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DOC # 20080033058

Easements Page 3 of 6
Russell Shirts Washington County Recorder
08/21/2008 02:44:03 PM Fee \$ 0.00
By WASHINGTON COUNTY WATER CONSERV DIST



WHEN RECORDED, RETURN TO:

JEFFREY N. STARKEY, ESQ.
DURHAM JONES & PINEGAR, P.C.
192 E. 200.N., 3RD FLOOR
ST. GEORGE, UT 84770

Parcel Nos: H-4-2-13-1409 & H-4-2-1-1103

SECOND VACATION AND REGRANT OF RIGHT-OF-WAY EASEMENT

The WASHINGTON COUNTY WATER CONSERVANCY DISTRICT, Grantee under that certain EASEMENT AGREEMENT dated August 25, 2000, and recorded on September 11, 2000, in Book 1379, Pages 2063-2104, Document 00696150 in the records of the Washington County Recorder, with Winding River Associates, LLC, Grantor, and subsequently vacated and regranted under that certain VACATION AND REGRANT OF RIGHT-OF-WAY EASEMENT dated August 31, 2004, and recorded on March 1, 2005, in Book 1717, Pages 2676-2677, Document 00929680 in the records of the Washington County Recorder and amended by that certain AMENDED RIGHT-OF-WAY EASEMENT dated September 2, 2004, and recorded on March 1, 2005, in Book 1717, Pages 2678-2680, Document 00929681 in the records of the Washington County Recorder, hereby vacates said easements located in Washington County, Utah, for the following described tract of land which shall be simultaneously granted to the Washington County Water Conservancy District pursuant to that "Second Amended of Right-of-Way Easement":

See Exhibit "A" and "B", attached hereto and incorporated herein by this reference.

Washington County Water Conservancy District relinquishes said easements and re-grants the same to Mellon Valley, LLC, and hereby waives any rights thereto, taking nothing by the earlier grants.


WITNESS the hand of said Grantee, this 16 day of May, 2008.

WASHINGTON COUNTY WATER CONSERVANCY DISTRICT

By Ronald W. Thompson
RONALD W. THOMPSON, Manager

STATE OF UTAH)
)ss.
COUNTY OF WASHINGTON)

On the 16 day of May, 2008 personally appeared before me RONALD W. THOMPSON, who being first duly sworn did say that he is the Manager of the Washington County Water Conservancy District and that the above instrument was signed in behalf of said District by authority of its bylaws or a resolution of its board of directors and acknowledged to me that said District executed the same.


NOTARY PUBLIC

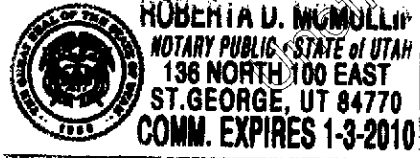


EXHIBIT "A"

Commencing at the Northeast Corner of Section 1, Township 42 South, Range 14 West, Salt Lake Base and Meridian;
Thence North $89^{\circ}53'15''$ West along the Section line a distance of 1907.73 feet;
Thence South, a distance of 864.95 feet to the Point of Beginning, said point being on the Southerly right-of-way line of Highway SR-9;
Thence North $73^{\circ}43'59''$ East, along said line, a distance of 42.59 feet;
Thence leaving said right-of-way and running South $15^{\circ}48'33''$ East, a distance of 437.57 feet, to the point of curvature to the right having a radius of 1,052.00 feet, thence southerly along the arc of said curve, a distance of 431.05 feet, through a central angle of $23^{\circ}28'35''$;
Thence North $82^{\circ}19'57''$ West, a distance of 0.91 feet, to the point of curvature of a non tangent curve to the left, of which the radius point lies North $85^{\circ}25'27''$ West, a radial distance of 625.00 feet, thence northerly along the arc of said curve, a distance of 216.34 feet, through a central angle of $19^{\circ}49'57''$,
Thence North $15^{\circ}15'24''$ West, a distance of 644.31 feet, to the Point of Beginning;

Containing: 30,652 square feet or 0.70 acres, more or less.



43 South 100 East, Suite 100 St. George, Utah 84770-3442; Tel: (435) 628-6500 Fax: (435) 628-6553

EXHIBIT "B"

Commencing at the North $\frac{1}{4}$ Corner of Section 13, Township 42 South, Range 14 West,
Salt Lake Base and Meridian;

Thence South $89^{\circ}39'02''$ East along the Section line a distance of 713.71 feet;

Thence South $00^{\circ}02'36''$ west, a distance of 9.63 feet to the Point of Beginning;

Thence North $00^{\circ}02'36''$ East, a distance of 70.66 feet;

Thence South $45^{\circ}00'00''$ East, a distance of 133.79 feet;

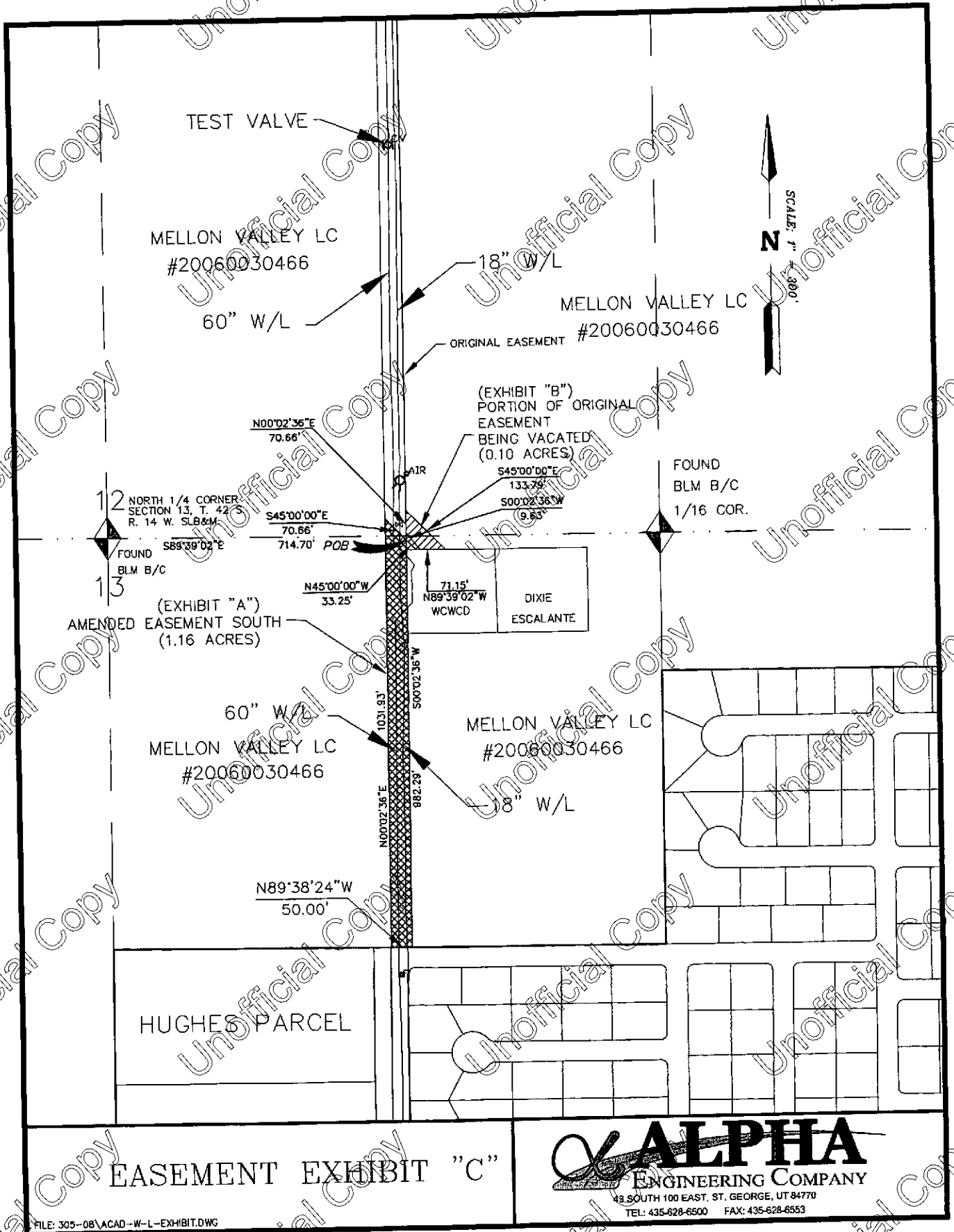
Thence North $89^{\circ}39'02''$ West, a distance of 71.15 feet;

Thence North $45^{\circ}00'00''$ West, a distance of 33.25 feet, to the Point of Beginning:

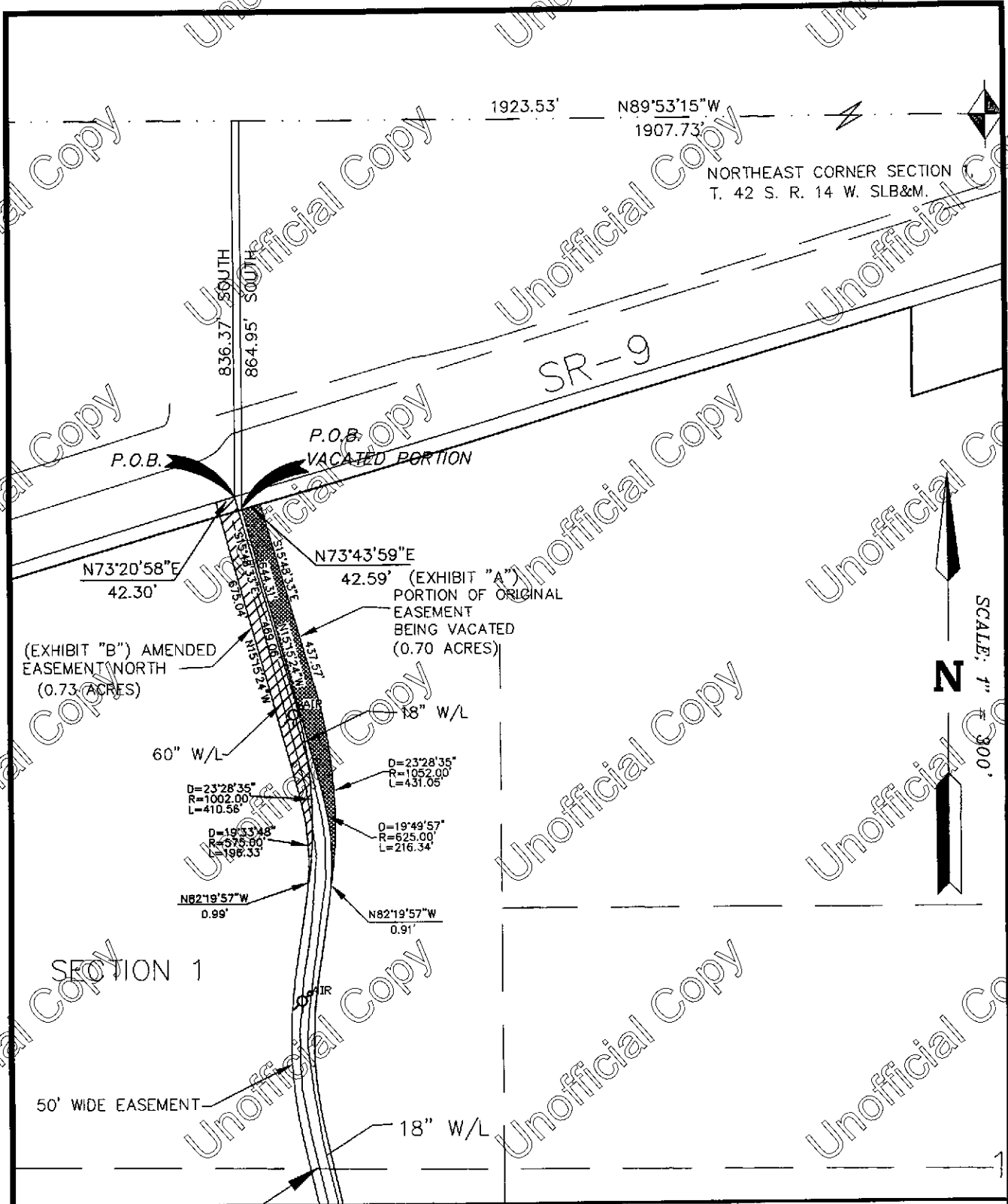
Containing: 4,176 square feet or 0.10 acres, more or less.

 **ALPHA ENGINEERING COMPANY**

43 South 100 East, Suite 100 St. George, Utah 84770-3442; Tel:(435)628-6500 Fax:(435)-628-6553



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EASEMENT EXHIBIT "D"

ALPHA
 ENGINEERING COMPANY
 43 SOUTH 100 EAST, ST. GEORGE, UT 84770
 TEL: 435-628-6500 FAX: 435-628-6553

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