165, 166 (161 Not subject to)

A 100.00 foot right of way in Section 6, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point North 41° 00' West 250.00 feet from the Southeast corner of Lot 165, Echo Creek Ranches Subdivision, in said Section 6, and running thence South 17° 00' West 300.00 feet; thence North 53° 00' West 330.00 feet; thence North 16° 00' West 940.00 feet; thence North 9° 00' East 300.00 feet; thence North 43° 00' West 220.00 feet; thence North 14° 00' West 1130.00 feet; thence North 9° 00' West 300.00 feet; thence North 27° 00' West 521.70 feet to the South line of Lot 161 of said subdivision.

RIGHT OF WAY AFFECTING LOT 40

A 100.00 foot right of way in Section 33, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northwest corner of Lot 40, Echo Creek Ranches Subdivision, in said Section 33, and running thence South 12° 00' East 453.57 feet; thence South 64° 00' West 127.57 feet to the West line of said Lot 40.

RIGHT OF WAY AFFECTING LOT 44

A 100.00 foot right of way in Section 4, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point South 77° 00' West 361.28 feet from the Northeast corner of Lot 44, Echo Creek Ranches Subdivision, in said Section 4, and running thence South 52° 00' West 570.63 feet to the West line of said Lot 44.

RIGHT OF WAY AFFECTING LOT 80

A 100.00 foot right of way in Section 5, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point North 5° 30' East along the Lot line 100.00 feet from the Southeast corner of Lot 80, Echo Creek Ranches Subdivision, in said Section 5, and running thence West 200.00 feet; thence South 5° 30' West 100.00 feet to a point on the South line of said Lot 80.

RIGHT OF WAY AFFECTING LOT 128

A 100.00 foot right of way in Section 9, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northeast corner of Lot 128, Echo Creek Ranches Subdivision, in said Section 9 and running thence South 39° 00' West 456.93 feet; thence North 55° 35' West 388.22 feet to the North line of said Lot 128.

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RIGHT OF WAY AFFECTING LOTS 121, 122

A 100.00 foot right of way in Section 9, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Southwest corner of Lot 122, Echo Creek Ranches Subdivision, in said Section 9, and running thence North $60^{\circ} 00'$ East 354.78 feet; thence South $80^{\circ} 00'$ East 474.14 feet to the South line of Lot 121 of said subdivision.

RIGHT OF WAY AFFECTING LOTS 7, 8, 9

A 300.00 foot right of way in Section 29, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on the left side and 250.00 feet on the right side of the following described centerline:

Beginning at a point North $54^{\circ} 40'$ East along the lot line 350.00 feet from the Southeast corner of Lot 7, Echo Creek Ranches Subdivision in said Section 29, and running thence North $23^{\circ} 00'$ West 300.00 feet; thence North $46^{\circ} 00'$ East 200.00 feet; thence South $43^{\circ} 00'$ East 480.00 feet; thence North $46^{\circ} 00'$ East 100.00 feet; thence North $30^{\circ} 00'$ West 220.00 feet; thence North 420.28 feet; thence North $47^{\circ} 00'$ East 449.50 feet; thence North 439.09 feet to the Southwest corner of Lot 14 of said subdivision.

RIGHT OF WAY AFFECTING LOTS 3, 4, 88, 89

A 100.00 foot right of way in Section 32, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point North $47^{\circ} 15'$ West along the lot line 297.55 feet from the Southwest corner of Lot 4, Echo Creek Ranches Subdivision, in said Section 32, and running thence South $71^{\circ} 15'$ East 250.00 feet; thence South $42^{\circ} 26'$ East 808.20 feet; thence North $87^{\circ} 00'$ East 134.52 feet; thence South $26^{\circ} 00'$ East 210.00 feet; thence North $54^{\circ} 00'$ East 100.00 feet; thence South $77^{\circ} 00'$ East 210.00 feet; thence South $41^{\circ} 00'$ East 675.00 feet; thence South $66^{\circ} 00'$ East 355.00 feet; thence South $2^{\circ} 00'$ East 322.87 feet; thence North $2^{\circ} 00'$ West 792.34 feet to the Southwest corner of Lot 85 of said Subdivision.

RIGHT OF WAY AFFECTING LOT 45

A 100.00 foot right of way in Section 4, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northwest corner of Lot 78, Echo Creek Ranches Subdivision, in said Section 4, and running thence South $75^{\circ} 47'$ East 550.80 feet to an angle point in the North line of said Lot 78.

RIGHT OF WAY AFFECTING LOT 74

A 100.00 foot right of way in Section 4, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northwest corner of Lot 73, Echo Creek Ranches Subdivision, in said Section 4, and running thence South $10^{\circ} 53'$ West 447.18 feet to an angle

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point in the East line of Lot 74 of said Subdivision.

RIGHT OF WAY AFFECTING LOTS 107, 108

A 100.00 foot right of way in Section 5, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point North 81° 00' East along the lot line 258.03 feet from the Southwest corner of Lot 107, Echo Creek Ranches Subdivision, in said Section 5, and running thence North 57° 00' West 285.00 feet; thence South 46° 00' West 332.48 feet to the South line of Lot 108 of said Subdivision.

RIGHT OF WAY AFFECTING LOT 92

A 100.00 foot right of way in Section 32, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point South 11° 30' East along the lot line 140.00 feet from the Northwest corner of Lot 91, Echo Creek Ranches Subdivision, in said Section 32, and running thence South 11° 30' East 119.36 feet; thence South 70° 30' East 132.01 feet to the Southwest corner of said Lot 91.

RIGHT OF WAY AFFECTING LOTS 58, 60, 61

A 100.00 foot right of way in Section 4, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northeast corner of Lot 59, Echo Creek Ranches Subdivision, in said Section 4, and running thence South 25° 40' East 417.35 feet; thence South 52° 20' East 185.00 feet; thence North 46° 40' East 170.00 feet; thence South 6° 20' East 215.00 feet; thence South 20° 40' West 867.05 feet; thence South 71° 40' West 200.00 feet; thence South 39° 40' West 232.67 feet to an angle point in the South line of Lot 61, of said Subdivision.

ECHO CREEK RANCHES

RIGHT OF WAY TO BE VACATED; ROAD B; LOTS 3, 89

A 200.00 foot right of way in Section 32, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 100.00 feet on each side of the following described centerline:

Beginning at the Southeast corner of Lot 3, Echo Creek Ranches Subdivision, in said Section 32, and running thence North $83^{\circ} 32'$ West 1363.00 feet to the Southwest corner of said Lot 3.

RIGHT OF WAY TO BE VACATED; ROAD B; LOTS 2, 3, 4, 90, 205

A 100.00 foot right of way in Section 32, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Southwest corner of Lot 3, Echo Creek Ranches Subdivision, in said Section 32, and running thence North $25^{\circ} 00'$ West 200.00 feet; thence North $47^{\circ} 15'$ West 700.00 feet.

RIGHT OF WAY TO BE VACATED; ROAD R; LOTS 7,8,9,15,16,17,18,19

A 100.00 foot right of way in Section 29, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point North $54^{\circ} 40'$ East along the lot line 350.00 feet from the Southeast corner of Lot 7, Echo Creek Ranches Subdivision in said Section 29, and running thence North $54^{\circ} 40'$ West 100.00 feet; thence South $77^{\circ} 00'$ East 750.00 feet; thence North $42^{\circ} 30'$ West 420.00 feet; thence North $31^{\circ} 15'$ West 130.07 feet; thence North $7^{\circ} 38'$ East 417.98 feet; thence North $52^{\circ} 30'$ East 300.00 feet; thence North $19^{\circ} 50'$ East 500.00 feet.

RIGHT OF WAY TO BE VACATED; ROAD E; LOTS 40,41

A 100.00 foot right of way in Section 33, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northwest corner of Lot 40, Echo Creek Ranches Subdivision, in said Section 33, and running thence South $2^{\circ} 20'$ West 500.00 feet.

Exhibit "E"

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RIGHT OF WAY TO BE VACATED; ROAD C; LOTS 44,81,82

A 100.00 foot right of way in Section 4, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point South 77° 00' West along the lot line 361.28 feet from the Northeast corner of Lot 44, Echo Creek Ranches Subdivision, in said Section 4, and running thence South 77° 00' West 338.72 feet; thence South 23° 30' West 300.00 feet to an angle point in the West line of said Lot 44.

RIGHT OF WAY TO BE VACATED; ROAD C; LOTS 45,78

A 100.00 foot right of way in Section 4, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northwest corner of Lot 78, Echo Creek Ranches Subdivision, in said Section 4, and running thence South 52° 50' East 270.00 feet; thence North 85° 00' East 320.00 feet.

RIGHT OF WAY TO BE VACATED; ROAD G; LOTS 58,59,60,61

A 100.00 foot right of way in Section 4, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Southeast corner of Lot 59, Echo Creek Ranches Subdivision, in said Section 4, and running thence North 61° East 405.19 feet; thence North 4° 00' East 801.10 feet; thence South 51° 00' West 400.00 feet; thence North 29° 00' East 400.00 feet; thence South 78° 30' West 150.00 feet; thence North 56° 00' West 100.00 feet; thence North 62° 30' East 450.00 feet; thence North 83° 30' East 300.00 feet; thence North 10° 00' West 202.69 feet to the Northeast corner of said Lot 59.

RIGHT OF WAY TO BE VACATED; ROAD J; LOTS 73,74,123

A 100.00 foot right of way in Section 4, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northwest corner of Lot 73, Echo Creek Ranches Subdivision, in said Section 4, and running thence South 20° 00' East 261.69 feet; thence South 42° 00' West 260.00 feet.

RIGHT OF WAY TO BE VACATED; ROAD M; LOTS 79,80

A 100.00 foot right of way in Section 5, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northeast corner of Lot 79, Echo Creek Ranches Subdivision, in said Section 5, and running thence West 200.00 feet to the Northwest corner of said Lot 79.

RIGHT OF WAY TO BE VACATED; ROAD D; LOTS 86,88,89,91

A 100.00 foot right of way in Section 32, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northwest corner of Lot 86, Echo Creek Ranches Subdivision in said Section 32, and running thence South 22° 30' East 577.46 feet; thence North 35° 00' West 406.59 feet; thence South 23° 05' East 208.53 feet; thence South 80° 09' East 205.00 feet; thence South 47° 07' West 98.29 feet.

RIGHT OF WAY TO BE VACATED: ROAD C; LOTS 91, 92

A 100.00 foot right of way in Section 32, Township 4 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point South 11° 30' East along the lot line 140.00 feet from the Northwest corner of Lot 91, Echo Creek Ranches Subdivision in said Section 32, and running thence South 89° 30' East 270.00 feet; thence South 37° 30' West 200.00 feet to the Southwest corner of said Lot 91.

RIGHT OF WAY TO BE VACATED; ROAD M; LOTS 107, 108, 134

A 100.00 foot right of way in Section 5, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at a point South 81° 00' West along the lot line 275.00 feet from the Northeast corner of Lot 134, Echo Creek Ranches Subdivision, in said Section 5, and running thence South 81° 00' West 484.15 feet.

RIGHT OF WAY TO BE VACATED; ROAD J; LOTS 120, 121, 128

A 100.00 foot right of way in Section 9, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northeast corner of Lot 128, Echo Creek Ranches Subdivision, in said Section 9, and running thence South 77° 25' West 622.77 feet.

RIGHT OF WAY TO BE VACATED; ROAD J; LOTS 121, 122, 129

A 100.00 foot right of way in Section 9, Township 3 North, Range 6 East, Salt Lake Base and Meridian, 50.00 feet on each side of the following described centerline:

Beginning at the Northeast corner of Lot 129, Echo Creek Ranches Subdivision in said Section 9, and running thence South 83° 00' West 780.00 feet.

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