

DEED OF EASEMENT

6403656

The Department of Veterans Affairs, acting for and in behalf of the United States of America, hereinafter referred to as the Government, under and by virtue of the authority contained in 40 United States Code 319 (76 Stat. 1129), having determined that it will not be adverse to the interests of the United States, does hereby grant and convey, for and in consideration of the payment of \$1.00, the receipt and sufficiency of which is hereby acknowledged, without covenant or warranty of any kind and subject to the conditions hereinafter stated, unto the State of Utah, City of Salt Lake, hereinafter referred to as the Grantee, its successors and assigns, certain easements (parking lot, drain, water) and right-of-way for an Ingress Egress and Utility line in order to provide the Grantee with access to that certain 2.99 acre parcel of real property conveyed to Grantee by Quitclaim Deed by the Government for the purposes of constructing a State Nursing Home and as more particularly described in Exhibit "1", herein referred to as "said facilities", to be on, over, under, across or through a portion of VA Medical Center, Salt Lake City, Utah, which the undersigned owns or in which the undersigned has an interest in the County of Salt Lake, State of Utah, to wit: attached hereto and made a part hereof. All as described and depicted on Exhibit "1" and "2", attached hereto and made a part hereof.

The Easements are granted subject to the following conditions and provisions:

1. That the Government reserves the rights for all purposes across, over, or under the easement area herein described; such rights, however, to be exercised in a manner which will not create undue interference with the use and enjoyment by the Grantee of said easements, provided that any construction by the Government in connection with the rights so reserved shall be at the expense of the Government.
2. That said facilities shall be installed, operated, maintained, reconstructed, repaired, and replaced by the Grantee, within the easement area without cost to the Government, under the general supervision and subject to the approval of the Government official having immediate jurisdiction over the property. The Grantee shall replace, repair, restore, or relocate any property of the Government affected or damaged directly or indirectly by the construction, reconstruction, installation, operation, maintenance, and replacement of said facilities all to the satisfaction of the Government official having immediate jurisdiction over the property.
3. That no mining operations shall be conducted on the premises described above. No minerals shall be removed therefrom except such as are reasonably necessary incident to the utilization of the described premises for the purpose for which the easements are granted.
4. That the Grantee will indemnify and save the Government harmless from any liability or responsibility of any nature whatsoever arising directly or indirectly from the privileges herein granted.
5. That all right, title, interest, and estate hereby granted shall cease and terminate effective as of the date of written notice from the Government to the Grantee, its successors or assigns, that there has been: (a) a failure to comply with the terms and conditions of the grant; (b) a non-use of the easement for a consecutive two-year period for the purpose for which granted; or, (c) an abandonment of the easements.
6. That upon termination or forfeiture of the grant, the Grantee shall within a reasonable time thereafter, if so requested by the Government, remove from the land hereinafter described all structures, installations, and appurtenances thereto belonging to Grantee and restore the premises to the satisfaction of the Government.

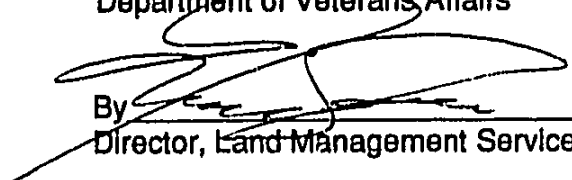
7. The Grantee does, by the acceptance of this instrument, covenant and agree for itself, its assigns, and its successors in interest in property herein conveyed, or any part thereof:

a. That it is now complying and will continue to comply with Title VI of the Civil Rights Act of 1964 and all the requirements imposed by or pursuant to the regulations of the Department of Veterans Affairs issued pursuant to that Title, and that the easements and their appurtenant areas and facilities, whether or not on the property involved, will be operated in full compliance with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to the regulations issued thereunder by the Department of Veterans Affairs and in effect on the date of this instrument, all to the end that no person in the United States shall on the ground of race, color, religion or national origin be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activities provided thereon; and,

b. That the United States shall have the right to judicial enforcement of these covenants not only as to the Grantee, its successors and assigns, but also to lessees and sub-lessees and licensees doing business or extending services under contractual or other arrangements on the interest in property herein conveyed.

IN WITNESS WHEREOF the Department of Veterans Affairs has caused this Deed of Easement to be executed in its name and on its behalf this 1st day of July, 1996.

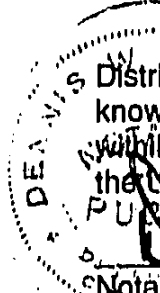
UNITED STATES OF AMERICA,
Acting by and through the Secretary,
Department of Veterans Affairs

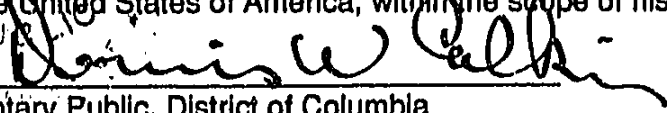

By _____
Director, Land Management Service (184A)

CITY OF WASHINGTON]

DISTRICT OF COLUMBIA]

ON THIS 1 day of July, 1996, before me a Notary Public in and for said District of Columbia, personally appeared to me as George L. Szwarcman, well known and known by me to be Director, Land Management Service, whose name is subscribed to the within instrument and acknowledged that he executed the same as a voluntary act and deed of the United States of America, within the scope of his lawful authority.




Notary Public, District of Columbia

My commission expires:

~~DENNIS W. CALVEY
NOTARY PUBLIC DISTRICT OF COLUMBIA
MY COMMISSION EXPIRES FEBRUARY, 1998~~

I, Robert B. Jones, Salt Lake City, Utah, do hereby certify that I am a registered land surveyor and that I hold License No. 127636 as prescribed by the laws of the State of Utah, and I have supervised a survey of the following described property:

Beginning at a fence corner which is South 5777.57 feet and East 4219.85 feet from the Northwest corner of Section 4, Township 1 South, Range 1 East, Salt Lake Base and Meridian; said fence corner also being North 89°59'50" East 1993.94 feet, and North 0°05'20" East 1002.31 feet from U.S. Military Monument No. 1, and said fence corner also being North 89°59'50" East 1059.14 feet, and North 0°05'20" East 1060.51 feet from the Salt Lake City Monument in the intersection of Diestel Road and Sunnyside Avenue; and running thence North 46°13'51" West 105.58 feet to a fence corner; thence North 77°25'32" West along a fence line 34.75 feet; thence North 06°24'00" West 83.67 feet to a point of a tangent curve to the left, the radius point of which is South 83°36'00" West 32.50 feet; thence Westerly along the arc of said curve, and through a central angle of 108°34'55", 61.59 feet to a point of tangency; thence South 65°01'05" West 32.45 feet to a point on a curve to the right, the radius point of which is North 14°30'36" East 91.50 feet; thence Northwesterly along the arc of said curve, and through a central angle of 26°15'43", 41.94 feet to a point of a compound curve to the right, the radius point of which is North 14°30'36" East 7.50 feet; thence Northerly along the arc of said curve, and through a central angle of 89°18'38", 11.69 feet to a point of a reverse curve to the left, the radius point of which is North 49°55'03" West 122.00 feet; thence Northeasterly along the arc of said curve and through a central angle of 39°47'38", 84.55 feet to a point of a reverse curve to the right, the radius point of which is South 89°37'41" East 336.71 feet; thence Northeasterly along the arc of said curve and through a central angle of 38°33'15", 226.57 feet to a point of a compound curve to the right, the radius point of which is South 51°04'25" East 13.00 feet; thence Easterly along the arc of said curve and through a central angle of 89°58'37", 20.42 feet to a point of tangency; thence South 51°05'48" East 485.63 feet to a 6.0 foot chain link fence line; thence South 41°01'30" West along said fence line 206.34 feet to a fence corner; thence South 71°28'11" West along said fence line 130.37 feet to the point of beginning.
Contains 130,269 Square Feet, or 2.991 Acres.

Together with
INGRESS, EGRESS EASEMENT AND RIGHT OF WAY (SHADED AREA SHEET C-1)

To provide access to the aforementioned property from Foothill Boulevard
Beginning at a point which is South 5656.00 feet and East 4105.16 feet from the Northwest corner of
Section 4, Township 1 South, Range 1 East, Salt Lake Base and Meridian; said point also being North
89°59'50" East 1879.06 feet, and North 0°05'20" East 1123.29 feet from U.S. Military
Monument No. 1, and said point also being North 89°59'50" East 944.26 feet, and North
0°05'20" East 1181.49 feet from the Salt Lake City Monument in the intersection of Diestel Road
and Sunnyside Avenue; and running thence North 77°28'06" West 74.71 feet; thence North
70°15'09" West 74.13 feet; thence North 62°52'06" West 50.80 feet; thence North
40°04'57" East 60.60 feet to a point of a curve to the left, the radius point of which is North
49°55'03" West 81.50 feet; thence along the arc of said curve 56.49 feet, and through a central
angle of 39°42'38" to a point of a reverse curve to the right, the radius point of which is North
89°37'14" West 377.21 feet; thence along the arc of said curve 253.82 feet, and through a central
angle of 38°33'15"; thence North 38°15'39" East 134.39 feet; thence North 37°26'39"
East 396.86 feet; thence North 37°47'01" East 427.92 feet; thence North 4°53'50" West
40.98 feet; thence North 37°58'38" East 34.73 feet to a point on the Southwesterly right of way
line of Foothill Boulevard, said point also being on a curve to the right, the radius point of which is
South 37°58'38" West 1860.08 feet; thence Southeasterly along the arc of said curve and right of
way line 155.25 feet, through a central angle of 4°46'56"; thence South 42°45'34" West
31.32 feet; thence South 85°06'10" West 65.64 feet; thence South 39°28'09" West 86.82
feet; thence South 42°01'42" West 485.06 feet; thence South 37°24'16" West 277.04 feet;
thence South 4°06'39" East 59.79 feet; thence South 51°05'48" East 248.18 feet; thence
South 38°54'12" West 37.80 feet; thence North 51°05'48" West 272.19 feet to a point of a
curve to the left, the radius point of which is South 38°54'12" West 13.00 feet; thence Westeery along the
arc of said curve 20.42 feet, through a central angle of 89°58'37" to a point of a compound curve
to the left, the radius point of which is South 51°04'25" East 336.71 feet; thence Southwesterly along the arc of
said curve 226.57 feet, through a central angle of 38°33'15" to a point of a reverse curve to the
right, the radius point of which is North 89°37'41" West 122.00 feet; thence Southwesterly along the arc of said
curve 84.56 feet, and through a central angle of 39°42'38" to a point of a reverse curve to the left,
the radius point of which is South 49°55'03" East 7.50 feet; thence Southerly along the arc of said curve
11.69 feet, and through a central angle of 89°18'39" to a point of a compound curve to the left, the
radius point of which is North 40°46'19" East 91.50 feet; thence Southeasterly along the arc of said curve
41.94 feet, and through a central angle of 26°15'43"; thence North 65°01'05" East 32.45 feet
to a point of a curve to the right, the radius point of which is South 24°58'55" East 32.50 feet;
thence Easterly along the arc of said curve 61.59 feet, and through a central angle of 108°34'55"; thence
South 6°24'00" East 43.05 feet to the point of beginning.

Subject to the following easements:

PARKING LOT EASEMENT

Beginning at a point which is South 5600.64 feet and East 4027.17 feet from the Northwest corner of Section 4, Township 1 South, Range 1 East, Salt Lake Base and Meridian; said point also being North 89°59'50" East 1800.98 feet, and North 0°05'20" East 1179.25 feet from U.S. Military Monument No. 1, and said point also being North 89°59'50" East 866.18 feet, and North 0°05'20" East 1237.95 feet from the Salt Lake City Monument in the intersection of Diestel Road and Sunnyside Avenue; and running thence North 9°24'41" East 9.00 feet to a point of tangency with a curve to the left, the radius point of which is North 80°35'19" West 5.00 feet, thence Northerly and Westerly along the arc of said curve 7.85 feet through a central angle of 90°00'00"; thence North 80°35'19" West 13.00 feet; thence North 9°24'41" East 82.00 feet; thence South 80°35'10" East 15.00 feet to a point of tangency with a curve to the left, the radius point of which is North 9°24'41" East 5.00 feet, thence Easterly and Northerly along the arc of said curve 7.85 feet through a central angle of 90°00'00"; thence North 9°24'41" East 4.00 feet; thence South 80°35'19" East 43.00 feet; thence South 9°24'41" West 73.00 feet; thence North 80°35'19" West 13.00 feet to a point on a curve to the left, the radius point of which is South 9°24'41" West 5.00 feet; thence Westerly and Southerly along the arc of said curve 7.85 feet through a central angle of 90°00'00"; thence South 9°24'41" West 9.89 feet; thence South 65°01'05" West 30.30 feet to the point of beginning.

SOFT WATER EASEMENT (Centerline description of 10' wide easement)

Beginning at a point on the South property line which is South 5588.76 feet and East 4052.667 feet from the Northwest corner of Section 4, Township 1 South, Range 1 East, Salt Lake Base and Meridian; said point also being North 89°59'50" East 1826.46 feet, and North 0°05'20" East 1191.13 feet from U.S. Military Monument No. 1, and said point also being North 89°59'50" East 891.66 feet, and North 0°05'20" East 1249.33 feet from the Salt Lake City Monument in the intersection of Diestel Road and Sunnyside Avenue; and running thence North 12°51'49" East; thence North 42°42'20" East 89.20 feet; thence North 47°17'40" West 125.67 feet to the West property line.

WATER EASEMENT #1 (Centerline description of 10' wide easement)

Beginning at a point which is South 5592.57 feet and East 4044.49 feet from the Northwest corner of Section 4, Township 1 South, Range 1 East, Salt Lake Base and Meridian; said point also being North 89°59'50" East 1818.29 feet, and North 0°05'20" East 1187.32 feet from U.S. Military Monument No. 1, and said point also being North 89°59'50" East 883.49 feet, and North 0°05'20" East 1245.52 feet from the Salt Lake City Monument in the intersection of Diestel Road and Sunnyside Avenue; and running thence North 73°01'49" West 53.39 feet to a point on a curve to the left, the radius point of which is North 49°56'53" West 130.00 feet; thence Northerly along the arc of said curve 90.03 feet, and through a central angle of 39°40'48" to a point of a reverse curve to the right, the radius point of which is South 89°37'41" East 328.71 feet; thence Northerly along the arc of said curve 92.26 feet, and through a central angle of 16°04'51"; thence North 46°39'58" West 8.94 feet to the west property line.

WATER EASEMENT #2 (Centerline description of 10' wide easement)

Beginning at a point which is South 5576.98 feet and East 3993.427 feet from the Northwest corner of Section 4, Township 1 South, Range 1 East, Salt Lake Base and Meridian; said point also being North 89°59'50" East 1767.20 feet, and North 0°05'20" East 1202.91 feet from U.S. Military Monument No. 1, and said point also being North 89°59'50" East 832.40 feet, and North 0°05'20" East 1261.11 feet from the Salt Lake City Monument in the intersection of Diestel Road and Sunnyside Avenue; and running thence North 73°01'49" West 7.99 feet to the west property line.

STORM DRAIN EASEMENT #1 (Centerline description of 10' wide easement)

Beginning at a point on the South property line which is South 5700.04 feet and East 4123.45 feet from the Northwest corner of Section 4, Township 1 South, Range 1 East, Salt Lake Base and Meridian; said point also being North 89°59'50" East 1897.42 feet, and North 0°05'20" East 1079.85 feet from U.S. Military Monument No. 1, and said point also being North 89°59'50" East 962.62 feet, and North 0°05'20" East 1138.05 feet from the Salt Lake City Monument in the intersection of Diestel Road and Sunnyside Avenue; and running thence North 20°42'19" West 35.89 feet; thence North 8°51'21" West 196.32 feet; thence North 2°53'55" East 143.73 feet to the center of an existing catch basin; thence North 6°04'04" West 35.88 feet to the West Property

STORM DRAIN EASEMENT #2 (Centerline description of 10' wide easement)

Beginning at the center of an existing catch basin which is South 5328.94 feet and East 4087.80 feet from the Northwest corner of Section 4, Township 1 South, Range 1 East, Salt Lake Base and Meridian; said point also being North 89°59'50" East 1861.19 feet, and North 0°05'20" East 1450.95 feet from U.S. Military Monument No. 1, and said point also being North 89°59'50" East 926.39 feet, and North 0°05'20" East 1509.15 feet from the Salt Lake City Monument in the intersection of Diestel Road and Sunnyside Avenue; and running thence North 48°33'48" East 49.89 feet to the Northerly property line.

I further certify that this plat correctly shows the true dimensions of the property surveyed, and that the visible improvements affecting the boundary lines of the above described property are as shown.



4-29-96
DATE

Kenneth Wilson

BOUNDARY SURVEY	Project Title	VAMC SURVEY	Date	26 APR 96
			Project No.	43669
Drawn	Building Number		DRAWING No.	
KGB			C-2	
Checked	Location		Dwg. of	
RBJ	VAMC, Salt Lake City, Utah.			

4110 State Office Bldg
SCE, UT 84114
BK 7441 PG 1608

6403656
07/11/96 1:05 PM**NO FEE**
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
UTAH ST-FAC.CONST.& MANAGEMENT
REC BY:B GRAY DEPUTY - MP