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WHEN RECORDED, RETURN TO:
Washington City Public Works
1305 E. Washington Dam Road
Washington, Utah 84780

DOC # 20230002857

Easements Page 1 of 5
Gary Christensen Washington County Recorder
02/02/2023 09:30:50 AM Fee \$ 40.00
By COTTON WOOD TITLE



Tax IDs: W-4207 and W-4204

PUBLIC UTILITY AND DRAINAGE EASEMENT AGREEMENT

In consideration of Ten Dollars and other good and valuable consideration paid to D.R. Horton, Inc., a Delaware corporation ("**Grantor**"), by Washington City ("**Grantee**"), Grantor does hereby GRANT and CONVEY to Grantee, its successors and assigns, a perpetual, non-exclusive easement (the "**Easement**") for ingress and egress to use, install, operate, maintain, repair, remove, relocate and replace public utility and drainage facilities for sanitary sewer outfall and for water transmission lines in and along those certain parcels of real property owned by Grantor located in Washington County, State of Utah (the "**Easement Parcels**"), which Easement Parcels are more particularly described on Exhibit A attached hereto and made a part hereof, to utilize the Easement in perpetuity for the uses and purposes normally associated with public uses such as utilities and drainage.

Grantor may not interfere with Grantee's use of the Easement in any way nor inhibit Grantee's access to facilities installed within the Easement Parcels. Grantor may not install, build, place, or cause or allow to be installed, built, nor placed any vertical improvements such as structures or walls within the Easement Parcels. If any vertical improvements are installed, built, or placed within the Easement Parcels, Grantor shall bear the risk of loss or damage to those improvements resulting from the exercise by Grantee of the Easement rights, and Grantee shall not be responsible to repair, replace, maintain, indemnify, or reimburse Grantor for any such damage or loss. Grantor shall pay for any costs which Grantee incurs as a result of Grantor interfering with Grantee's permitted use of the Easement. The construction by Grantor of horizontal improvements within the Easement Parcels such as parking areas, landscape improvements, and other horizontal improvements that do not interfere with Grantee's permitted use of the Easement Parcels are acceptable to Grantee.

The terms of this Public Utility and Drainage Easement Agreement (this "**Agreement**") shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns.

Signature page to follow

IN WITNESS WHEREOF, Grantor has caused this Agreement to be executed by a person duly authorized to execute the same this 17 day of January, 2023.

Grantor:

D.R. HORTON, INC., a Delaware corporation

By: [Signature]
Name: Adam R. Loser
Title: Vice President

STATE OF UTAH)
) SS
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 17 day of January, 2023, by Adam R. Loser, in such person's capacity as the Vice President of D.R. Horton, Inc., a Delaware corporation.

[Signature]
NOTARY PUBLIC



EXHIBIT "A"
LEGAL DESCRIPTION OF THE EASEMENT PARCELS

EASEMENT NO. 2 (LOCATED WITHIN PARCEL W-4207), AS DEPICTED ON THE ATTACHED DRAWING

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER AND THE SOUTH WEST QUARTER OF SECTION 29 AND THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 SOUTH RANGE 14 WEST SALT LAKE BASE AND MERIDIAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED S88°51'08"E ALONG THE SECTION LINE A DISTANCE OF 898.55 FEET AND S01°08'52"W 1873.27 FEET FROM THE NORTHWEST CORNER OF SECTION 29, TOWNSHIP 42 SOUTH, RANGE 14 WEST SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING ON THE SOUTHWESTERLY BOUNDARY OF THE "STARR SPRINGS AT LONG VALLEY PHASE 2" SUBDIVISION, RECORDED AND ON FILE AT WASHINGTON COUNTY RECORDERS OFFICE, STATE OF UTAH SAID POINT BEING THE TRUE POINT OF BEGINNING AND RUNNING THENCE S44°37'40"W 15.45 FEET; THENCE S44°37'03"W 383.56 FEET; THENCE S44°34'32"W 341.75 FEET; THENCE S44°37'27"W 408.35 FEET; THENCE S44°37'22"W 396.55 FEET; THENCE S44°36'09"W 400.87 FEET; THENCE S44°45'36"W 396.10 FEET; THENCE S45°07'29"W 402.69 FEET; THENCE S44°00'44"W 359.49 FEET; THENCE S44°34'22"W 16.31 FEET TO POINT ON THE WESTERLY BOUNDARY OF A PARCEL WITH A TAX I.D. NO. W-4207 MORE PARTICULARLY DESCRIBED BY SPECIAL WARRANTY DEED, DOCUMENT NO. 2021008121, RECORDED AND ON FILE AT WASHINGTON COUNTY RECORDERS OFFICE, STATE OF UTAH; THENCE ALONG SAID WESTERLY BOUNDARY N43°55'18"W 33.84 FEET; THENCE N44°39'55"E 505.43 FEET; THENCE N44°41'28"E 1392.08 FEET; THENCE N44°44'27"E 42.37 FEET; THENCE N44°15'51"E 198.67 FEET; THENCE N44°29'55"E 250.14 FEET; THENCE N44°40'10"E 143.34 FEET; THENCE N44°43'33"E 97.58 FEET; THENCE N44°53'22"E 134.75 FEET; THENCE N45°03'28"E 122.79 FEET; THENCE N45°07'55"E 169.18 FEET; THENCE N45°15'21"E 63.86 FEET TO A POINT LOCATED ON THE WESTERLY BOUNDARY OF THE SAID "STARR SPRINGS AT LONG VALLEY PHASE 2" SUBDIVISION; THENCE S45°28'04"E 29.61 FEET ALONG SAID WESTERLY BOUNDARY LINE TO THE POINT OF BEGINNING.

CONTAINS 101,403 SQ FT OR 2.33 ACRES MORE LESS

EASEMENT NO. 3 (LOCATED WITHIN PARCEL W-4204), AS DEPICTED ON THE ATTACHED DRAWING

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 30 AND THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH RANGE 14 WEST SALT LAKE BASE AND MERIDIAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED S00°58'55"W ALONG THE SECTION LINE A DISTANCE OF 1490.15 FEET AND N88°51'08"W 1260.88 FEET FROM THE WEST CORNER OF SECTION 29, TOWNSHIP 42 SOUTH, RANGE 14 WEST SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING ON THE WESTERLY BOUNDARY OF A PARCEL WITH A TAX I.D. NO. W-4207 MORE PARTICULARLY DESCRIBED BY SPECIAL WARRANTY DEED, DOCUMENT NO. 2021008121, RECORDED AND ON FILE AT WASHINGTON COUNTY RECORDERS OFFICE,

STATE OF UTAH; AND RUNNING THENCE S44°34'22"W 739.09 FEET; THENCE S44°34'34"W 381.86 FEET; THENCE S44°37'33"W 382.21 FEET; THENCE S44°34'33"W 382.90 FEET; THENCE S44°39'39"W 384.07 FEET; THENCE S44°36'33"W 399.01 FEET; THENCE S29°42'23"W 393.09 FEET; THENCE S26°14'45"W 399.46 FEET; THENCE S22°51'52"W 147.90 FEET TO POINT ON THE SOUTHERLY BOUNDARY OF A PARCEL WITH A TAX I.D. NO. W-4204 MORE PARTICULARLY DESCRIBED BY LAND PATENT, DOCUMENT NO. 20160047271, RECORDED AND ON FILE AT WASHINGTON COUNTY RECORDERS OFFICE, STATE OF UTAH; THENCE ALONG SAID SOUTHERLY BOUNDARY N49°47'04"W 35.06 FEET TO A POINT OF A 8240.22 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, WITH A RADIUS WHICH BEARS S66°07'45"E; THENCE ALONG THE ARC OF SAID CURVE 938.78 FEET THROUGH A CENTRAL ANGLE OF 06°31'39"; THENCE N44°26'43"E 380.67 FEET; THENCE N44°38'41"E 1299.48 FEET; THENCE N44°39'55"E 993.96 FEET TO POINT ON THE WESTERLY BOUNDARY OF A PARCEL WITH A TAX I.D. NO. W-4207 MORE PARTICULARLY DESCRIBED BY SPECIAL WARRANTY DEED, DOCUMENT NO. 2021008121, RECORDED AND ON FILE AT WASHINGTON COUNTY RECORDERS OFFICE, STATE OF UTAH; THENCE S43°55'18"E 33.84 FEET ALONG SAID WESTERLY BOUNDARY LINE TO THE POINT OF BEGINNING.

CONTAINS 125,129 SQ FT OR 2.87 ACRES MORE LESS

DRAWING DEPICTING APPROXIMATE LOCATION OF THE EASEMENT PARCELS

