

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

000761648 BK01757 Pg00846 01846  
ALAN SPRIGGS, SUMMIT CO RECORDER  
2005 DEC 14 10:48 AM FEE \$1.00 BY GGE  
REQUEST: SNYDERVILLE BASIN SID

**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 and PIVOTAL PROMONTORY, L.L.C., a(n) Arizona limited liability company, Grantors, do 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 Grantors situated in Summit County, Utah which are more specifically described as follows:

**Easement A**

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

Beginning at a point which bears South 89°11'05" East along the Section Line 2950.95 feet and North 50.24 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°11'05" East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12, 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 North 57°51'54" East 256.76 feet to a point of curvature of a 450.00 foot radius curve to the right, the center of which bears North 87°17'58" East, thence along the arc of said curve 457.97 feet through a central angle of 58°18'39" to a point of reverse curvature of a 250.00 foot radius curve to the left, the center of which bears North 87°50'29" East, thence along the arc of said curve 249.70 feet through a central angle of 57°13'37" to a point of reverse curvature of a 250.00 foot radius curve to the right, the center of which bears North 80°46'43" East, thence along the arc of said curve 188.07

**RECORDER'S NOTE**

LEGIBILITY OF WRITING, TYPING OR  
PRINTING UNSATISFACTORY IN THIS  
DOCUMENT WHEN RECEIVED.

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feet through a central angle of 43°06'06"; thence South 77°40'14" East 236.41 feet to a point of curvature of a 350.00 foot radius curve to the left, the center of which bears South 88°31'47" East, thence along the arc of said curve 132.67 feet through a central angle of 21°43'07" to a point of compound curvature of a 215.00 foot radius curve to the left, the center of which bears North 55°37'20" East, thence along the arc of said curve 194.14 feet through a central angle of 51°44'15"; thence North 29°45'12" East 105.52 feet to a point of curvature of a 100.00 foot radius curve to the right, the center of which bears North 46°12'28" East, thence along the arc of said curve 57.44 feet through a central angle of 32°54'32"; thence North 62°39'44" East 146.24 feet to a point of curvature of a 100.00 foot radius curve to the left, the center of which bears North 22°12'36" West, thence along the arc of said curve 296.26 feet through a central angle of 169°44'40"; thence South 72°55'04" West 135.28 feet to a point of curvature of a 100.00 foot radius curve to the right, the center of which bears North 80°19'45" West, thence along the arc of said curve 93.39 feet through a central angle of 53°30'23"; thence North 53°34'33" West 91.02 feet; to a point of curvature of a 100.00 foot radius curve to the left, the center of which bears North 82°38'19" West, thence along the arc of said curve 101.45 feet through a central angle of 58°07'31"; thence South 68°17'56" West 195.37 feet to a point of curvature of a 100.00 foot radius curve to the right, the center of which bears North 74°42'08" West, thence along the arc of said curve 129.15 feet through a central angle of 73°59'52" to a point of compound curvature of a 165.00 foot radius curve to the right, the center of which bears North 02°17'25" East, thence along the arc of said curve 230.35 feet through a central angle of 79°59'14"; thence North 42°17'02" East 374.87 feet to a point of curvature of a 153.00 foot radius curve to the left, the center of which bears North 46°34'03" West, thence along the arc of said curve 474.53 feet through a central angle of 177°42'11"; thence South 44°34'52" West 243.13 feet to a point of curvature of a 400.00 foot radius curve to the right, the center of which bears South 68°35'13" West, thence along the arc of said curve 335.19 feet through a central angle of 48°00'43" to a point of reverse curvature of a 525.00 foot radius curve to the left, the center of which bears South 30°13'43" West, thence along the arc of said curve 1142.89 feet through a central angle of 124°43'45"; thence South 32°08'10" East 118.09 feet to SBWRD Easement A and the point of terminus, the sidelines of said easement to be lengthened or shortened so as to terminate on said Easement A.

**Easement B**

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

Beginning at a point which bears South 89°11'05" East along the Section Line 3376.44 feet and North 259.68 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°11'05" East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12, both corners being found monuments) said point being on the center line of Aspen Camp Loop and SBWRD Easement A and running thence North 03°39'20" West 116.85 feet to a point of curvature of a 350.00 foot radius curve to the right, the center of which bears North 03°05'51" East, thence along the arc of said curve 82.50 feet through a central angle of 13°30'22"; thence North 09°51'02" East 129.51 feet to the point of terminus.

**Easement C**

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

Beginning at a point which bears South 89°11'05" East along the Section Line 3453.13 feet and North 1088.35 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°11'05" East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12, both corners being found monuments) said point being on the center line of Aspen Camp Loop and SBWRD Easement A and running thence North 09°39'34" West 10.40 feet to a point of curvature of a 100.00 foot radius curve to the right, the center of which bears North 26°34'24" East, thence along the arc of said curve 126.48 feet through a central angle of 72°27'56" to a point of reverse curvature of a 225.00 foot radius curve to the left, the center of which bears North 32°38'50" East, thence along the arc of said curve 236.87 feet through a central angle of 60°19'04"; thence North 02°29'18" East 90.43 feet to the point of terminus.

#### **Easement D**

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

Beginning at a point which bears South  $89^{\circ}11'05''$  East along the Section Line 4303.51 feet and North 1329.13 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South  $89^{\circ}11'05''$  East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12, both corners being found monuments) said point being on the center line of Aspen Camp Loop and SBWRD Easement A and running thence North  $76^{\circ}25'38''$  East 41.12 feet to a point of curvature of a 110.00 foot radius curve to the left, the center of which bears North  $33^{\circ}09'21''$  East, thence along the arc of said curve 166.15 feet through a central angle of  $86^{\circ}32'34''$ ; thence North  $10^{\circ}06'56''$  West 169.51 feet to a point of curvature of a 200.00 foot radius curve to the right, the center of which bears North  $37^{\circ}38'31''$  East, thence along the arc of said curve 333.41 feet through a central angle of  $95^{\circ}30'53''$ ; thence North  $85^{\circ}23'57''$  East 215.64 feet to a point of curvature of a 200.00 foot radius curve to the right, the center of which bears South  $83^{\circ}05'24''$  East, thence along the arc of said curve 80.36 feet through a central angle of  $23^{\circ}01'19''$ ; thence South  $70^{\circ}01'31''$  East 124.78 feet to the point of terminus.

#### **Easement E**

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

Beginning at a point which bears South  $89^{\circ}11'05''$  East along the Section Line 3569.61 feet and South 344.63 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South  $89^{\circ}11'05''$  East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12, 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 North  $51^{\circ}32'33''$  East 29.89 feet to a point of curvature of a 350.00 foot radius curve to the right, the center of which bears North  $58^{\circ}18'47''$  East, thence along the arc of said curve 82.72 feet through a central angle of  $13^{\circ}32'28''$  to a point of reverse curvature of a 500.00 foot radius curve to the left, the center of

which bears North 56°07'50" East, thence along the arc of said curve 156.26 feet through a central angle of 17°54'22"; thence North 47°10'39" East 107.15 feet to the point of terminus.

**Easement F**

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

Beginning at a point which bears South 89°11'05" East along the Section Line 2715.07 feet and North 583.71 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°11'05" East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12, 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 88°53'20" West 165.33 feet to a point of curvature of a 400.00 foot radius curve to the left, the center of which bears South 78°31'03" West, thence along the arc of said curve 144.81 feet through a central angle of 20°44'35"; thence South 68°08'45" West 244.54 feet to a point of curvature of a 200.00 foot radius curve to the right, the center of which bears South 72°57'39" West, thence along the arc of said curve 33.61 feet through a central angle of 9°37'47"; thence South 77°46'32" West 109.24 feet to a point of curvature of a 300.00 foot radius curve to the left, the center of which bears South 57°48'45" West, thence along the arc of said curve 209.05 feet through a central angle of 39°55'34" to a point of reverse curvature of a 50.00 foot radius curve to the right, the center of which bears South 48°00'12" West, thence along the arc of said curve 17.72 feet through a central angle of 20°18'27"; thence South 58°09'25" West 78.25 feet to the point of terminus.

**Easement G**

A 20.00 foot wide sanitary sewer easement, lying 10.00 feet perpendicularly distant on each side of the following described centerline and being more particularly described as follows:

Beginning at a point which bears South 89°11'05" East along the Section Line 2991.30 feet and North 1231.31 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°11'05" East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12,

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 29°26'01" West 391.39 feet to a point on a curve with a 2292.92 foot radius curve to the right, the center of which bears South 28°52'03" West, thence along the arc of said curve 18.62 feet through a central angle of 0°27'55" to a point on a curve with a 622.81 foot radius curve to the right, the center of which bears South 13°17'32" West, thence along the arc of said curve 303.20 feet through a central angle of 27°53'34"; thence South 04°51'34" East 97.11 feet; thence North 78°42'30" East 300.34 feet to SBWRD Easement A and the point of terminus, the sidelines of said easement to be lengthened or shortened so as to terminate on said Easement A.

#### **Easement H**

A 20.00 foot wide sanitary sewer easement, lying 10.00 feet perpendicularly distant on each side of the following described centerline and being more particularly described as follows:

Beginning at a point which bears South 89°11'05" East along the Section Line 3719.12 feet and North 1121.24 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°11'05" East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12, both corners being found monuments) said point being on the center line of Aspen Camp Loop (Easement A) and running thence South 18°48'13" East 115.65 feet to a point of curvature of a 100.00 foot radius curve to the left, the center of which bears South 44°34'47" East, thence along the arc of said curve 89.98 feet through a central angle of 51°33'07"; thence South 70°21'20" East 209.98 feet to SBWRD Easement A and the point of terminus, the sidelines of said easement to be lengthened or shortened so as to terminate on said Easement A.

#### **Easement I**

A sanitary sewer easement following the described centerline and being more particularly described as follows:

Beginning at a point which bears South 89°11'05" East along the Section Line 4816.64 feet and North 579.09 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°11'05" East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12, both corners being found monuments) said point being on the center line of Aspen Camp Loop (Easement A) running thence along a 40.00 foot

wide easement, lying 20.00 feet perpendicularly distant on each side of the following described centerline; South 67°01'44" East 75.00 feet, running thence along a 20.00 foot wide sanitary sewer easement, lying 10.00 feet perpendicularly distant on each side of the following described centerline South 67°01'44" East 224.57 feet; thence South 09°08'43" East 307.78 feet; thence South 16°17'57" East 237.94 feet to a point of curvature of a 50.00 foot radius curve to the right, the center of which bears South 73°42'03" West, thence along the arc of said curve 30.95 feet through a central angle of 35°27'45" to the point of terminus, the sidelines of said easement to be lengthened or shortened so as to terminate on the Aspen Camp Lift Station SBWRD Parcel Boundary.

#### **Easement J**

A 20.00 foot wide sanitary sewer easement, lying 10.00 feet perpendicularly distant on each side of the following described centerline and being more particularly described as follows:

Beginning at a point which bears South 89°11'05" East along the Section Line 3446.39 feet and South 887.39 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°11'05" East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12, both corners being found monuments) and running thence along a curve with a 1369.00 foot radius that curves to the left, the center of which bears South 56°44'02" East, said point also being within the right-of-way of Promontory Ranch Road (a.k.a Access Easement No. 1); thence along the arc of said curve 29.28 feet through a central angle of 1°13'32" to a point of compound curvature of a 681.00 foot radius curve to the left, the center of which bears North 55°30'30" West, thence along the arc of said curve 159.68 feet through a central angle of 13°26'05"; thence North 21°03'25" East 190.03 feet to a point of curvature of a 206.00 foot radius curve to the left, the center of which bears North 68°56'35" West, thence along the arc of said curve 78.14 feet through a central angle of 21°44'00" to a point of compound curvature of a 100.00 foot radius curve to the left, the center of which bears South 89°19'25" West, thence along the arc of said curve 27.78 feet through a central angle of 15°55'02"; thence North 16°35'37" West 9.13 feet to a point of curvature of a 197.11 foot radius curve to the left, the center of which bears South 79°54'35" West, thence along the arc of said curve 233.21 feet through a central angle of 67°47'20" to a point of compound curvature of a 112.73 foot radius curve to the left, the center of which bears South 20°32'35" West, thence along the arc of said curve 27.11 feet through a central angle of 13°46'44"; thence North 82°59'16" West 148.28 feet to a point of curvature of a 283.38 foot radius curve to the right, the center of which bears North 05°30'20"

East, thence along the arc of said curve 125.63 feet through a central angle of 25°24'06" to a point on a curve with a 285.66 foot radius curve to the right, the center of which bears North 29°50'03" East, thence along the arc of said curve 140.54 feet through a central angle of 28°11'22"; thence North 32°49'25" West 156.36 feet; thence North 31°49'18" West 291.04 feet; thence North 31°52'44" West 107.15 feet; thence North 17°35'51" West 144.21 feet to the point of terminus, the sidelines of said easement to be lengthened or shortened so as to terminate on said Easement G.

### **Access Easement**

A 20.00 foot access easement, lying 10.00 feet perpendicularly distant on each side of the following described centerline and being more particularly described as follows:

Beginning at a point which bears South 89°11'05" East along the Section Line 2882.89 feet and South 2142.93 feet from the Southwest Corner of Section 12, Township 1 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 89°11'05" East 5232.98 feet between the Southeast Corner of said Section 12 and the Southwest Corner of said Section 12, both corners being found monuments), said point also being on the Easterly right-of-way of Spine 3 Road and running thence North 36°50'36" East 208.30 feet; thence North 39°59'12" East 39.43 feet; thence North 27°39'28" East 24.95 feet; thence North 18°26'32" East 26.62 feet; thence North 24°47'16" East 30.13 feet; thence North 41°53'17" East 40.99 feet; thence North 43°50'51" East 36.47 feet; thence North 27°39'10" East 24.95 feet; thence North 27°15'56" East 39.06 feet; thence North 48°22'55" East 25.35 feet; thence North 72°39'10" East 17.64 feet; thence South 90°00'00" East 18.95 feet; thence South 82°24'30" East 15.93 feet; thence South 42°43'07" East 18.62 feet; thence South 20°34'16" East 17.98 feet; thence South 05°26'39" West 22.20 feet; thence South 21°15'28" West 20.32 feet; thence South 29°22'12" West 38.63 feet; thence South 19°17'49" West 22.30 feet; thence South 05°42'53" East 21.15 feet; thence South 39°17'56" East 14.95 feet; thence South 60°16'07" East 16.97 feet; thence South 83°17'35" East 18.02 feet; thence North 80°08'17" East 24.57 feet; thence North 42°17'10" East 31.29 feet; thence North 29°48'12" East 158.84 feet; thence North 23°07'26" East 93.82 feet; thence North 27°06'18" East 101.65 feet; thence North 37°15'15" East 33.53 feet; thence North 48°59'24" East 139.50 feet; thence North 21°48'42" East 34.00 feet; thence North 14°18'20" East 55.38 feet; thence North 32°21'39" East 37.37 feet; thence North 71°34'20" East 26.63 feet; thence North 86°30'35" East 107.83 feet; thence North 54°59'10"



East 24.42 feet; thence North 40°55'35" East 302.58 feet; thence North 30°28'40" East 39.06 feet; thence North 20°03'49" East 44.27 feet; thence North 01°33'03" East 24.43 feet; thence North 12°39'40" West 33.15 feet; thence North 00°56'31" West 33.96 feet; thence North 18°47'19" East 34.86 feet; thence North 35°16'58" East 33.15 feet; thence North 34°05'24" East 27.10 feet; thence North 04°24'02" East 25.82 feet; thence North 04°24'03" West 77.45 feet; thence North 19°26'54" East 23.80 feet; thence North 30°58'17" East 18.11 feet; thence North 63°26'39" East 28.05 feet; thence North 72°07'46" East 43.02 feet; thence North 60°55'33" East 120.88 feet; thence North 42°57'08" East 129.86 feet; thence North 55°47'35" East 129.57 feet; thence North 52°18'21" East 117.66 feet; thence North 38°14'47" East 27.73 feet; thence North 23°24'50" East 48.19 feet; thence North 57°04'51" East 57.60 feet; thence North 49°13'40" East 44.47 feet; thence North 79°54'48" East 79.14 feet; thence North 45°36'51" East 44.35 feet; thence North 32°52'52" East 51.09 feet; thence North 38°41'47" East 100.84 feet; thence North 20°48'47" East 35.31 feet; thence North 07°31'44" East 35.28 feet; thence North 00°00'00" East 40.26 feet; thence North 04°20'00" West 43.69 feet; thence North 10°09'27" East 33.92 feet; thence North 29°45'38" East 26.61 feet; thence North 45°28'13" East 58.35 feet; thence North 40°08'56" East 44.04 feet; thence North 34°44'47" East 120.49 feet; thence North 30°50'26" East 47.66 feet; thence North 23°42'13" East 25.44 feet; thence North 36°18'50" East 48.64 feet; thence South 67°01'44" East 2.87 feet; thence South 09°08'43" East 34.68 feet; thence South 22°51'11" West 59.03 feet; thence South 18°26'34" West 73.32 feet; thence South 22°55'57" West 64.25 feet; thence South 28°12'30" West 77.90 feet; thence South 31°08'50" West 27.25 feet; thence South 15°08'02" West 15.85 feet; thence South 00°00'00" West 19.02 feet; thence South 30°58'50" East 16.88 feet; thence South 38°18'01" East 10.01 feet; thence North 63°26'22" East 9.25 feet; thence North 27°59'24" East 14.99 feet; thence North 11°19'03" East 25.30 feet; thence North 28°01'08" East 22.02 feet; thence North 35°13'47" East 34.43 feet; thence North 46°57'11" East 34.53 feet; thence North 42°43'26" East 36.59 feet; thence North 46°37'09" East 49.69 feet; thence South 09°08'43" East 25.83 feet; thence South 31°39'38" West 67.96 feet; thence South 22°48'44" West 39.48 feet; thence South 05°51'36" West 32.43 feet; thence South 10°37'37" East 40.39 feet; thence South 25°28'11" East 28.86 feet; thence South 57°54'41" East 10.30 feet; thence North 45°01'04" East 8.78 feet; thence North 07°48'51" East 21.29 feet; thence North 03°40'14" East 32.32 feet; thence North 15°49'46" East 25.79 feet; thence North 41°07'54" East 34.59 feet; thence North 69°04'56" East 15.06 feet; thence North 72°21'43" East 9.55 feet; thence South 15°57'22" East 12.04 feet; thence South 00°00'00" West 65.34 feet; thence South 12°27'15" East 32.61 feet; thence South 23°24'55" East 127.41 feet; thence South 09°25'01" West 25.85 feet to the point of terminus, the

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sidelines of said easement to be lengthened or shortened so as to terminate on the Aspen Camp Lift Station SBWRD Parcel Boundary.

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 Grantors and their 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 Grantors situated in Summit County, Utah which are more specifically described as follows:

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

The non-exclusive easement granted herein is subject to the condition that the Grantee shall indemnify and hold harmless, the Grantors, their 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 Grantors' 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 Grantors which would cause a claim of indemnification against the Grantors. 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 Grantors this 12<sup>th</sup> day of December, 2005.

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

Its: Legal Counsel

By:   
Jeremy Green

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

Its: Legal Counsel

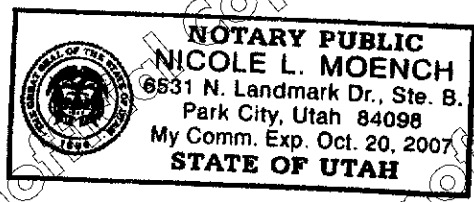
By:   
Jeremy Green

State of Utah )  
County of Summit ) :ss

The foregoing was acknowledged before me this 12<sup>th</sup> day of December, 2005 by  
Jeremy Green, Legal Counsel of Pivotal Promontory Development, LLC.

Nicole L. Moench  
Notary Public  
Residing at: Park City UT

My Commission Expires: 10/20/07

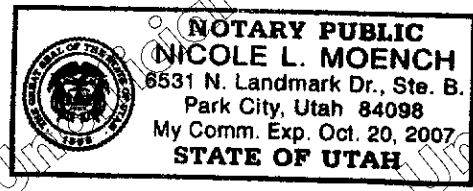


State of Utah )  
County of Summit ) :ss

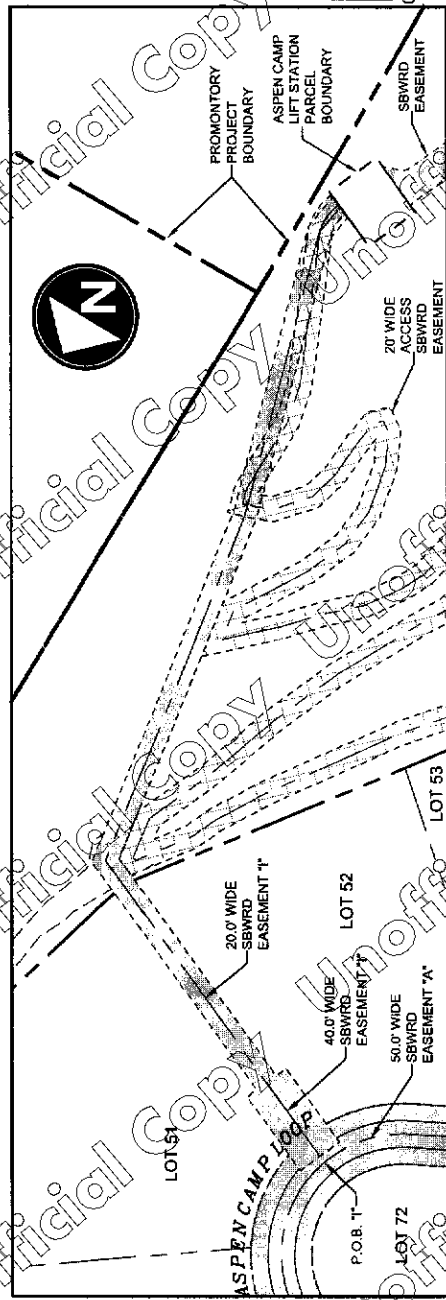
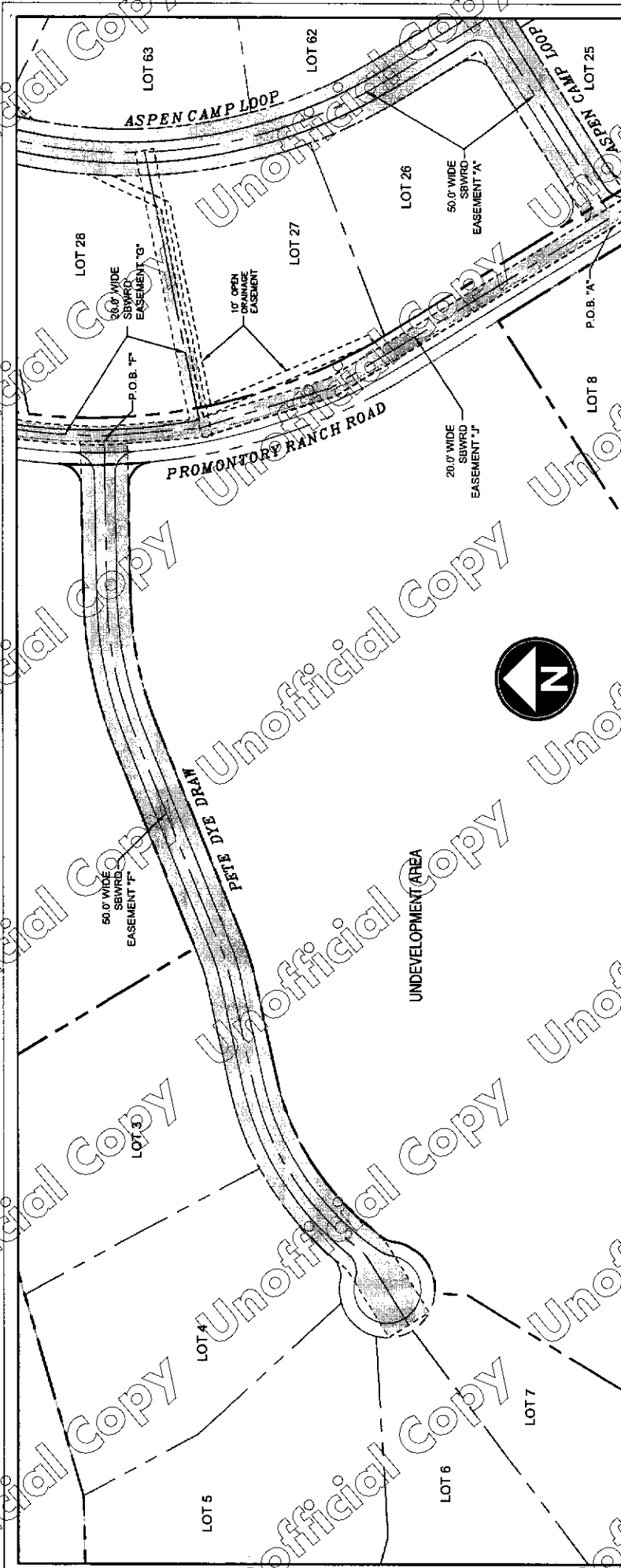
The foregoing was acknowledged before me this 12<sup>th</sup> day of December, 2005 by  
Jeremy Green, Legal Counsel of Pivotal Promontory, LLC.

Nicole L. Moench  
Notary Public  
Residing at: Park City UT

My Commission Expires: 10/20/07







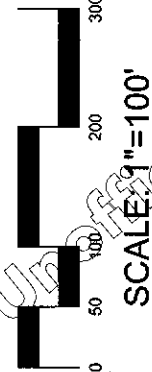
**JACK JOHNSON COMPANY**  
Designing World Destinations

**PROMONTORY ASPEN CAMP**

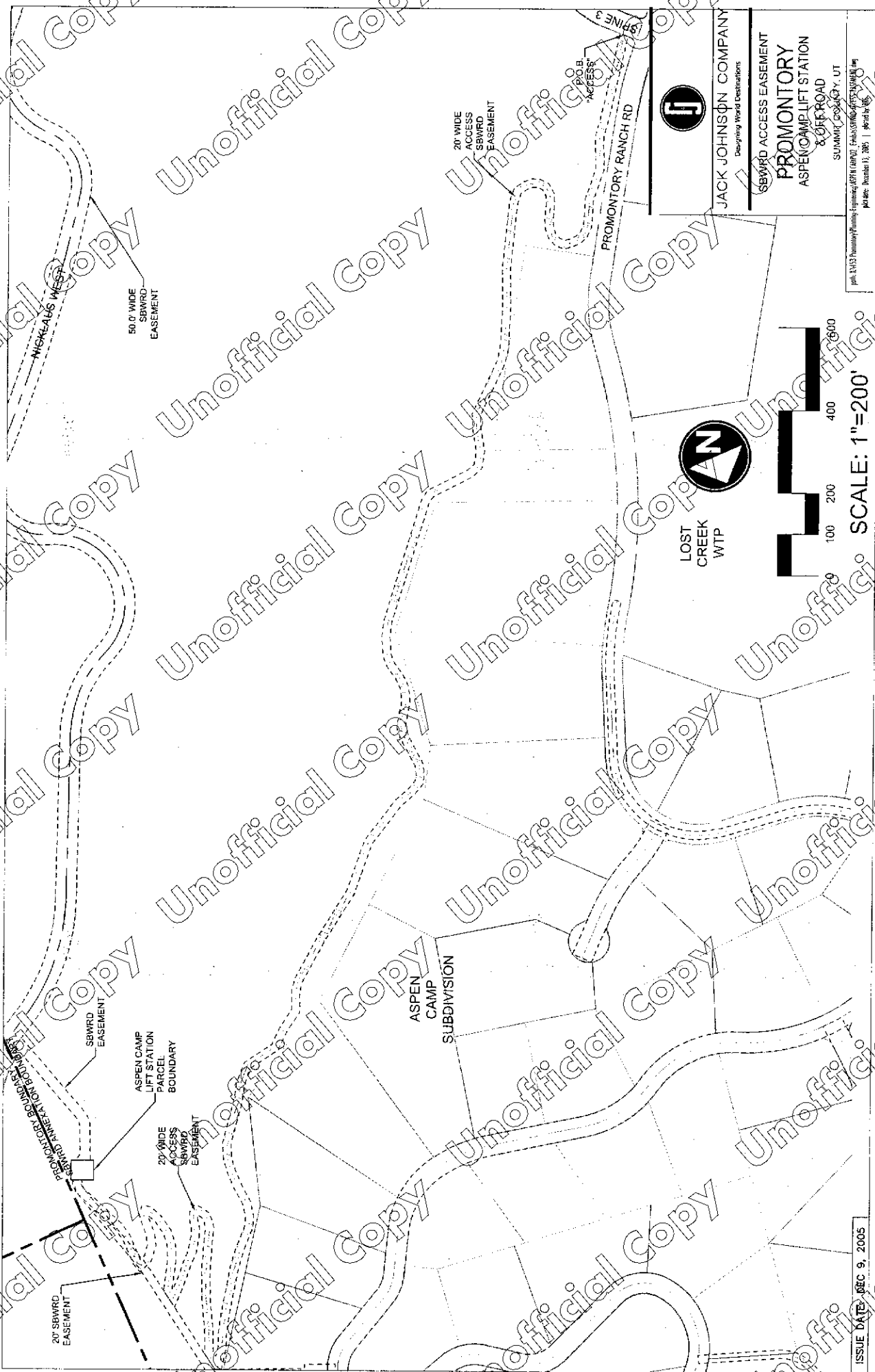
SBWRD EASEMENTS "F" & "I"

SUMMIT COUNTY, UT

PLAT 1433 Promontory Ranch, Summit County, Utah, SBWRD EASEMENTS "F" & "I"  
Project Number: 2005-1433-0001



ISSUE DATE: DEC. 9, 2005



**JACK JOHNSON COMPANY**  
 Designing World Destinations

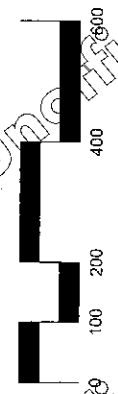
**PROMONTORY ASPEN CAMP LIFT STATION & OFF ROAD**  
 SBWRD ACCESS EASEMENT

SUMMIT COUNTY, UT

per A-103 Preliminary Planning Engineering Report (L-103) Final Submittal (12/9/05) 10/10/05  
 Job No. Promontory 12, 10/10/05



LOST CREEK WTP



SCALE: 1"=200'

ISSUE DATE: DEC 9, 2005

BK1757 PG1860