

When recorded return to:  
Snyderville Basin Water Reclamation District  
2800 Homestead Road, Park City, Utah 84098

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ALAN SPRIGGS, SUMMIT CO RECORDER  
2005 DEC 05 11:52 AM FEE \$1.00 BY GGB  
REQUEST: SHYDERVILLE BASIN STD

**GRANT OF EASEMENT  
FOR CONSTRUCTION AND MAINTENANCE OF WASTEWATER COLLECTION  
AND TRANSPORTATION PIPELINE(S)**

PIVOTAL PROMONTORY DEVELOPMENT, L.L.C., a(n) Arizona limited liability company, Grantor, does hereby convey and warrant to the Snyderville Basin Water Reclamation District, a special District of the state of Utah, (the District) Grantee, of Summit County, Utah, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, a permanent non-exclusive easement and right-of-way for the purpose of constructing, operating and maintaining one or more underground pipelines in the non-exclusive easement granted herein for the collection and transportation of wastewater as permitted by the District in the exclusive discretion of the District, over, across, through and under the premises of the Grantor situated in Summit County, Utah which are more specifically described as follows:

**Easement A (Promontory Ridge)**

A 50.00 foot wide sanitary sewer easement, lying 25.00 feet perpendicularly distant on each side of the following described centerline all within Promontory Ridge Subdivision road right of ways; and being more particularly described as follows:

Beginning at a point located South 01°28'53" East 2372.19 feet and East 259.39 feet from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°42'38" East 4821.42 feet between the Southwest Corner of said Section 35 and the Northeast Corner of said Section 2, both corners being found monuments) said point being on the center line of Promontory Ranch Road (a.k.a.. Access Easement No. 1) and running thence South 14°23'44" West 127.04 feet; to a point of curvature of a 250.00 foot radius curve to the right, the center of which bears South 36°13'01" West, thence along the arc of said curve 190.43 feet through a central angle of 43°38'33"; thence South 58°02'17" West 255.37 feet; to a point of curvature of a 1000.00 foot radius curve to the right, the center of which bears South 61°48'17" West, thence along the arc of said curve 131.48 feet through a central angle of 7°32'00"; thence South 65°34'17" West 364.34 feet; to a point of curvature of a 150.00 foot radius curve to the left, the center of which bears South 34°20'39" West, thence along the arc of said curve 163.51 feet through a central angle of 62°27'17"; thence South 03°07'00" West 429.93 feet; to a point of curvature of a 500.00 foot radius curve to the right, the center of which bears South 05°33'55" West, thence along the arc of said curve 42.73 feet through a central angle of 4°53'49"; thence

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South 08°00'49" West 172.21 feet; to a point of curvature of a 1000.00 foot radius curve to the left, the center of which bears South 01°23'55" West, thence along the arc of said curve 230.91 feet through a central angle of 13°13'48"; thence South 05°12'59" East 203.84 feet; to a point of curvature of a 685.00 foot radius curve to the right, the center of which bears South 17°43'07" West, thence along the arc of said curve 548.40 feet through a central angle of 45°52'12"; thence South 40°39'13" West 502.32 feet to the point of terminus.

### **Easement B (Promontory Ridge)**

A 50.00 foot wide sanitary sewer easement, lying 25.00 feet perpendicularly distant on each side of the following described centerline all within Promontory Ridge Subdivision road right of ways; and being more particularly described as follows:

Beginning at a point located South 01°28'53" East 2013.81 feet and West 62.73 feet from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°42'38" East 4821.42 feet between the Southwest Corner of said Section 35 and the Northeast Corner of said Section 2, both corners being found monuments), said point being on the center line of Promontory Ranch Road (a.k.a. Access Easement No. 1), and running thence South 80°01'05" West 99.51 feet to a point of curvature of a 100.00 foot radius curve to the right, the center of which bears North 52°56'46" West, thence along the arc of said curve 164.19 feet through a central angle of 94°04'17" to a point of curvature of a 150.00 foot radius curve to the left, the center of which bears North 77°52'52" West, thence along the arc of said curve 376.84 feet through a central angle of 143°56'29"; thence South 30°08'53" West 132.17 feet to a point of curvature of a 350.00 foot radius curve to the left, the center of which bears South 14°19'12" West, thence along the arc of said curve 193.38 feet through a central angle of 31°39'23"; thence South 01°30'30" East 88.91 feet to a point of curvature of a 500.00 foot radius curve to the right, the center of which bears South 11°50'52" West, thence along the arc of said curve 233.11 feet through a central angle of 26°42'43"; thence South 25°12'13" West 292.62 feet to a point of curvature of a 350.00 foot radius curve to the right, the center of which bears South 41°36'22" West, thence along the arc of said curve 200.39 feet through a central angle of 32°48'17"; thence South 58°00'30" West 143.27 feet to a point of curvature of a 150.00 foot radius curve to the left, the center of which bears South 07°38'13" East, thence along the arc of said curve 343.72 feet through a central angle of 131°17'26"; thence South 73°16'56" East 143.98 feet to a point of curvature of a 250.00 foot radius curve to the right, the center of which bears South 63°02'55" East, thence along the arc of said curve 89.31 feet through a central angle of 20°28'02" to a point of curvature of a 300.00 foot radius curve to the left, the center of which bears South 69°50'57" East, thence along the arc of said curve 178.38 feet through a central angle of 34°04'06"; thence South 86°53'00" East 34.28 feet to SBWRD Easement A of Promontory Ridge Subdivision and the point of terminus, the sidelines of said easement to be lengthened or shortened so as to terminate on said Easement A.

### **Easement C (Promontory Ridge)**

A 50.00 foot wide sanitary sewer easement, lying 25.00 feet perpendicularly distant on each side of the following described centerline all within Promontory Ridge Subdivision road right of ways; and being more particularly described as follows:

Beginning at a point located South 01°28'53" East 4532.82 feet and West 782.15 feet from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°42'38" East 4821.42 feet between the Southwest Corner of said Section 35 and the Northeast Corner of said Section 2, both corners being found monuments), said point being on Promontory Ridge Subdivision SBWRD Easement A, and running thence South 66°32'58" East 40.87 feet to a point of curvature of a 100.00 foot radius curve to the right, the center of which bears South 19°59'00" East, thence along the arc of said curve 162.55 feet through a central angle of 93°07'55"; thence South 26°34'57" West 180.93 feet to a point of curvature of a 250.00 foot radius curve to the left, the center of which bears South 04°38'03" West, thence along the arc of said curve 191.54 feet through a central angle of 43°53'48" to a point of curvature of an 800.00 foot radius curve to the right, the center of which bears South 06°05'59" East, thence along the arc of said curve 313.17 feet through a central angle of 22°25'44"; thence South 05°06'53" West 71.55 feet to the point of terminus

### **Easement D (Dye Course Cabins)**

A 50.00 foot wide sanitary sewer easement, lying 25.00 feet perpendicularly distant on each side of the following described centerline all within Dye Course Cabins Subdivision road right of ways; and being more particularly described as follows:

Beginning at a point located South 01°28'53" East 2074.90 feet and West 657.70 feet from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°42'38" East 4821.42 feet between the Southwest Corner of said Section 35 and the Northeast Corner of said Section 2, both corners being found monuments), said point being on Promontory Ridge Subdivision SBWRD Easement B, and running thence North 69°21'57" West 29.28 feet to a point of curvature of a 150.00 foot radius curve to the right, the center of which bears North 52°55'21" West, thence along the arc of said curve 86.10 feet through a central angle of 32°53'12" to a point of reverse curvature of a 150.00 foot radius curve to the left, the center of which bears North 62°43'35" West, thence along the arc of said curve 137.43 feet through a central angle of 52°29'40"; thence North 88°58'25" West 70.66 feet to a point of curvature of a 175.00 foot radius curve to the right, the center of which bears North 39°14'17" West, thence along the arc of said curve 303.82 feet through a central angle of 99°28'15"; thence North 10°29'50" East 466.66 feet to a point of curvature of a 1500.00 foot radius curve to the left, the center of which bears North 06°22'29" East, thence along the arc of said

curve 215.85 feet through a central angle of  $8^{\circ}14'42''$ ; thence North  $02^{\circ}15'08''$  East 277.84 feet to a point of curvature of a 130.00 foot radius curve to the left, the center of which bears North  $68^{\circ}37'02''$  West, thence along the arc of said curve 321.60 feet through a central angle of  $141^{\circ}44'21''$ ; thence South  $40^{\circ}30'47''$  West 194.36 feet to a point of curvature of a 750.00 foot radius curve to the left, the center of which bears South  $52^{\circ}11'29''$  West, thence along the arc of said curve 305.74 feet through a central angle of  $23^{\circ}21'24''$ ; thence South  $63^{\circ}52'11''$  West 224.55 feet to a point of curvature of a 300.00 foot radius curve to the left, the center of which bears South  $25^{\circ}47'17''$  West, thence along the arc of said curve 398.79 feet through a central angle of  $76^{\circ}09'47''$ ; thence South  $12^{\circ}17'36''$  East 350.96 feet to a point of curvature of a 1000.00 foot radius curve to the left, the center of which bears South  $21^{\circ}33'22''$  East, thence along the arc of said curve 323.34 feet through a central angle of  $18^{\circ}31'33''$ ; thence South  $30^{\circ}49'09''$  East 55.72 feet to a point of curvature of a 150.00 foot radius curve to the right, the center of which bears South  $04^{\circ}46'34''$  West, thence along the arc of said curve 186.38 feet through a central angle of  $71^{\circ}11'26''$ ; thence South  $40^{\circ}22'17''$  West 87.00 feet to a point of curvature of a 200.00 foot radius curve to the left, the center of which bears South  $09^{\circ}16'46''$  West, thence along the arc of said curve 217.06 feet through a central angle of  $62^{\circ}11'02''$ ; thence South  $21^{\circ}48'45''$  East 234.81 feet to a point of curvature of a 350.00 foot radius curve to the left, the center of which bears South  $52^{\circ}14'01''$  East, thence along the arc of said curve 371.66 feet through a central angle of  $60^{\circ}50'31''$  to a point of compound curvature of a 200.00 foot radius curve to the left, the center of which bears North  $82^{\circ}31'21''$  East, thence along the arc of said curve 103.48 feet through a central angle of  $29^{\circ}38'45''$  to a point of reverse curvature of a 100.00 foot radius curve to the right, the center of which bears South  $85^{\circ}55'33''$  East, thence along the arc of said curve 92.06 feet through a central angle of  $52^{\circ}44'57''$  to a point of reverse curvature of a 200.00 foot radius curve to the left, the center of which bears South  $66^{\circ}48'31''$  East, thence along the arc of said curve 50.67 feet through a central angle of  $14^{\circ}30'53''$ ; thence South  $74^{\circ}03'57''$  East 70.48 feet to SBWRD Easement B of Promontory Ridge Subdivision and the point of terminus, the sidelines of said easement to be lengthened or shortened so as to terminate on said Easement B.

### **Easement E (Promontory Ridge)**

A 50.00 foot wide sanitary sewer easement, lying 25.00 feet perpendicularly distant on each side of the following described centerline all within Promontory Ridge Subdivision road right of ways; and being more particularly described as follows:

Beginning at a point located South  $01^{\circ}28'53''$  East 3947.47 feet and West 734.99 feet from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South  $89^{\circ}42'38''$  East 4821.42 feet between the Southwest Corner of said Section 35 and the Northeast Corner of said Section 2, both corners being found monuments), said point being on Promontory Ridge Subdivision SBWRD Easement A and running thence South  $87^{\circ}29'54''$  West 40.87 feet to a point of curvature of a 100.00 foot radius curve to the right, the center of which bears North

43°57'40" West, thence along the arc of said curve 169.44 feet through a central angle of 97°04'53" to a point of curvature of a 125.00 foot radius curve to the left, the center of which bears North 38°02'50" West, thence along the arc of said curve 186.00 feet through a central angle of 85°15'15"; thence North 80°40'28" West 153.08 feet to a point of curvature of a 300.00 foot radius curve to the right, the center of which bears North 67°59'24" West, thence along the arc of said curve 132.83 feet through a central angle of 25°22'08"; thence North 55°18'20" West 100.01 feet to a point of curvature of a 300.00 foot radius curve to the left, the center of which bears North 70°28'50" West, thence along the arc of said curve 158.91 feet through a central angle of 30°21'00"; thence North 85°39'20" West 88.59 feet to a point of curvature of a 500.00 foot radius curve to the left, the center of which bears South 82°48'13" West, thence along the arc of said curve 201.42 feet through a central angle of 23°04'53"; thence South 71°15'47" West 142.71 feet to a point of curvature of a 250.00 foot radius curve to the left, the center of which bears South 57°18'59" West, thence along the arc of said curve 121.71 feet through a central angle of 27°53'36" to the point of terminus, the sidelines of said easement to be lengthened or shortened so as to terminate on said Easement A.

#### **Easement F (Promontory Ridge)**

A 30.00 foot wide sanitary sewer easement, lying 15.00 feet perpendicularly distant on each side of the following described centerline all within Promontory Ridge Subdivision and being more particularly described as follows:

Beginning at a point located South 01°28'53" East 3518.94 feet and West 1547.18 feet from the Northeast Corner of Section 2, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°42'38" East 4821.42 feet between the Southwest Corner of said Section 35 and the Northeast Corner of said Section 2, both corners being found monuments), said point being on Promontory Ridge SBWRD Easement E and running thence South 06°18'24" West 10.68 feet to a point of curvature of a 50.00 foot radius curve to the left, the center of which bears South 26°03'25" East, thence along the arc of said curve 56.49 feet through a central angle of 64°43'38"; thence South 58°25'14" East 128.31 feet to a point of curvature of a 225.00 foot radius curve to the right, the center of which bears South 11°06'52" East, thence along the arc of said curve 371.54 feet through a central angle of 94°36'45"; thence South 36°11'31" West 154.33 feet to the point of terminus.

Also granting to the Snyderville Basin Water Reclamation District a perpetual non-exclusive right of ingress and egress to and from and along said right-of-way and with the right to operate, maintain, repair, replace, augment and/or remove the pipelines deemed necessary by the District for the collection and transportation of wastewater; also the right to trim, clear or remove, at any time from said right-of-way any tree, brush, structure or obstruction of any character whatsoever, which in the sole judgment of the Grantee may endanger the safety of or

interfere with the operation of Grantee's facilities. The Grantor and its successors in interest hereby forever relinquish the right to construct any improvement which would interfere with the operation, replacement or repair of the pipelines constructed and maintained under the provisions of this non-exclusive easement and covenant and agree that no improvement, trees or structures will be constructed over the surface of the easement granted herein, without the express written consent in advance of the Grantee, which would interfere with the right of the Grantee to operate, maintain, repair or replace the sewer pipeline constructed by or for the Grantee.

Also granting to the Snyderville Basin Water Reclamation District a perpetual non-exclusive right of ingress and egress to the above described permanent non-exclusive easement over, across, and through the premises of the Grantor situated in Summit County, Utah which are more specifically described as follows:

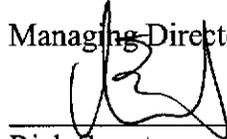
The non-exclusive easement granted herein is subject to the condition that the Grantee shall indemnify and hold harmless, the Grantor, its heirs and successors against any and all liability caused by the acts of the Grantee, its contractors or agents, during the construction, operation or maintenance of the sewer pipeline provided for in this easement; the Grantor's right to indemnification or to be held harmless by the Grantee under the terms of this paragraph are expressly conditioned upon prompt and immediate notice to the Grantee of any claim or demand which would cause a claim against the Grantee and upon the Grantee's right to defend any claim against the Grantor which would cause a claim of indemnification against the Grantor. This provision shall not be interpreted or construed to waive the rights of the Grantee to the affirmative defenses to claims provided under the Utah Governmental Immunity Act.

WITNESS the hand of said Grantor this 23rd day of November, 2005.

PIVOTAL PROMONTORY DEVELOPMENT, L.L.C., an  
Arizona limited liability company

Its: ~~Managing Director~~

By:

  
\_\_\_\_\_  
Rich Sonntag

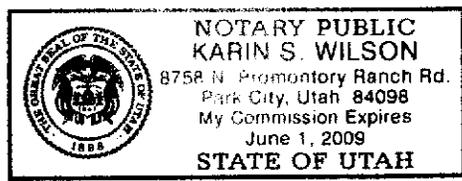
State of Utah )  
County of Summit ) :ss

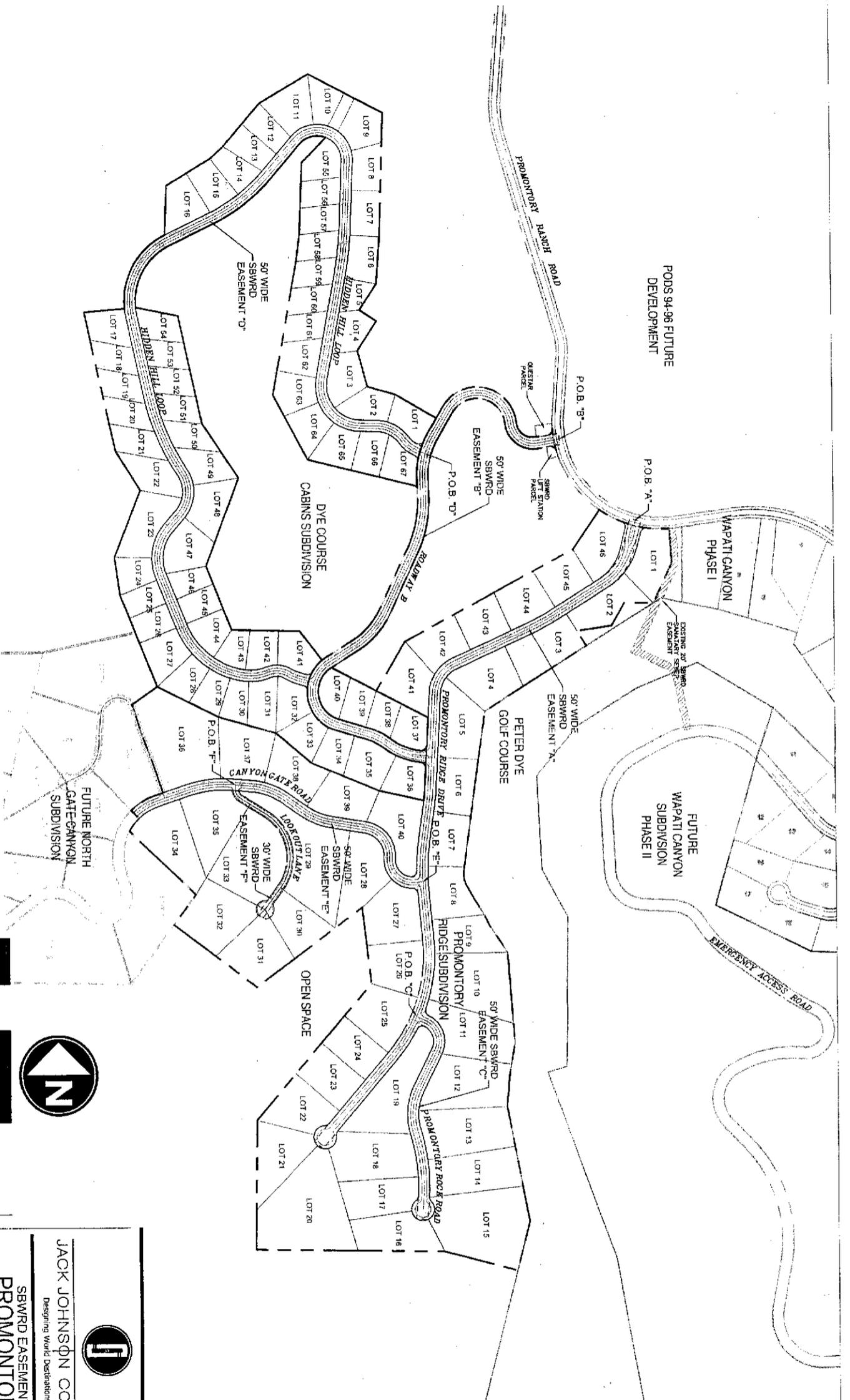
The foregoing was acknowledged before me this 23rd day of November, 2005 by Rich Sonntag, Managing Director of Pivotal Promontory Development, LLC.

*[Handwritten Signature]*

Notary Public  
Residing at: Park City, UT

My Commission Expires:  
6/1/09





PODS 94-96 FUTURE DEVELOPMENT

P.O.B. 'A'

P.O.B. 'B'

P.O.B. 'C'

P.O.B. 'D'

P.O.B. 'E'

P.O.B. 'F'

P.O.B. 'G'

P.O.B. 'H'

P.O.B. 'I'

P.O.B. 'J'

P.O.B. 'K'

P.O.B. 'L'

P.O.B. 'M'

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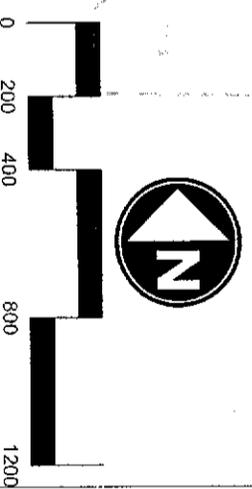
P.O.B. 'P'

P.O.B. 'Q'

P.O.B. 'R'

P.O.B. 'S'

P.O.B. 'T'



**JACK JOHNSON COMPANY**  
Designing World Destinations

**SBWRD EASEMENTS  
PROMONTORY RIDGE  
& DYE COURSE CABINS**  
SUNMOUNT COUNTY, UT

Scale: AS/AS Prepared/Planning Engineers/Promontory Ridge & Dye Course Cabins SBWRD Easements  
file date: November 21, 2005 | plotted by: BK