



W2708836

WHEN RECORDED, RETURN TO:

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

E# 2708836 PG 1 OF 6
ERNEST D ROWLEY, WEBER COUNTY RECORDER
31-OCT-14 9:21 AM FEE \$30.00 DEP JKC
REC FOR: SUMMIT MOUNTAIN HOLDING GROUP

DESIGNATION AND GRANT OF NON-EXCLUSIVE PUBLIC UTILITY EASEMENTS

This DESIGNATION AND GRANT NON-EXCLUSIVE PUBLIC UTILITY EASEMENTS is made this ____ day of _____ 2014, by SMHG Phase I LLC, a Delaware limited liability company and its successors and/or assigns (“Grantor”). The Public Utility Easements described herein are 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 power, natural gas, storm drain, sewer, water, and communications providers (collectively “Grantees”), a non-exclusive easement over, beneath, and across those certain portions 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.]

IN WITNESS WHEREOF, Grantor has executed this Designation and Grant of Non-Exclusive Public Utility Easements as of the date first indicated above.

GRANTORS:

SMHG Phase I LLC, a Delaware limited liability company

By: SMHG Investments LLC, a Delaware limited liability company

Its: Sole Member

By:  _____

Name: Paul Strange

Its: Authorized Signatory

EXHIBIT "A"

Easement Property

Easement Area Description

A Public Utility Easement that runs Parallel to and 10 feet Perpendicularly distant from the Right of Way line of Heartwood Drive.

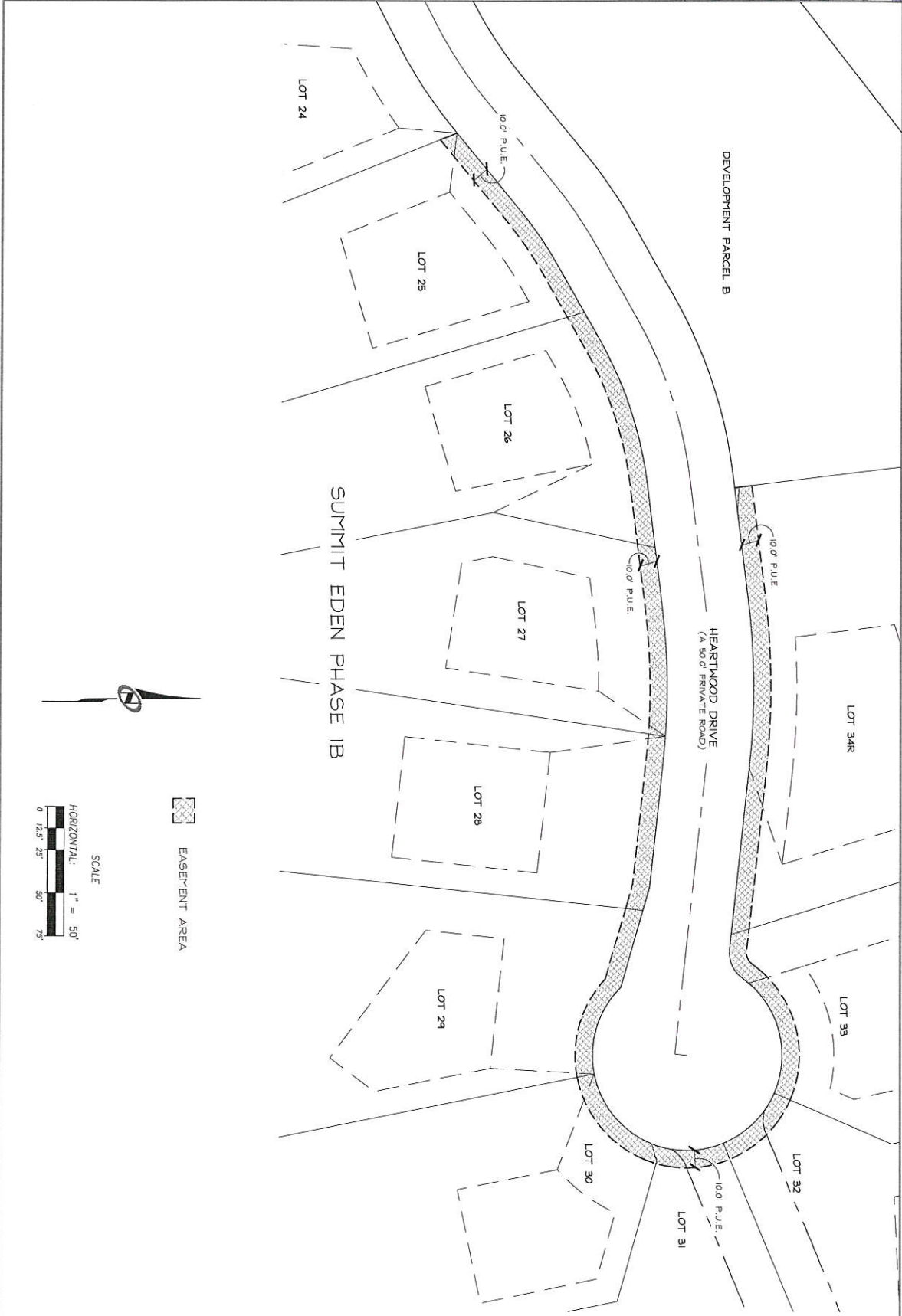
Affecting Lots 25, 26, 27, 28, 29, 30, 31 32, 33 and 34R of Summit Eden Phase 1B Subdivision as recorded on January 27, 2014 as entry number 2672944 in the official records of Weber County.

EXHIBIT "B"

Depiction of Easement Property

(attached)

DOCKTER
XREFS:



JOB NUMBER SLB0793	DATE: 10/23/14 TIME: 8:45:17 AM
	NETWORK: NONE
	PATH:
	DWG NAME:
	LAYOUT: sheet 1
	DESIGNER: IDD MGR: ASA
OF 1 SHEETS	SHEET NUMBER 1

NVI5
BEYOND ENGINEERING

6217 SOUTH STATE STREET, SUITE 200
BOULDER, CO 80503 TEL: 303.440.0000 FAX: 303.440.0001

MURRAY, UT 84107
WWW.NVI5.COM

EXHIBIT "B"
SUMMIT EDEN PHASE 1B
DEPICTION OF EASEMENT LOCATIONS

PREPARED FOR: SUMMIT DATE SUBMITTED: 2014-10-23