



W2701093

WHEN RECORDED, RETURN TO:

Summit Mountain Holding Group, L.L.C.
3632 N. Wolf Creek Drive
Eden, Utah 84310
Attention: Paul Strange

E# 2701093 PG 1 OF 5
ERNEST D ROWLEY, WEBER COUNTY RECORDER
03-SEP-14 310 PM FEE \$18.00 DEP JKC
REC FOR: SUMMIT MOUNTAIN HOLDING GROUP

DESIGNATION AND GRANT OF NON-EXCLUSIVE PUBLIC UTILITY EASEMENT

This DESIGNATION AND GRANT NON-EXCLUSIVE PUBLIC UTILITY EASEMENT is made this 3RD day of SEPT 2014, by SMHG Phase I LLC, a Delaware limited liability company, its successors and/or assigns (“Grantor”). The Public Utility Easement described herein is given in addition to those previously dedicated and described in Summit Eden Phase 1B Subdivision recorded on January 27, 2014 as entry number 2672944 in the official records of Weber County.

Grantor hereby grants to all duly licensed and approved public utility providers, including but not limited to natural gas, storm drain, sewer, water, and communications providers (collectively “Grantees”), a non-exclusive easement over, beneath, and across the certain portion of land described in attached Exhibit “A” (the “Easement Property”). The Easement Property is also depicted visually in attached Exhibit “B.” The Easement Property is designated for the purpose of installing, maintaining, and operating equipment and facilities above and below ground as may be necessary or desirable in providing public utility services to nearby property, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees, and vegetation that may have been placed within the Easement Property. At no time may any permanent structures be placed within the Easement Property, which interferes with the use of the easements, without the prior written approval of the applicable Grantee(s).

The easement(s) granted herein is/are subject to the condition that the Grantee shall indemnify and hold harmless the Grantor and its heirs, successors, or assigns, against any and all liability caused by the acts of the Grantee, its contractors or agents, during the construction, operation, or maintenance of public utilities provided for in this grant of 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 timely notice to the Grantee of any claim or demand which would cause a direct claim or indemnification claim against the Grantee.

[Signatures on following page.]

EXHIBIT "A"**Easement Property**

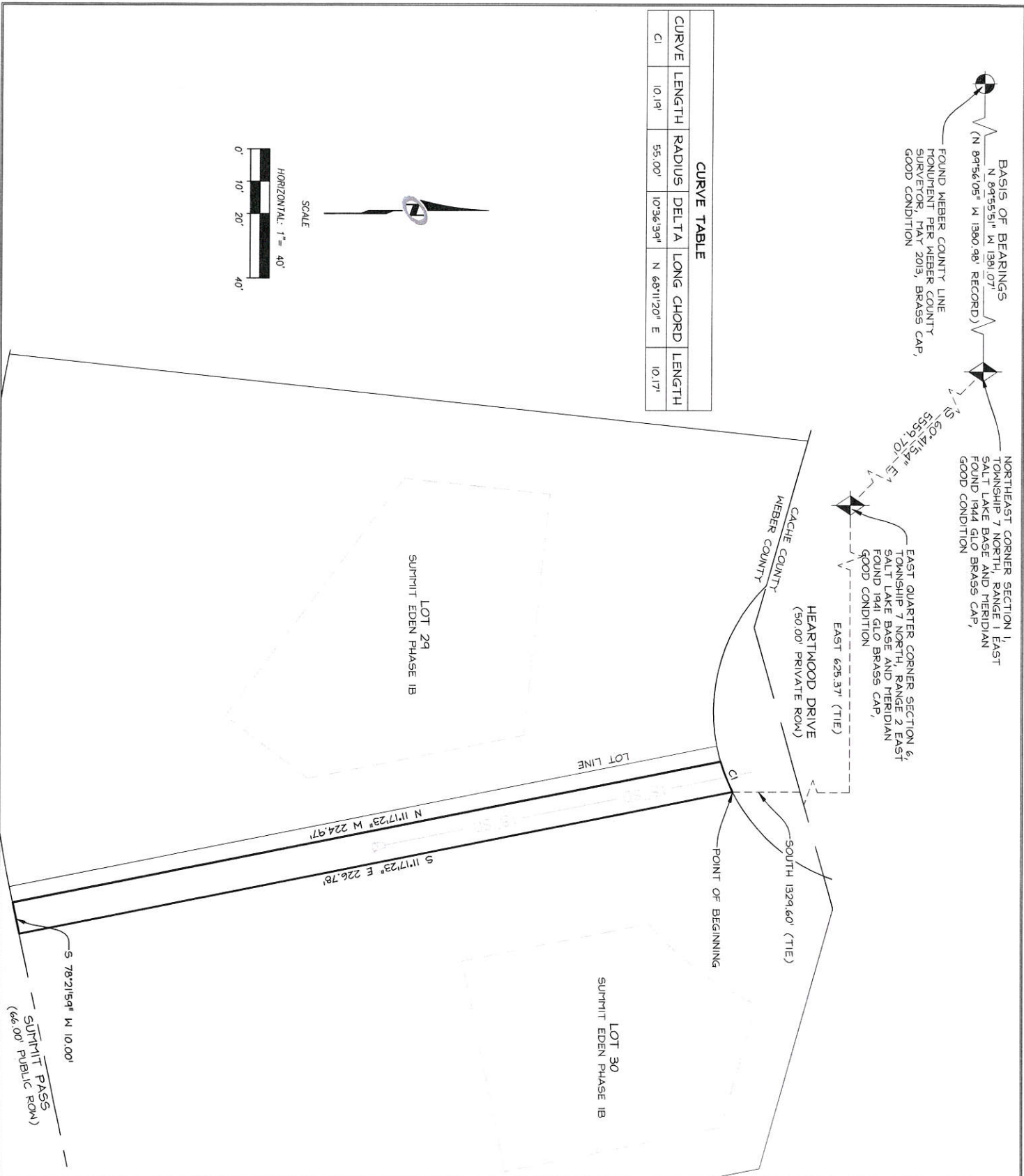
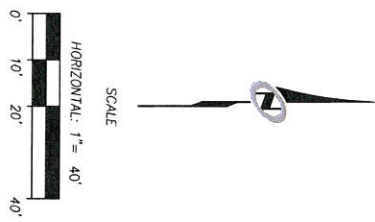
Beginning at a point that is on the South line of Heartwood Drive, said point lies East 625.37 feet and South 1,329.60 feet from the East Quarter Corner of Section 6, Township 7 North, Range 2 East, Salt Lake Base and Meridian (Basis of Bearings is North 89°55'51" West between the Northeast Corner of Section 1 Township 7 North, Range 1 East, Salt Lake Base and Meridian and the Weber County Monument at the intersection of the Weber/Cache County Line and the Section Line. Tie from the Northeast Corner of Said Section 1 to the East Quarter Corner of Section 6 is South 60°41'54" East 5,559.70 feet); running thence South 11°17'23" East 226.78 feet to the North line of Summit Pass; thence South 78°21'59" West along said North line 10.00 feet; thence North 11°17'23" West 224.97 feet to the said South line of Heartwood Drive; thence easterly along said South line and a 55.00 foot radius non-tangent curve to the left, (chord bears North 68°11'20" East a distance of 10.17 feet), through a central angle of 10°36'39", a distance of 10.19 feet to the point of beginning.

EXHIBIT "B"

Depiction of Easement Property

(attached)

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	LONG CHORD	LENGTH
CI	10.19'	55.00'	10°36'39"	N 68°11'20" E	10.17'



BASIS OF BEARINGS
 N 89°56'05" W 1380.98' RECORD
 N 89°55'51" W 1381.07'
 FOUND WEBER COUNTY LINE MONUMENT PER WEBER COUNTY SURVEYOR, MAY 2013, BRASS CAP, GOOD CONDITION

NORTHEAST CORNER SECTION 1, TOWNSHIP 7 NORTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN FOUND 1944 GLO BRASS CAP, GOOD CONDITION

EAST QUARTER CORNER SECTION 6, TOWNSHIP 7 NORTH, RANGE 2 EAST SALT LAKE BASE AND MERIDIAN FOUND 1941 GLO BRASS CAP, GOOD CONDITION

5217 SOUTH STATE STREET, SUITE 300
801.743.1300 TEL 801.743.0300 FAX

MURRAY, UT 84107
WWW.NIV5.COM

**PH1B STORM DRAIN EASEMENT
EXHIBIT "C"
DEPICTION OF EASEMENT PROPERTY**

PREPARED FOR: SMHG, LLC DATE SUBMITTED: 06/30/2014

SHEET NUMBER	1
OF SHEETS	1
JOB NUMBER	SLB0793