

Ent 327783 Bk 952 Pl 1940-1969  
Date: 26-OCT-2007 1:39PM  
Fee: \$86.00 Check Filed By: MG  
ELIZABETH PALMIER, Recorder  
WASATCH COUNTY CORPORATION  
For: JORDANELLE SPECIAL SERVICE DIST.  
RICT

**After recording return to:**

Jordanelle Special Service District 1  
P.O. Box 519  
10420 N. Jordanelle Blvd.  
Heber City, Utah 84032

Property Tax I.D. Numbers:

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**Jordanelle Special Service District  
Roadway and Utility Easement Agreement**

This AGREEMENT AND GRANT OF EASEMENT (this "Agreement"), made this 17th day of September, 2007, by and among STICHTING MAYFLOWER RECREATIONAL FONDS, an association formed under the laws of the Netherlands and STICHTING MAYFLOWER MOUNTAIN FONDS, an association formed under the laws of the Netherlands (collectively, "Grantor"), and JORDANELLE SPECIAL SERVICE DISTRICT, its successors and assigns (the "District") as grantee.

**RECITALS**

A. The District (with offices located at 10420 N. Jordanelle Blvd., Heber City, Utah 84032), a service district organized and existing under the laws of the State of Utah, is in the process of developing and constructing a roadway system, along with water, wastewater and other utility systems necessary to serve the property owners and/or residents of the District.

B. As part of these improvements, the District will develop and construct phase one of a roadway known as the "Jordanelle Parkway."

C. Grantor is the owner of certain real property over which a portion of phase one of the Jordanelle Parkway is designed to cross.

D. The District has requested, and Grantor is willing to grant the easements contemplated by this Agreement to the District to enable the development and construction of phase one of the Jordanelle Parkway and related improvements.

**AGREEMENT:**

NOW, THEREFORE, in consideration of the benefit of access to the roadway, water and sewer system improvements and/or other utilities which shall provide service to Grantor's property, the right to take advantage of easements provided by other property owners for roadways, water and sewer system improvements, and other utilities, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, Grantor, as the owner

of the parcels of land herein described, does hereby grant and convey unto District, the following Easements

1. A non-exclusive easement over, under, across and through the real property described on Exhibit "A," which is attached hereto and incorporated herein by this reference (the "Easement Property"), to survey, clear, excavate, lay, construct, operate, inspect, maintain, protect, repair, replace or remove roadways, water system improvements, wastewater system improvements, maintenance and access roads, and any other public utility deemed necessary by District along a route on, under, across and through the Easement Property (the "Easement"). Certain of the parcels included in the Easement Property are designated as slope easements only, and the easement rights with respect to such parcels shall be limited to the right to construct thereon cut and/or fill slopes and appurtenant parts thereof incident to the construction of the Jordanelle Parkway. Drawings of the Easement Property are attached hereto as Exhibit "B" and incorporated herein by this reference.

2a. District will consult in advance with Dan Matta, Dominion Engineering, to review design issues and resolve appropriately grading, fill and drainage issues in conjunction with the proposed development, and intersections shall be located as designated by Mr. Matta, in conference with Mayflower, and in compliance with the Wasatch County Development Code.

2b. District and their design engineers will work with Mayflower and their design engineers in reaching a solution to the design and construction of Jordanelle Parkway that will mitigate the slope easement on Mayflower's East Park lots 232, 233 and 234. The design solution could include retaining walls or a combination of slopes and retaining walls. The design and construction of any solution will need to be cost efficient, aesthetically pleasing and according to Wasatch County standards and the RSPA design guidelines.

3. Temporary construction easements, if and to the extent shown on the attached Exhibit "B", during the initial construction of the roadway, water system improvements, sewer system improvements, or other public facilities, and appurtenances belonging to such improvements, for the accommodation of construction equipment, materials and excavated earth. The temporary construction easements for the use of those portions of the property lying outside the boundaries of the Easement shall cease and terminate following the completion of the construction, final inspection, and acceptance of the improvements by District or Wasatch County, and upon full performance by District of the conditions and covenants set forth in this Agreement related to the temporary construction easement.

Said grant of easement is subject to the following conditions, exceptions and reservations:

A. This Easement shall be non-exclusive. Grantor may grant other easements, including but not limited to other utility easements on the same property; provided however, Grantor may not build or construct, or in any way permit to be built or constructed, any building, utility improvement, landscaping or other improvement, including other utilities, over or across the Easement described herein, or otherwise alter the property which is subject to the Easement,

in a manner which will in any way unreasonably interfere with District's facilities, or interfere with District's ability to construct, operate, maintain, repair or replace its facilities or other utilities, or any part thereof without the written consent of the District. District shall have the unilateral right to remove any such building, landscaping or other improvement built upon the permanent easement without the prior written consent of the District.

B. This Agreement shall automatically terminate upon recordation of a plat evidencing dedication of all or a Portion of the Easement Property to the District or Wasatch County for the Jordanelle Parkway. Grantor agrees to sign said plat to complete the dedication of the Easement Property to the District or Wasatch County for public use as the Jordanelle Parkway.

C. Waiver by either Grantor or District of any breach of any condition or provision of this Agreement shall be limited to the particular instance and shall not operate or be deemed to waive any future breach or breaches of said condition or provision and shall not be deemed to be a modification of this Agreement. The failure of either Grantor or District to insist, in any one instance or more, upon the performance of any of the conditions or provisions of this Agreement or the exercise of any right or privilege herein conferred, shall not be construed as thereafter waiving any such condition, provision, right or privilege, but the same shall continue and remain in full force and effect.

D. Following the completion of construction and prior to the execution of a dedication plat for phase one of the Jordanelle Parkway, District shall cause the temporary construction easement to be returned as nearly as possible to its original condition, and shall cause it to be re-seeded with the common seed mix used by the District in utility easements..

E. District shall indemnify and hold Grantor harmless from and against any loss, cost, damage or expense, including claims for death or injury to person or damage to property, and including without limitation attorneys' fees and court costs, which may arise out of or in connection with or by reason of use of the Easement by the District.

F. Any notice, demand, request, consent, submission, approval, designation, or other communication which either party is required or desires to give to any other shall be in writing and shall be sent by United States Postal Service by registered or certified mail, return receipt requested, addressed to the other party at the following address, or such other address as indicated in writing by such party:

If to Grantor:

Stichting Mayflower Recreational Fonds,  
Stichting Mayflower Mountain Fonds,  
P.O.Box 100,  
4140 AC LEERDAM  
Netherlands  
Attn: Arie C. Bogerd, Managing Director

If to Grantee:

Jordanelle Special Service District  
10420 N. Jordanelle Blvd.  
Heber City, Utah 84032

USA

Attn: Dan H. Matthews

- G. The Recitals located at the beginning of this Agreement are hereby incorporated into this Agreement. The Exhibits A and B attached to this Agreement are also hereby incorporated into this Agreement.
- H. This Agreement constitutes the entire agreement between the Parties with respect to this easement. Modifications to this Agreement shall be in writing, signed by both parties.
- I. This Agreement shall be interpreted and construed according to the laws of the State of Utah.
- J. This Agreement shall inure to the benefit of, and be binding and obligatory upon, the heirs, executors, administrators, successors and assigns of the respective parties.
- K. The signers of this Agreement acknowledge and warrant that they are the legally authorized agent or representative of the respective party, with full legal authority to sign on behalf of, and bind, the respective parties.

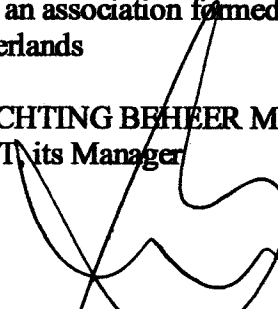


IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the day and year written above.

**GRANTOR:**

STICHTING MAYFLOWER RECREATIONAL FONDS, an association formed under the laws of the Netherlands

By: STICHTING BEHEER MAYFLOWER PROJECT, its Manager

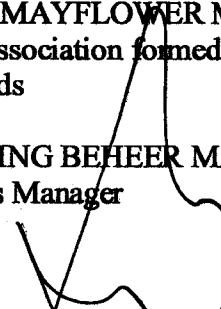
 09/19/07

By:

\_\_\_\_\_  
Arie C. Bogerd, Managing Director

STICHTING MAYFLOWER MOUNTAIN FONDS, an association formed under the laws of the Netherlands

By: STICHTING BEHEER MAYFLOWER PROJECT, its Manager

 09/19/07

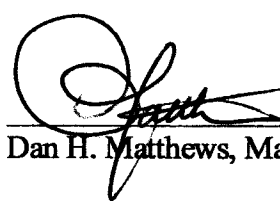
By:

\_\_\_\_\_  
Arie C. Bogerd, Managing Director

**DISTRICT:**

JORDANELLE SPECIAL SERVICE DISTRICT, a service district organized under the laws of the State of Utah

By:

 10/25/07  
\_\_\_\_\_  
Dan H. Matthews, Manager



STATE OF )  
 )  
:SS  
COUNTY OF )

This instrument was acknowledged before me on October 15, 2007 by Arie C. Bogerd, Managing Director of Stichting Beheer Mayflower Project, the Manager of Stichting Mayflower Recreational Fonds, an association formed under the laws of the Netherlands.



NOTARY

*[Handwritten signature]*

STATE OF )  
 )  
:SS  
COUNTY OF )

This instrument was acknowledged before me on October 15, 2007 by Arie C. Bogerd, Managing Director of Stichting Beheer Mayflower Project, the Manager of Stichting Mayflower Mountain Fonds, an association formed under the laws of the Netherlands.

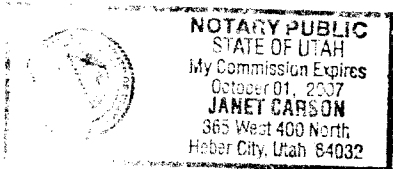


NOTARY

*[Handwritten signature]*

STATE OF UTAH )  
 )  
:SS  
COUNTY OF WASATCH )

This instrument was acknowledged before me on October 25, 2007 by Dan H. Matthews, Manager of the Jordanelle Special Service District, a service district organized under the laws of the State of Utah.



NOTARY

*[Handwritten signature: Janet Carson]*

*[Handwritten mark]*

## EXHIBIT A

## Legal Description of Easement Property

PARCELS OF LAND REQUIRED FOR THE CONSTRUCTION OF THE JORDANELLE PARKWAY ~~AND ASSOCIATED ACCESS ROADS~~, SITUATE IN SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND DESCRIBED AS FOLLOWS:

**PARCEL 5:1**

BEGINNING AT A POINT 997.54 FEET NORTH 87°04'56" EAST AND 683.84 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 13; RUNNING THENCE NORTH 87°56'46" EAST 103.10 FEET; THENCE NORTH 23°26'38" WEST 167.38 FEET TO THE POINT OF CURVATURE OF A 489.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY 538.48 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD BEARS N. 8°06'09" E. FOR A DISTANCE OF 511.68 FEET); THENCE NORTH 39°38'57" EAST 357.50 FEET TO THE POINT OF CURVATURE OF A 585.00-FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHEASTERLY 16.00 FEET ALONG THE ARC OF SAID CURVE TO THE (NOTE: CHORD BEARS NORTH 38°51'57" EAST FOR A DISTANCE OF 15.99 FEET); THENCE SOUTH 80°20'52" WEST 146.88 FEET ALONG SAID SOUTH BOUNDARY LINE ; THENCE SOUTH 39°38'57" WEST 262.13 FEET TO THE POINT OF CURVATURE OF A 585.00-FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY 547.10 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD BEARS SOUTH 12°51'27" WEST FOR A DISTANCE OF 527.38 FEET) TO ITS INTERSECTION WITH THE EAST LINE OF LOT 233 OF SAID EAST PARK PLAT 2; THENCE SOUTH 24°48' 29" EAST 114.68 FEET ALONG SAID EAST LOT LINE TO THE SOUTHEAST CORNER OF SAID LOT 233; THENCE SOUTH 13°43'25" EAST 63.77 FEET ALONG THE EAST LINE OF LOT 234 OF SAID EAST PARK PLAT 2; THENCE SOUTH 23°26'38" EAST 48.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.30 ACRES      *OWC - 0010 - 0 - 013 - 024*

ALSO:

**PARCEL 5:2**

THAT PORTION OF LOT 234, EAST PARK PLAT 2 SITUATE IN SAID SECTION 13 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 962.91 FEET NORTH 87°04'56" EAST AND 792.44 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 13, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID LOT 234; THENCE SOUTH 75°11'31" WEST 10.89 FEET; THENCE SOUTH 23°26'38" EAST 64.51 FEET; THENCE NORTH 13°43'25" WEST 63.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.01 ACRES

ALSO:

**PARCEL 5:3**      *OEP - 2234 - 0 - 013 - 024*

THAT PORTION OF LOT 233, EAST PARK PLAT 2 SITUATE IN SAID SECTION 13 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 962.91 FEET NORTH 87°04'56" EAST AND 792.44 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 13, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID LOT 233; THENCE SOUTH 75°11'31" WEST 10.89 FEET; THENCE NORTH 23°26'38" WEST 16.36 FEET TO A POINT ON A 585.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE 97.10 FEET (NOTE: CHORD BEARS NORTH 18°41'20" WEST 96.99 FEET); THENCE SOUTH 24°48'29" EAST 114.68 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.02 ACRES OEP. 2233 - 0 - 013 - 024

ALSO:  
**PARCEL 5:4**

BEGINNING AT A POINT 1482.02 FEET NORTH 87°04'56" EAST AND 2708.76 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 13; THENCE NORTH 08°00'43" EAST 67.17 FEET TO A POINT ON A 621.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHERLY 365.57 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD BEARS NORTH 24°54'12" EAST 360.31 FEET); THENCE SOUTH 82°42'03" EAST 1.52 FEET; THENCE NORTH 45°02'57" EAST 87.09 FEET TO A POINT ON A 621.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE EASTERLY 560.56 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD BEARS NORTH 75°45'27" EAST 541.72 FEET); THENCE SOUTH 78°22'56" EAST 370.90 FEET TO A POINT ON A 621.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE EASTERLY 29.73 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD BEARS SOUTH 76°56'51" EAST 29.73 FEET); THENCE SOUTH 00°01'52" EAST 99.68 FEET TO A POINT ON A 525.00- FOOT RADIUS CURVE TO THE LEFT; THENCE WESTERLY 49.92 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD BEARS NORTH 75°39'29" WEST 49.90 FEET); THENCE NORTH 78°22'56" WEST 370.90 FEET TO A POINT ON A 525.00-FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 857.44 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD BEARS SOUTH 54°49'46" WEST 765.27 FEET); THENCE SOUTH 08°00'43" WEST 84.08 FEET; THENCE NORTH 71°59'08" WEST 97.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.13 ACRES OWC - 0010 - 0 - 013 - 024

ALSO:  
**PARCEL 5:5**

BEGINNING AT A POINT 805.27 FEET NORTH 89°52'12" WEST AND 16.68 FEET NORTH FROM THE EAST QUARTER CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN IN WASATCH COUNTY, UTAH; THENCE SOUTH 20°41'23" WEST 436.27 FEET TO A POINT ON A 525.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHERLY 1214.57 FEET ALONG THE ARC OF SAID CURVE, (NOTE: CHORD BEARS SOUTH 86°57'56" WEST 961.27 FEET); THENCE NORTH 26°45'30" WEST 498.71 FEET; THENCE NORTH 89°52'21" WEST 107.63 FEET; THENCE SOUTH 26°45'30" EAST 547.38 FEET TO A POINT ON A 621.00- FOOT RADIUS



CURVE TO THE LEFT; THENCE SOUTHERLY 1436.66 FEET ALONG THE ARC OF SAID CURVE, ( NOTE: CHORD BEARS NORTH 86°57'57" EAST 1137.04 FEET); THENCE NORTH 20°41'23" EAST 436.27 FEET; THENCE NORTH 69°18'37" WEST 96.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.04 ACRES OWC-0010-0-013-024

**ACREAGE FOR ROADWAY EASEMENT PARCELS 5:1 THRU 5:5 TOTALS 10.50 ACRES**

TOGETHER WITH SLOPE EASEMENTS OVER THE FOLLOWING PARCELS:

**EASEMENT 5: SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGINNING ON THE WEST RIGHT OF WAY LINE OF JORDANELLE PARKWAY AT A POINT 1068.01 FEET NORTH 87°04'56" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER AND 517.97 FEET NORTH FROM THE SOUTHWEST CORNER OF SAID SECTION 13; AND RUNNING THENCE NORTH 23°26'38" WEST 228.79 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 13°43'27" EAST 149.22 FEET; THENCE SOUTH 35°18'31" EAST 87.99 FEET; NORTH 34°46'28" EAST 8.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.07 ACRE. OWC-0010-0-013-024

**EASEMENT 5:2 SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGINNING AT A POINT WHICH IS ON THE WEST RIGHT OF WAY LINE OF THE JORDANELLE PARK WAY AND IS THE NORTH EAST CORNER OF LOT 235 EAST PARK SUBDIVISION PLAT 2; THENCE SOUTH 13°43'27" EAST 98.81 FEET; THENCE SOUTH 82°17'39 WEST 1.87 FEET; THENCE NORTH 23°27'12" WEST 21.06 FEET; THENCE NORTH 29°09'13" WEST 50.25 FEET; THENCE NORTH 45°14'34" WEST 39.49 FEET; THENCE NORTH 82°25'38" EAST 39.67 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.04 ACRE. OWC-0010-0-013-024

**EASEMENT 5:3 SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

BEGINNING AT A POINT WHICH IS ON THE WEST RIGHT OF WAY LINE OF THE JORDANELLE PARK WAY AND IS THE SOUTH EAST CORNER OF LOT 234 EAST PARK SUBDIVISION PLAT 2; THENCE SOUTH 82°25'38" WEST 39.67 FEET; THENCE NORTH 45°14'34" WEST 14.36 FEET; THENCE NORTH 71°10'11" WEST 74.33 FEET; THENCE NORTH 43°58'35" WEST 57.03 FEET; THENCE NORTH 30°04'48" WEST 2.55 FEET; THENCE NORTH 75°17'29" EAST 128.79 FEET TO A POINT ON SAID RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY SOUTH 23°26'38" EAST 60.86 FEET; THENCE SOUTH 13°43'27" EAST 50.43 FEET TO THE POINT OF BEGINNING.



CONTAINING 0.23 ACRES. OWC-0010-0-013-024

**EASEMENT 5:4** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS ON THE WEST RIGHT OF WAY LINE OF THE JORDANELLE PARK WAY AND IS THE SOUTH EAST CORNER OF LOT 233 EAST PARK SUBDIVISION PLAT 2; THENCE SOUTH 75°17'29" WEST 128.79 FEET; THENCE NORTH 30°04'48" WEST 60.44 FEET; THENCE NORTH 03°06'36" WEST 49.35 FEET; THENCE NORTH 63°29'10" EAST 124.27 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SAID PARKWAY; THENCE ALONG SAID RIGHT OF WAY SOUTH 24°48'27" EAST 22.18 FEET TO A POINT ON A 585.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE SOUTHERLY 93.70 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD BEARS SOUTH 18°51'11" EAST 93.60 FEET); THENCE SOUTH 23°27'29" EAST 17.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.36 ACRES. OWC-0010-0-013-024

**EASEMENT 5:5** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS THE SOUTH EAST CORNER OF LOT 232 EAST PARK SUBDIVISION PLAT 2; THENCE SOUTH 63°29'13" WEST 124.28 FEET; THENCE NORTH 03°06'36" WEST 18.82 FEET; THENCE NORTH 14°28'45" EAST 71.04 FEET; THENCE NORTH 03°56'11" EAST 41.85 FEET; THENCE NORTH 63°30'12" EAST 52.18 FEET TO A POINT ON SAID RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY SOUTH 24°48'27" EAST 107.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.22 ACRE. OWC-0010-0-013-024

**EASEMENT 5:6** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS THE SOUTH EAST CORNER OF LOT 231 EAST PARK SUBDIVISION PLAT 2; THENCE SOUTH 63°30'12" WEST 52.18 FEET; THENCE NORTH 04°08'46" EAST 21.50 FEET; THENCE NORTH 00°07'34" EAST 62.08 FEET; THENCE NORTH 31°49'29" EAST 18.64 FEET; THENCE SOUTH 24°48'52" EAST 83.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.06 ACRE. OWC-0010-0-013-024

**EASEMENT 5:7** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 04°02'27" EAST 72.42 FEET FROM THE SOUTHEAST CORNER OF LOT 213 OF EAST PARK SUBDIVISION, PLAT 2, AS RECORDED IN THE OFFICE OF THE WASATCH COUNTY RECORDER; THENCE SOUTH 04°02'27" EAST 116.66 FEET; THENCE NORTH 18°51'10" WEST 41.26 FEET;

THENCE NORTH 05°27'43" WEST 74.71 FEET; THENCE NORTH 76°26'09" EAST 12.57 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.02 ACRE. OWC-0010-0-013-024

**EASEMENT 5:8** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF JORDANELLE PARKWAY WHICH IS LOCATED NORTH 87°04'56" EAST 1199.72 FEET AND NORTH 1600.48 FEET FROM THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 39°38'57" WEST 262.15 FEET; THENCE 547.09 FEET ALONG THE ARC OF A 585.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 53°34'57" (NOTE: CHORD BEARS SOUTH 12°51'28" WEST 527.37 FEET); THENCE NORTH 24°48'39" WEST 210.09 FEET; THENCE NORTH 31°49'29" EAST 48.31 FEET; THENCE NORTH 38°14'09" EAST 65.19 FEET; THENCE NORTH 16°11'50" EAST 56.50 FEET; THENCE NORTH 18°51'10" WEST 34.38 FEET; THENCE NORTH 04°02'29" WEST 118.11 FEET; THENCE NORTH 76°26'09" EAST 111.64 FEET; THENCE NORTH 15°48'44" EAST 112.39 FEET; THENCE NORTH 56°20'39" EAST 104.40 FEET; THENCE NORTH 05°21'03" WEST 21.61 FEET; THENCE NORTH 80°20'52" EAST 87.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.86 ACRE OWC-0010-0-013-024

**EASEMENT 5:9** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERN RIGHT OF WAY LINE OF JORDANELLE PARKWAY WHICH IS LOCATED NORTH 87°04'56" EAST 1344.73 FEET AND NORTH 1617.74 FEET FROM THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 80°22'42" EAST 66.40 FEET; THENCE SOUTH 67°33'32" EAST 20.46 FEET; THENCE SOUTH 51°10'46" WEST 178.25 FEET; THENCE SOUTH 02°57'56" EAST 169.86 FEET; THENCE SOUTH 55°45'29" WEST 306.17 FEET; THENCE SOUTH 17°57'17" EAST 95.30 FEET; THENCE SOUTH 29°14'18" WEST 89.66 FEET; THENCE SOUTH 11°56'41" EAST 42.13 FEET; THENCE SOUTH 17°21'06" EAST 41.67 FEET; THENCE SOUTH 15°48'18" EAST 41.14 FEET; THENCE SOUTH 06°30'15" EAST 40.04 FEET; THENCE SOUTH 56°41'13" EAST 63.85 FEET; THENCE SOUTH 50°00'44" EAST 55.90 FEET; THENCE SOUTH 02°54'03" WEST 55.79 FEET; THENCE SOUTH 17°30'45" EAST 33.50 FEET; THENCE SOUTH 80°02'45" WEST 70.73 FEET; THENCE NORTH 23°26'38" WEST 170.22 FEET ALONG SAID RIGHT OF WAY ; THENCE NORTHERLY 538.48 FEET ALONG THE ARC OF A 489.00 FOOT RADIUS CURVE TO THE RIGHT (NOTE: CHORD BEARS NORTH 08°06'10" EAST 511.68 FEET); THENCE NORTH 39°38'56" EAST 357.50 FEET TO A POINT ON A 582.67 RADIUS CURVE TO LEFT; THENCE NORTHERLY 16.03 FEET ALONG THE ARC OF SAID CURVE, (NOTE: CHORD BEARS NORTH 38°51'51" EAST 16.03 FEET) TO THE POINT OF BEGINNING.

CONTAINING 1.73 ACRES. 0W2-0010-0-013-024

**EASEMENT 5:10** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS ON THE WEST RIGHT OF WAY LINE OF THE JORDANELLE PARK WAY AND LIES 1643.40 FEET NORTH 87°04'56" EAST AND 3093.91 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 13; THENCE NORTH 82°40'20" WEST 76.28 FEET; THENCE SOUTH 33°03'50" WEST 36.36 FEET; THENCE SOUTH 16°20'52" WEST 177.14 FEET; THENCE SOUTH 36°07'56" WEST 125.17 FEET; THENCE SOUTH 01°52'40" EAST 84.18 FEET; THENCE SOUTH 71°56'49" EAST 58.01 FEET TO A POINT ON SAID RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY NORTH 08°02'26" EAST 67.74 FEET TO A POINT ON A 621.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE 365.63 FEET (NOTE: CHORD BEARS NORTH 24°54'28" EAST 360.37 FEET) TO THE POINT OF BEGINNING.

CONTAINING 0.48 ACRE. 0W2-0060-0-013-024

**PARCEL 5:11** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS ON THE SOUTH RIGHT OF WAY LINE OF THE JORDANELLE PARKWAY AND LIES 1574.84 FEET NORTH 87°04'56" EAST, AND NORTH 2673.88 FEET FROM THE SOUTHWEST CORNER OF SECTION 13 THENCE ALONG SAID RIGHT OF WAY NORTH 08°00'46" EAST 84.08 FEET TO THE POINT OF CURVATURE OF A 525.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE 857.47 FEET (NOTE: CHORD BEARS NORTH 54°49'50" EAST 765.29 FEET); THENCE SOUTH 78°22'53" EAST 370.88 FEET TO A POINT ON A 525.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE 49.93 FEET (NOTE: CHORD BEARS SOUTH 75°38'21" EAST 49.92 FEET); THENCE SOUTH 00°01'49" EAST 67.00 FEET; THENCE NORTH 56°04'32" WEST 68.50 FEET; THENCE NORTH 78°22'51" WEST 370.87 FEET; THENCE NORTH 72°45'24" WEST 100.83 FEET TO A POINT ON A 503.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 526.69 FEET (NOTE: CHORD BEARS SOUTH 60°06'57" WEST 502.96 FEET); THENCE SOUTH 01°53'23" EAST 317.89 FEET; THENCE NORTH 60°48'01" WEST 101.62 FEET; THENCE NORTH 71°59'08" WEST 19.21 FEET TO A POINT ON SAID RIGHT OF WAY AND THE POINT OF BEGINNING.

CONTAINING 1.29 ACRES. 0W2-0060-0-013-024

**PARCEL 5:12** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF THE JORDANELLE PARKWAY SAID POINT BEING 2123.76 FEET SOUTH 00° 01'47" EAST FROM THE NORTH QUARTER CORNER OF SECTION 13; AND RUNNING THENCE

NORTHWESTERLY 29.74 FEET ALONG SAID NORTH RIGHT OF WAY LINE ALONG THE ARC OF A 621.00-FOOT RADIUS CURVE TO THE LEFT (NOTE: CHORD BEARS NORTH 77°00'34" WEST FOR A DISTANCE OF 29.74 FEET); THENCE NORTH 78°22'51" WEST 370.90 FEET TO A POINT ON A 621.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY 560.79 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD BEARS SOUTH 75°44'51" WEST 541.93 FEET) TO THE SOUTHEASTERLY BOUNDARY OF THE EAST PARK SUBDIVISION PLAT 2; THENCE NORTH 45°03'04" EAST 236.94 FEET ALONG SAID SUBDIVISION BOUNDARY; THENCE NORTH 79°55'34" EAST 118.74 FEET; THENCE SOUTH 85°06'09" EAST 117.27 FEET; THENCE SOUTH 81°57'16" EAST 130.51 FEET; THENCE NORTH 87°04'51" EAST 139.42 FEET; THENCE SOUTH 72°40'03" EAST 100.50 FEET; THENCE NORTH 81°25'39" EAST 144.87 FEET; THENCE SOUTH 67°40'48" EAST 9.04 FEET; THENCE SOUTH 00°01'47" EAST 103.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.00 ACRE OWC-0010-0-013-024

**PARCEL 5:13** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING IN THE NORTH RIGHT OF WAY LINE OF THE JORDANELLE PARK WAY AT A POINT 798.26 FEET NORTH 89°52'12" WEST AND 35.42 FEET NORTH FROM THE EAST QUARTER CORNER OF SECTION 13; THENCE SOUTH 20°41'32" WEST 456.28 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF CURVATURE OF A 525.00-FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 1214.57 FEET ALONG THE ARC OF SAID CURVE (NOTE: CHORD BEARS SOUTH 86°58'05" WEST 961.27 FEET); THENCE NORTH 26°45'12" WEST 498.71 FEET; THENCE SOUTH 89°52'12" EAST 58.30 FEET; THENCE SOUTH 26°45'23" EAST 472.35 FEET; THENCE SOUTH 20°34'08" EAST 59.31 FEET; THENCE SOUTH 33°47'12" EAST 129.40 FEET; THENCE SOUTH 73°43'44" EAST 171.64 FEET; THENCE SOUTH 70°48'17" EAST 163.58 FEET; THENCE SOUTH 83°14'57" EAST 132.08 FEET; THENCE NORTH 58°33'48" EAST 216.44 FEET; THENCE NORTH 44°31'52" EAST 171.49 FEET; THENCE NORTH 29°04'00" EAST 92.15 FEET; THENCE NORTH 14°39'03" EAST 95.04 FEET; THENCE NORTH 18°24'01" EAST 50.04 FEET; THENCE NORTH 30°20'17" EAST 101.43 FEET; THENCE NORTH 03°59'41" EAST 104.40 FEET; THENCE NORTH 13°02'52" EAST 112.76 FEET; THENCE SOUTH 69°18'28" EAST 61.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.08 ACRES. OWC-0010-0-013-024

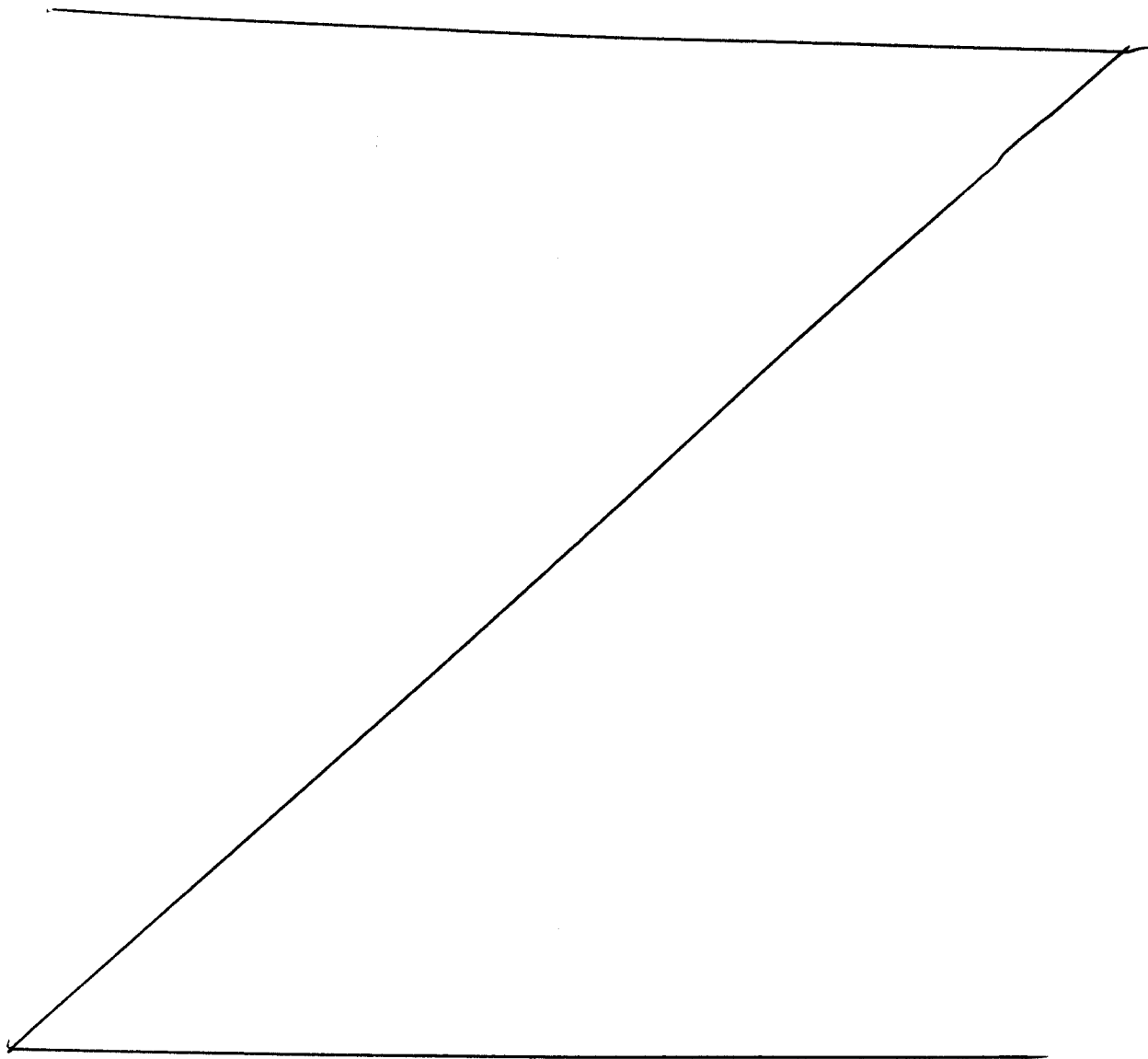
**PARCEL 5:14** SLOPE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 669.16 FEET NORTH 89°52'12" WEST AND 13.05 FEET SOUTH OF THE EAST QUARTER CORNER OF SECTION 13; THENCE SOUTH 20°41'32" WEST 261.76 FEET; THENCE SOUTH 17°44'58" WEST 194.76 FEET; THENCE SOUTH 13°08'01" WEST 66.82 FEET; THENCE SOUTH 24°38'45" WEST 121.42 FEET; THENCE SOUTH 57°04'41" WEST 296.17 FEET; THENCE SOUTH 73°46'02" WEST 169.67 FEET;



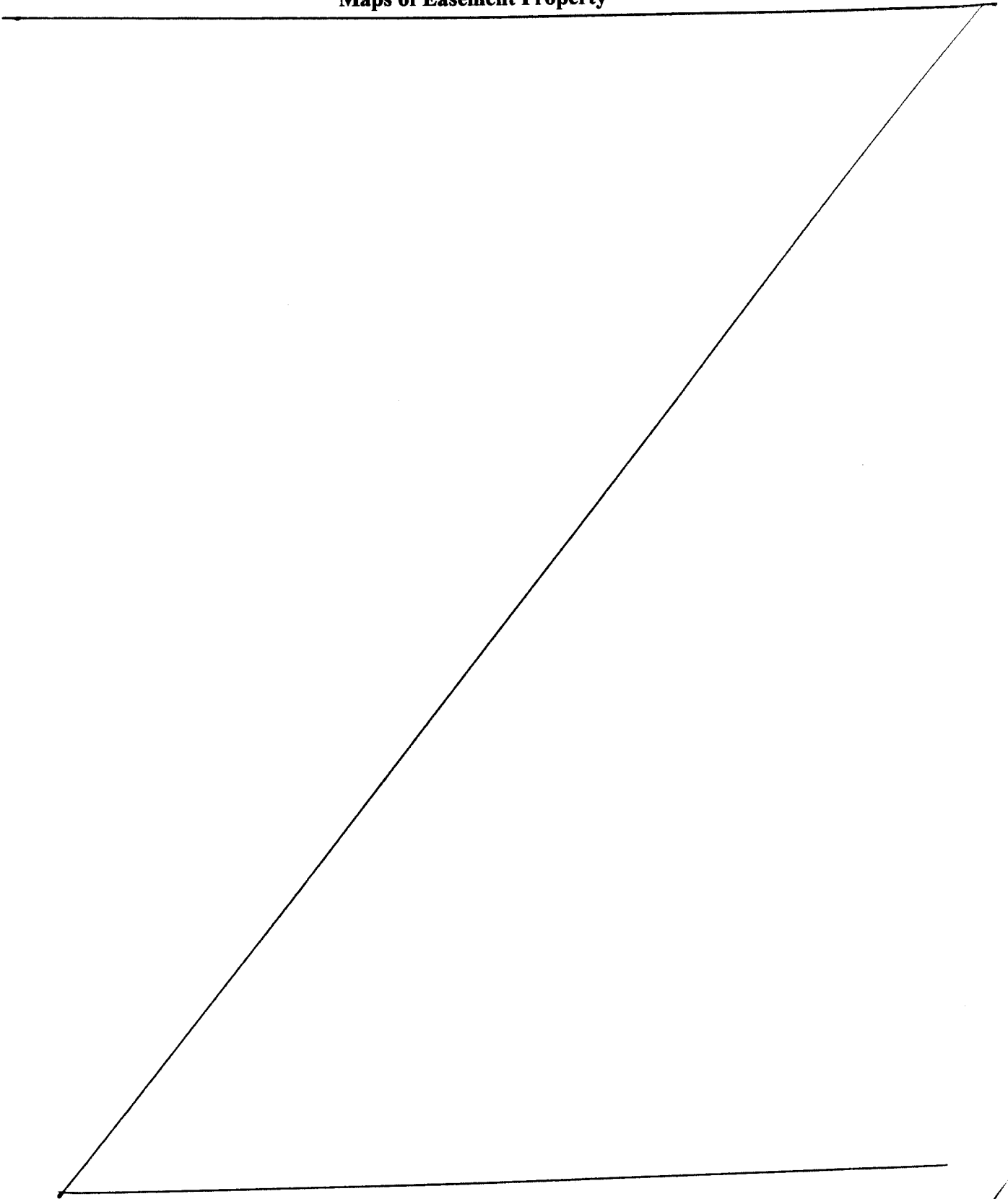
THENCE SOUTH 81°15'00" WEST 226.58 FEET; THENCE SOUTH 89°54'58" WEST 58.66 FEET; THENCE NORTH 68°20'57" WEST 116.15 FEET; THENCE NORTH 58°46'05" WEST 114.26 FEET; THENCE NORTH 80°35'43" WEST 132.43 FEET; THENCE NORTH 49°02'36" WEST 61.96 FEET; THENCE NORTH 30°21'38" WEST 208.42 FEET; THENCE NORTH 21°26'23" WEST 431.73 FEET; THENCE NORTH 38°03'49" WEST 151.76 FEET; THENCE SOUTH 89°52'12" EAST 69.24 FEET TO A POINT ON SAID RIGHT OF WAY; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE SOUTH 26°45'21" EAST 547.38 FEET TO THE POINT OF CURVATURE OF A 621.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 1436.66 FEET (NOTE: CHORD BEARS NORTH 86°58'05" EAST FOR A DISTANCE OF 1137.04 FEET); THENCE NORTH 20°41'32" EAST 456.27 FEET; THENCE SOUTH 69°18'28" EAST 42.00 FEET TO THE POINT OF BEGINNING.  
CONTAINING 2.70 ACRES. 032-0010-0-013-024

THE ABOVE PARCELS OF LAND (SLOPE EASEMENTS) CONTAIN A TOTAL OF 11.14 ACRES



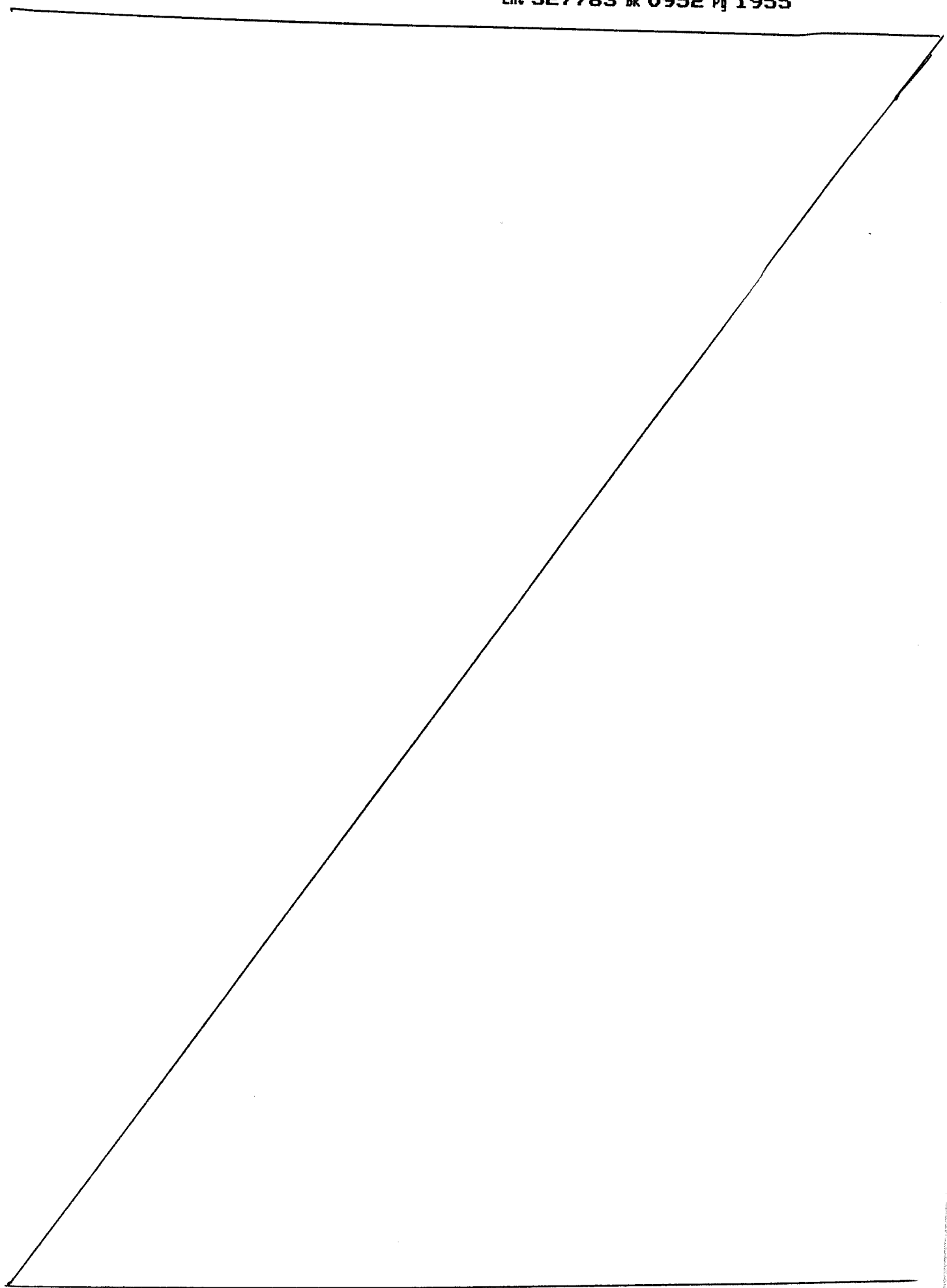
**EXHIBIT B**

**Maps of Easement Property**



DMWEST #6547765 v3

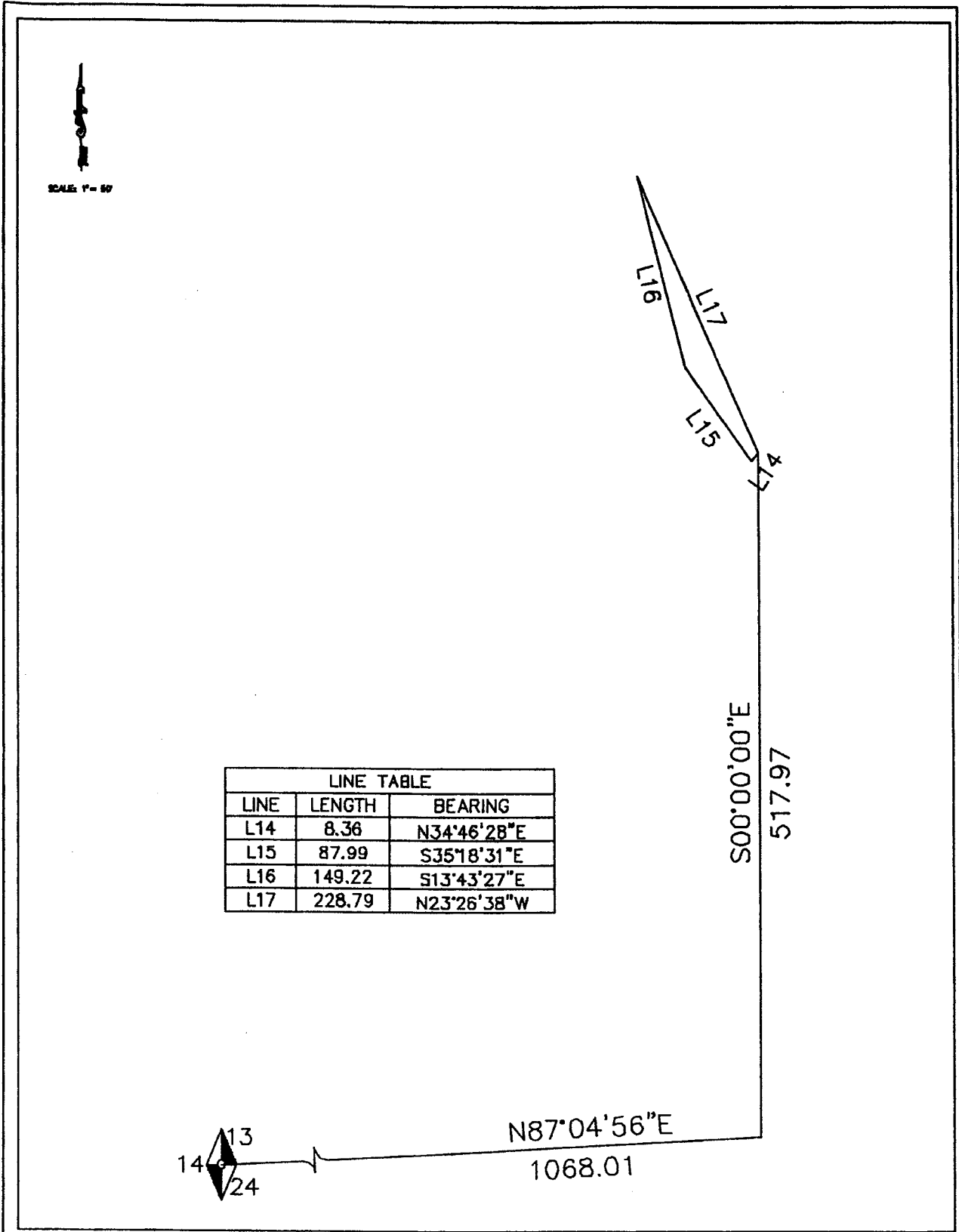
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LINE TABLE		
LINE	LENGTH	BEARING
L14	8.36	N34°46'28"E
L15	87.99	S35°18'31"E
L16	149.22	S13°43'27"E
L17	228.79	N23°26'38"W

**e<sup>2</sup> Epic Engineering**

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(435) 634-8800

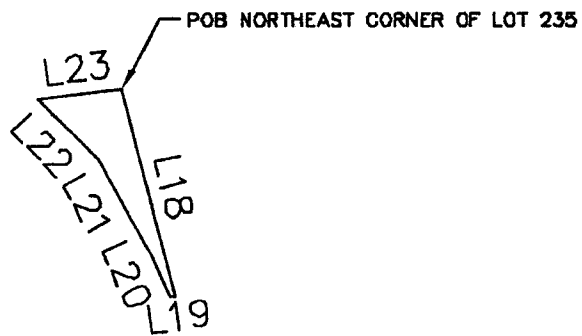
STICHING MAYFLOWER MT FONDS

**EASEMENT 5:1**

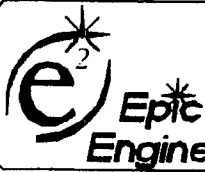
DESIGNER ALP	CAD JOR
REVIEWED TEJ	DATE 8/16/07
SHEET 1 of 14	



SCALE: 1" = 40'



LINE TABLE		
LINE	LENGTH	BEARING
L18	98.81	S13°43'27"E
L19	1.87	S82°17'39"W
L20	21.06	N23°27'12"W
L21	50.25	N29°09'13"W
L22	39.49	N45°14'34"W
L23	39.67	N82°25'38"E



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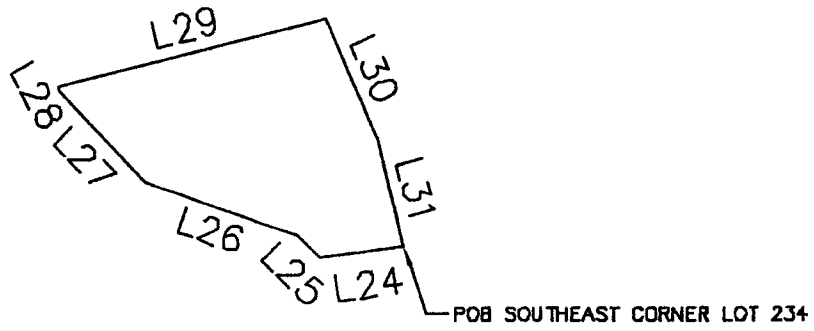
STICHING MAYFLOWER MT FONDS

EASEMENT 5:2

DESIGNER ALP	CAD JCR
REVIEWED TEJ	DATE 8/16/07
SHEET 2 of 14	



SCALE: 1" = 40'



LINE TABLE		
LINE	LENGTH	BEARING
L24	39.87	S82°25'38"W
L25	14.36	N46°14'34"W
L26	74.33	N71°10'11"W
L27	57.03	N43°58'35"W
L28	2.95	N30°04'48"W
L29	128.79	N75°17'29"E
L30	60.86	S23°26'38"E
L31	50.43	S13°43'27"E

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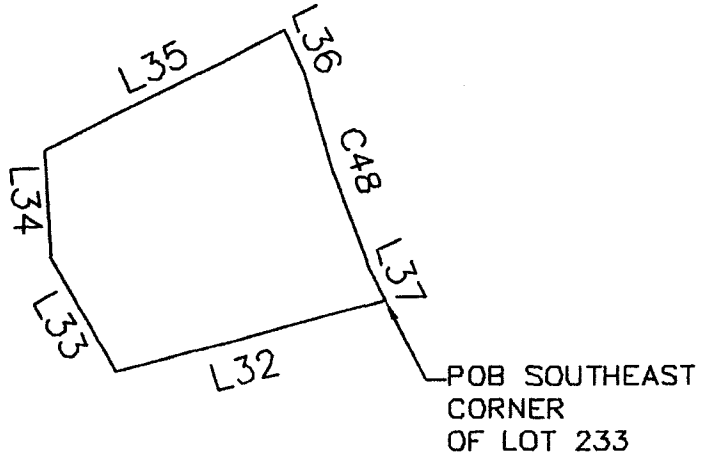
EASEMENT 5:3

DESIGNER ALP	CAD JOR
REVIEWED TEJ	DATE 8/16/07
SHEET 3 of 14	

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SCALE: 1" = 40'



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C48	93.70	585.00	9°10'38"	S18°51'11"E	93.60

LINE TABLE		
LINE	LENGTH	BEARING
L32	128.79	S75°17'29"W
L33	60.44	N30°04'48"W
L34	49.35	N03°06'36"W
L35	124.27	N63°29'10"E
L36	22.18	S24°48'27"E
L37	17.03	S23°27'29"E



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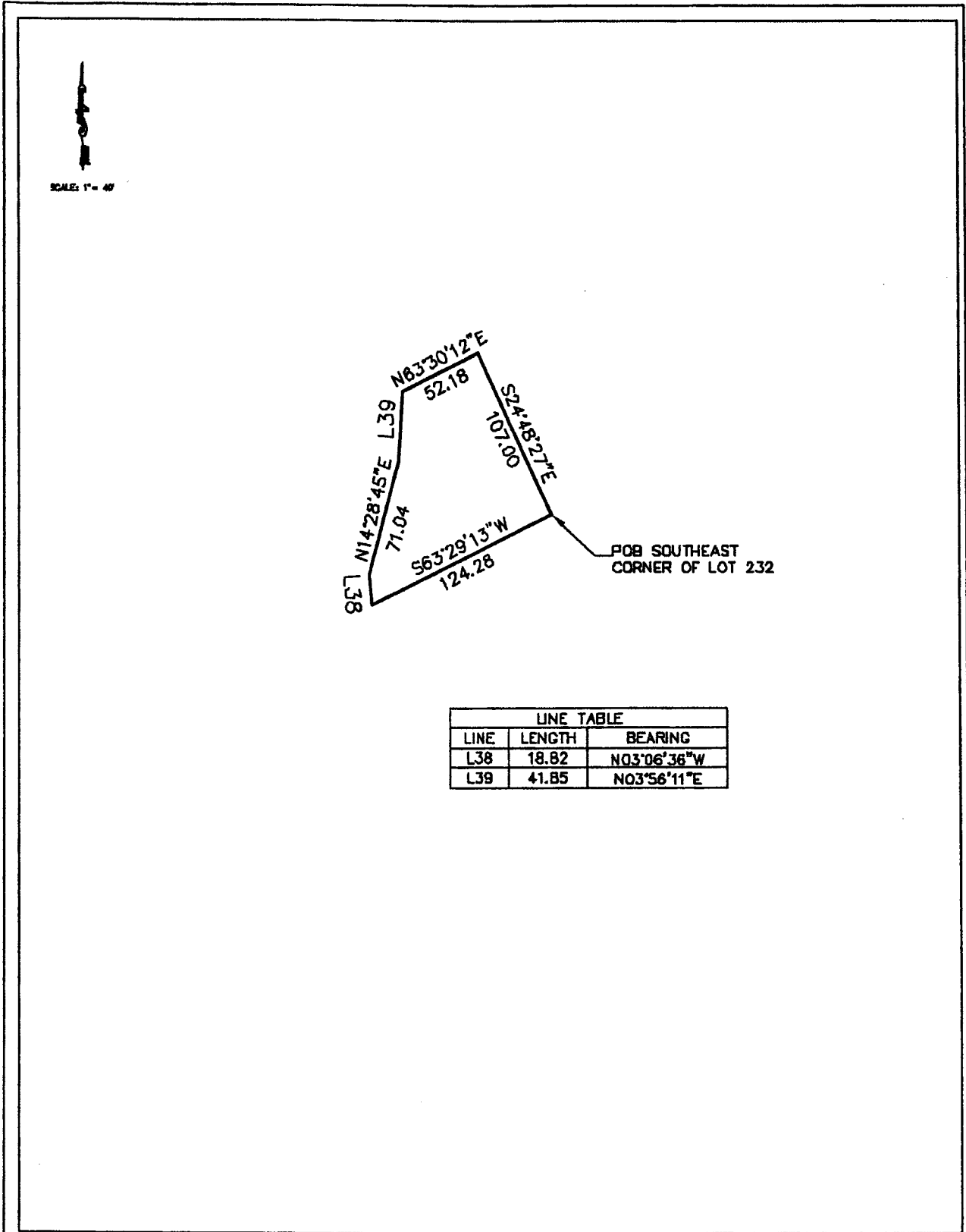
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EASEMENT 5:4

DESIGNER ALP	CAD JCR
REVIEWED TEJ	DATE 8/18/07

SHEET  
4 OF 14

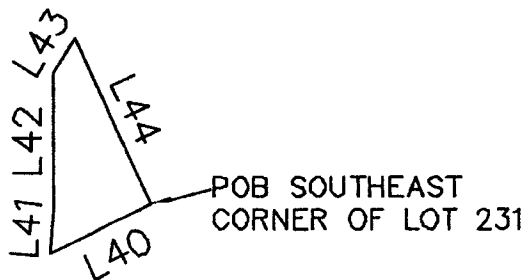


LINE TABLE		
LINE	LENGTH	BEARING
L38	18.82	N03°06'36"W
L39	41.85	N03°56'11"E


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	DESIGNER	ALP	CAD	JCR							
REVIEWED	TEJ	DATE	8/16/07								
<p>50 EAST 100 SOUTH HEBER CITY, UTAH 84032 (435) 634-8800</p>	<p>EASEMENT 5:5</p>	<p>SHEET</p> <p>5 of 14</p>									



SCALE: 1" = 40'

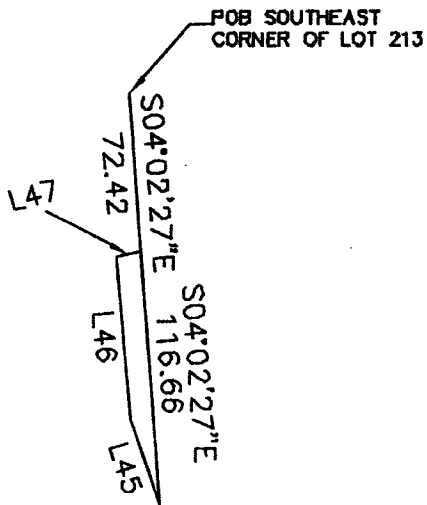


LINE TABLE		
LINE	LENGTH	BEARING
L40	52.18	S63°30'12"W
L41	21.50	N04°08'46"E
L42	62.08	N00°07'34"E
L43	18.64	N31°49'29"E
L44	83.82	S24°48'52"E

 <p><b>Epic Engineering</b></p>	3341 SOUTH 4000 WEST, SUITE A SALT LAKE CITY, UTAH 84126 (801) 888-8600	STICHING MAYFLOWER MT FONDS	DESIGNER ALP	CAD JCR
	50 EAST 100 SOUTH HEBER CITY, UTAH 84002 (435) 834-8800	EASEMENT 5:6	REVIEWED TEJ	DATE 8/16/07



SCALE: 1" = 40'



LINE TABLE		
LINE	LENGTH	BEARING
L45	41.26	N18°51'10"W
L46	74.71	N05°27'43"W
L47	12.57	N76°26'09"E



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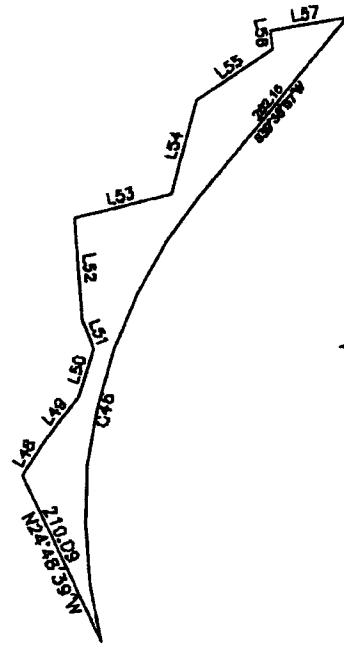
STICHING MAYFLOWER MT FONDS

EASEMENT 5:7

DESIGNER ALP	CAD JCR
REVIEWED TEJ	DATE 8/18/07
SHEET 7 of 14	



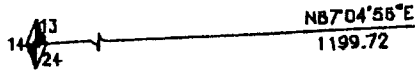
SCALE: 1" = 100'



NORTH  
1600.48

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C48	547.09	585.00	53°34'57"	S12°51'28"W	527.37

LINE TABLE		
LINE	LENGTH	BEARING
L48	48.31	N31°49'29"E
L49	65.19	N38°14'09"E
L50	56.50	N16°11'50"E
L51	34.38	N18°31'19"W
L52	118.11	N04°02'29"W
L53	111.84	N78°28'09"E
L54	112.38	N15°48'44"E
L55	104.40	N56°20'39"E
L56	21.61	N88°21'03"W
L57	87.85	N80°20'52"E



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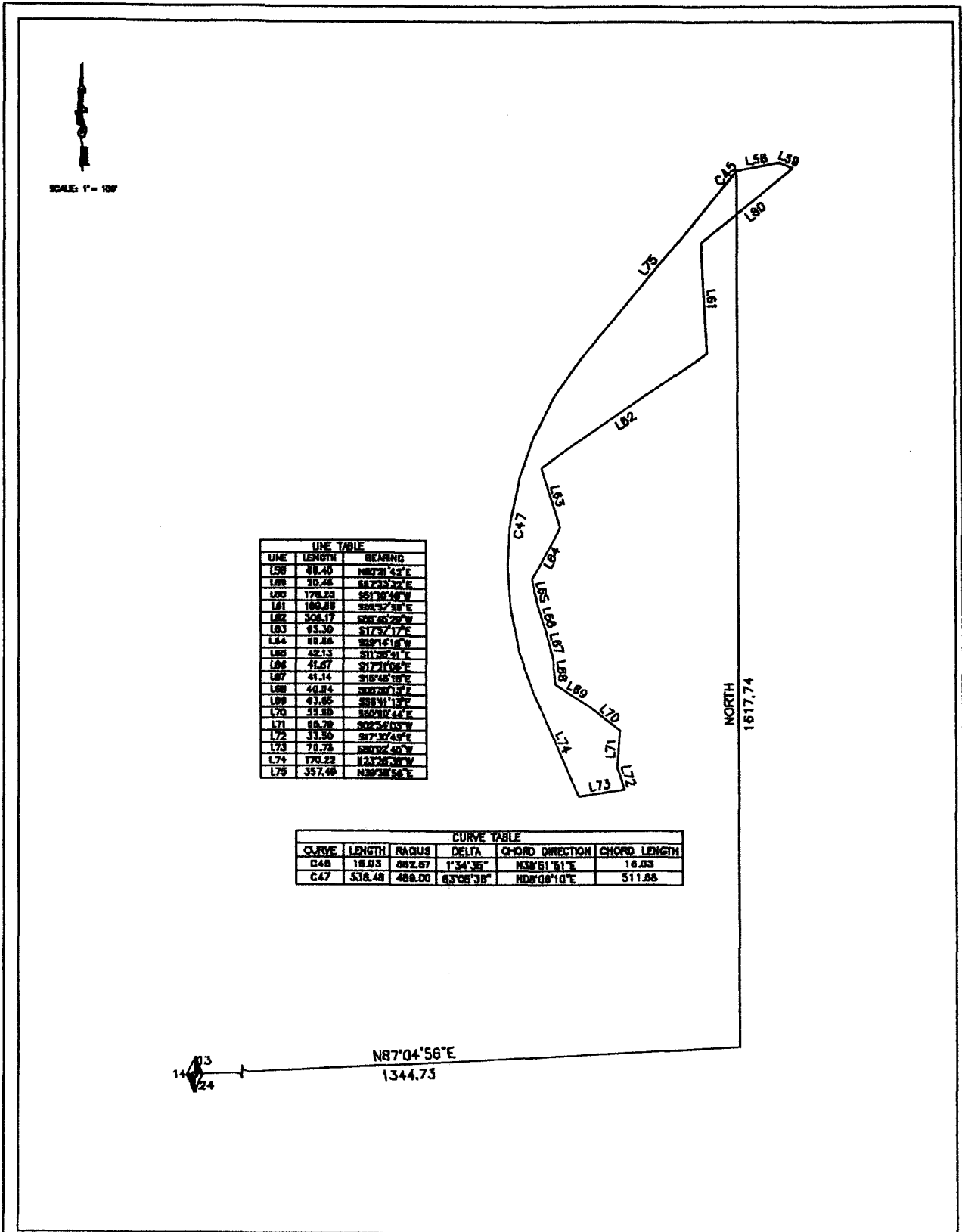
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STICHING MAYFLOWER MT FONDS

EASEMENT 5:8

DESIGNER ALP	CAD JCR
REVIEWED TEJ	DATE 8/18/07
SHEET 8 of 14	





LINE TABLE		
LINE	LENGTH	BEARING
L59	68.45	N87°04'56"E
L60	38.28	S82°08'33"E
L61	178.83	S81°30'48"W
L62	106.88	S84°37'38"E
L63	306.17	S84°46'29"W
L64	95.30	S77°32'17"E
L64	88.86	S89°14'18"W
L66	42.13	S112°08'41"W
L66	41.67	S171°10'04"E
L67	41.54	S18°48'38"E
L68	44.84	S88°20'13"E
L69	63.66	S88°11'13"E
L70	53.80	S80°02'44"E
L71	86.79	S82°54'03"W
L72	33.50	S17°30'45"E
L73	78.78	S80°02'48"W
L74	170.82	N42°26'30"W
L76	357.46	N38°38'56"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C46	18.03	482.67	1°34'36"	N38°01'01"E	18.03
C47	538.48	488.00	63°05'38"	N87°08'10"E	511.68

N87°04'56"E  
1344.73



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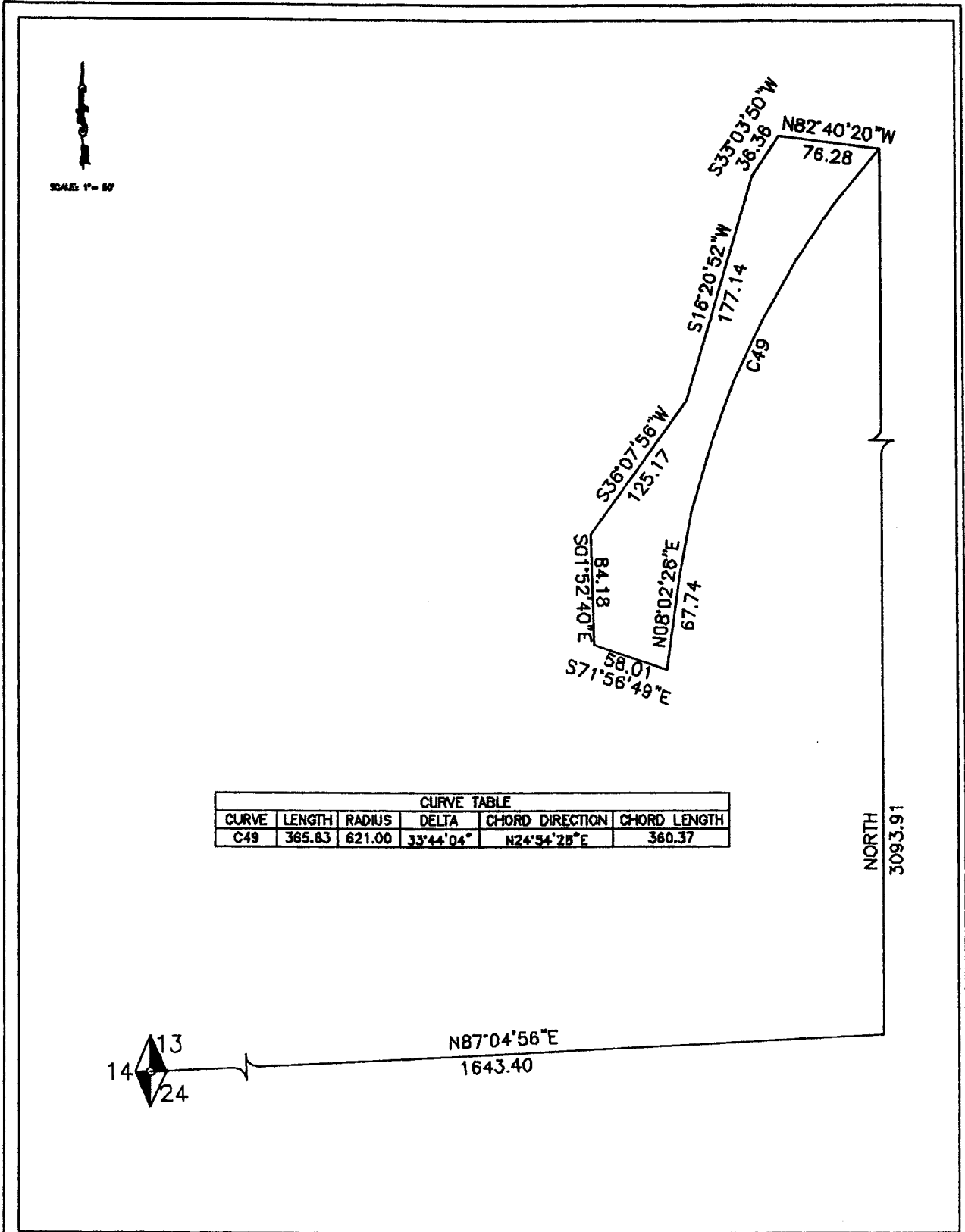
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EASEMENT 5:9

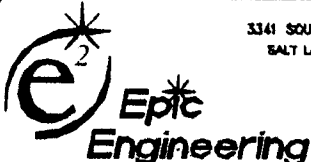
DESIGNER ALP	CAD JCR
REVIEWED TEJ	DATE 8/16/07

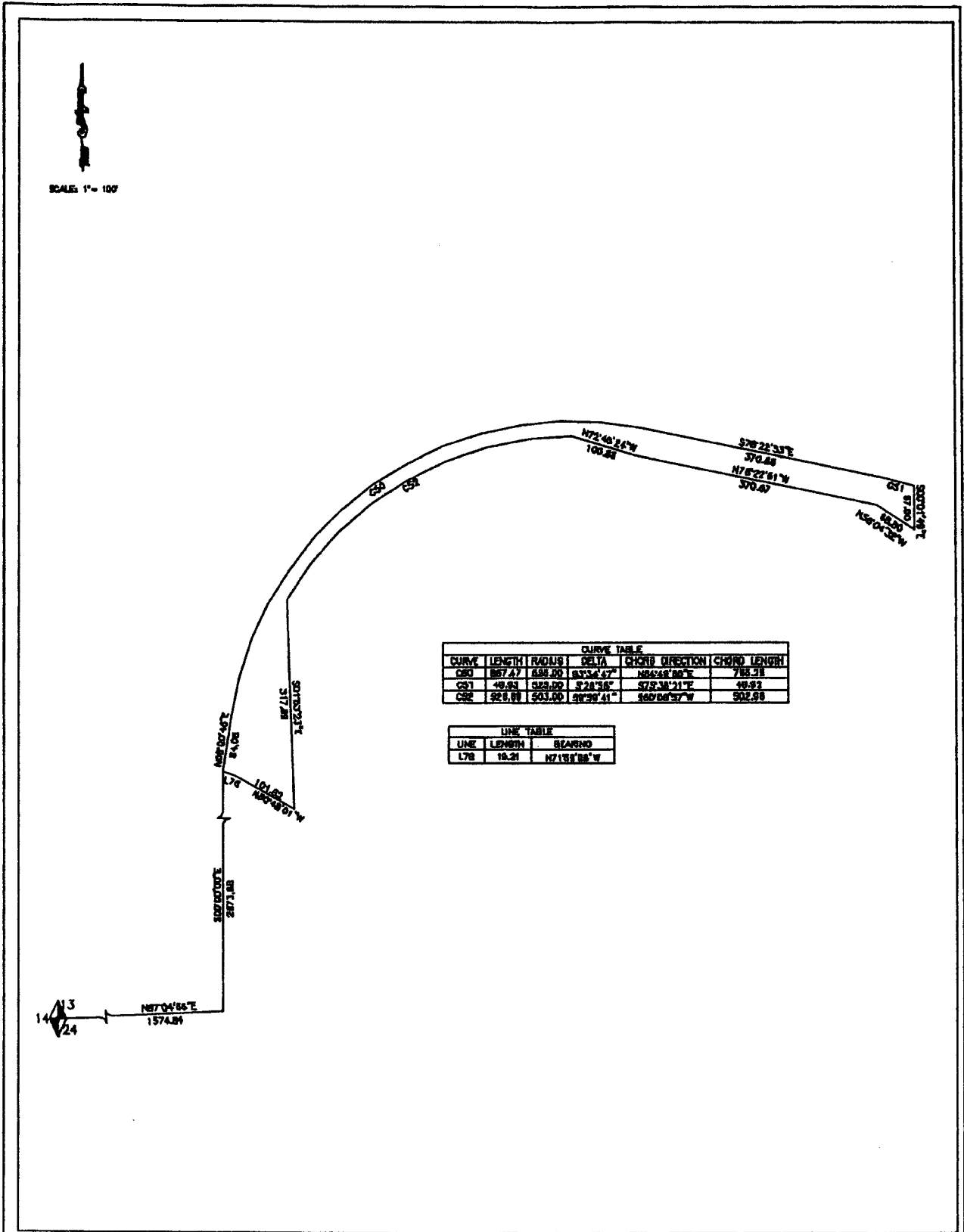
SHEET  
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CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C49	365.63	621.00	33°44'04"	N24°34'28"E	360.37



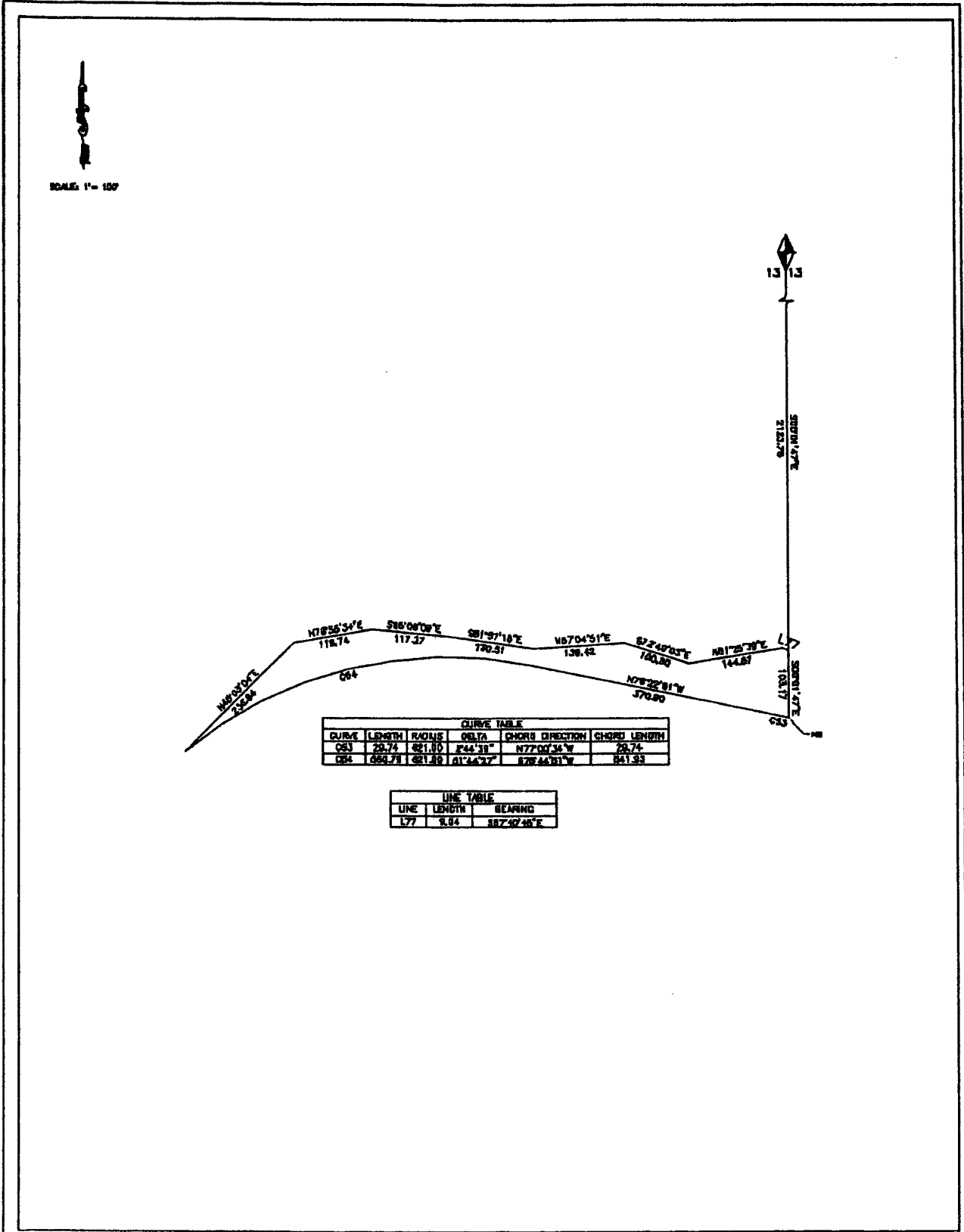
 <p>3341 SOUTH 4000 WEST, SUITE A SALT LAKE CITY, UTAH 84120 (801) 888-0600</p> <p>50 EAST 100 SOUTH HEBER CITY, UTAH 84002 (435) 834-8800</p>	<p>STICHING MAYFLOWER MT FONDS</p> <hr/> <p>EASEMENT 5:10</p>		<table border="1"> <tr> <td>DESIGNER</td> <td>CAD</td> </tr> <tr> <td>ALP</td> <td>JOR</td> </tr> <tr> <td>REVIEWED</td> <td>DATE</td> </tr> <tr> <td>TEJ</td> <td>8/16/07</td> </tr> </table>	DESIGNER	CAD	ALP	JOR	REVIEWED	DATE	TEJ	8/16/07
	DESIGNER	CAD									
ALP	JOR										
REVIEWED	DATE										
TEJ	8/16/07										
		<p>SHEET</p> <p style="font-size: 2em;">10</p> <p>OF 14</p>									




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STICING MAYFLOWER MT FONDS  
  
**EASEMENT 5:11**

DESIGNER ALP	CAO JCR
REVIEWED TEJ	DATE 8/16/07
SHEET <b>11 of 14</b>	

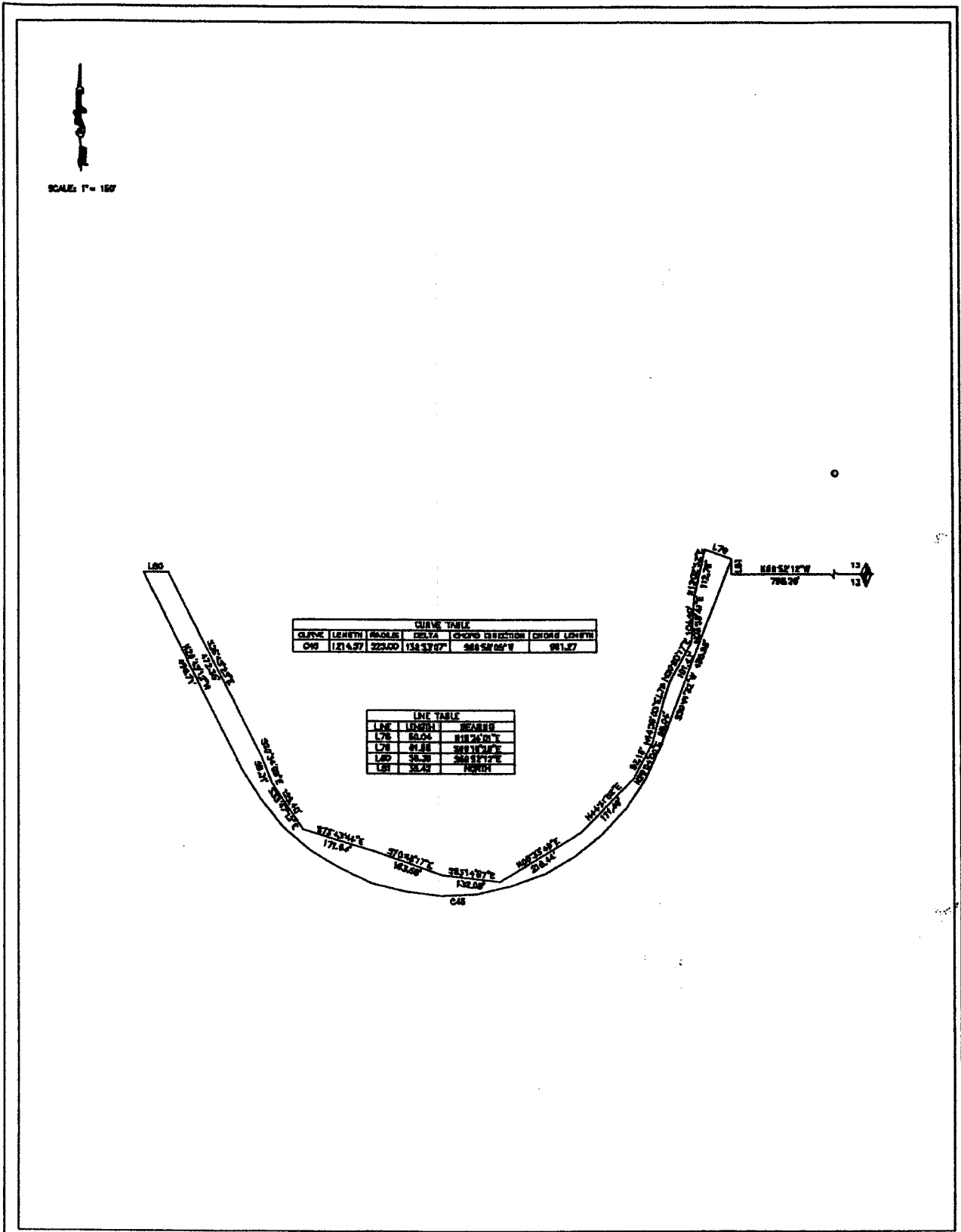


CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
CS3	28.74	621.80	244.38°	N77°00'34\"/>	

LINE TABLE		
LINE	LENGTH	BEARING
L77	9.84	S87°40'46\"/>


	3341 SOUTH 4000 WEST, SUITE A SALT LAKE CITY, UTAH 84120 (801) 888-2600	STICHING MAYFLOWER MT FONDOS	DESIGNER ALP	CAD JCR
	50 EAST 100 SOUTH HEBER CITY, UTAH 84032 (435) 834-8000	EASEMENT 5:12	REVIEWED TEJ	DATE 8/16/07
			SHEET <span style="font-size: large; font-weight: bold;">12</span> of <span style="font-size: large; font-weight: bold;">14</span>	

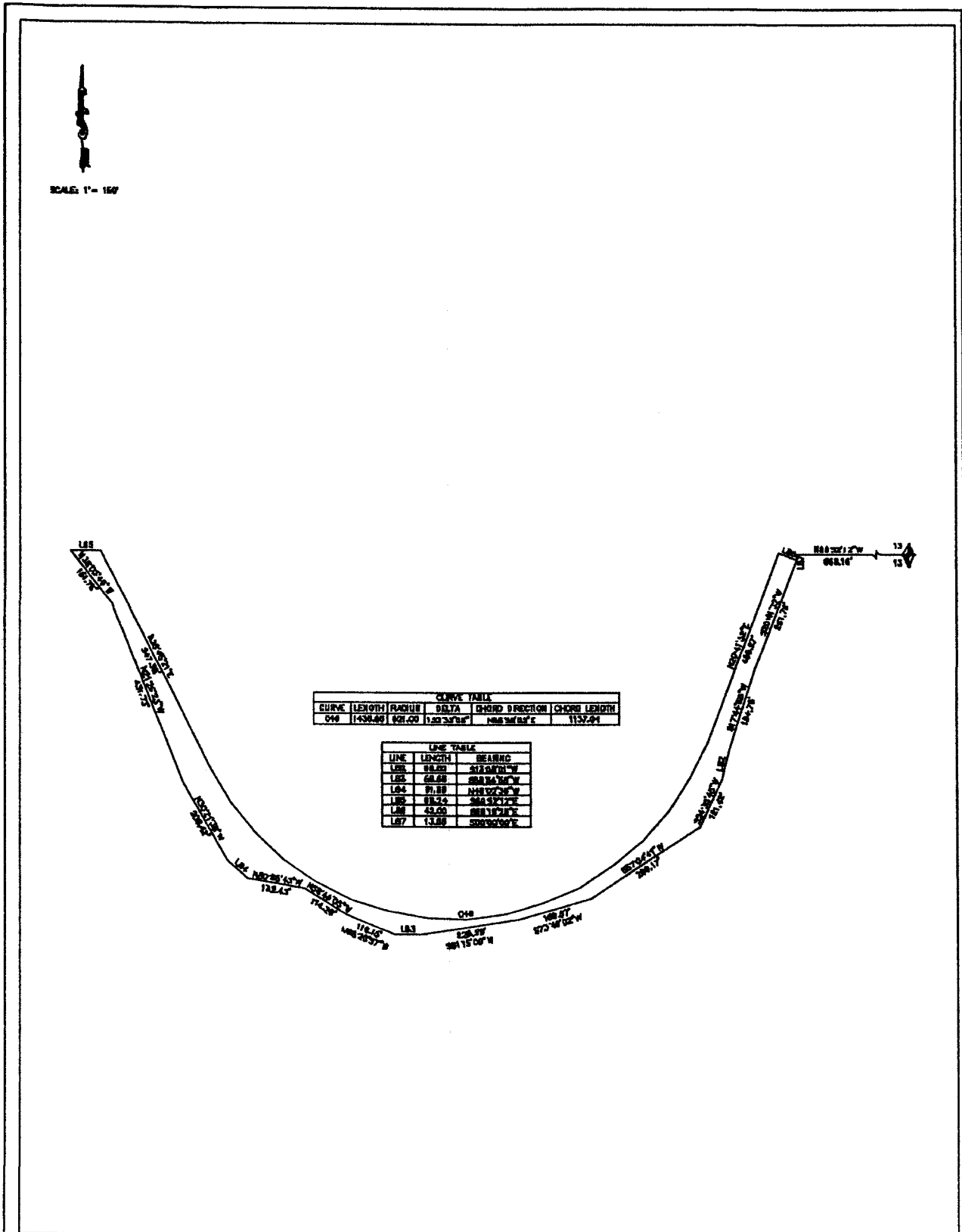




CURVE TABLE				
CHORD LENGTH	ANGLE	DELTA	CHORD BEARING	CHORD LENGTH
1214.97	223.00	134.3377	S68°58'09"V	951.27

LINE TABLE		
LINE	LENGTH	BEARING
L76	10.04	S11°26'01"E
L75	61.18	S11°26'01"E
L80	36.30	S40°31'17"E
L81	36.42	NORTH

	3341 SOUTH 4000 WEST, SUITE A SALT LAKE CITY, UTAH 84120 (801) 888-0600	STICHING MAYFLOWER MT FONDS <hr/> EASEMENT 5:13	DESIGNER ALP CAD JCR	
	50 EAST 100 SOUTH HEBER CITY, UTAH 84002 (435) 834-8800	REVIEWED TEJ	DATE 8/18/07	SHEET 13 of 14
				SHEET 13 of 14



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EASEMENT 5:14

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