

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

ENT 79769:2010 PG 1 of 6
Rodney D. Campbell
UTAH COUNTY RECORDER
2010 Sep 21 11:24 am FEE 23.00 BY SS
RECORDED FOR FIRST AMERICAN - UNION HEIG
ELECTRONICALLY RECORDED

Easement

(LIMITED LIABILITY COMPANY)

Utah County

Tax ID No. 17:019:0025

Parcel No. 0114:176J:E

Project No. F-0114(21)0

Anderson Geneva, LLC, a Limited Liability Company of the State of Utah, and Ice Castle Retirement Fund L.L.C. a Limited Liability Company of the State of Utah, Grantor(s), hereby GRANTS AND CONVEYS to the UTAH DEPARTMENT OF TRANSPORTATION, at 4501 South 2700 West, Salt Lake City, Utah 84119, Grantee, for the sum of TEN Dollars, four (4) perpetual easements, upon part of an entire tract of property in the E $\frac{1}{2}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, Township 6 South, Range 2 East, Salt Lake Base & Meridian, for the purpose of constructing thereon cut and fill slopes and appurtenant parts thereof, and for the maintenance of a retaining wall to facilitate the construction of State Route 114 known as Project No. F-0114(21)0. This easement includes the right to maintain and continue the existence of said cut and/or fill slopes in the same grade and slope ratio as constructed by UDOT. These easements shall run with the Real Property and shall be binding upon the Grantor and the Grantors successors, heirs and assigns, and includes and conveys all rights of grantor to change the vertical distance or grade of said cut and/or fill slopes. The boundaries of said parts of the entire tract are described as follows:

Beginning at the intersection of the southerly boundary line of said entire tract and the westerly right of way line of State Route 114 of said project, said point being 1784.83 feet S.00°03'35"E. along the Section line and 119.07 feet West from the East Quarter corner of said Section 17, said point also being 41.00 feet perpendicularly westerly from the right of way control line of said project, opposite approximate Engineers Station 588+51.57; and running thence N.30°04'07"W. 21.12 feet along said southerly boundary line; thence N.01°48'43"W. 96.41 feet; thence Northerly 111.47 feet along the arc of a 12,063.50-foot radius curve to the right, (chord bears N.01°32'50"W. 111.47 feet); thence N.01°16'57"W. 775.48 feet; thence Northerly 111.18 feet along the arc of a 10,063.50-foot radius curve to the right, (chord bears N.00°57'58"W. 111.18 feet); thence S.44°38'15"E. 14.41 feet to a point on said westerly right of way line at the intersection with a non-tangent 10,053.50-foot radius curve to the left; thence Southerly along said

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westerly right of way line the following four (4) courses and distances: (1) 100.71 feet along the arc of said curve, (chord bears S.00°59'44"E. 100.71 feet); (2) thence S.01°16'57"E. 775.48 feet; (3) thence southerly 111.38 feet along the arc of a 12,053.50-foot radius curve to the left, (chord bears S.01°32'50"E. 111.38 feet); (4) thence S.01°48'43"E. 115.02 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract contains 10,986 square feet in area or 0.252 acre.

ALSO:

Beginning at a point in the westerly right of way line of State Route 114 of said project, said point being 600.23 feet S.00°03'35"E. along the Section line and 148.77 feet West from the East Quarter corner of said Section 17, said point also being 47.08 feet perpendicularly westerly from the right of way control line of said project, opposite approximate Engineers Station 600+34.97; and running thence S.46°06'52"W. 15.19 feet along said westerly right of way line and the extension thereof to a point of intersection with a non-tangent 10,069.00-foot radius curve to the right; thence Northerly 313.85 feet along said curve, (chord bears N.00°35'40"E. 313.84 feet); thence S.88°30'45"E. 6.00 feet to a point of intersection with a non-tangent 10,063.00-foot radius curve to the right; thence northerly 210.77 feet along the arc of said curve, (chord bears N.02°05'15"E. 210.77 feet) to a point on said westerly right of way line; thence Southeasterly and Southerly along said westerly right of way line the following two (2) courses and distances: (1) S.38°15'04"E. 7.63 feet to a point of intersection of a 10,058.00-foot radius non-tangent curve to the left; (2) thence Southerly 507.93 feet along said curve, (chord bears S.01°12'29"W. 507.88 feet) to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract contains 4,431 square feet in area or 0.102 acre.

ALSO:

Beginning at a point in the westerly right of way line of State Route 114 of said project, said point being 96.45 feet N.00°02'55"W. along the Section line and 128.82 feet West from the East Quarter corner of said Section 17, said point also being 61.31 feet perpendicularly distant westerly from the right of way control line of said project, opposite

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approximate Engineers Station 607+28.38; and running thence S.55°06'27"W. 7.68 feet along said westerly right of way line to a point of intersection of a 10,066.00-foot non-tangent radius curve to the right; thence northerly 72.45 feet along the arc of said curve, (chord bears N.03°54'39"E. 72.45 feet); thence N.04°07'01"E. 133.79 feet; thence N.23°02'00"E. 15.77 feet; thence Northerly 38.76 feet along the arc of a 12,013.62-foot radius curve to the left, (chord bears N.04°26'55"E. 38.76 feet); thence N.11°58'54"E. 44.21 feet; thence N.86°26'21"W. 2.95 feet to a point of intersection of a 12,016.89-foot radius curve to the left; thence northerly 47.72 feet along the arc of said curve, (chord bears N.04°02'02"E. 47.72 feet) to a point in the southerly boundary line of a parcel of land deeded to R.W. Investments L.C., a Utah Limited Liability Company by a certain Special Warranty Deed recorded as entry 27133:2003 in the office of the Utah County Recorder; thence N.89°35'13"E. 6.02 feet along said southerly boundary line to a point in the westerly right of way line of said project at a point of intersection of a 12,022.16-foot radius curve to the right; thence along said westerly right of way line the following six (6) courses and distances: (1) Southerly 48.14 feet along the arc of said curve, (chord bears S.04°01'57"W. 48.14 feet); (2) thence S.12°02'54"W. 44.23 feet to the point of curvature of a 12,016.62-foot non-tangent radius curve to the right; (3) thence southerly 38.78 feet along the arc of said curve, (chord bears S.04°26'55"W. 38.78 feet); (4) thence S.12°10'18"W. 15.07 feet; (5) thence S.04°07'01"W. 133.79 feet to the point of curvature of a 10,060.00-foot radius curve to the left; (6) thence southerly 67.61 feet along the arc of said curve, (chord bears S.03°55'28"W. 67.61 feet) to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract contains 1,827 square feet in area or 0.042 acre.

ALSO:

Beginning at a point in the westerly right of way line of State Route 114 of said project, said point being 1,073.69 feet N.00°02'55"W. along the Section line and 73.33 feet West from the East Quarter corner of said Section 17, said point also being 49.50 feet perpendicularly distant westerly from the right of way control line of said project, opposite approximate Engineers Station 617+10.16; and running thence N.01°20'52"E. 190.56 feet; thence N.00°25'44"W. 542.63 feet; thence East 10.00 feet to a point in the existing westerly right of way line of State Route 114; thence along said existing westerly right of way line S.00°25'44"E. 542.71 feet; thence S.01°20'52"W. 182.88 feet; thence S.53°14'52"W. 12.71 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

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The above described part of an entire tract contains 7,295 square feet in area or 0.167 acre.

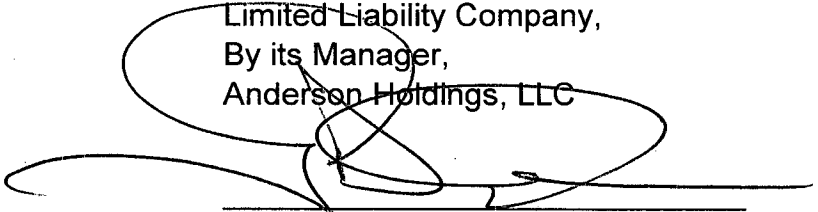
The combined area of the above described (4) parts of an entire tract contain 24,539 square feet, or 0.563 acre.

The foregoing Easement is subject to the exceptions to Title described at Exhibit A, attached hereto and by reference made a part hereof.

IN WITNESS WHEREOF, said Grantors, Anderson Geneva, LLC, and Ice Castle Retirement Fund L.L.C. has caused this instrument to be executed by its proper officers thereunto duly authorized, this 17th day of September, A.D. 20 10.

STATE OF Utah)
) ss.
COUNTY OF Salt Lake)

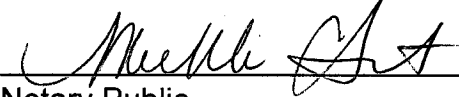
ANDERSON GENEVA, LLC, a Utah
Limited Liability Company,
By its Manager,
Anderson Holdings, LLC



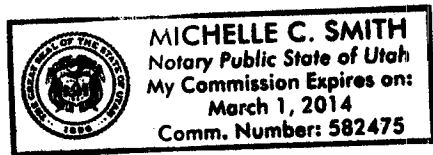
Gerald D. Anderson, Manager

The foregoing instrument was acknowledged before me the 17th day of September, 20 10, by Gerald D. Anderson, as Manager of ANDERSON HOLDINGS, LLC, a Utah limited liability company, the Manager of ANDERSON GENEVA, LLC, a Utah limited liability company, for and on behalf of said Grantor.

WITNESS my hand and official stamp the date in this certificate first above written:



Notary Public



Parcel No. 0114:176J:E
Project No. F-0114(21)0

STATE OF Utah)
) ss.
COUNTY OF Salt Lake)

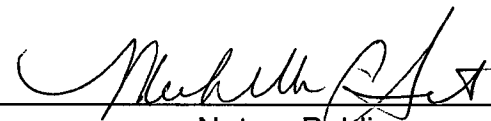
ICE CASTLE RETIREMENT FUND,
L.L.C. a Utah Liability Company,



Glen R. Pettit, Its Sole Member

The foregoing instrument was acknowledged before me the 17th day of September, 2010, by Glen R. Pettit, Sole Member of Ice Castle Retirement Fund L.L.C., for and on behalf of said Grantor.

WITNESS my hand and official stamp the date in this certificate first above written:



Notary Public

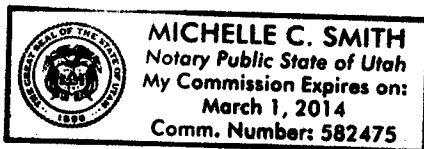


EXHIBIT A TO EASEMENT DEED

Exceptions to Title

The conveyance of Easements is subject to the following exceptions:

1. Easement in favor of Utah Department of Transportation recorded January 24, 2003, as Entry No. 111680:2003, Utah County Recorder's Office.
2. Pipeline Easement between Utah State Road Commission of Utah, and Reconstruction Finance Corporation recorded October 31, 1946, as Entry No. 14421, Book 452, Page 173, Utah County Recorder's Office.
3. Subject to those certain matters disclosed by the ALTA/ACSM Land Title Survey by Horrocks Engineers, Inc., dated August 12, 2010 including: (a) catch basin, (b) sidewalk, (c) storm drain, (d) buried fiber optic line, (e) buried telephone line, (f) light poles, (g) overhead power line and power poles, (h) single sign posts, (i) existing water lines, (j) telephone pedestal, (k) mail box, (l) existing steel structure, sealed and full of dirt, (m) gas line, (n) one half foot fence line encroachment at the North end of Parcel 1, (o) irrigation pipeline and open ditch, (p) water meter, and (q) existing sewer line. Grantors acknowledge that Grantors are retaining no right, title or interest in or to the foregoing matters disclosed by survey except for items (c), (d) (e), (i), (j), (m), (p) and (q) which provide utility services to existing buildings on portions of Grantors remaining land.