

ENT 67998:2015 PG 1 of 17
JEFFERY SMITH
UTAH COUNTY RECORDER
2015 Jul 29 9:48 am FEE 92.00 BY CLS
RECORDED FOR LOVELAND, LUKE

## **AGREEMENT**

THIS EASEMENT AGREEMENT is entered into by the "SPRING CREEK RANCH" individual property owners regarding an "Easement" which currently crosses Landowner's property (hereafter "Landowner"), and references Blue Spring Properties LLC "Easement User", (hereafter "User"), or its assigns, as such property is described in attached Exhibit "A" (legal description of Blue Spring Properties LLC).

The Landowner hereto agrees as follows:

This Easement Agreement Letter relates to the existing easement shown in (exhibit "B"). The following agreement outlines the Landowner and User responsibilities and liabilities related to the easement. "Landowner" intends to use their property for purposes that will not interfere with "User" access rights to the Easement and will not damage the pipe.

- 1. Easement Irrigation clean outs are to be blocked out from Landowner(s) property by existing fence, and remain fully accessible at all times from east side of property owned by Blue Spring Properties (located at lot 1, 4-5, 9, 15, 20).
- 2. No structures, sheds, concrete, to be built on top of 24" RCP easement area.
- 3. No trees to be planted within 9' feet of property line.
- 4. Access to easement to be granted to Users at any time for issues related to irrigation pipe.
- 5. Homeowner has the ability to move and re-construct existing, "no climb" mesh fence to each individual property line to comply with Lehi City standards at their own expense.
- 6. Fence must be same style of fence in place, 6 foot agriculture fence with no climb wire mesh.
- 7. Fence to be maintained by landowner at all times.

- 8. Fence must be continuous with no gaps. In the case that a particular landowner moves the fence to the property line, and the neighboring Landowner does not move their fence back simultaneously, the individual Landowner that opted to move the fence first, MUST enclose and fill gaps with same 6 foot agricultural, no climb fence, keeping the fence continuous at all times. This provision is required to be completed in the five day period (explained in the following Bullet #9).
- 9. Each individual Landowner will have FIVE days total to complete the new construction of the fence once the take down process has commenced. The new fence must be back up with in the five day period including any gaps (Ref. Bullet #8).
- 10. Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, acknowledge the existing "original wire farm fence" must stay in place located to the East of each Landowner's property line.
- 11. Landowner is responsible for any property damage or damage to pipe as result of moving the fence.
- 12. Easement property is to be maintained by Landowners.
- 13. No garbage, debris, grass clippings to be placed on easement or around clean out areas.
- 14. In the case of a broken or damaged 24" RCP Pipe, User may access easement through Landowner's property, address necessary repairs, and agrees to return landscaping back to original form.
- 15. Landowner maintains that no irrigation or sprinkler lines to cross 24" RCP.
- 16. User is responsible and liable for maintaining and cleaning out the pipe.
- 17. No vehicles of any kind can be driven on the pipe or easement areas.
- 14. Access to the boxes shall be available to the Users by way of a permanent access easement as shown in exhibit "B". The access easement will be recorded at the Utah County Recorder's office.
- 15. The terms and conditions contained in this Letter Agreement shall apply to, inure to the benefit of, and be binding upon, the parties hereto and their respective heirs, legal representatives, successors and permitted assigns.

16. This Letter Agreement shall be construed and enforced in accordance with the laws of the State of Utah. If any legal action or other proceeding is brought for the enforcement of this Letter Agreement, or because of an alleged dispute, breach, default or misrepresentation in connection with any of the provisions of this Letter Agreement, the successful or prevailing party or parties shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which it or they may be entitled.

Landowner hereby agrees to the terms and conditions of this Easement Agreement. The parties hereto attest that they have the authority to sign on behalf of the Landowner.

[Notary Signature Pages Follow]

Parcel # 66:396:0001	
41400	
Luke Loveland  Kaitlin Loveland  Mailing address: 857 E 1630 S LEHI, U	Т 84043
State of Utah County of Salt Lake On this 24th day of Unit 2015.  Luke and Kaitlin Loveland personally appeared before me, and proved to me through satisfactory evidence of identification, which were in Dito be the person whose name is signed on the preceding or alloched document in my prosonally in the person whose name is signed on the preceding or alloched document in my prosonally in the person whose name is signed on the preceding or alloched document in my prosonally in the person whose pure in the person whose person is a person whose person in the person whose person is a person whose person whose person whose person is a person whose p	HEATHER GARVOILLE NOTARY PUBLIC - STATE OF UTAH My Comm. Exp. 03/04/2018 Commission # 674761
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Brandon Archibald	
Kelsey Archibald Mailing address: 879 E 1630 S LEHI, U	Т 84043
State of State County of County Office County Offi	TAMMARA EATON Notary Public State of Utah Comm. No. 679229 My Comm. Expires Sep 26, 2018
Parcel #66:396:003  ES 156041 Le  Mailing address: 310 S MAIN ST # 1420	0 SALT LAKE CITY, UT 84101-2116
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Jayme Waite Mailing address: 907 E 1630 S LEHI, UT 84043		
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GREGORY S BRANDT  Notary Public  State of Utah  Comm. No. 669363  My Comm. Expires Aug 28, 2017		

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Building Construction Partners LLC
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Mailing address: 170 S INTERSTATE PLAZA STE 250 LEHI, UT 84043
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Whitney Hadlock Mailing address: 7045 W 9600 N LEHI, UT 84043	3-2737
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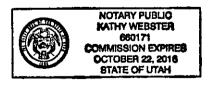


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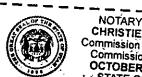
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Fabio M. Marques Mailing address: 1829 S 900 E LEHI, UT 84043
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Mitchell Dean LLC Mailing address: 1270 W 1130 S # 145 OREM, UT 84058-3833
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Brandon Nilson
Rachel Nilson (ET AL) Mailing address: 1863 S 900 E LEHI, UT 84043
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Fabio M. Marques Mailing address: 1829 S 900 E LEHI	I, UT 84043
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Parcel #66:396:15



NOTARY PUBLIC CHRISTIE HANSEN Commission No. 660087 Commission Expires OCTOBER 16, 2016 STATE OF UTAH

Parcel #66:396:0018 Beardwalk Spring Creek LLC Mailing address: 8899 S 700 E SANDY, UT 84070 county or Salt Lake On this 24 Dray of TU personally appeared before me, and proved to me through **CASEY MAY** satisfactory evidence of idensification, which were HC **NOTARY PUBLIC-STATE OF UTAH** to be the person whose name is signed on the preceding or NOTARY NAME PLANE NOOT PLANE LLY COMMISSION CAPIES COMMISSION# 680843 COMM, EXP 01-14 11 Parcel #66:396:0019 Boardwalk Spring Creek LLC Mailing address: 8899 S 700 E SANDY, UT 84070 County of Salt Lake State of Util On this ZCIIA day of JUNE TEFF MANSEL personally appeared before me, and proved to me through satisfactory evidence of identification, which were CASEY MAY NOTARY PUBLIC-STATE OF UTAH to be the person whose name is signed on the proceding or attached document in my present NOTART NAME HERD OCCUY PURC My Commission E-wres COMMISSION# 680843 COMM. EXP. 01-14-2019 Parcel #66:396:20 Boardwalk Spring Creek LLC Mailing address: 8899 S 700 E SANDY, UT 84070 County of Salt Lake State of LIXAN On this 24 D day of JMO 20 S

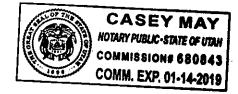
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## EXHIBIT "A" Description of "User" Property

Serial Number: 13:039:0026

Legal Description: COM S 0 DEG 2' 42" W 424.56 FT & W 307.84 FT FR E 1/4 COR. SEC. 21 T5S R1E SL8&M.; S 1 DEG 1' 14" W 518.41 FT; N 89 DEG 41' 7" W 721.42 FT; N 1 DEG 11' 11" E 766.25 FT; S 89 DEG 27' 38" E 321.35 FT; S 0 DEG 5' 37" E 245.86 FT; S 89 DEG 35' 14" E 393.05 FT TO BEG; S 3 DEG 9' 27" E .004 FT TO BEG. AREA 10.418 AC.

Serial Number:13:039:0027

Legal Description: COM S 0 DEG 2' 42" W 942.89 FT & W 316.67 FT FR E 1/4 COR. SEC. 21 T5S R1E SLB&M.; S 1 DEG 8' 7" W 774.56 FT; N 89 DEG 8' 32" W 721.11 FT; N 1 DEG 7' 4" E 767.72 FT; S 89 DEG 41' 7" E 721.41 FT TO BEG; N 2 DEG 33' 39" E .001 FT TO BEG. AREA 12.768 AC.

## EXHIBIT "B"

## **Easement Description**

LOT 1, PLAT K, SPRING CREEK RANCH SUB AREA 0.222 AC. LOT 2, PLAT K, SPRING CREEK RANCH SUB AREA 0.201 AC. LOT 3, PLAT K, SPRING CREEK RANCH SUB AREA 0.194 AC. LOT 4, PLAT K, SPRING CREEK RANCH SUB AREA 0.272 AC. LOT 5, PLAT K, SPRING CREEK RANCH SUB AREA 0.291 AC. LOT 6, PLAT K, SPRING CREEK RANCH SUB AREA 0.189 AC. LOT 7, PLAT K, SPRING CREEK RANCH SUB AREA 0.193 AC. LOT 8, PLAT K, SPRING CREEK RANCH SUB AREA 0.193 AC. LOT 9, PLAT K, SPRING CREEK RANCH SUB AREA 0.193 AC. LOT 10, PLAT K, SPRING CREEK RANCH SUB AREA 0.193 AC. LOT 11, PLAT K, SPRING CREEK RANCH SUB AREA 0.193 AC. LOT 12, PLAT K, SPRING CREEK RANCH SUB AREA 0.193 AC. LOT 13, PLAT K, SPRING CREEK RANCH SUB AREA 0.193 AC. LOT 14, PLAT K, SPRING CREEK RANCH SUB AREA 0.193 AC. LOT 15, PLAT K, SPRING CREEK RANCH SUB AREA 0.192 AC. LOT 16, PLAT K, SPRING CREEK RANCH SUB AREA 0.192 AC. LOT 17, PLAT K, SPRING CREEK RANCH SUB AREA 0.192 AC. LOT 18, PLAT K, SPRING CREEK RANCH SUB AREA 0.191 AC. LOT 19. PLAT K. SPRING CREEK RANCH SUB AREA 0.192 AC. LOT 20, PLAT K, SPRING CREEK RANCH SUB AREA 0.227 AC.