



W2711133

WHEN RECORDED, RETURN TO:

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

EN 2711133 PG 1 OF 7
ERNEST D ROWLEY, WEBER COUNTY RECORDER
18-NOV-14 4:20 PM FEE \$23.00 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 12 day of November 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

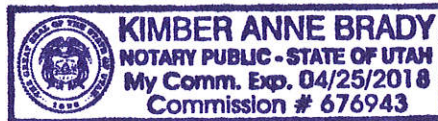
Its: Authorized Signatory

STATE OF Utah)
:ss.
COUNTY OF Weber)

The foregoing instrument was acknowledged before me this 12 day of November, 2014, by Paul Strange, the authorized signatory for SMHG Investments LLC, the Sole Member of SMHG Phase I LLC.

KAB
NOTARY PUBLIC
Residing at: Weber

My Commission Expires:
4/25/18

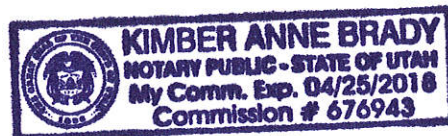


STATE OF Utah)
:ss.
COUNTY OF Weber)

The foregoing instrument was acknowledged before me this 12 day of November, 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.

KAB
NOTARY PUBLIC
Residing at: Weber

My Commission Expires:
4/25/18



PS 4 87

EXHIBIT "A"**Easement Property**Easement Area 1 Description

All of Parcel G, 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

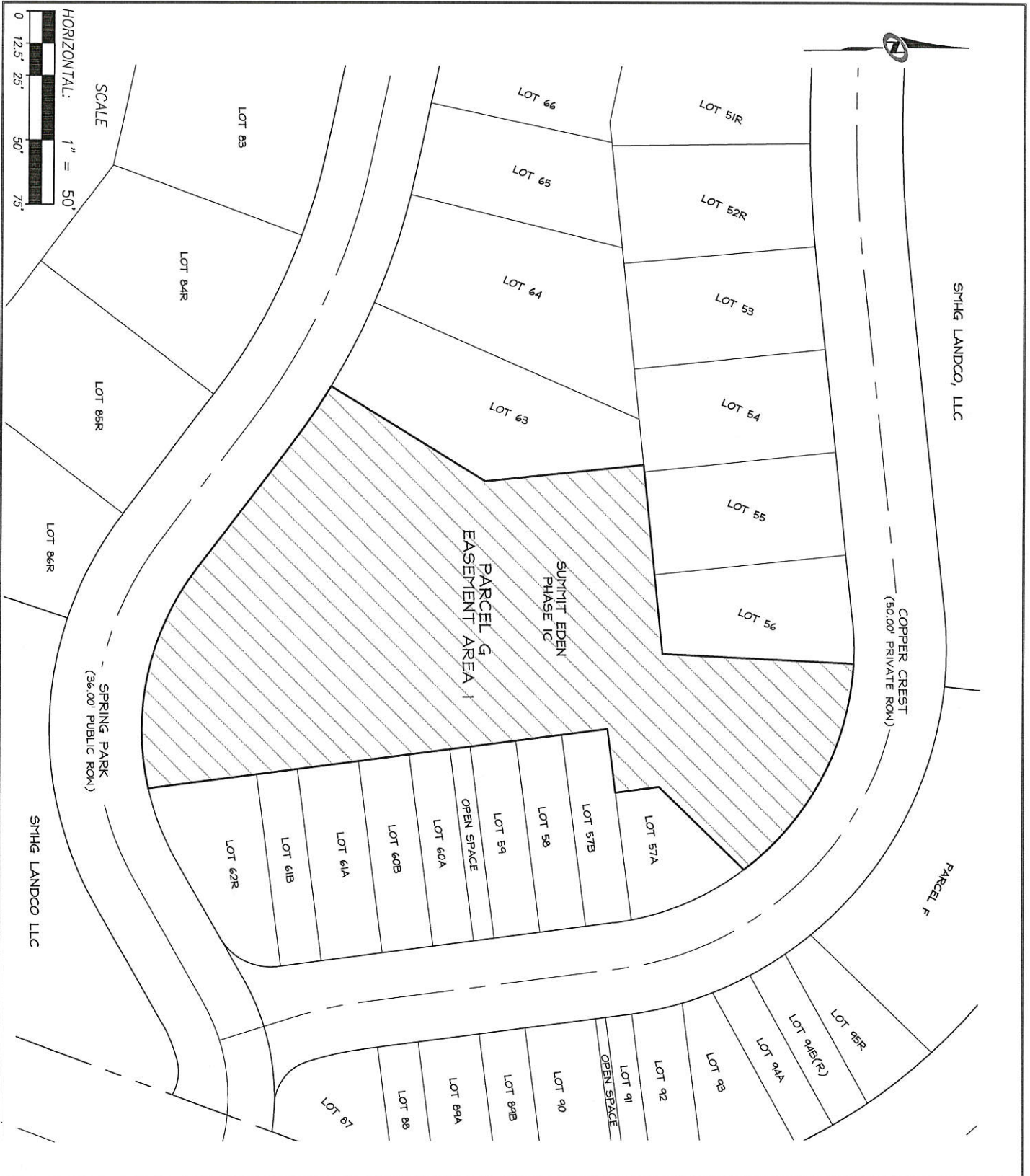
Beginning at a point that is on the Southerly line of a Public Utility Easement that runs Parallel to and 5 feet perpendicularly distant from the Southerly Line of Spring Park, said point lies East 1,205.94 feet and South 1,051.45 feet from the North Quarter Corner of Section 8, Township 7 North, Range 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 North Quarter Corner of Section 8 is South 53°43'38" East 9,312.68 feet); and running thence Easterly along said Southerly line and a 143.00 foot radius non-tangent curve to the left, (chord bears North 84°06'20" East a distance of 116.91 feet), through a central angle of 48°15'18", a distance of 120.44 feet; thence North 59°58'41" East along said Southerly line 21.30 feet; thence South 23°07'00" West 67.72 feet; thence South 71°22'55" West 135.79 feet; thence West 42.09 feet to the Easterly line of Parcel J, Summit Eden Phase 1C; thence North along said Easterly line 20.00 feet to the Southerly line of Lot 86 R, Summit Eden Phase 1C; thence East along said Southerly line 41.88 feet to the Easterly line of said lot 86R; thence North 18°13'59" East along said Easterly line 66.30 feet to the point of beginning.

Affecting Parcel 23-012-0130.

EXHIBIT "B"

Depiction of Easement Property

(attached)



6217 SOUTH STATE STREET, SUITE 300
801.743.1300 TEL 801.743.0300 FAX

MURRAY, UT 84107
WWW.NV5.COM

**PUBLIC UTILITY EASEMENT AREA 1
EXHIBIT "B"
DEPICTION OF EASEMENT LOCATION**

PREPARED FOR: SMHG, LLC

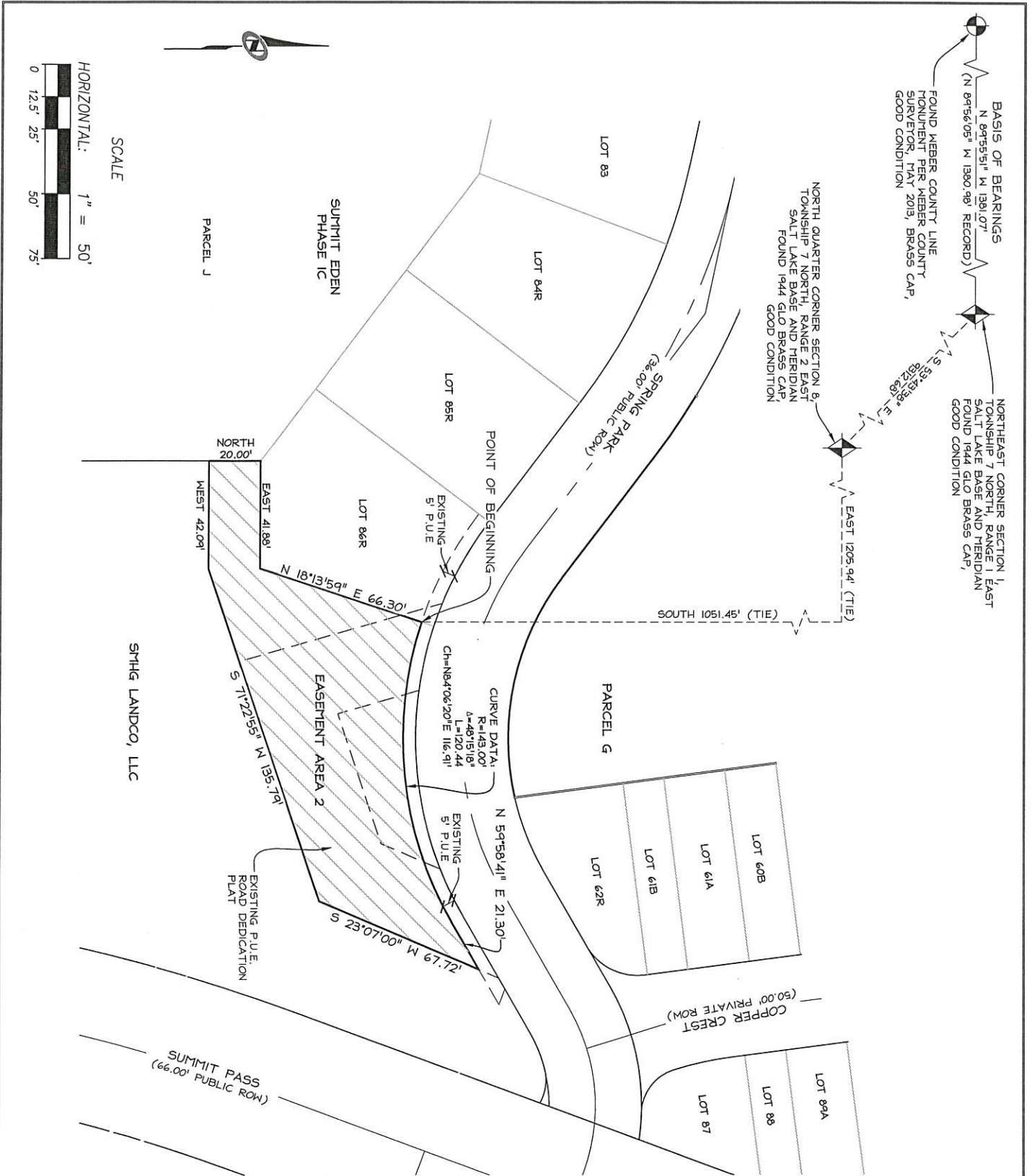
DATE SUBMITTED: 11/03/2014

SHEET NUMBER

1

OF 2 SHEETS

JOB NUMBER
SLB0793



N|V|5
BEYOND ENGINEERING

6217 SOUTH STATE STREET, SUITE 300
801.743.1300 TEL 801.743.0300 FAX

MURRAY, UT 84107
WWW.NV5.COM

**PUBLIC UTILITY EASEMENT AREA 2
EXHIBIT "B"
DEPICTION OF EASEMENT LOCATIONS**

PREPARED FOR: SMHG, LLC

DATE SUBMITTED: 11/03/2014

SHEET NUMBER	2
OF 2 SHEETS	
JOB NUMBER	SLB0793