SEWER LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

In consideration of One Dollar ($1.00) and other good and valuable consideration paid to A. H. Gubler Holding, hereinafter referred to as "Grantor," by the Town of Ivins, hereinafter referred to as "Grantee," Grantor does hereby grant, transfer and convey unto the Grantee both a temporary easement with the right to erect, construct, install and lay, and thereafter a perpetual easement to use, operate, inspect, repair, maintain, replace or expand sewer facilities, including but not limited to sewer collection lines, steel or concrete structures, under and along any portion of the property described herein which may be owned by Grantor in Washington County, State of Utah.

The temporary easement shall be 50 feet in width during the period of construction, and upon completion, the perpetual easement shall be 20 feet in width, the centerline of both the temporary and perpetual easements is described in Exhibit "A", attached hereto and incorporated herein by this reference.

Grantee agrees to maintain the easement in good repair so that Grantor can continue to make such use of the surface of said easement as does not interfere with its purposes as described herein, and in such a manner that no damage results to the adjacent land of Grantor. Grantor shall provide reasonable ingress and egress to and from said right-of-way.

The benefits of this easement shall inure to the benefit of Grantee, or any municipal successor thereof, but shall not inure to or be for the benefit of any private assignee of Grantee.

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RUSSELL SHIRTS * WASHINGTON CO RECORDER
1996 JAN 09 14:08 PM FEE $14.00 BY GM
FOR: BUSH & GUDGELL INC

Unofficial Copy

IN WITNESS WHEREOF, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 9 day of January, 1995.

Attest:

Dale Gubler
Secretary

A. H. Gubler Holding

By Clark Gubler
President

(CORPORATE SEAL)

STATE OF UTAH)
) ss.
COUNTY OF Washington)

On the 9 day of January, 1995, personally appeared before me Linda Glasgow and who being by me duly sworn did say, each for himself, that he, the said Clark Gubler is the president, and he, the said Dale Gubler is the secretary of A. H. Gubler Holding, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Clark Gubler and Dale Gubler each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

LINDA GLASGOW
Notary Public
STATE OF UTAH
My Comm. Expires JUN 5, 1997
205 E TABERNACLE ST GEORGE UT 84770

Linda Glasgow
Notary Public

My Commission Expires:
June 5, 1997

Residing In:
Wash. Co.

00520153 Bk0964 Pg0856

Exhibit "A"

Beginning at an existing sewer manhole on the Ivins outfall line, said point being also N 89°54'33" E 1353.15 feet along the center section line and South 78.40 feet from the West 1/4 corner of Section 9, Township 42 South, Range 16 West, Salt Lake Base and Meridian and running thence N 0°50'08" W 400.00 feet, more or less, to a manhole; N 0°50'08" W 400.00 feet, more or less, to a manhole; N 0°50'08" W 300.00 feet, more or less, to a manhole; thence N 6°15'30" W 317.19 feet, more or less, to a manhole; thence S 89°38'23" W 370.02 feet, more or less, to a manhole; thence S 89°38'23" W 342.26 feet, more or less, to a manhole; thence N 33°26'42" W 412.26 feet, more or less, to a manhole; thence N 17°56'06" W 354.03 feet, more or less, to a manhole; thence N 28°00'25" W 295.48 feet, more or less, to a manhole; thence N 5°19'41" E 195.68 feet, more or less, to a manhole; thence N 36°05'47" W 232.50 feet, more or less, to a manhole; thence N 30°24'02" E 26.91 feet to a point which lies N 89°22'31" E 41.76 feet along the section from the Northwest corner of said Section 9; thence N 30°24'02" E 229.25 feet, more or less, to a manhole; thence N 24°03'11" W 225.96 feet, more or less, to a manhole; thence N 42°05'28" E, 220.30 feet, more or less, to a manhole; thence N 55°02'39" W 268.54 feet to a point which lies N 0°32'06' W 721.89 feet along the section line from the Southwest corner of Section 4, Township 42 South, Range 16 West, Salt Lake Base and Meridian; thence N 55°02'39" W 27.88 feet, more or less, to a manhole; thence N 49°17'09" W 316.33 feet, more or less, to a manhole; thence N 45°58'39" E 359.10 feet to a point which lies S 0°32'06" E 1493.20 feet along the section line from the West 1/4 corner of said Section 4; thence N 45°58'39" E 40.59 feet, more or less, to a manhole; thence N 27°23'15" E 400.41 feet, more or less, to a manhole; thence N 21°20'30" E 397.04 feet, more or less, to a manhole; thence N 36°24'36" E 270.19 feet, more or less, to a manhole; thence N 35°58'35" E 321.65 feet, more or less, to a manhole; thence N 52°40'42" W 353.41 feet, more or less, to a manhole; thence N 6°56'27" W 46.80 feet to a point which lies S 89°51'16" E 434.44 feet along the center section line from the West 1/4 corner of said Section 4; thence N 6°56'27" W 166.47 feet, more or less, to a manhole; thence N 15°28'05" W 332.03 feet, more or less, to a manhole; thence N 3°29'27" E 140.05 feet, more or less, to a manhole; thence N 19°57'53" E 438.28 feet, more or less, to a manhole; thence N 31°48'18" W 333.35 feet, more or less, to a manhole; thence N 0°29'21" W 337.58 feet, more or less, to a manhole situated within Mesa Vista Road, according to the official plat of Padre Canyon Estates, Unit 1, Phase 2, records of Washington County, and the end of this description.

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