

When Recorded Return to:

Robert S. LeFevre
444 S. Main A-2
Center City, UT 84720

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to Robert S. LeFevre, hereafter referred to as Grantor, by ASH CREEK SPECIAL SERVICE DISTRICT, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the Grantor does hereby grant unto the GRANTEE, its successors and assigns, a construction easement and a perpetual easement (collectively referred to as "the easements") as hereinafter described over, across, under, and through certain land of the GRANTOR known as the Almond Heights Park Subdivision located in the town of Toquerville, UT, to construct, reconstruct, install, replace, remove, repair and maintain an underground sewer pipeline or pipelines, together with the right of ingress and egress through any adjacent lands of the GRANTOR, in Washington County, State of Utah.

This Easement is recorded against the 1972 recorded plat for the Almond Heights Park Subdivision on record at the Washington County Recorders Office.

The construction easement shall be fifty (50) feet in width, twenty-five (25) feet on each side of the side lot lines as hereinafter described, granted for the time of original installation of the facilities to be described herein. The perpetual easement shall be fifteen (15) feet in width, seven and one-half (7.5) feet on each side of the side lot lines, said lot lines being the centerline of the easement.

GRANTOR hereby grants to GRANTEE the temporary use of such adjacent land of GRANTOR as is necessary to install the facilities provided for under the terms of easement granted herein.

It is further understood and agreed that no other easement or easements shall be granted on, under, or over said strip of land by the GRANTOR to any person, firm or corporation without the previous written consent of said GRANTEE.

GRANTOR, and his successors and assigns, shall not increase or decrease, or permit to be increased or decreased, the now existing ground elevations of said easement and right of way without the prior written consent of GRANTEE.

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FOR: LEFEVRE ROBERT S

or vegetation shall be placed, planted or maintained in the portion of easement and right-of-way, and that no changes in the alignment or grading of any such road will be made without prior written consent of the GRANTEE.

GRANTEE shall have the right to construct and utilize an access road within said easement, and to use gates in all fences which now cross said easement; and to trim, cut down or clear away any trees and brush whenever in GRANTEE's judgment it is necessary for the convenience and sage exercise of the rights hereby granted. No additional fences or gates can be constructed across said easement unless approved in writing by GRANTEE. GRANTEE shall also have the right to mark the location of this easement in a manner which will not interfere with GRANTOR'S reasonable and lawful use of said easement.

This instrument shall be binding upon and inure to the benefit of the successors and assigns of GRANTOR.

IN WITNESS WHEREOF, GRANTOR has executed this instrument this 15 day of October, 1997.

GRANTOR(S):

[Signature]

STATE OF UTAH)

IRON)

COUNTY OF WASHINGTON)

On the 15th day of October, ¹⁹⁹⁷~~1998~~, personally appeared before me Robert S. Lefevre, who being duly sworn, did say that he/she/they executed the within and foregoing instrument for the reasons stated therein.



Notary Public
RHEA F PICKERING
Floyd D Pickering CPA PC
444 S. Main Suite C-2
Cedar City, Utah 84720
My Commission Expires
February 2, 1999
State of Utah

[Signature]
NOTARY PUBLIC