

100105201 ( ) Mountain View (Lundin)

00186421 Br00320 Pg00680-0069

WASATCH CO RECORDER-ELIZABETH M PARCEL  
1996 APR 23 10:15 AM FEE \$43.00 BY M  
REQUEST: NEW CANYON MEADOWS LC

## GRANT OF EASEMENT

This grant of easement is entered into this 22 of April, 1996, between Canyon Meadows Home Owners Association, Grantor, and New Canyon Meadows, L.C., Grantee.

Whereas Grantor is the owner of common area within Canyon Meadows, which common area includes the streets which have been freely used by Grantee and Grantee's predecessors for many years to access the property surrounding Canyon Meadows; and

Whereas Grantor's property and Grantee's property were at one time owned in common by Grantor's and Grantee's predecessor in interest, which property was held for the purpose of developing the entire property into building lots; and

Whereas Grantee is the owner of numerous lots in Canyon Meadows, including lot 15, plat B, and is in a position to convey to Grantee's successors in interest an interest in lot 15, which conveyance would grant to all Grantee's successors in interest an ownership interest in lot 15 and thus the rights associated with lot ownership, including the right to use the streets within Canyon Meadows to access the adjoining property; and

Whereas Article IV(c) of Articles of Incorporation empowers the Association to acquire real property; and

Whereas Grantee is willing to share in costs of street maintenance and snow removal for all roads within Canyon Meadows; and

Whereas Grantee is currently possessed of an implied easement and easement by necessity since Grantee and its predecessors previously had unity of title in Grantor's and Grantee's property (i.e., owned the land referred to as Canyon Meadows and all of the surrounding land); Grantee had apparent, obvious and visible servitude at the time of severance; Grantee had a reasonable necessity of the easement for enjoyment of its dominant estate; and Grantee had continuous use of the property; and

Whereas Grantee has granted easements to other adjoining landowners.

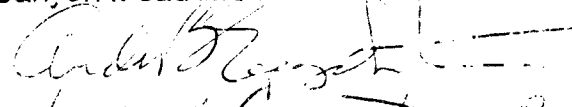
NOW Therefore, Grantor having determined it is in the best interests of the Association to have those who use the roads share in the costs of road repairs and maintenance, Grantor hereby grants to Grantee an easement over and through the streets located within the property described in exhibit "A", said easement is for the benefit of Grantee and Grantee's successors and assigns in connection with the property described in exhibit "B" and for any and all persons who may own, now or in the future, an interest in the property described in exhibit "B" (and as shown in the map, attached as exhibit "C"), which property surrounds the existing Canyon Meadows development. This grant of easement shall be perpetual and shall run with the land.

59.1

By accepting this easement Grantee, and those receiving an interest in this easement or in the lots yet to be platted within the property described in exhibit "B", hereby agreed to pay, at such time as the lots yet to be platted within the property described in exhibit "B" are approved and recorded by Wasatch County, a pro-rata share of the maintenance and repair costs, including snow removal, incurred in connection with the streets located within Canyon Meadows (exhibit "A") and New Canyon Meadows (exhibit "B"). This pro-rata share shall be determined by adding the total number of existing lots located within the property described in exhibit "A" (the number is currently 5) to the total number of lots approved and created within the property described in exhibit "B", and dividing the actual costs incurred in connection with maintenance, repair and snow removal by the total number of lots finally created in exhibit "A" and "B" combined, so that all lot owners pay an equal share of expenses associated with streets in Canyon Meadows and New Canyon Meadows.

Dated this 23 day of April, 1996.

Canyon Meadows Homeowners Association



By: Arden B. Engerstrom  
Its authorized agent

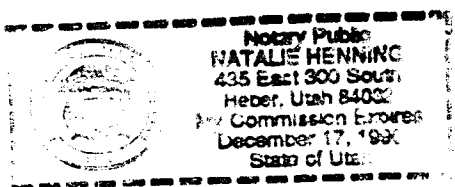
Accepted by:  
New Canyon Meadows, L.C.

By: Arden B. Engerstrom  
Manager

00186421 R#00320 P#00681

State of Utah )  
                                ) ss  
County of Wasatch )

PERSONALLY APPEARED before me Arden A. Engerstrom & Arden B. Engerstrom GRANTOR, this 23rd day of April, 1996, who duly acknowledged to me that he is an authorized agent of Canyon Meadows Homeowners Association and that he executed the above and foregoing instrument in behalf of Canyon Meadows Homeowners Association.



Natalie Henning  
NOTARY PUBLIC

Exhibit A

LEGAL DESCRIPTION - Roads in Canyon Meadows Plat A

An easement for ingress, egress, drainage, water system, irrigation system, sewers, and utility purposes over the 60' wide private roadways shown on Canyon Meadows Plat A subdivision plat recorded January 26, 1981 as Entry Nos. 122075 - 122077 in Book 138, Pages 58 to 79, Official Records of Wasatch County.

LEGAL DESCRIPTION - Roads in Canyon meadows Plat B

An easement for ingress, egress, drainage, water system, irrigation system, sewers, and utility purposes over the 60' wide private roadways shown on Canyon Meadows Plat B subdivision plat recorded July 14, 1983 as Entry Nos. 129735 - 129737 in Book 157, Pages 313 to 332, Official Records of Wasatch County.

LEGAL DESCRIPTION - Roads, The Glades at Canyon Meadows

An easement for ingress, egress, drainage, water system, irrigation system, sewers, and utility purposes over private roadways shown on The Glades at Canyon Meadows subdivision plat recorded July 14, 1983 as Entry Nos. 129735 - 129737 in Book 157, Pages 372-401 of Official Records of Wasatch County.

LEGAL DESCRIPTION - Roads, The Junipers at Canyon Meadows

An easement for ingress, egress, drainage, water system, irrigation system, sewers, and utility purposes over the 60' wide private roadways shown on The Junipers at Canyon Meadows subdivision plat recorded August 23, 1984 as Entry Nos. 133268 - 133270 in Book 165, Pages 758-787 of Official Records of Wasatch County.

00186421 Bx00320 Pa00682

## EXHIBIT "B"

All of that certain property located in Wasatch County, State of Utah, described

Commencing at the southeast corner, Section 12 T 5 S R 3 E SL B & M; thence S .015 E 443.52'; thence S 62° 43' E 170.9'; thence N 40° 0' E 309 0'; thence S 64° 53' E 110.3'; thence N 64° 13' E 543.8'; thence S 25° 45' E 239.6 to the north right of way line of Highway 189; thence north easterly along said right of way line, a distance of 1,370'; thence west 220'; thence north S0'; thence west 125'; thence north 2,540'; thence west 1,320'; thence west 660'; thence south 1,320'; thence east 60'; thence south 1,980'; thence east 660'; thence north 660'; thence east 660'; to the point of beginning.

00186421 BK00020 Pg00480

Amendment of  
New Canyon Meadows  
160 Units + T + S Commercial  
Master Planned Community  
Combined Large Scale Development  
being Revised Plat C  
for unplatted 137.5 acres  
Existing = 84 Lots + Units  
Proposed Completion = 76 Lots + Units,  
24,000 sq ft Commercial

prepared for

**New Canyon Meadows**  
Arden Engebretsen

4815 WEST COUNTRY CLUB DRIVE  
HIGHLAND, UTAH 84003  
TELEPHONE (801) 756-2538

prepared by

**FRANCIS SMITH ENGINEERING, INC.**

Box 6545 Salt Lake City, Utah 84111  
Phone (801) 654-1884

Highway City, Utah 84032-0480  
Mailing (801) 671-0330

Tel. (801) 654-1800  
Internet fsm@fsa.net.com

APRIL 13, 1996

THIS MAP SHOWS PROPERTY LINE INFORMATION WHICH WAS THE SUBJECT  
RECORD OF SURVEY MAP FILED AS OWC-054-007-0-0156 DECEMBER 9,  
OFFICIAL RECORDS OF WASATCH COUNTY.

FOLLOWING IS A SUMMARY OF LAND AREAS AT THE TIME OF THE  
RECORD OF SURVEY MAP FILING:

- PORTION OF SECTION 12 + 13, T55, R3E, SLBM: 74.78 ACRES
- PORTION OF SECTION 7, T55, R4E, SLBM: 73.52 ACRES - NORTH  
OF HIGHWAY
- PORTION OF SECTION 7, T55, R4E, SLBM: 12.79 ACRES - SOUTH  
OF HIGHWAY
- PORTION OF SECTION 18, T55, R4E, SLBM: 11.96 ACRES

- TOTAL UNPLATTED AREA: 173.05 ACRES\*\*

NOTE: THIS UNPLATTED AREA INCLUDES THE "HOOVER 10 ACRES"  
PARCELS BASED ON SURVEY WHICH, DUE TO A TITLE COMPANY  
MISTAKE, WAS INSURED AND UNDERSTOOD TO BE PART OF THE TOTAL  
ENGBRETSEN 7/30/93 PURCHASE.

THIS MAP HAS BEEN REVISED TO REFLECT THE OWNERSHIP AS OF THIS

- TOTAL UNPLATTED AREA: 173.05 ACR S
- LESS "HOOVER 10 ACRES" = 11.93 ACR S
- NET UNPLATTED AREA: 161.12 ACRES\*\*

NOTE: THIS ACREAGE DOES NOT INCLUDE LOSS OF AREA WHICH WILL  
BE INCURRED AS A RESULT OF THE PROPOSED UDOT R/W AND SEVERANCE PARCEL  
ACQUISITIONS FOR PROPOSED NEW US HIGHWAY 189.

PROPOSED NEW HIGHWAY 189 R/W PARCELS ARE NOT SHOWN ON THIS MAP  
AS THEY HAVE NOT YET BEEN ACQUIRED OR CONDEMNED. THEY ARE  
STILL UNDER PROPOSAL.

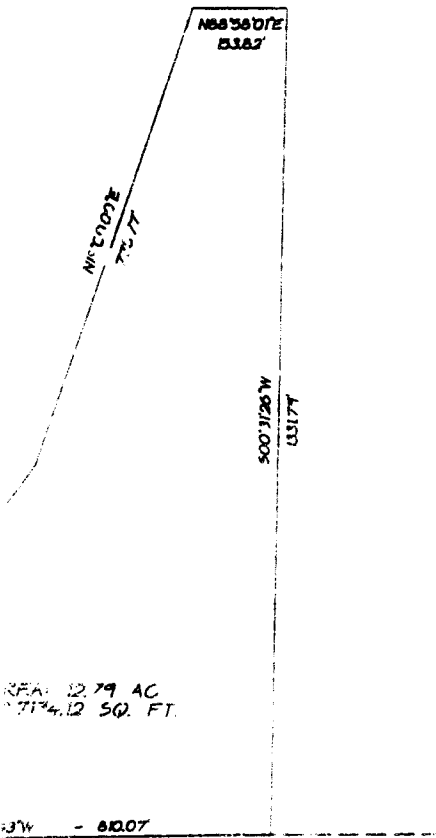
© 1996 FRANCIS SMITH ENGINEERING, INC.

00186421 Br.00320 Pg.00684

609

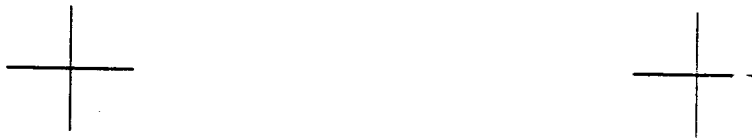
AC

Prop

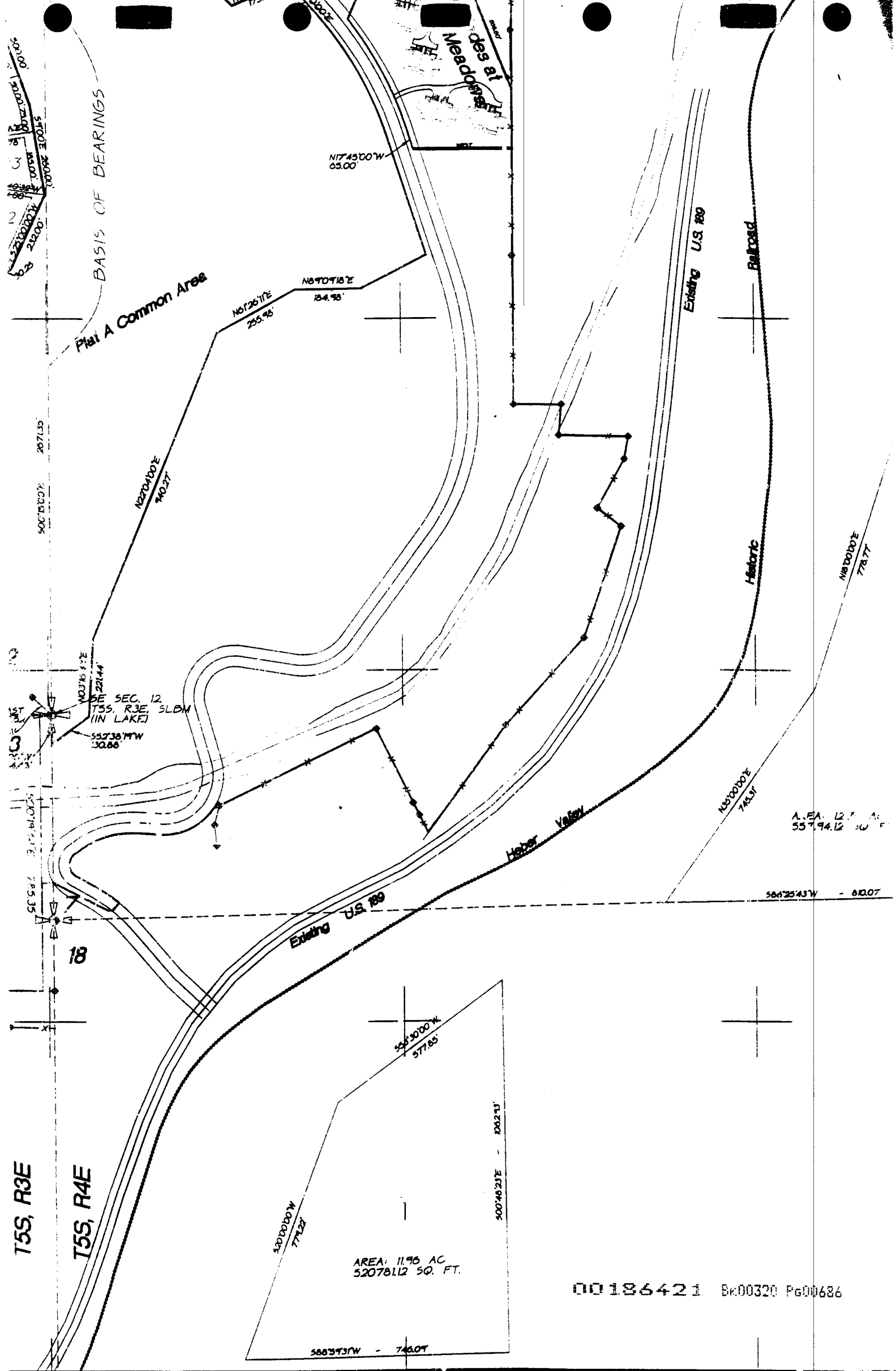


AREA: 12.79 AC  
 17174.12 SQ. FT.

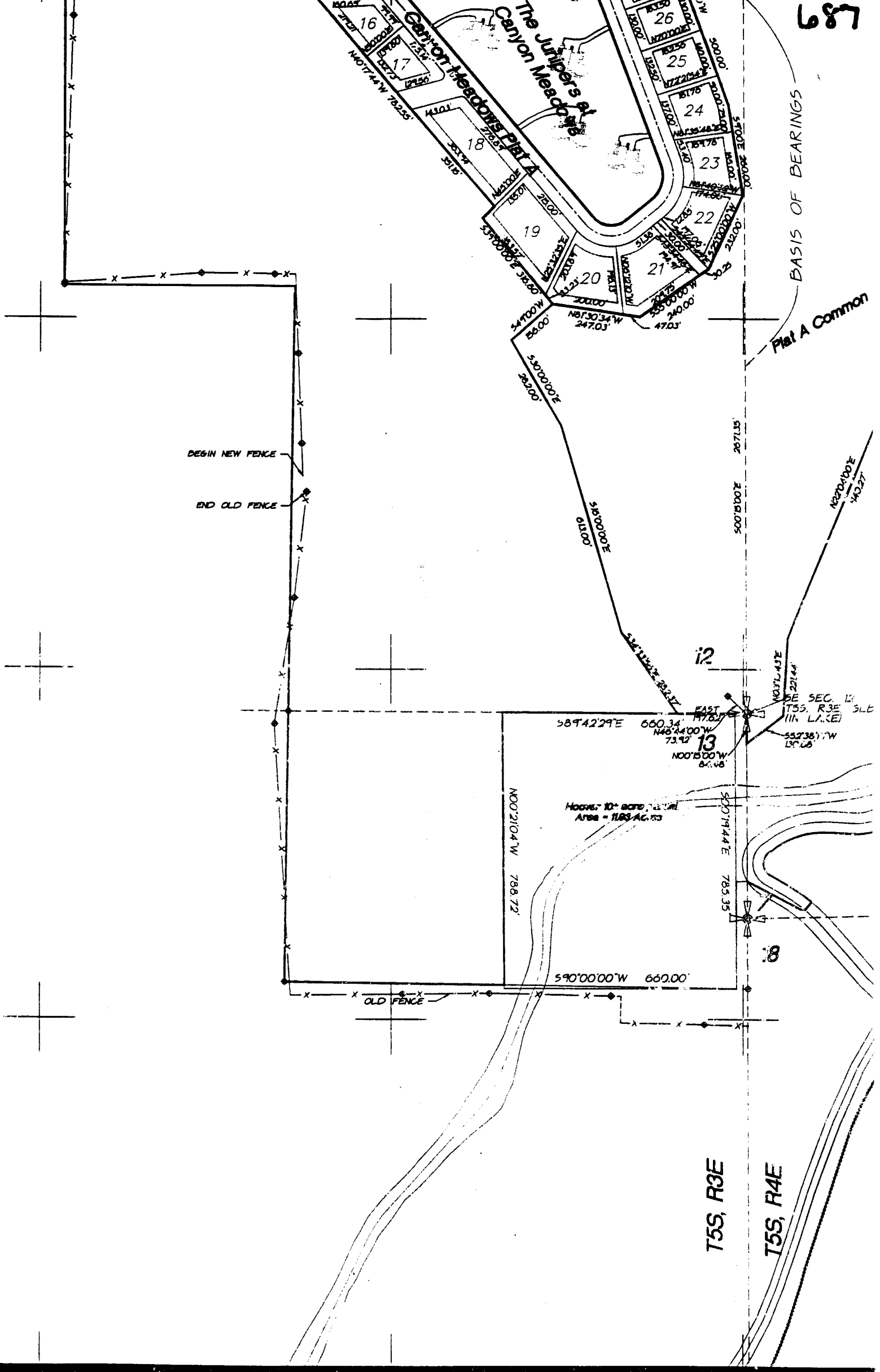
374 - 810.07



- NOTE:**
- THIS MAP IS OF A RECORD OF 1993, OFFICIAL
  - THE FOLLOWING RECORD OF:
    - PORT.
    - PORT.
    - PORT.
    - PORT.
    - PORT.
  - TOTAL
  - NOTE: THIS 11.93 ACRES ERROR, WAS I. ENGEDRETSEN
  - THE MAP HAS TIME:
    - TOTAL
    - LESS
    - NET L
  - NOTE: THIS OCCUR AS A ACQUISITIONS
  - PROPOSED M SINCE THEY H. HOWEVER PROI



00186421 Br:00320 Pg00686





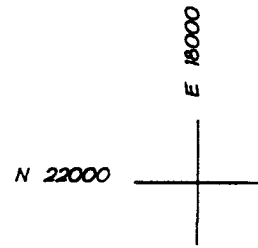
N 19000

N 18000

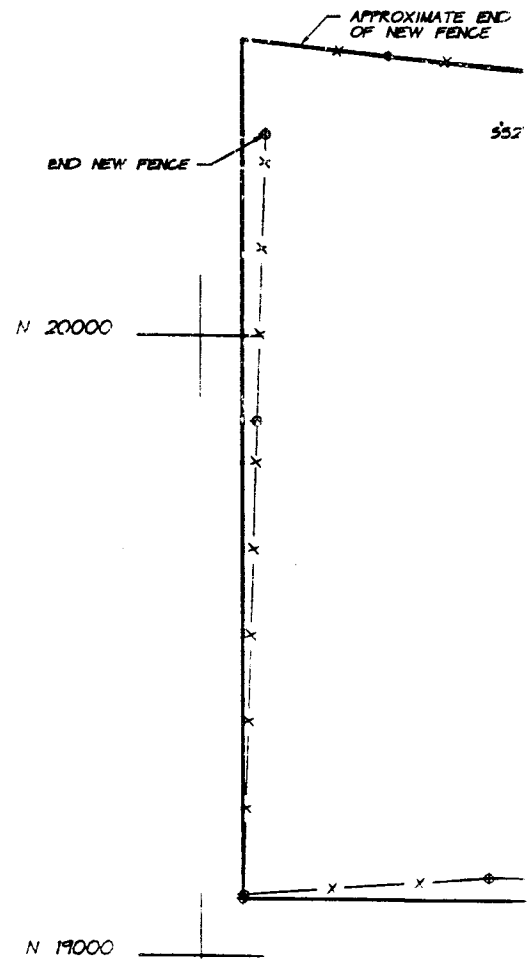
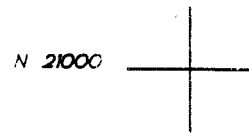
N 17000

00186421 Bk00320 Pg00688

N 16000



00186421 Br00320 Pg00689



6

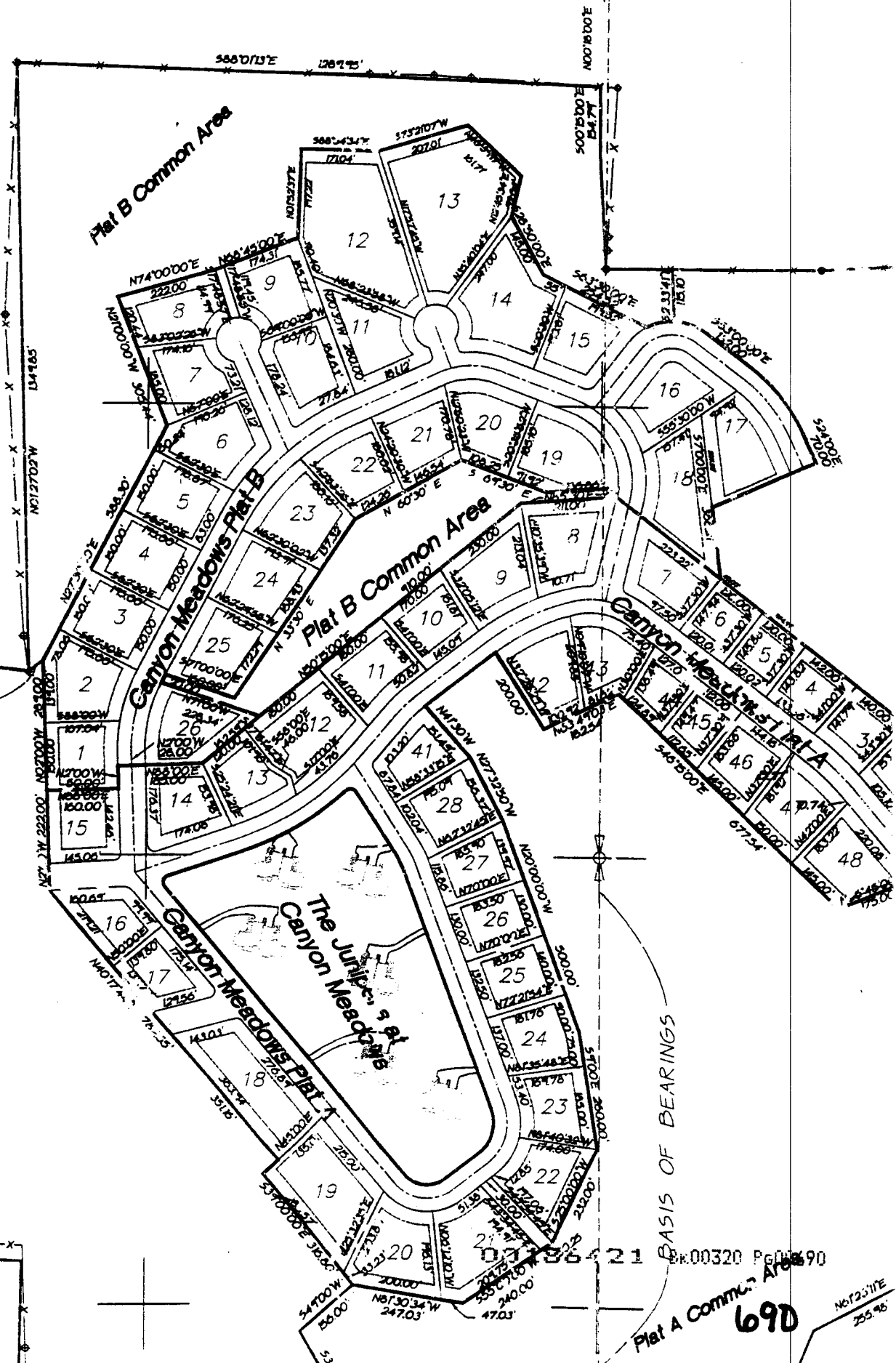
NW CORNER SEC. 7,  
T55, R4E, S16M

7

E 17000

T55, R3E

T55, R4E



APPROXIMATE END OF NEW PLANT

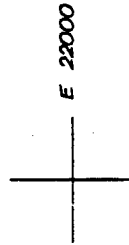
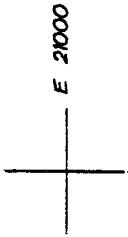
S5° 33'34" W  
40.05'

BASIS OF BEARINGS

000320 Pg 00490

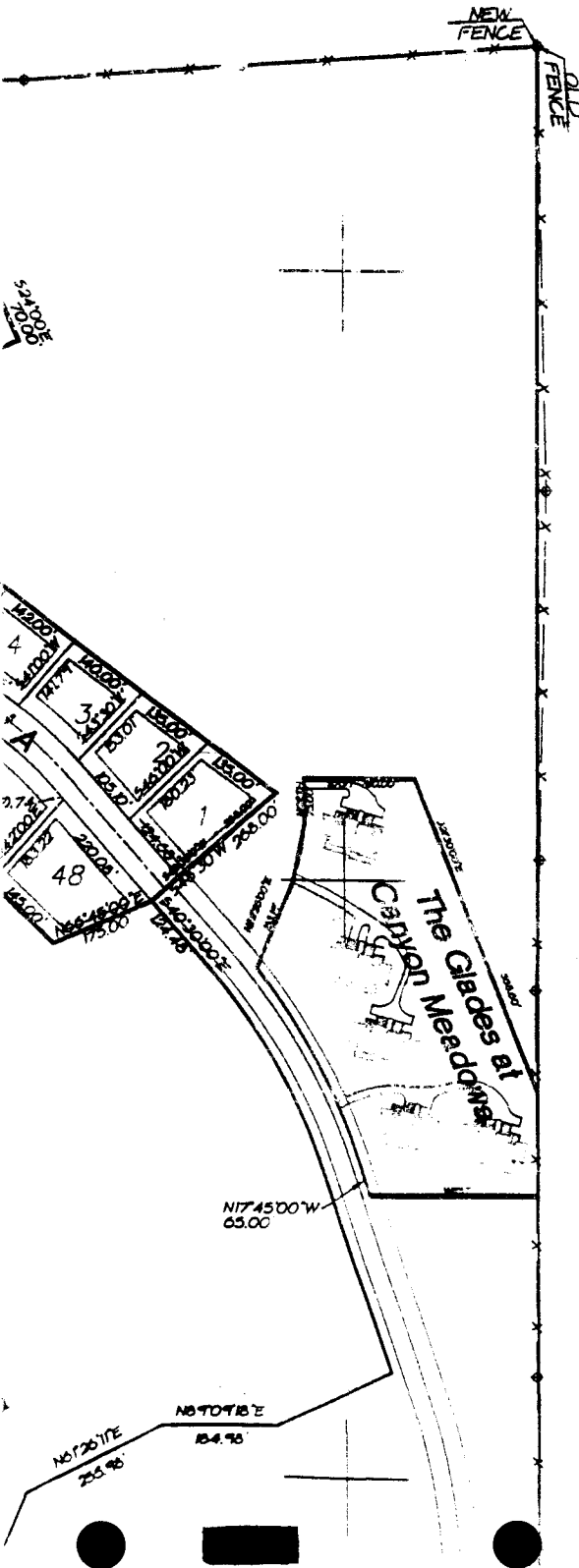
Plat A Common Area  
690

N612517E  
255.96

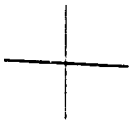
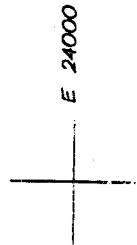
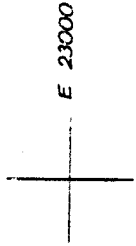


### Basis of Bearings

The Bearing of South 00 degrees 38 minutes East shown on the Westerly line of Section 7, Township 5 South, Range 4 East, Salt Lake Base and Meridian, as shown on the Township Plat of Township 5 South, Range 3 East, Salt Lake Base and Meridian, as filed in United States Department of the Interior, Bureau of Land Management, Salt Lake City, Utah Office August 15, 1983 as evidenced by Bureau of Land Management monuments at the West 1/4 corner and at the Southwest corner of said Section 7, has been rotated to the bearing of South 00 degrees 15 minutes East shown on the Westerly line of Section 7, Township 5 South, Range 4 East, Salt Lake Base and Meridian, as shown on the Township Plat of Township 5 South, Range 3 East, Salt Lake Base and Meridian, as filed in the Surveyor General's Office March 31, 1902, which bearing of South 00 degrees 15 minutes East was used as the basis of bearings shown on this map. This bearing rotation was made to accommodate previously recorded subdivision plats.



00186421 Bk00320 P600691

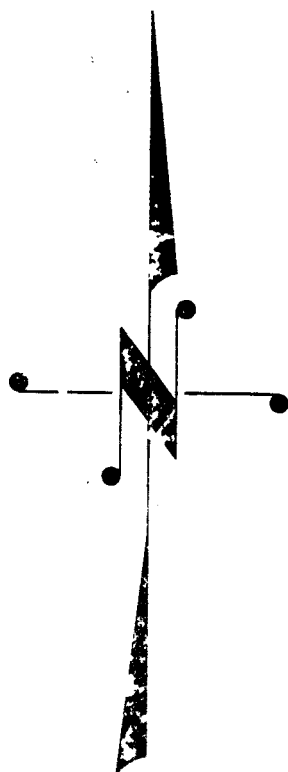


on the  
 East, Salt  
 of Township  
 filed in  
 a  
 3 as  
 the West 1/4  
 has been  
 East shown  
 page 4  
 Township Plat  
 Meridian,  
 which  
 as the basis  
 as made to

00186421 8x00320 Pg00076

Has

Plat  
 Existing  
 160 Units  
 Master  
 A Combined L  
 being  
 for unp  
 Existing  
 Proposed Con  
 24,000



0 200 400 600 800

## *Easement Exhibit "C"*

*Plat Amendment of  
Existing Canyon Meadows  
160 Units + T + S Commercial  
Master Planned Community*

*A Combined Large Scale Development  
being Revised Plat C  
for unplatted 137.5 acres  
Existing = 84 Lots + Units  
Proposed Completion = 76 Lots + Units,  
24,000 sq ft Commercial*