

P-4

DOC # 20070031100

Easements Page 1 of 4  
Russell Shirts Washington County Recorder  
06/15/2007 12:54:04 PM Fee \$ 0.00  
By ST GEORGE CITY

When Recorded Return To:  
City of St. George  
175 East 200 North St. George, Utah 84770



#6-BR-6-11-A

FLOOD CONTROL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar and other good and valuable consideration paid to Christian F. Hickey, and Rachel Southwick Hickey, herein referred to a Grantor(s), by the City of St. George, a Utah municipal corporation. herein referred to as Grantee, the receipt of which is hereby acknowledged, the Grantor(s) do hereby grant, bargain, sell, transfer and convey unto Grantee, its successors and assigns, a perpetual easement to use, install, operate, maintain, repair and replace flood control improvements and facilities, and public trails, in, upon and along real property owned by Grantor(s) in Washington County, State of Utah, and the easement being more fully described as follows:

A 60' wide perpetual easement for the purpose of erecting and maintaining flood control improvements and facilities, and a public trail.

A temporary easement for a period of one year (twelve months) from the execution of this Flood Control Easement for the purpose of constructing the flood control improvements and facilities and the public trail.

Such flood control facilities and improvements shall consist of a berm, constructed of dirt and rock or other materials as deemed necessary by the Grantee for the purpose of flood control. Public trails shall only be placed on the inside of any bank erosion, protection structures (the side closest to the river). Areas outside of bank erosion protection structures shall be used solely for construction and maintenance of flood control facilities, but not for trails. The Grantor may use areas outside of bank erosion protection structures to landscape and fence in conformance with city, state and federal laws and regulations. The Grantor may also construct earth access ways over and across bank erosion protection structures upon written approval from the Grantee.

There is no representation on the part of Grantee that the flood control improvements constructed within the easement shall have capacity to accommodate all flood problems that may arise and/or that the Grantee shall install or replace flood control improvements. Grantor and Grantee agree that should the flood control improvements and facilities contemplated by this easement not be constructed within three years from the execution date of this document, the easement shall revert back to grantee, its successors and assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns.

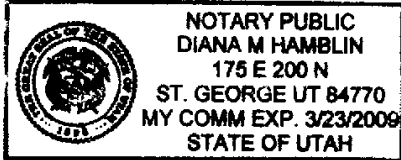
IN WITNESS WHEREOF, the Grantor(s) have executed this instrument this 13<sup>th</sup> Day of JANUARY 2006.

Grantor(s):

Christian F. Hickey  
  
Rachel Southwick Hickey

STATE OF UTAH )  
 : ss.  
COUNTY OF WASHINGTON )

On this 13 day of January, 2006, personally appeared before me, a Notary Public for the State of Utah, Christian F. Hickey, who is known by me to be the individual who executed the foregoing Flood Control Easement, and acknowledged to me that he executed the same, with full authority to so act.

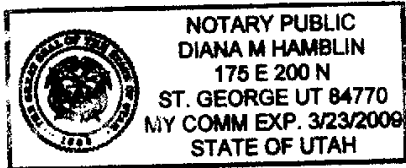


Diana M Hamblin

NOTARY PUBLIC

STATE OF UTAH )  
 : ss.  
COUNTY OF WASHINGTON )

On this 13 day of January, 2006, personally appeared before me, a Notary Public for the State of Utah, Rachel Southwick Hickey, who is known by me to be the individual who executed the foregoing Flood Control Easement, and acknowledged to me that he executed the same, with full authority to so act.



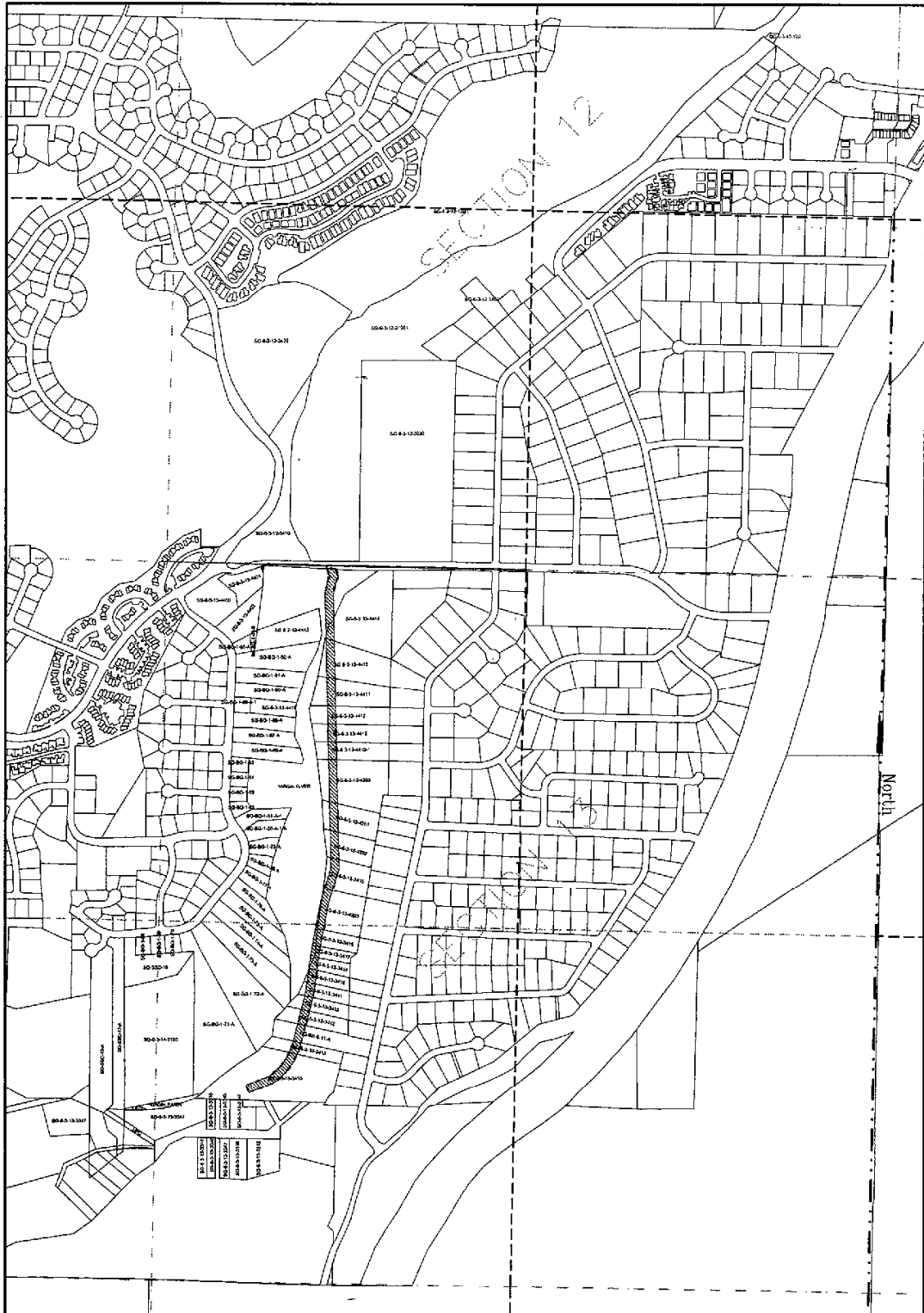
Diana M Hamblin

NOTARY PUBLIC

Parcel 4

Beginning at a point South 88°44'53" East 1180.20 feet along the section line as shown on the St George City Horizontal Control Network and South 19.05 feet from the Northwest corner of Section 13, Township 43 South, Range 16 West, Salt Lake Base and Meridian and running thence South 20°04'08" East 56.30 feet; thence South 21°48'42" West 38.15 feet; thence South 11°15'35" West 91.70 feet; thence South 01°18'06" East 2020.04 feet; thence South 16°31'10" West 270.19 feet; thence South 10°37'28" West 331.13 feet; thence South 08°22'14" West 356.25 feet; thence South 14°19'41" West 349.86 feet; thence South 19°14'21" West 72.35 feet; thence South 28°07'33" West 74.20 feet; thence South 36°20'50" West 73.39 feet; thence South 49°30'00" West 103.14 feet; thence South 68°13'27" West 179.89 feet; thence South 21°46'33" East 60.00 feet; North 68°13'27" East 189.78 feet; thence North 49°30'00" East 119.95 feet; thence North 36°20'50" East 84.62 feet; thence North 28°07'33" East 83.17 feet; thence North 19°14'21" East 79.58 feet; thence North 14°19'41" East 355.56 feet; thence North 08°22'14" East 358.19 feet; thence North 10°37'28" East 326.86 feet; thence North 16°31'10" East 276.51 feet; thence North 01°18'06" West 2022.85 feet; thence North 11°15'35" East 79.55 feet; thence North 21°48'42" East 55.57 feet; thence North 20°04'08" West 57.34 feet; thence West 63.88 feet to the point of beginning.

Containing 243,183 square feet or 5.58 acres



|                  |                                    |   |  |  |                 |
|------------------|------------------------------------|---|--|--|-----------------|
| DATE: 6/15/07    | PROJECT: ROCK PROTECTION SITE PLAN | <br>Natural Resources Conservation Service | ROCK PROTECTION SITE PLAN<br>PARCEL 4<br>ST GEORGE, UTAH | <br>1173 South 250 West, Suite 208<br>St. George, Utah 84770<br>(435) 632-8912 (435) 874-0236 (FAX) | SCALE: AS SHOWN |
| DRAWN BY: [Name] | CHECKED BY: [Name]                 |   |  |  | DATE: 6/15/07   |