

RECORDING REQUESTED
WHEN RECORDED MAIL TO:

American Fork City
Attn: Public Works Director
51 East Main Street
American Fork, Utah 84003



ENT 50430:2021 PG 1 of 13
ANDREA ALLEN
UTAH COUNTY RECORDER
2021 Mar 17 10:02 am FEE 0.00 BY JR
RECORDED FOR AMERICAN FORK CITY

Space above for Recorder's Use Only

OWNER ACKNOWLEDGMENT
AND UTILITY LIABILITY INDEMNIFICATION

This OWNER ACKNOWLEDGMENT AND UTILITY LIABILITY INDEMNIFICATION (the "Agreement") is made this 23 day of 14.23.20, 2020 (the "Effective Date"), by Castlewood development, a Company (company / individual) (herein after referred to as the "Owner").

RECITALS

- A. WHEREAS, Owner is the current owner of that certain real property located in the City of American Fork, County of Utah, State of Utah, as more particularly described on Exhibit "A" attached hereto (herein after referred to as the "Property").
- B. WHEREAS, Owner of its own volition has proposed a sewer system for the Property which includes a single 6-inch sewer line potentially serving multiple tenants or users (herein after referred to as the "Sewer System"). Sewer System is shown the building/site utility map as indicated in Exhibit "B" attached hereto.
- C. WHEREAS, Owner, of its own volition, has proposed as water system for the Property, which includes a single 2-inch water line potentially serving multiple tenants or users (herein after referred to as the "Water System"). Water System is shown the building/site utility map as indicated in Exhibit "B" attached hereto.
- D. WHEREAS, Owner acknowledges that it has been instructed by the City of American Fork (herein after referred to as the "City") that any greasy waste, for which a grease trap will be required for any of the multiple units considered, will necessitate a separate discharge line extending from the building to the sewer main line or at an approved combination (sanitary sewer/greasy waste line) manhole.

- E. WHEREAS, American Fork City Code 17.5.131 (B)(2)(b) allows such connections provided that Owner assures the following: (1) the providing of adequate assurances of continued unified ownership, (2) the submittal of a document, acceptable to the City, indemnifying the City against damages that may occur to tenants within the building as a result of a malfunction of the common utility system and agreeing to retro-fit the utility system to provide individual water and sewer laterals to each unit in the event of a sale of any of the units within the building to a separate owner.

AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner hereby agrees as follows:

1. Owner agrees that this Agreement will run in perpetuity with the Property and remain in force inuring to the benefit of both the City and any successors and/or assigns of the Owner.
2. Owner agrees that Property will continue to be held in an undivided condition and will not be divided into separate or sub-ownership without further approval by City in accordance with City ordinances and laws of the State of Utah. If property and/or buildings are subsequently divided by a future action in accordance with said laws, the provisions stated herein with regard to separation of utilities shall apply in full force per applicable City standards in effect at the time of the future action.
3. Owner does hereby agree to hold the City harmless in the event that there is a water or sewer service problem on the Property as a result of the Water System or Sewer System.
4. Owner does hereby agree to defend, indemnify, hold harmless, and insure the City against any and all damages, expenses or liabilities resulting from or arising out of a blockage or malfunction of the Water System or Sewer System, including damage to the premises, building, site, or any occupant thereof.
5. Owner agrees and acknowledges that if at such time in the future a condominium application or an application of its type is made to separate the ownership for the building located on the Property into multiple owners or ownership separation designations, the various units proposed at that time will require reconstruction of the Water System and Sewer System to provide separate water and sewer service laterals to each separate ownership unit. These separate water and sewer service laterals shall be constructed in accordance with the City standards in effect at the time of the request.
6. Owner agrees that if a proposed use or tenant requires a grease trap or other type of special treatment system for allowable discharge into the City sanitary sewer system,

Sewer System will be modified to add such systems as deemed necessary by the City at the time of building permit or business license application.

7. Miscellaneous

- a. Captions; Incorporation by Reference. The captions used herein are for convenience only and are not a part of this Agreement and do not in any way limit or amplify the terms and provisions hereof.
- b. Exhibits. Each of the Exhibits attached to this Agreement is hereby incorporated into this document as if set forth in full herein.
- c. Interpretation; Governing Law. This Agreement shall be construed as if prepared by all parties hereto. This Agreement shall be governed by and construed under the laws of the State of Utah.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF the Grantor hereto has executed this Agreement as of the date first above written.

OWNER:

Jeffrey Duke
(Signature)

Jeffrey Duke
(Printed Name)

Manager
(Title)

(Signature)

(Printed Name)

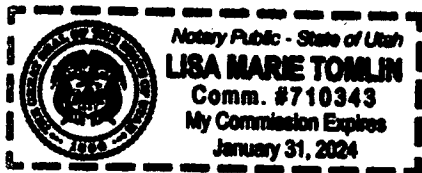
(Title)

ACKNOWLEDGMENT

STATE OF UTAH)

COUNTY OF Utah) : ss.

On the 23rd day of December, 2021, before me personally appeared Jeffrey A Duke and N/A, Owner(s) of said Property, as (individuals and/or authorized representatives of a company), and acknowledged to me that such individuals or company executed the within instrument freely of their own volition and pursuant to the articles of organization where applicable.



Notary Public

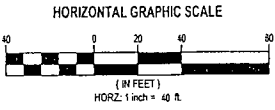
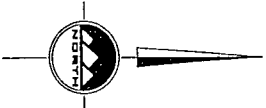
Lisa Marie Tomlin

EXHIBIT A

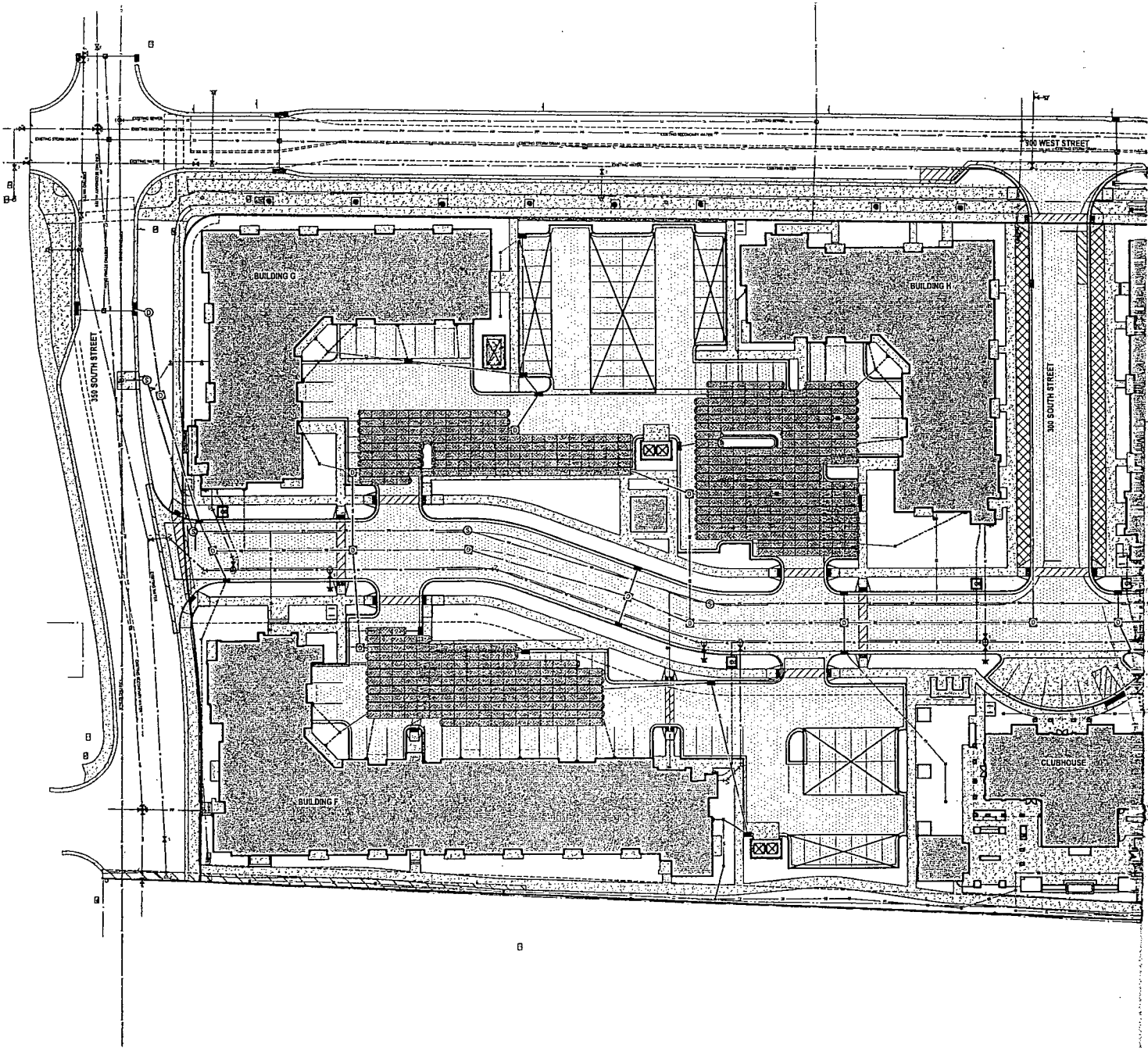
Beginning at a point on the south line of 200 South Street said point being South 89°59'22" West 2465.02 feet and North 1022.37 feet from the East Quarter Corner of Section 22 Township 5 South, Range 1 East and running

thence South 02°24'06" West 1,069.47 feet to the North line of 350 South Street;
thence North 89°28'52" West 71.77 feet along the North line of said 350 South Street;
thence Westerly 60.65 feet along the arc of a 503.00 foot radius curve to the left (center bears South 00°31'08" West and the chord bears South 87°03'53" West 60.61 feet with a central angle of 06°54'29");
thence South 83°36'38" West 33.48 feet along the North line of said 350 South Street;
thence Westerly 54.59 feet along the arc of a 447.00 foot radius curve to the right (center bears North 06°23'22" West and the long chord bears South 87°06'34" West 54.56 feet with a central angle of 06°59'51") along the North line of said 350 South Street;
thence North 89°23'31" West 139.42 feet along the North line of said 350 South Street;
thence Northwesterly 31.47 feet along the arc of a 20.00 foot radius curve to the right (center bears North 00°36'29" East and the long chord bears North 44°18'43" West 28.32 feet with a central angle of 90°09'36") along the North line of said 350 South Street to the East line of 900 West Street;
thence North 00°46'05" East 1,031.88 feet along East line of said 900 West Street;
thence Northeasterly 47.17 foot along the arc of a 30.00 feet radius curve to the right (center bears South 89°13'55" East and the chord bears North 45°48'43" East 42.46 feet with a central angle of 90°05'15") along the East line of said 900 West Street to the South line of 200 South Street;
thence South 89°08'40" East 379.83 feet along the Southeasterly line of 200 South Street to the point of beginning.

811 CALL BLUESTAKES
 @ 811 AT LEAST 48 HOURS
 PRIOR TO THE
 COMMENCEMENT OF ANY
 CONSTRUCTION.
 Know what's below.
 Call before you dig.



BENCHMARK
 NORTH HALF OF SECTION 22,
 TOWNSHIP 5 SOUTH, RANGE 1 EAST
 SALT LAKE BASE AND MERIDIAN
 AMERICAN FORK, UTAH COUNTY, UTAH





SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
DUANE RASMUSSEN
6740 SOUTH 1300 EAST, STE. 200
SALT LAKE CITY, UTAH, 84121
CONTACT:
DUANE RASMUSSEN
PHONE: 801-400-0000

CASTLEWOOD AMERICAN FORK APTS

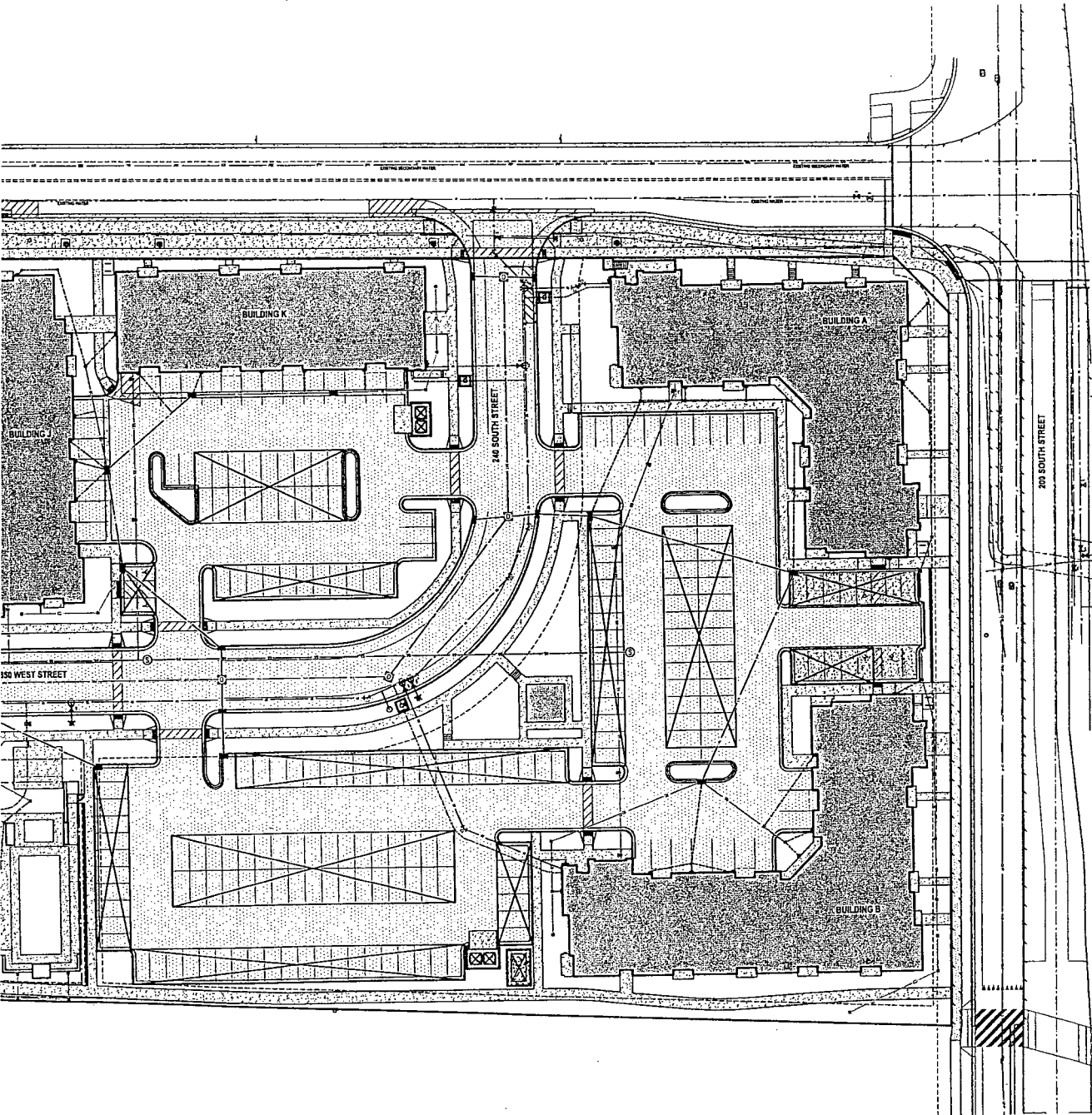
**900 WEST 200 SOUTH
AMERICAN FORK, UTAH**



**OVERALL
UTILITY PLAN**

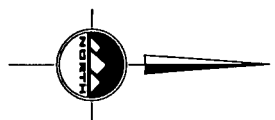
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PRINT DATE: 5/4/20
DRAWN BY: E. FISHER
CHECKED BY: J. FORD
PROJECT MANAGER: J. FORD

C-500



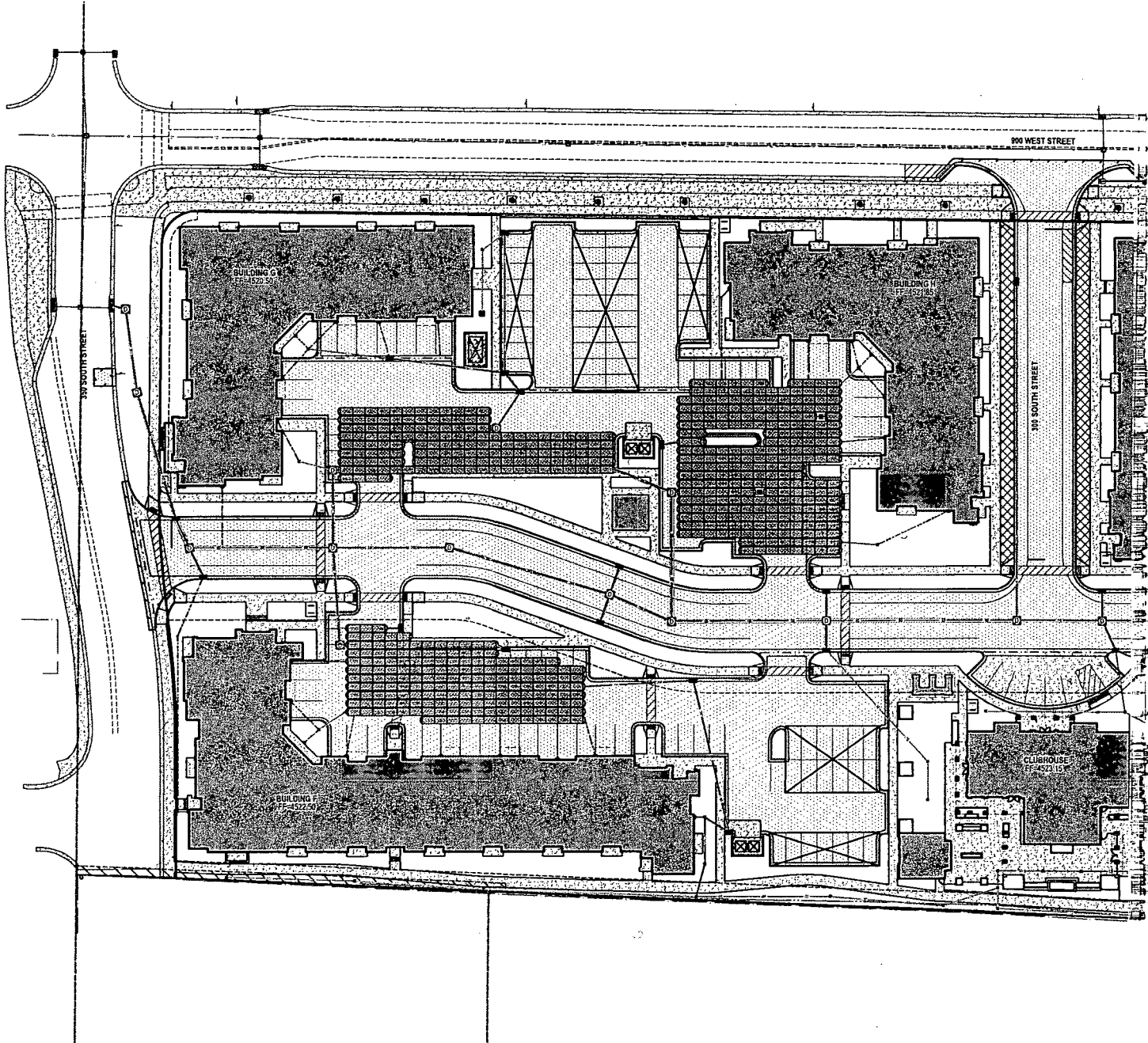
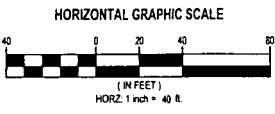
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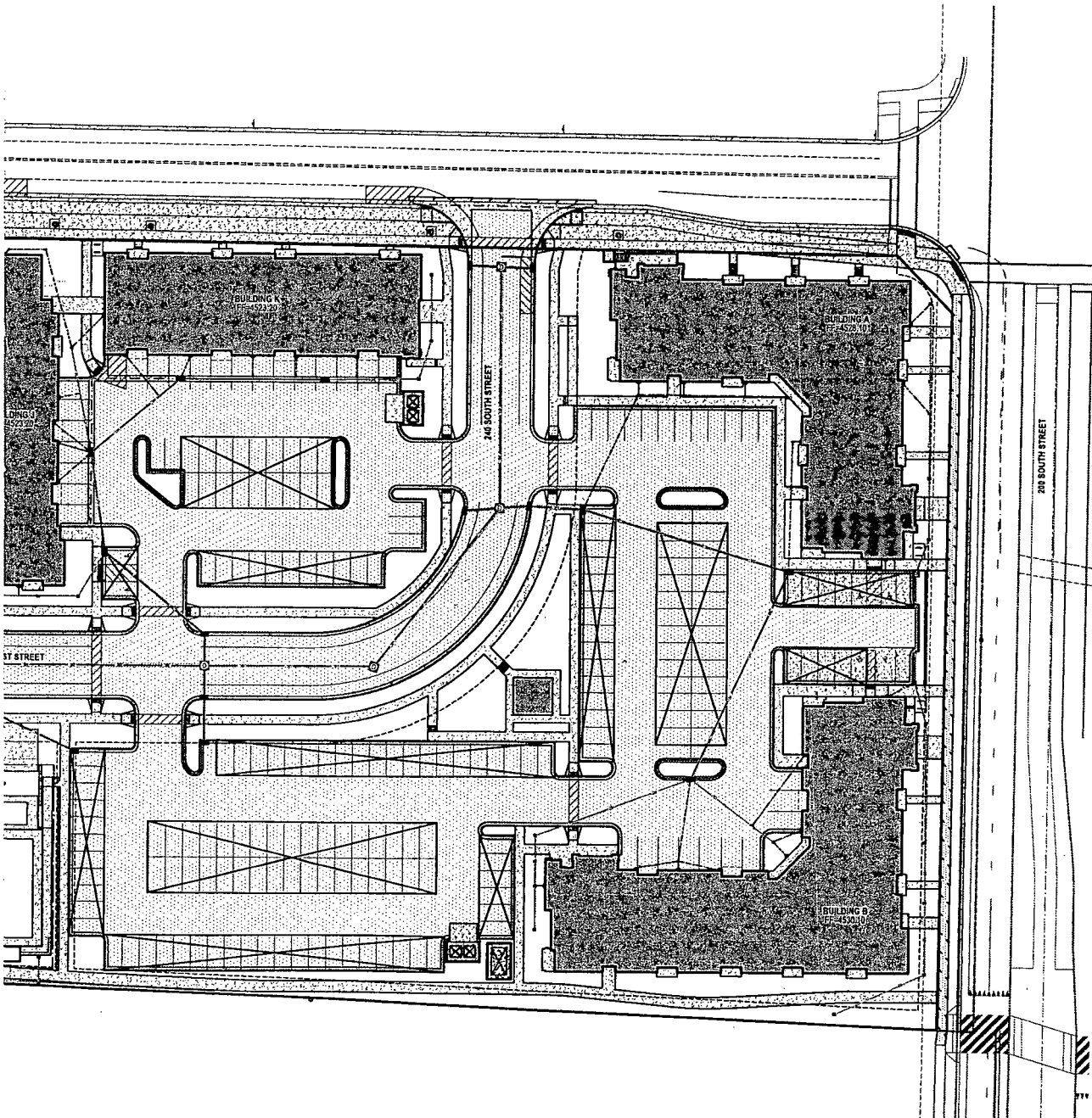
**900 WEST 200 SOUTH
AMERICAN FORK, UTAH**



**OVERALL
DRAINAGE PLAN**

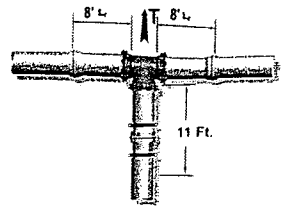
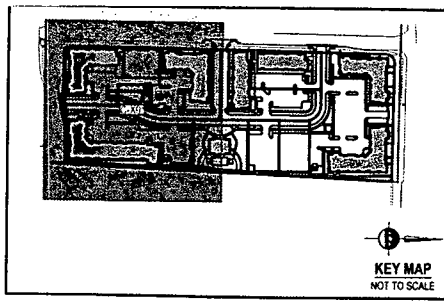
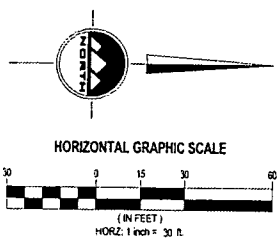
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PRINT DATE: 9/4/20
DRAWN BY: E. FISHER
CHECKED BY: J. FORD
PROJECT MANAGER: J. FORD

C-400

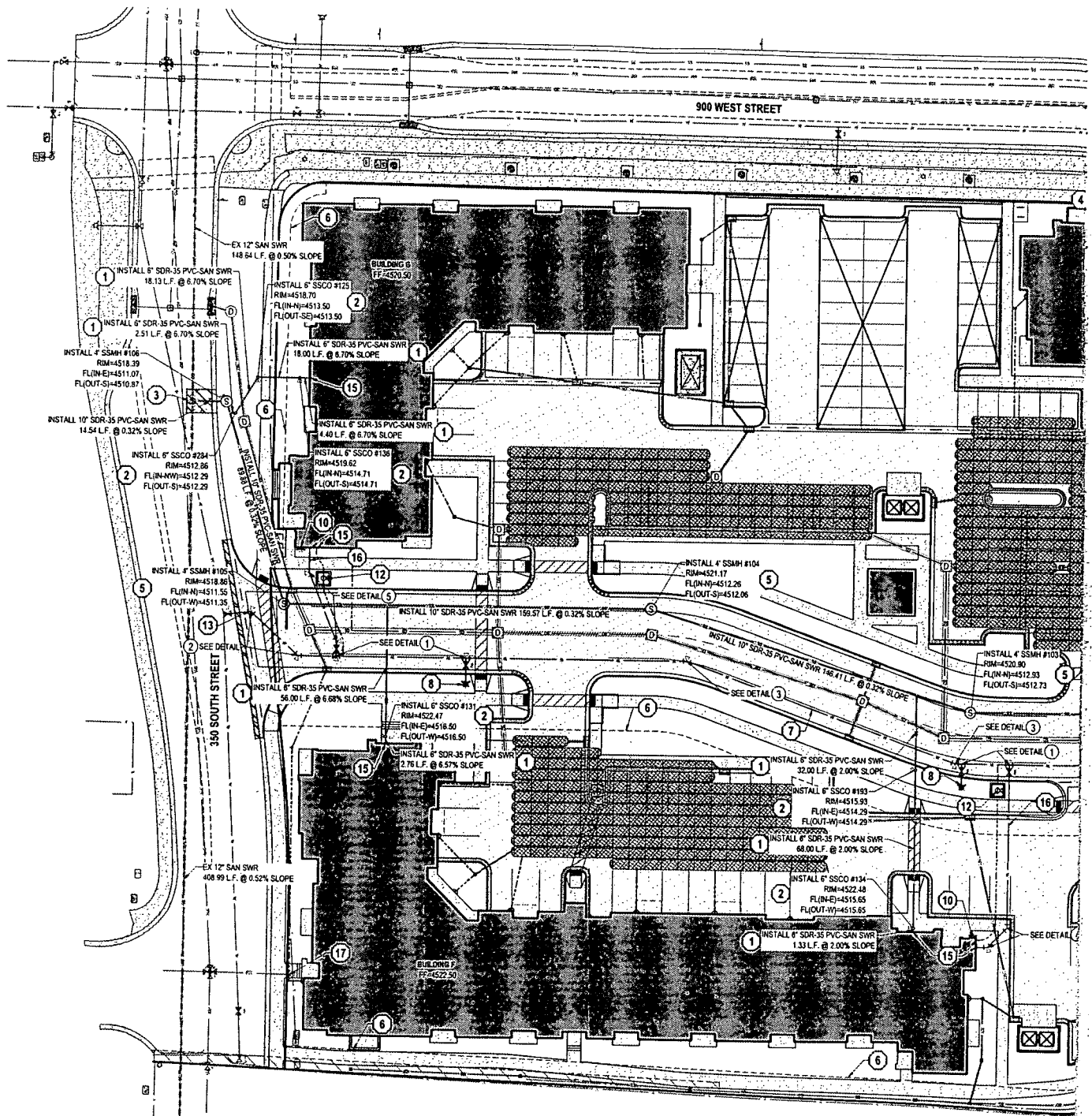


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 AMERICAN FORK, UTAH COUNTY, UTAH



1 8"x6" CROSS RESTRAINT DETAIL



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SALT LAKE CITY, UT, 84121
CONTACT:
DUANE RASMUSSEN
PHONE: 801-000-0000

CASTLEWOOD AMERICAN FORK APTS
900 WEST 200 SOUTH
AMERICAN FORK, UTAH



UTILITY PLAN

PROJECT NUMBER: 82188
PRINT DATE: 9/4/20
DRAWN BY: E. FISHER
CHECKED BY: J. FORD
PROJECT MANAGER: J. FORD

C-501

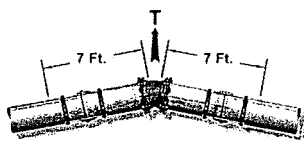
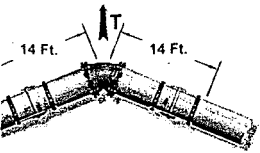
GENERAL NOTES

- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
- ALL SANITARY SEWER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY STANDARD PLANS AND SPECIFICATIONS.
- ALL WATER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY OR APWA STANDARD PLANS AND SPECIFICATIONS.
- DEFLECT OR LOOP ALL WATERLINES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- PROJECT SHALL COMPLY WITH ALL UTAH DIVISION OF DRINKING WATER RULES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO BACKFLOW PROTECTION AND CROSS CONNECTION PREVENTION.
- THE CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL/PLUMBING PLANS.
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- THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
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- ALL SEWER LATERALS MUST CONNECT TO SEWER MAIN USING AN INSERT-A-TEE OR WYE CONNECTION.

SCOPE OF WORK:

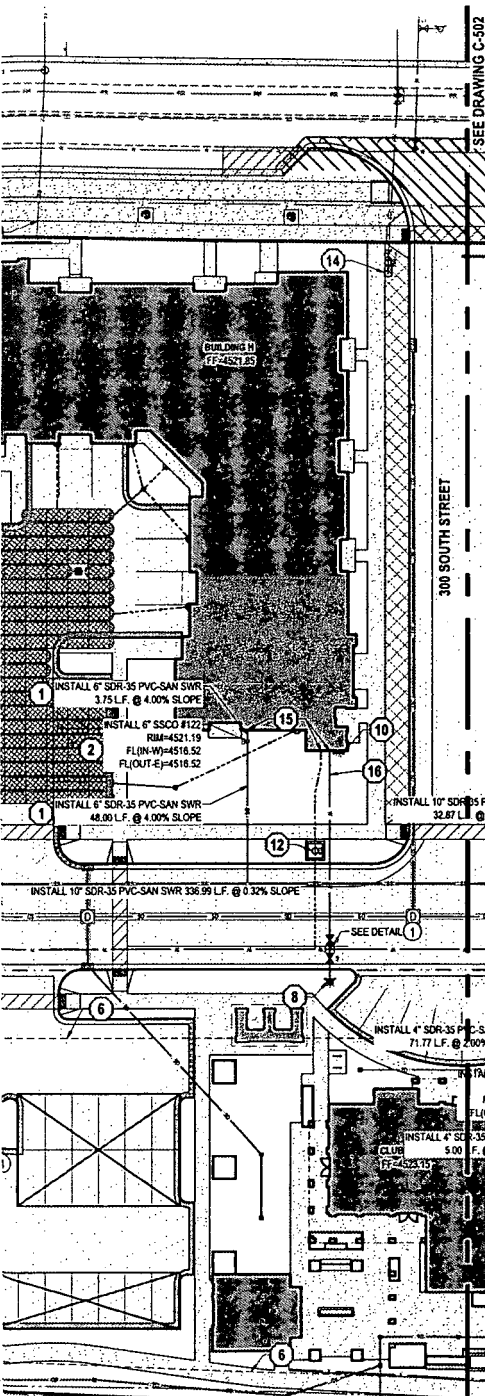
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS.

- SDR-35 PVC SANITARY SEWER LATERAL, INCLUDING CLEANOUTS AT MAXIMUM 75-FOOT SPACING, PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS. SIZE LENGTH AND SLOPE PER PLAN.
- SANITARY SEWER CLEANOUT PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.
- CONNECT TO EXISTING SEWER MAIN PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.
- ABANDON EXISTING SANITARY SEWER LATERAL IN PLACE PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.
- ROTATE MANHOLE CONE TO ORIENT LID TO FURTHEST POSITION FROM LIP OF GUTTER.
- PUBLIC UTILITY EASEMENT. SEE SITE PLANS.
- 8" C-900 POTABLE WATER LINE PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- FIRE HYDRANT ASSEMBLY COMPLETE PER APWA STANDARD PLAN NO. 511 AND SPECIFICATIONS.
- COMBINATION AIR VACUUM VALVE ASSEMBLY PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.
- FIRE DEPARTMENT CONNECTION.
- 1" POTABLE WATER LINE AND METER WITH 1.5' LINE FROM METER TO UNIT PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.
- 2" CULINARY WATER METER AND CONCRETE VAULT PER APWA STANDARD PLAN NO. 505 AND SPECIFICATIONS.
- CONNECT TO EXISTING WATER LINE.
- PRESSURIZED IRRIGATION CONNECTION AND 2" METER PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.
- SEE PLUMBING PLANS FOR CONTINUATION.
- 6" FIRE LINE PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- ABANDON EXISTING PRESSURIZED IRRIGATION LATERAL IN PLACE PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.

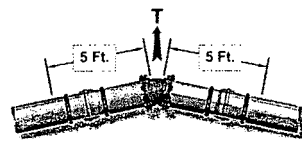
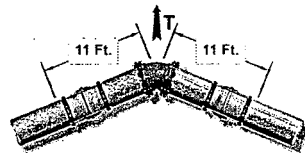


5° BEND RESTRAINT DETAIL

8° 22.5' BEND RESTRAINT DETAIL



SEE DRAWING C-502



4 6° 45' BEND RESTRAINT DETAIL

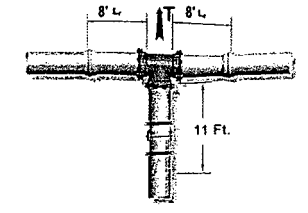
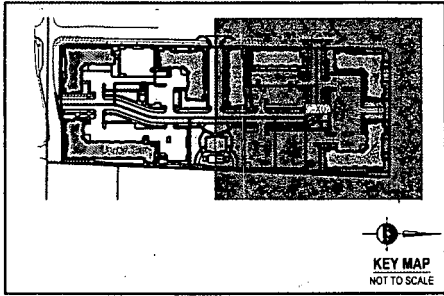
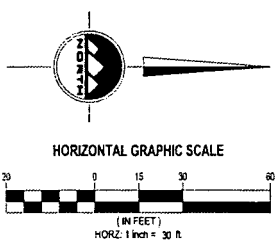
5 6° 22.5' BEND RESTRAINT DETAIL

811
 Know what's below.
 Call before you dig.

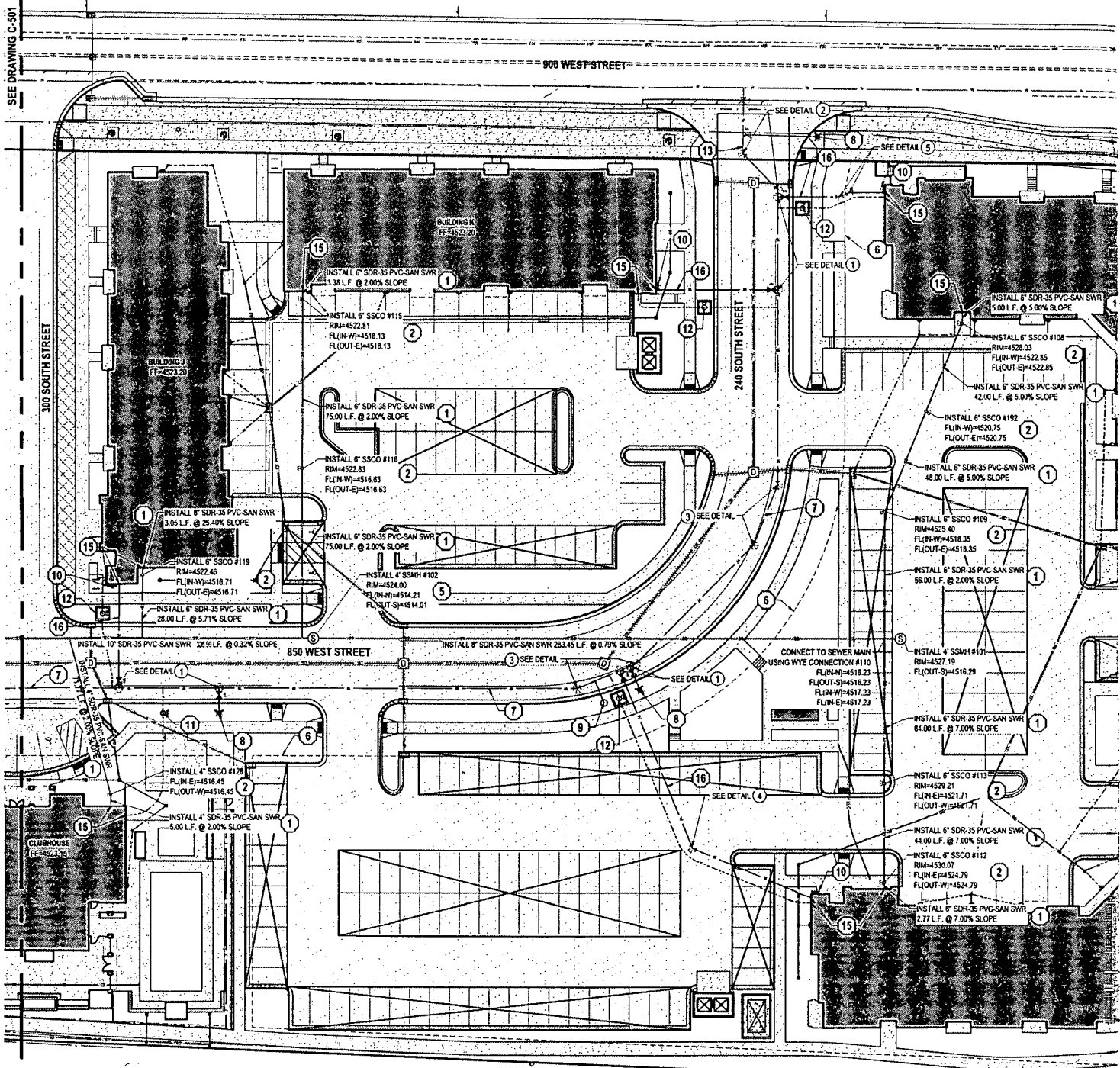
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BENCHMARK

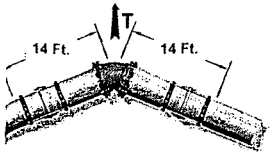
NORTH HALF OF SECTION 22,
 TOWNSHIP 3 SOUTH, RANGE 1 EAST,
 SALT LAKE BASE AND MERIDIAN,
 AMERICAN FORK, UTAH COUNTY, UTAH



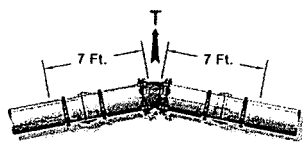
1 8" x 6" CROSS RESTRAINT DETAIL



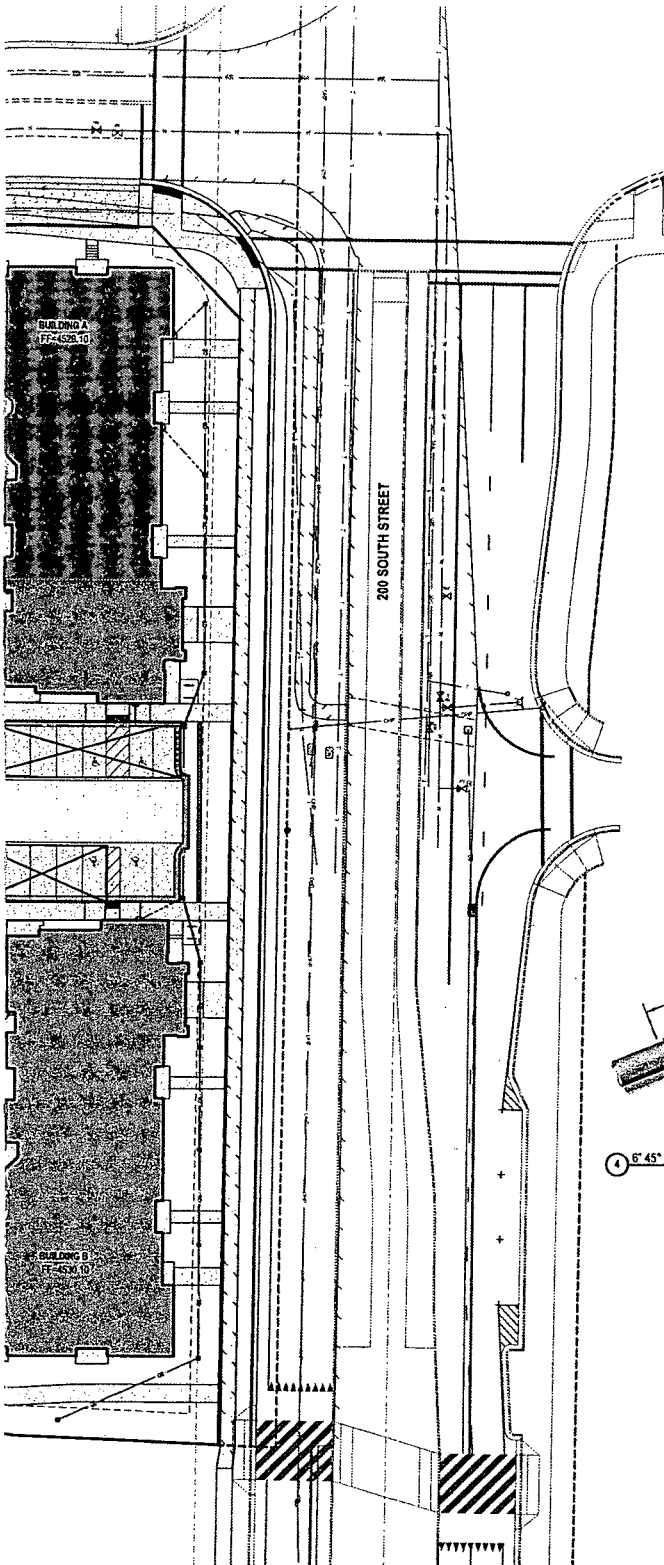
SEE DRAWING C-501



45° BEND RESTRAINT DETAIL



8" 22.5° BEND RESTRAINT DETAIL



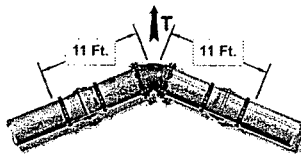
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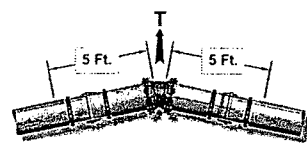
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- ⑥ PUBLIC UTILITY EASEMENT. SEE SITE PLANS.
- ⑦ 8" C-900 PVC POTABLE WATER LINE PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- ⑧ FIRE HYDRANT ASSEMBLY COMPLETE PER APWA STANDARD PLAN NO. 511 AND SPECIFICATIONS.
- ⑨ COMBINATION AIR VACUUM VALVE ASSEMBLY PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.
- ⑩ FIRE DEPARTMENT CONNECTION.
- ⑪ 1" POTABLE WATER LINE AND METER WITH 1.5" LINE FROM METER TO UNIT PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.
- ⑫ 2" CULINARY WATER METER AND CONCRETE VAULT PER APWA STANDARD PLAN NO. 505 AND SPECIFICATIONS.
- ⑬ CONNECT TO EXISTING WATER LINE.
- ⑭ PRESSURIZED IRRIGATION CONNECTION AND 2" METER PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.
- ⑮ SEE PLUMBING PLANS FOR CONTINUATION.
- ⑯ 6" FIRE LINE PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS
- ⑰ ABANDON EXISTING PRESSURIZED IRRIGATION LATERAL IN PLACE PER AMERICAN FORK CITY STANDARDS AND SPECIFICATIONS.



6" 45° BEND RESTRAINT DETAIL



6" 22.5° BEND RESTRAINT DETAIL

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UTILITY PLAN

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