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7847141

WHEN RECORDED MAIL TO:
Draper City
12441 South 900 East
Draper, UT 84020

7847141
03/19/2001 04:42 PM 16.00
Book - 8435 Pg - 6569-6572
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
PREFERRED TITLE & ESCROW ING.
1226 E 6600 S #100
SLC UT 84121
BY: ZJK, DEPUTY - WI 4 P.

Affects Parcel Nos. 28-29-403-006 etc.

EASEMENT

For the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **DRAPER CITY**, "Grantor," hereby grants, conveys, sells and sets over unto Dan L. and Hazel P. Smith, hereinafter referred to as "Grantee," its successors and assigns, a perpetual right-of-way and easement to maintain, repair, protect, install, remove and replace a driveway and associated facilities and structures, hereinafter called "Facilities," said right-of-way and easement crossing a portion of property commonly known as the Draper Irrigation Canal being situate in Salt Lake County, State of Utah, over and through a parcel of the Grantor's land more particularly described in Exhibit "A," attached hereto and incorporated herein by reference.

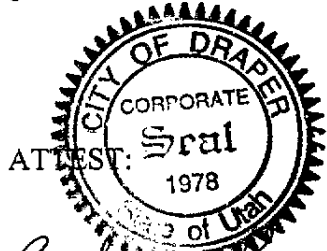
TO HAVE AND HOLD the same unto the Grantee, its successors and assigns, so long as such Facilities shall be maintained, with the right of ingress and egress in the Grantee, its officers, employees, agents and assigns to enter upon the above-described property with such equipment as is necessary to install, maintain, repair, inspect, protect, remove and replace the Facilities. During construction periods, Grantee and its contractors may use such portion of the property along and adjacent to the right-of-way and easement as may be reasonably necessary in connection with the construction or repair of the Facilities. The contractor performing the work shall restore all property through which the work traverses, to as near its original condition as is reasonably possible. Grantee's use shall not interfere with the Grantor's use of the property or with the discharge and conveyance of storm water or drainage water through the property, or any other rights held by Grantor and not inconsistent with the grant hereunder.

Grantee shall not build or construct or permit to be built or constructed any building or other improvement over or across this right-of-way and easement nor change the contour thereof without the written consent of Grantor.

In the event any damage to Grantor's property arising from Grantee's use of the property or construction and maintenance of the Facilities, Grantee shall be solely responsible for said damage and shall repair and restore the property to as near its original condition as is reasonably possible. This right-of-way and easement grant shall be binding upon and inure to the benefit of the successors and assigns of the Grantor and the successors and assigns of the Grantee, and may be assigned in whole or in part by Grantee.

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IN WITNESS WHEREOF, the Grantor has executed this right-of-way and Easement this 6th day of March, 2001.



ATTEST: Barbara J. Sadler
City Recorder

“GRANTOR”

DRAPER CITY

By: Richard D. Alsop
Mayor

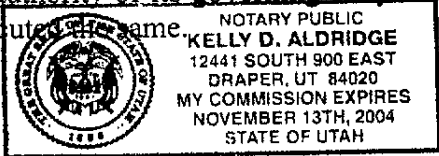
APPROVED AS TO FORM
City Attorney's Office

Date March 6, 2001
By: [Signature]

ACKNOWLEDGMENT

STATE OF UTAH)
 :SS.
COUNTY OF SALT LAKE)

On the 6th day of March, 2001, personally appeared before me Richard D. Alsop, who being duly sworn, did say that he is the Mayor of **DRAPER CITY**, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said Richard D. Alsop acknowledged to me that the City executed the same.



Kelly D. Aldridge
Notary Public
Residing at:
Salt Lake County

My Commission Expires:
11/13/04

0K8435P66570

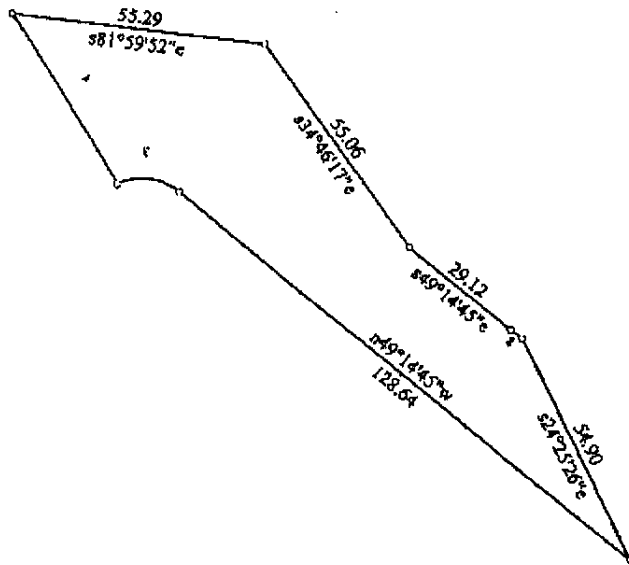
EXHIBIT "A"

**ACCESS EASEMENT ACROSS
DRAPER CITY
AND
RADON BROTHERS CONSTRUCTION PROPERTIES**

A tract of land for the purpose of an access easement being, located in the Southwest Quarter of Section 28 and the Southeast Quarter of Section 29, Township 3 South, Range 1 East, Salt Lake Base and Meridian, being more particularly described as follows:

Commencing at the East Quarter Corner of said Section 29, thence South 00°16'49" West 1349.35 feet along the section line to the POINT OF BEGINNING; thence South 24° 25'26" East 54.90 feet; thence North 49°14'45" West 128.64 feet; thence along a curve to the left having a radius of 12.50 feet, with a central angle of 65°10'42" (chord bears North 81°50'06" West 13.47 feet) for an arc distance of 14.22 feet to a point on the east right-of-way line of 1300 East as shown on the Street Dedication Plat, Hidden Valley Shopping Center, Draper, Utah, as recorded in Book 91-11, Page 181 in the office of the Salt Lake County Recorder; thence along said right-of-way line and along a non-tangent curve to the left having a radius of 1050.00 feet, with a central angle of 02°24'55" (chord bears North 30°39'42" West 44.26 feet) for an arc distance of 44.26 feet; thence South 81°59'52" East 55.29 feet; thence South 34°46'17" East 55.06 feet; thence South 49°14'45" East 29.12 feet; thence South 50°06'25" East 3.17 feet to the POINT OF BEGINNING.

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Title: Access Easement		Date: 03-08-2001
Scale: 1 inch = 40 feet	File:	
Tract 1: 0.091 Acres: 3949 Sq Feet: Closure = s21.5632e 0.01 Feet: Precision = 1/54868: Perimeter = 385 Feet		
001=s24.2526e 54.90	004: L1, R=1650.00, Arc=44.26, Delta=02.2435 Bng=N30.3942W	007=s49.1445e 29.12
002=n49.1445w 128.64	005=s81.5952e 55.29	008=s50.0625e 3.17
003: L1, R=12.50, Arc=14.22, Delta=65.1042 Bng=N81.5006W	006=s34.4617e 55.06	

3K8435P66572