



W2708837

EH 2708837 PG 1 OF 7
ERNEST D ROWLEY, WEBER COUNTY RECORDER
31-OCT-14 923 AM FEE \$37.00 DEP JKC
REC FOR: SUMMIT MOUNTAIN HOLDING GROUP

WHEN RECORDED, RETURN TO:

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

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 SMHG Landco LLC, a Delaware limited liability company, and their respective successors and/or assigns (“Grantors”). The Public Utility Easements described herein are given in addition to those previously dedicated and described in Summit Eden Phase 1C Subdivision recorded on January 27, 2014 as entry number 2672945 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

SMHG LANDCO LLC, a Delaware limited liability company

By: Summit Mountain Holding Group, L.L.C., a Utah limited liability company
Its: Sole Member

By: Summit Revolution LLC., a Delaware limited liability company
Its: Managing Member

By: _____
Name: Paul Strange
Its: Authorized Signatory

STATE OF Utah)
:SS.
COUNTY OF Weber)

The foregoing instrument was acknowledged before me this 23 day of October, 2014, by Paul Strange, the authorized signatory for SMHG Investments LLC, the Sole Member of SMHG Phase I LLC.

K.A.B.
NOTARY PUBLIC
Residing at: Weber

My Commission Expires:
4/25/18



STATE OF Utah)
:SS.
COUNTY OF Weber)

The foregoing instrument was acknowledged before me this 23 day of October, 2014, by Paul Strange, Authorized Signatory of Summit Revolution LLC, the Managing Member of Summit Mountain Holding Group, L.L.C., the Sole Member of SMHG LANDCO LLC.

K.A.B.
NOTARY PUBLIC
Residing at: Weber

My Commission Expires:
4/25/18

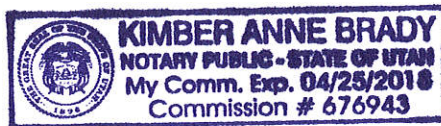


EXHIBIT "A"

Easement Property

Easement Area 1 Description

A Public Utility Easement that runs Parallel to and 5 feet Perpendicularly distant from the Southerly line of Copper Crest.

Affecting Lots 43R, 44R, 45R, 46R, 47R, 48R, 49R, 51R, 52R, 53, 54, 55, 56 and Parcel H of Summit Eden Phase 1C Subdivision as recorded on January 27, 2014 as entry number 2672945 in the official records of Weber County.

Easement Area 2 Description

A Public Utility Easement that runs Parallel to and 10 feet Perpendicularly distant from the Southerly line of Copper Crest.

Affecting Parcel G of Summit Eden Phase 1C Subdivision as recorded on January 27, 2014 as entry number 2672945 in the official records of Weber County.

Easement Area 3 Description

A Public Utility Easement that runs Parallel to and 10 feet Perpendicularly distant from the Northerly line of Copper Crest.

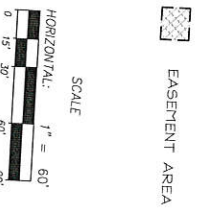
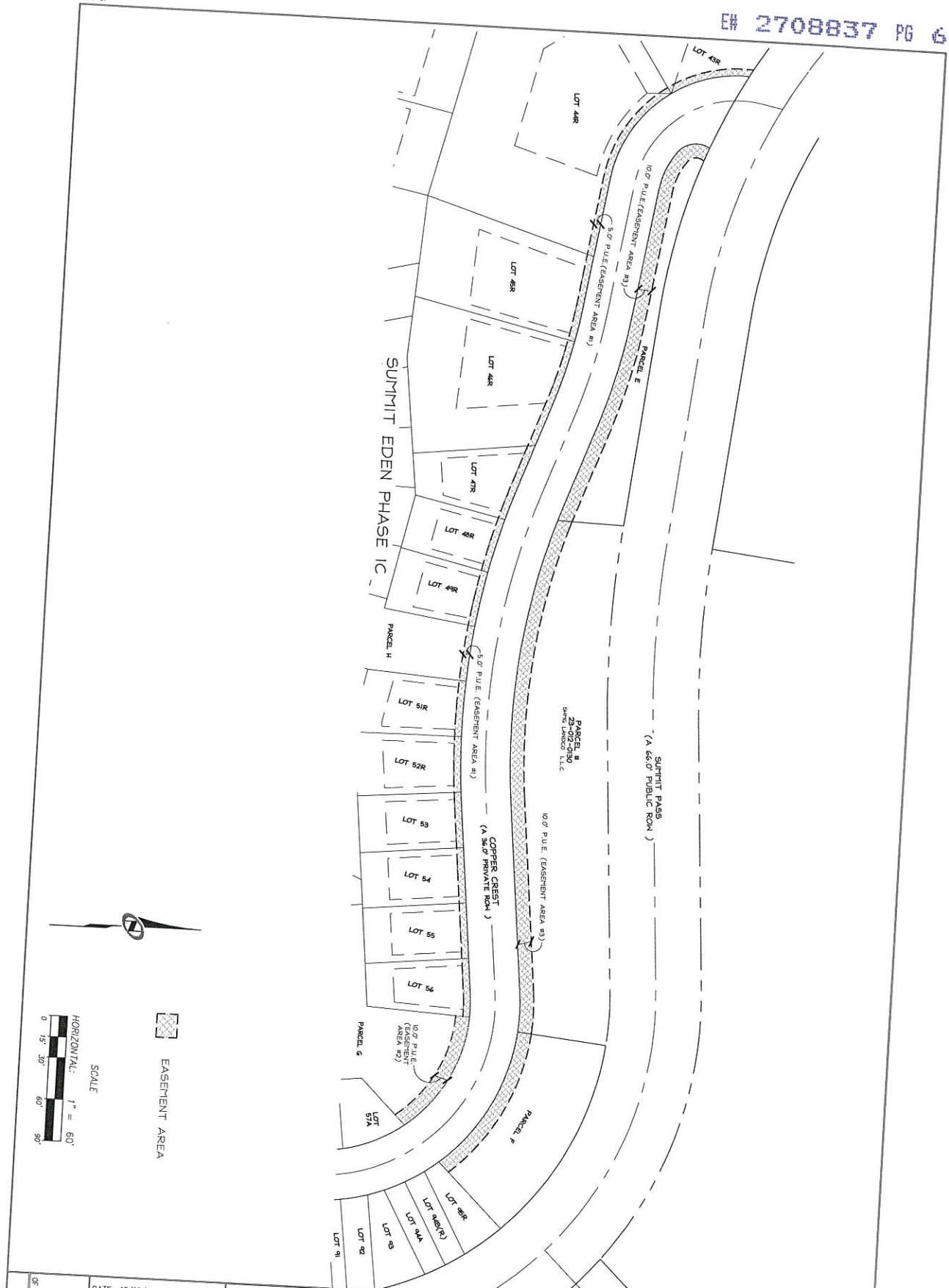
Affecting Parcels E and F of Summit Eden Phase 1C Subdivision as recorded on January 27, 2014 as entry number 2672945 in the official records of Weber County. Also affecting Parcel 23-012-0130.

EXHIBIT "B"

Depiction of Easement Property

(attached)

DOCK/TER
XREFS:



DATE: 10/23/14 TIME: 9:11:14 AM
 NETWORK: NONE
 PATH:
 DWG NAME:
 LAYOUT: sheet 1
 DESIGNER: IDD MGR ASA



8217 SOUTH STATE STREET, SUITE 200
 801748-1500 TEL. 801748-9200 FAX

MURRAY, UT 84107
 WWW.NIV5.COM

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

PREPARED FOR: SUMMIT

DATE SUBMITTED: 2014-10-23

OF 1 SHEETS
 JOB NUMBER
 SHEET NUMBER
 1580793

EXHIBIT A

**ALL OF LOT 83, SUMMIT EDEN PHASE 1C, ACCORDING TO THE OFFICIAL PLAT
THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE WEBER COUNTY
RECORDER.**

(For Reference Purposes Only Tax ID No.: 23-130-0050)

SL15746PM