

9349167
 04/14/2005 03:09 PM \$0.00
 Book - 9118 Pg - 1723-1726
GARY W. OTT
 RECORDER, SALT LAKE COUNTY, UTAH
 SOUTH VALLEY SEWER DISTRICT
 PO BOX 908
 874 E 12400 S
 DRAPER UT 84020
 BY: ZJM, DEPUTY - WI 4 P.

When Recorded Return to:
 Mr. Craig L. White
 South Valley Sewer District
 P.O. Box 908
 Draper, Utah 84020

PARCEL ID.# 27-24-251-010, 27-24-251-011
 GRANTOR: Wal-Mart Stores Inc and
 Wal-Mart Real Estate Business Trust
 as part of Wal-Mart / Sam's Club

Page 1 of 4

EASEMENT

UT - SOUTH JORDAN
 # 2307-01

A twenty (20) foot wide sanitary sewer easement located in the North Half of Section 27, Township 3 South, Range 1 West, Salt Lake Base and Meridian, U.S. Survey.

For the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned as GRANTORS hereby grant, convey, sell, and set over unto South Valley Sewer District, a body politic of the State of Utah, hereinafter referred to as GRANTEE, its successors and assigns, a perpetual, non-exclusive, right-of-way and easement to construct, maintain, operate, repair, inspect, protect, install, remove and replace sewer pipelines, valves, valve boxes and other sewer transmission and distribution structures and facilities, hereinafter called the FACILITIES, said right-of-way and easement, being situate in Salt Lake County, State of Utah, over and through a parcel(s) of the GRANTORS' land lying within a strip twenty (20) feet wide, more particularly described as follows:

Beginning at a point which is North 00°20'38" East along the section line, 330.08 feet and South 89°39'22" East, 43.82 feet from the Center corner of Section 24, Township 3 South, Range 1 West, Salt Lake Base and Meridian; and running thence North 00°18'01" East, 250.29 feet; thence North 04°43'53" East, 235.03 feet; thence North 89°41'59" West, 211.83 feet; thence North 00°18'01" East, 20.00 feet; thence South 89°41'59" East, 212.63 feet; thence North 00°18'01" East, 268.11 feet; thence South 89°41'59" East, 20.00 feet; thence South 00°18'01" West, 268.11 feet; thence South 89°41'59" East, 401.08 feet; thence North 56°25'58" East, 78.00 feet; thence South 00°18'01" West, 24.09 feet; thence South 56°25'58" West, 70.66 feet; thence North 89°41'59" West, 407.91 feet; thence South 04°43'53" West, 235.81 feet; thence South 00°18'01" West, 249.51 feet; thence North 89°41'59" West, 20.00 feet to the point of beginning.

Contains: 0.672 acres (approx. 29292.52 s.f.)

TO HAVE AND HOLD the same unto the GRANTEE, its successors and assigns, 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 and vehicles as is necessary to construct, install, maintain, operate, repair, inspect, protect, remove and replace the FACILITIES. During construction periods, GRANTEE and its contractors may use such portion of GRANTORS' 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. GRANTORS shall have the right to use the above-described property except for the purposes for which this right-of-way and easement is granted to the GRANTEE, provided such use shall not interfere with the FACILITIES or with the discharge and conveyance of sewage through the FACILITIES, or any other rights granted to the GRANTEE hereunder.

GRANTORS 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 GRANTEE. This right-of-way and easement grant shall be binding upon, and inure to the benefit of, the successors and assigns of the GRANTORS and the successors and assigns of the GRANTEE, and may be assigned in whole or in part by GRANTEE.

IN WITNESS WHEREOF, the GRANTORS have executed this right-of-way and Easement this 31st day of March, 2005.

County Parcel No.
27-24-251-010
27-04-251-011

Acreage
0.672 acres
(approx. 29292.52 s.f.)

GRANTOR(S)

Wal-Mart Stores Inc.
By: [Signature]
John E. Clark
Its: Assistant Vice President
Title

STATE OF ~~UTAH~~ Arkansas)
 Benton :ss
COUNTY OF ~~SALT LAKE~~)

Approved as to legal terms only
by AKM
WAL-MART LEGAL DEPT.

On the 31st day of March, 2005, personally appeared before me John E. Clark who being by me duly sworn did say that (s)he is the Assistant Vice President of Wal-Mart Stores Inc., a corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of its bylaws or by a resolution of its Board of Directors; and acknowledged to me that said corporation executed the same.

Date: 3-31-05

[Signature]
Notary Public

My Commission Expires: 9.27.2014

Residing in: Benton County

BOBBI KAY MATZ
NOTARY PUBLIC-STATE OF ARKANSAS
BENTON COUNTY
My Commission Expires 9-27-2014

Wal-Mart Real Estate Business Trust

By:

[Handwritten Signature]
John E. Clarke

Its:

Assistant Vice President

Title

Approved as to legal terms only

by AKW
WAL-MART LEGAL DEPT.

Date: 3-31-05

STATE OF ~~UTAH~~ Arkansas)
COUNTY OF ~~SALT LAKE~~ Benton) :ss.

On the 31st day of March, 2005, personally appeared before me John E. Clarke, who being duly sworn, did say that (s)he is the Trustee of the Wal-Mart Real Estate Business Trust, who duly acknowledged to me that (s)he executed the same on behalf of said Trust.

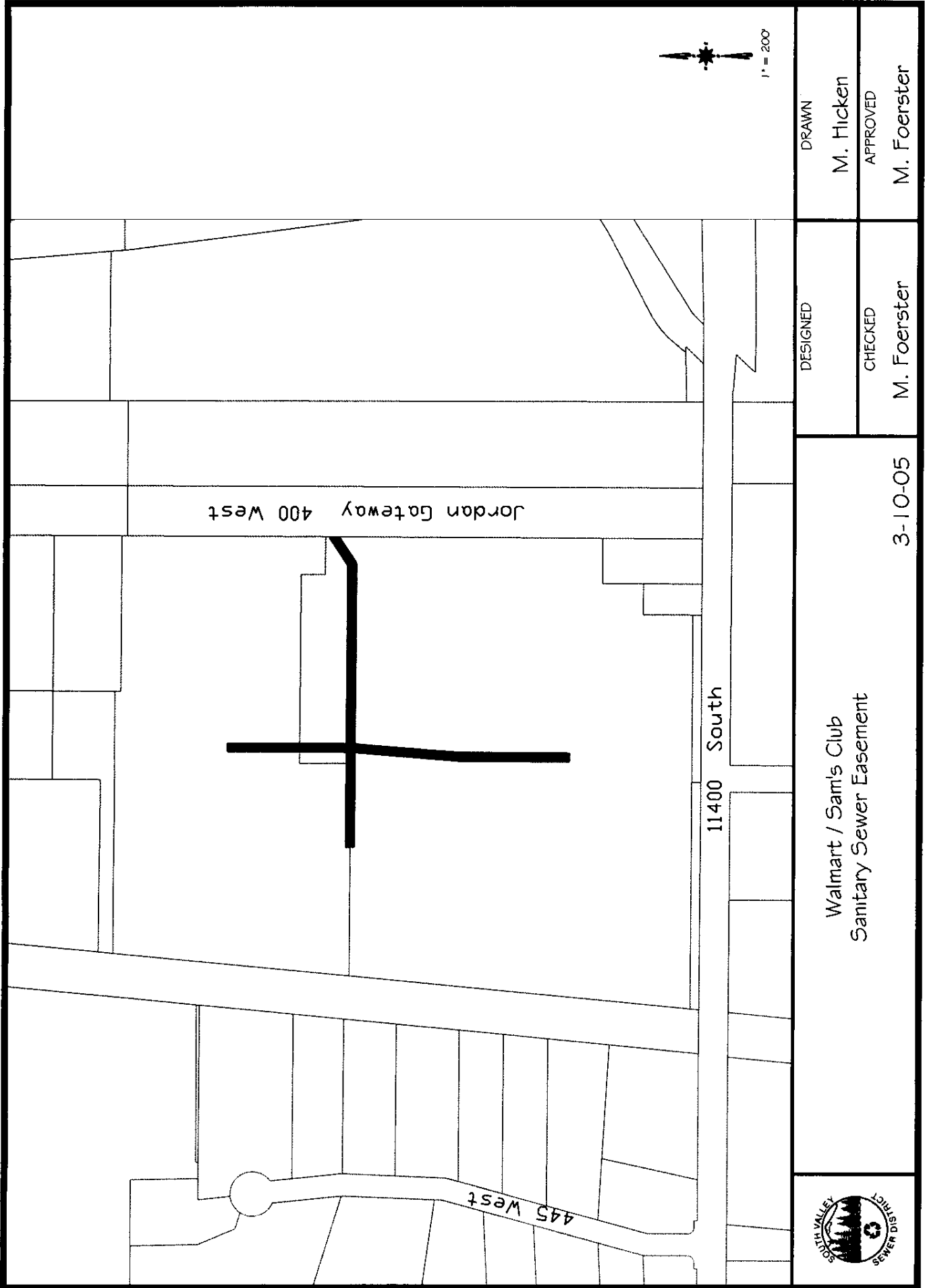
Bobbi Kay Matz
Notary Public
Residing at:

My Commission Expires:

9.27.2014

Benton County

BOBBI KAY MATZ
NOTARY PUBLIC-STATE OF ARKANSAS
BENTON COUNTY
My Commission Expires 9-27-2014



DRAWN
 M. Hicken
 APPROVED
 M. Foerster

DESIGNED
 CHECKED
 M. Foerster

Walmart / Sam's Club
 Sanitary Sewer Easement
 3-10-05

