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DOC # 20190010100

Easements Page 1 of 8
Russell Shirts Washington County Recorder
03/20/2019 01:11:20 PM Fee \$ 25.00
By NASAL DAVE



**THIS DOCUMENT WAS PREPARED BY
AND SHOULD BE RETURNED TO:**

**The Lofts Development, LLC
Dave Nasal
1999 W. Canyon View Dr.
St. George, Utah 84770**

This recording affects a portion of the burdened parcel:

A portion of the Common Area of the Subdivision The Lofts at Green Valley Phase I

And the following benefited properties:

**SG-6-2-34-1024
SG-WMRK-ST**

**GRANT OF EASEMENT
FOR INGRESS AND EGRESS**

This Grant of Easement For Ingress and Egress ("**Easement**") is entered into this 11th day of March, 2019, by **The Lofts at Green Valley Owner's Association, Inc.** a Utah Non-Profit Corporation located at 1999 W Canyon View Dr., St. George, Utah 84770 ("**LOA**") hereinafter as "**Grantor**", to and for the benefit of **Virgin River Properties, LLC**, a California limited liability company located at 1026 Chorro St. Ste 200 San Luis Obispo, CA 93401, ("**VRP**") as "**Grantee**" and its successors and assigns for the use of the property as defined below.

RECITALS

A. LOA is the owner of that certain real property consisting of common area located and outlined legally described on that plat map recorded as Document No. 20180012007 recorded March 23, 2018 in the Washington County Recorder's Office, State of Utah, as referenced in Exhibit "A" (the "**Lofts Property**") attached hereto, and desires to grant an easement for vehicular and pedestrian ingress, egress, public utilities, emergency access and drainage in favor of VRP and its successors and assigns as well as its guests and invitees, solely over a small portion of the Lofts Property as specifically described on Exhibit "B" and Exhibit "B-1" attached hereto, which for the purpose of this Agreement shall be referred to as the "**Easement Property.**"

B. VRP is the fee simple owner of those certain parcels of real property lying immediately adjacent to the west of Easement Property leading to that certain development known as The Vue at Green Springs, as more fully and legally described on Exhibits "C" and C1 (the "**Benefited Properties**").

C. Lofts desires to grant this Easement Agreement for the purpose of providing an easement across the Easement Property portion of the Lofts Property in favor of the Benefited Properties pursuant to the following terms and conditions as contained herein.

1. Recitals. The above Recitals are true and correct and are incorporated by reference.

2. Grant of Easement. Lofts and LOA hereby grant, convey, declare and establish in favor of VR, its successors and assigns and for the use and benefit of the Benefited Properties, a perpetual non-exclusive easement and right-of-way for the purpose of ingress and egress, utilities and drainage in and over the Easement Property. No party is entitled to build or maintain any structure on or over the Easement Property. In the event any maintenance to the Easement Property is necessary or required, the party performing such maintenance shall restore the Easement Property to its original condition.

3. Construction Liens. No rights created herein to enter upon the Easement Area shall permit or empower VRP, or their respective successors or assigns to encumber the Easement Area. In this regard, VRP shall not suffer or permit any construction lien to be placed upon or against the Easement Area, and in case of any such construction lien attaching, shall cause the removal of the same by payment, or otherwise within thirty (30) days following written notification from LOA.

4. Benefit and Binding Effect. This grant shall be construed as binding upon and enforceable by VRP, Lofts and LOA and their respective successors and assigns, and those of record.

IN WITNESS WHEREOF, the parties have caused this Easement to be executed on the date first stated above.

Grantor:

The Lofts at Green Valley Owner's Association, Inc. a Utah Non-profit Corporation

Dave Nasal
Dave Nasal, President

State of UT
County of Washington :ss

On this 19 day of March, 2019, before me personally appeared Dave Nasal [name of signor] whose identity is personally known or proved to me on the basis of satisfactory evidence, and who, being duly sworn (or affirmed), did say that he/she is the manager [title/position] of **The Lofts at Green Valley Owner's Association, Inc. ("LOA")**, and that the foregoing document was signed by them on behalf of the Company by authority of its organizational or governing documents, resolution, declaration or the like, and they acknowledged before me that they executed the document for its stated purpose without undue influence or duress.

(seal)

Brandi Dawn Espitia
Notary Public
Commission Expires:

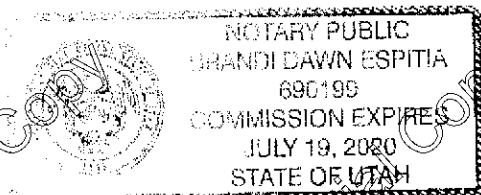


EXHIBIT A

MAP

DOC # 20180012007

Map (Conveying Property) Page 1 of 2
Russell Shirks Washington County Recorder
03/20/2019 04:10:03 PM Fee \$754.00
By SOUTHERN UTAH TITLE CO



NAME: THE LOFTS AT GREEN VALLEY PHASE 1

LOTS: 34 MAP #3980

PARCEL: SG-6-2-35-400512

THE LOFTS DEVELOPMENT, LLC

BEGINNING AT A POINT BEING NORTH 00°48'55" EAST 780.27 FEET ALONG THE SECTION LINE AND WEST 104.75 FEET FROM THE WEST QUARTER CORNER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING:

THENCE NORTH 54°57'51" EAST 31.59 FEET;
 THENCE NORTH 34°13'37" WEST 139.92 FEET;
 THENCE NORTH 55°46'23" EAST 68.42 FEET;
 THENCE NORTH 80°49'31" EAST 56.69 FEET;
 THENCE NORTH 55°46'23" EAST 55.97 FEET;
 THENCE NORTH 30°39'58" EAST 26.29 FEET;
 THENCE NORTH 55°46'23" EAST 81.32 FEET;
 THENCE SOUTH 34°36'40" EAST 254.67 FEET;
 THENCE SOUTH 88°32'51" EAST 22.48 FEET TO AN ANGLE POINT ON THE BOUNDARY OF LAS PALMAS RESORT CONDOMINIUMS - PHASE 1-B;
 THENCE SOUTH 01°27'09" WEST 80.00 FEET ALONG SAID BOUNDARY OF LAS PALMAS RESORT CONDOMINIUMS - PHASE 1-B; THENCE SOUTH 34°08'51" EAST 294.05 FEET ALONG SAID BOUNDARY OF LAS PALMAS RESORT CONDOMINIUMS - PHASE 1-B AND THE BOUNDARY OF LAS PALMAS RESORT CONDOMINIUMS - PHASE 1-1;
 THENCE SOUTH 59°55'09" WEST 33.07 FEET;
 THENCE SOUTH 55°56'44" WEST 65.12 FEET TO THE POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE TO THE LEFT;
 THENCE 23.26 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 53°19'05";
 THENCE NORTH 34°13'37" WEST 4.31 FEET;
 THENCE SOUTH 55°46'23" WEST 50.00 FEET;
 THENCE SOUTH 34°13'37" EAST 4.04 FEET TO A POINT ON A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT WHOSE RADIUS BEARS SOUTH 18°54'11" WEST;
 THENCE 23.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 52°57'28";
 THENCE SOUTH 55°56'44" WEST 45.28 FEET;
 THENCE SOUTH 50°30'45" WEST 54.03 FEET;
 THENCE NORTH 34°13'37" WEST 500.41 FEET TO AND ALONG THE EAST LINE OF WORLDMARK THE CLUB AT ST. GEORGE PHASE 1 AND THE EXTENSION THEREOF TO THE POINT OF BEGINNING.
 CONTAINS 24,976.55 SF OR 4.246 ACRES.

DESCRIPTION OF A PORTION OF THE LOFTS PHASE 1 TO BE DEDICATED AS 1790 WEST STREET

BEGINNING AT THE NORTHWEST CORNER OF 1790 WEST STREET, AS DESCRIBED IN BOOK 1539, PAGE 348 ON FILE IN THE WASHINGTON COUNTY RECORDERS OFFICE LOCATED IN ST. GEORGE UTAH, SAID POINT BEING NORTH 00°48'55" EAST 436.47 FEET ALONG THE SECTION LINE AND NORTH 89°11'05" EAST 280.67 FEET FROM THE WEST QUARTER CORNER OF SECTION 35, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING:

THENCE SOUTH 34°13'37" EAST 4.04 FEET TO A POINT ON A 25 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, CENTER BEARS SOUTH 18°54'11" WEST;
 THENCE 23.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 52°57'28";
 THENCE NORTH 34°03'16" WEST 44.00 FEET;
 THENCE NORTH 55°56'44" EAST 90.00 FEET;
 THENCE SOUTH 34°03'16" EAST 44.00 FEET TO A POINT ON A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, CENTER BEARS SOUTH 34°03'16" EAST;
 THENCE 23.26 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 53°19'05";
 THENCE NORTH 34°13'37" WEST 4.31 FEET;
 THENCE SOUTH 55°46'23" WEST 50.00 FEET TO THE POINT OF BEGINNING.
 CONTAINS 4,372 SF.



Bush and Gudgell, Inc.
Engineers • Planners • Surveyors
Salt Lake City - St. George
www.bushandgudgell.com

EXHIBIT " B "

A portion of Lofts Lane, a private street create by that certain final dedication plat of The Lofts At Green Valley Phase 1, official records of Washington County, State of Utah, Document No. 20180012007, being more particularly described as follows:

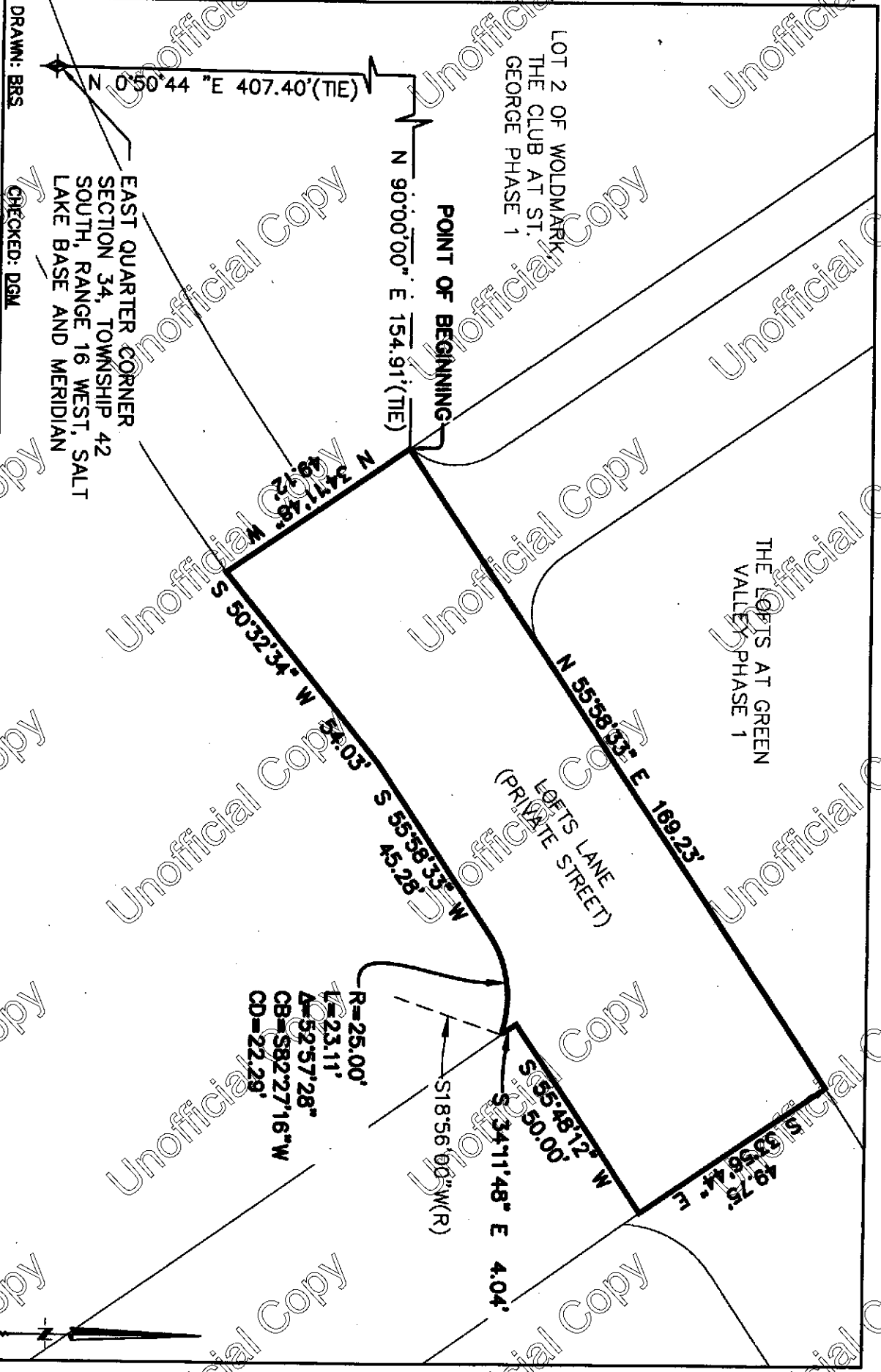
Beginning on the westerly line of said plat at a point that lies North 00°50'44" East along the section line 407.40 feet and North 90°00'00" East 154.91 feet from the East Quarter Corner of Section 34, Township 42 South, Range 16 West, Salt Lake Base and Meridian, and running thence North 55°58'33" East along said Lofts Lane 169.23 feet; thence South 33°56'44" East 49.75 feet to the southeasterly right-of-way of said Lofts Lane; thence along said right-of-way the following 5 courses and distances: (1) South 55°48'12" West 50.00 feet; (2) South 34°11'48" East 4.04; (3) southwesterly along a 25.00 foot non-tangent radius curve to the left, (long chord bears South 82°27'16" West a distance of 22.29 feet, center point lies South 18°56'00" West), through a central angle of 52°57'28" a distance of 23.11 feet; (4) South 55°58'33" West 45.28 feet and (5) South 50°32'34" West 54.03 feet more or less to the westerly line of said plat; thence North 34°11'48" East along said line 49.12 feet to the POINT OF BEGINNING.

Note:

This description is rotated clockwise 00°01'49" from the original bearings of afore mentioned The Lofts at Greenvalley plat to match basis of bearing for adjoining development.

Project No. 181012
By: DGM 09-25-18
CK: BRS

St. George: 205 East Tabernacle #4, St. George, UT 84770, Ph. 435-673-2337, Fax 435-673-3161
Salt Lake City: 655 East 4500 South #100, Salt Lake City, UT 84107, Ph 801-364-1212, Fax 801-364-1225



DRAWN: BRS
 CHECKED: DGM

EAST QUARTER CORNER
 SECTION 34, TOWNSHIP 42
 SOUTH, RANGE 16 WEST, SALT
 LAKE BASE AND MERIDIAN

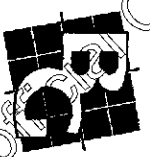
LOT 2 OF WOLDMARK
 THE CLUB AT ST.
 GEORGE PHASE 1

THE CLUBS AT GREEN
 VALLEY PHASE 1

LEETS LANE
 (PRIVATE STREET)

$R=25.00'$
 $L=23.11'$
 $\Delta=52^{\circ}57'28''$
 $CB=58^{\circ}27'16'' W$
 $CD=22.29'$

EXHIBIT B1
 ACCESS EASEMENT
 B&G 181012



BUSH & GUGGELL, INC.
 Engineers - Planners - Surveyors
 205 East Tennessee State Bldg.
 B1, George, Utah 84770
 Phone (435) 673-2337 / Fax (435) 673-3467

**Exhibit C
Benefited Properties**

Parcel 1.
APN: SG-6-2-34-1024

LEGAL: S: 34 T: 42S R: 16W BEGINNING AT A POINT THAT LIES SOUTH 0°50'44" WEST ALONG THE SECTION LINE 1867.28 FEET AND NORTH 89°09'16" WEST 79.14 FEET FROM THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 16 WEST SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 54°59'05" WEST 31.59 FEET; THENCE SOUTH 34°09'06" EAST 10.00 FEET; THENCE SOUTH 55°48'12" WEST 514.33 FEET; THENCE NORTH 34°07'43" WEST 216.96 FEET; THENCE NORTH 55°48'59" EAST 125.19 FEET TO, A 30.50 FOOT RADIUS CURVE TO THE RIGHT, THENCE NORTHEAST ALONG SAID CURVE 18.50 FEET, WITH A CENTRAL ANGLE OF 34°45'23", (CHORD BEARS NORTH 73°11'38" EAST 18.22 FEET), TO A 32.00 FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE NORTHEAST ALONG SAID CURVE 19.41 FEET, WITH A CENTRAL ANGLE OF 34°45'23", (CHORD BEARS NORTH 73°11'38" EAST 19.12 FEET); THENCE NORTH 55°48'47" EAST 68.90 FEET; THENCE NORTH 34°12'27" WEST 62.86 FEET TO THE SOUTHEAST EDGE OF A 10.00 FOOT CONCRETE SIDEWALK, THENCE NORTH 55°40'21" EAST ALONG SAID CONCRETE SIDEWALK 315.96 FEET; THENCE SOUTH 34°11'50" EAST 258.90 FEET TO THE POINT OF BEGINNING.



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EXHIBIT "C1"

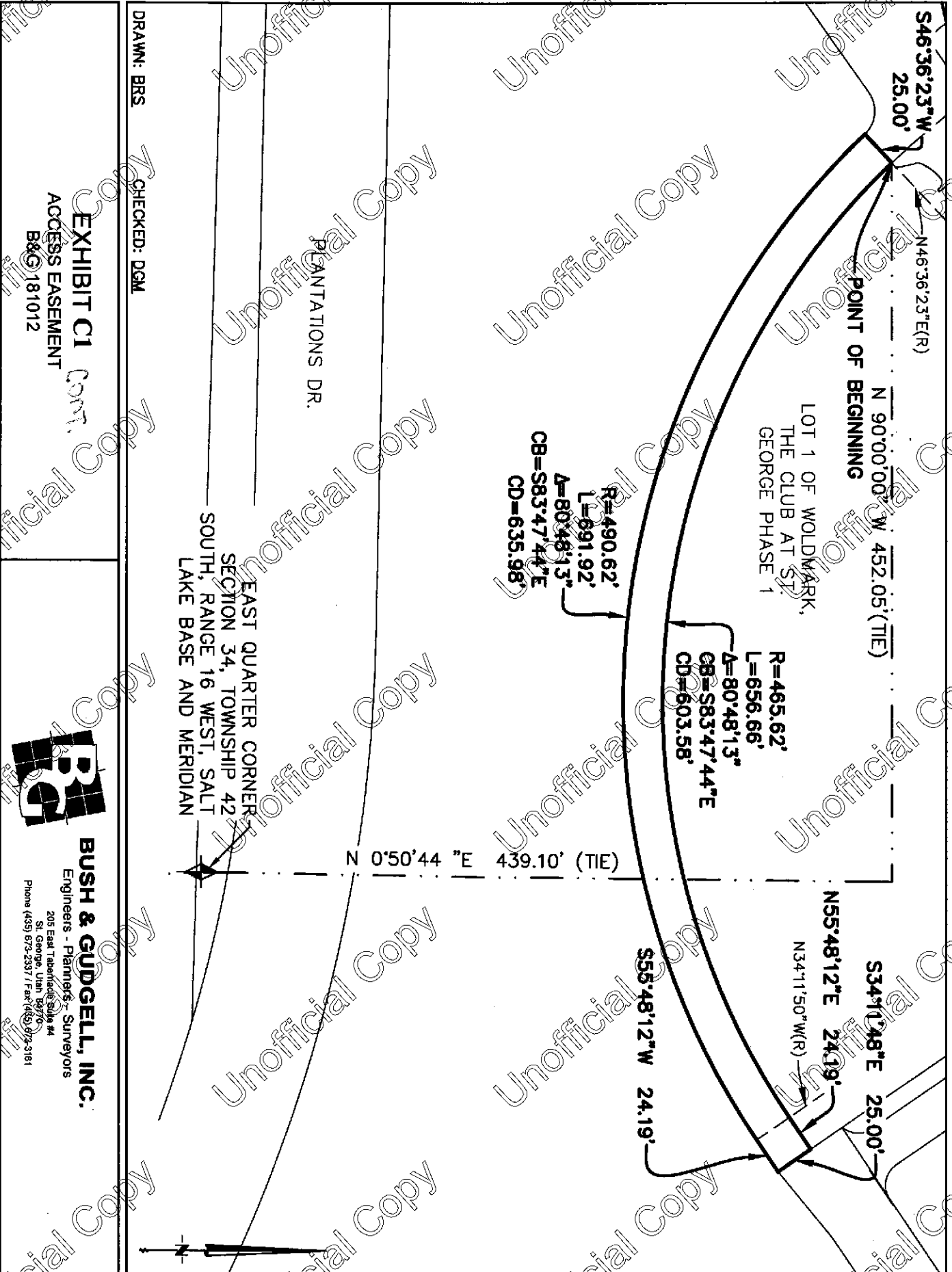
A portion of that twenty five foot (25.00') private street create by that certain final dedication plat Worldmark, The Club at St. George Phase 1, official records of Washington County, State of Utah, Document No. 00705319, being more particularly described as follows:

Beginning on the northerly line of said private street, at a point that lies North $00^{\circ}50'44''$ East along the section line 439.10 feet and North $90^{\circ}00'00''$ West 452.05 feet from the East Quarter Corner of Section 34, Township 42 South, Range 16 West, Salt Lake Base and Meridian, and running thence easterly along a 465.62 foot radius curve to the left, (long chord bears South $83^{\circ}47'44''$ East a distance of 603.58 feet, center point lies North $46^{\circ}36'23''$ East), through a central angle of $80^{\circ}48'13''$ a distance of 656.66 feet; thence North $55^{\circ}48'12''$ East 24.19 feet; thence South $34^{\circ}11'48''$ East 25.00 feet; thence South $55^{\circ}48'12''$ West 24.19 feet; thence southwesterly along a 490.62 foot non-tangent radius curve to the right, (long chord bears North $83^{\circ}47'44''$ West a distance of 635.98 feet, center point lies North $34^{\circ}11'50''$ West), through a central angle of $80^{\circ}48'13''$ a distance of 691.92 feet; thence North $46^{\circ}36'23''$ West 25.00 feet; to the POINT OF BEGINNING.

Note:

This description is rotated clockwise $00^{\circ}01'49''$ from the original bearings of afore mentioned Worldmark plat to match basis of bearing for adjoining development.

Project No. 181012
By: DGM 09-25-18
CK: BRS



DRAWN: BRS

CHECKED: DGM

EXHIBIT C1 CONT.

ACCESS EASEMENT

BEG 181012



BUSH & GUGGELL, INC.

Engineers - Planners - Surveyors

205 East Tabernacle Suite #4
 St. George, Utah 84770
 Phone (435) 672-3337 / Fax (435) 672-3181