TOOELE CITY CORPORATION

ORDINANCE 2026-02

AN ORDINANCE OF THE TOOELE CITY COUNCIL VACATING A MUNICIPAL UTILITY EASEMENT NEAR 2400 NORTH MAIN STREET (THE PEAK AT COMPASS POINT SUBDIVISION) AND ACCEPTING A REPLACEMENT MUNICIPAL UTILITY EASEMENT FOR IDENTICAL UTILITY SERVICE TO THE SAME AREA.

WHEREAS, in 2024, in the development of The Peak at Compass Point Subdivision, L.H. Perry Investments, LLC, (the "Property Owner") conveyed to Tooele City a municipal utility easement, shown in Exhibit A, for the purpose of accessing, constructing, operating, and maintaining water facilities ("Exhibit A Easement"); and,

WHEREAS, as development has progressed, it has been determined that the water facilities were adjusted and relocated to accommodate the project design; and,

WHEREAS, the Property Owner has petitioned the City to vacate the Exhibit A Easement (as described in the vacation instrument in Exhibit B) in exchange for the grant of a new municipal utility easement, shown in Exhibit C, for the identical purpose of accessing, constructing, operating, and maintaining water facilities ("Exhibit C Easement"); and,

WHEREAS, the Exhibit A Easement is currently used or contemplated only for water facilities, and there are no other public or private utilities currently located within said easement; and,

WHEREAS, there are no other property owners adjacent to the Exhibit A Easement; and,

WHEREAS, the petition complies with Utah Code § 10-20-813; and,

WHEREAS, the City Council convened a duly-noticed public hearing on February 18, 2026, to consider the easement vacation and replacement; and,

WHEREAS, good cause exists for the vacation, and the vacation is not anticipated to materially injure the public interest or any private person, inasmuch as:

- The Property Owner has petitioned for the vacation to facilitate better utility alignment;
- The replacement Exhibit C Easement provides the City with an interest equivalent to or better than the original Exhibit A Easement;
- No existing public or private utilities will be displaced or impaired by this relocation; and,
- the public hearing identified no reason why the vacation should not be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that:

1. the petition to vacate the Exhibit A Easement and replace it with the new Exhibit C Easement, is hereby approved, contingent and effective upon the recording of the Exhibit C Easement; and,
2. the City Administration is hereby instructed to see that Exhibit B and Exhibit C, as well as a signed and executed copy of this Ordinance, be recorded in the office of the Tooele County Recorder.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this 18th day of February, 2026.

TOOELE CITY COUNCIL

(For) (Against)

Melodi Gochis

Justin Brady

ABSTAINING: _____

MAYOR OF TOOELE CITY

(Approved) (Disapproved)

ATTEST:

Shilo Baker, City Recorder

SEAL

Approved as to Form:

Matthew C. Johnson, Tooele City Attorney

Exhibit A

November 2024 Easement (to be Vacated)

Entry #: 610717
11/07/2024 04:21 PM EASEMENT
Page: 1 of 16
FEE: $40.00 BY: MERIDIAN TITLE COMPANY
Jerry Houghton, Tooele County, Recorder

AFTER RECORDATION
MAIL TO:
TOOELE CITY CORPORATION
90 NORTH MAIN STREET
TOOELE CITY, UT 84074

GRANT OF RIGHT-OF-WAY EASEMENT TO TOOELE CITY

For good and valuable consideration, receipt of which is hereby acknowledged, the undersigned Property Owner **L.H. PERRY INVESTMENTS, L.L.C.**, a Utah limited liability company, whose address is 17 East Winchester Street Murray, UT 84107 Attn: William O. Perry IV, as GRANTOR(S) hereby grant to TOOELE CITY, a municipal corporation situated in Tooele County, the State of Utah, as CITY, a permanent easement and right-of-way for the purpose of accessing, constructing, operating, and maintaining water facilities in the easement granted herein. Said easement is described as follows:

(See Attached Exhibit 'A' for Legal Description &
Exhibit 'B' for Location Map)

GRANTOR hereby grants to CITY a perpetual right of ingress and egress to and from and along said right-of-way with the right to operate, maintain, repair, replace, augment and/or remove the public facilities as deemed necessary; also the right to trim, clear or remove, at any time from said right-of-way any tree, brush, structure or obstruction of any character whatsoever, which in the sole judgment of CITY may endanger the safety of or interfere with the operation of CITY's facilities. The Grantor and its successors in interest hereby forever relinquish the right to construct any improvement, structure, change in topography, or landscaping which would interfere with the operation, replacement or repair of the water facilities constructed and maintained under the provisions of this easement, without the express written consent in advance of the CITY. Any improvements erected within this easement without written consent will be removed at the current lot owner's expense.

GRANTOR agrees on its own behalf, and on behalf of its successors in interest, that it will indemnify and hold harmless CITY for any damages to the property which result from maintenance and repair operations by CITY of its facilities within the easement. CITY will make reasonable efforts to restore the ground surface of the property within the easement to a safe condition following any maintenance or repair operations, but final surface hardscape or landscape restoration will be the responsibility of the GRANTOR.

GRANTOR may use said land as a driveway and parking, and to the extent of such use, may surface or pave the area, subject to the restrictions as to changes in existing topography set forth above.

CITY shall have the right to transfer and assign all or a portion of this easement to its successor in interest, or to any other political subdivision or public utility for use of the above stated purpose.

CITY shall be responsible for any accidents or damages occurring on or to the property during the term of this easement caused by negligent acts or conduct of CITY, or by the negligent acts or conduct of CITY's employees, servants or agents.

All work and other activities performed by CITY pursuant to this easement shall be performed in a good and workmanlike, and lien-free manner in compliance with all applicable laws, codes and regulations, and once commenced, shall be diligently pursued to completion. CITY shall not allow any liens to be placed on the property as a result of CITY's work.

CITY shall only use the easement area or any of the adjoining land of GRANTOR's property for the parking of vehicles or equipment on a temporary basis and as reasonably necessary to exercise CITY's rights hereunder, and no overnight parking whatsoever.

CITY shall use commercially reasonable efforts to minimize the disturbance of GRANTOR's business operations on GRANTOR's property, and shall not cause or permit any unattended parking of equipment on the paved surfaces of GRANTOR's property that are outside of easement area. Where reasonably practicable CITY will make efforts to keep GRANTOR's ingress and egress points to public rights-of-way, and drive lanes and drive aisles within the shopping center shall remain open and unobstructed during normal business hours.

To the extent practicable, CITY shall patch or restore any asphalt, curb and gutter, or sidewalks on the property that is removed or disturbed by CITY as a result of CITY's maintenance or repairs of its facilities within the easement area. City shall only be required to repair those areas that are removed or disturbed by CITY.

GRANTOR: L.H. PERRY INVESTMENTS, L.L.C.

Date: 11/16/24

(Printed Name) William O Perry

STATE OF Utah)
: ss.
COUNTY OF Salt Lake)

On the 14th day of November, 2024, personally appeared before me William O Perry, the landowner of the property described in the attached Exhibit A and duly acknowledged to me that they executed the same.

SANDY ALLRED
NOTARY PUBLIC-STATE OF UTAH
COMMISSION# 715661
COMM. EXP. 12-29-2024

NOTARY PUBLIC

EXHIBIT 'A'

EXHIBIT 'A'

The Peak at Compass Point Subdivision **October 22, 2024**
Water Line Easement

An Easement of varied width for water line facilities, being a part of the Northeast Quarter of Section 9, Township 3 South, Range 4 West, Salt Lake Base, and Meridian, U.S. Survey, in Tooele City, Tooele County, Utah:

Beginning at a point on the Northerly line of 2400 North Street as it exists at 42.00 foot half-width, located 1159.60 feet North 89°41'33" East along the Quarter Section line; and 42.00 feet North from a Brass Cap Monument found marking the Center of said Section 9; and running thence North 0°18′27″ West 227.40 feet; thence North 7°07′11″ East 10.44 feet; thence North 82°52′49″ West 11.37 feet; thence North 7°07′11″ East 20.00 feet; thence South 82°52′49″ East 11.37 feet; thence North 7°07′11″ East 256.83 feet; thence North 82°52′49″ West 27.93 feet; thence North 7°07′11″ East 40.00 feet; thence South 82°52′49″ East 27.93 feet; thence North 7°07′11″ East 113.56 feet; thence North 31°07′51″ East 197.15 feet; thence North 58°52′09″ West 14.58 feet; thence North 82°44′08″ West 30.89 feet; thence North 7°15′52″ East 15.60 feet to a point on a curve on the Easterly line of future Parcel A of the forthcoming The Peak at Compass Point Subdivision; thence Northwesterly along the arc of a 190.00 foot radius curve to the left a distance of 5.90 feet (Center bears North 40°06′00″ West, Central Angle equals 1°46′47″ and Long Chord bears North 49°00′37″ East 5.90 feet) along said Easterly line of future Parcel A; thence South 82°44′08″ East 31.18 feet; thence South 58°52′09″ East 18.81 feet; thence North 31°07′51″ East 37.94 feet; thence North 7°15′52″ East 20.75 feet; thence North 82°44′08″ West 33.50 feet to a point on a curve; thence Northeasterly along the arc of a 190.00 foot radius curve to the left a distance of 55.19 feet (Center bears North 59°00′24″ West, Central Angle equals 16°38′38″ and Long Chord bears North 22°40′17″ East 55.00 feet); thence South 82°44′08″ East 18.89 feet; thence North 7°15′52″ East 112.77 feet; thence North 82°44′08″ West 17.44 feet; thence North 7°15′52″ East 28.00 feet; thence South 82°44′08″ East 17.44 feet; thence North 7°15′52″ East 21.31 feet; thence North 82°44′08″ West 17.44 feet; thence North 7°15′52″ East 20.00 feet; thence South 82°44′08″ East 17.44 feet; thence North 7°15′52″ East 28.23 feet; thence North 82°44′08″ West 17.44 feet; thence North 7°15′52″ East 28.00 feet; thence South 82°44′08″ East 17.44 feet; thence North 7°15′52″ East 167.27 feet; thence South 83°14′12″ East 63.65 feet; thence East 18.17 feet; thence North 25.00 feet; thence East 20.00 feet; thence South 25.00 feet; thence East 19.87 feet; thence North 25.00 feet; thence East 20.00 feet; thence South 25.00 feet; thence East 818.83 feet to the Westerly line of Highway 36; thence South 7°15′39″ West 20.16 feet along said Westerly line; thence West 235.86 feet; thence South 7°31′10″ West 30.32 feet; thence North 82°28′50″ West 26.30 feet; thence South 7°31′10″ West 107.65 feet; thence South 82°28′50″ East 29.35 feet; thence South 7°15′52″ West 30.00 feet; thence North 82°28′50″ West 29.49 feet; thence South 7°31′10″ West 141.66 feet; thence South 82°28′50″ East 14.00 feet; thence South 7°31′10″ West 20.00 feet; thence North 82°28′50″ West 14.00 feet; thence South 7°31′10″ West 27.06 feet; thence South 82°28′50″ East 29.85 feet; thence South 7°31′10″ West 20.05 feet; thence North 82°28′50″ West 29.85 feet; thence South 7°31′10″ West 109.75 feet; thence South 7°17′27″ West 78.04 feet; thence South 82°42′33″ East 33.18 feet; thence South 7°17′27″ West 32.00 feet; thence North 82°42′57″ West 33.18 feet; thence

South 7°17′27″ West 17.19 feet; thence South 82°44′08″ East 255.59 feet; thence South 7°15'52" West 20.00 feet; thence North 82°44'08" West 255.60 feet; thence South 7°17′27″ West 142.75 feet; thence South 82°42′33″ East 28.93 feet; thence South 7°17′27″ West 25.00 feet; thence North 82°42′33″ West 28.93 feet; thence South 7°17′27″ West 72.14 feet; thence South 82°42′13″ East 14.96 feet; thence South 7°17'27" West 20.00 feet; thence North 82°42'33" West 14.96 feet; thence South 7°17′27″ West 38.72 feet; thence South 60°56′42″ East 22.77 feet; thence South 29°03′18″ West 25.00 feet; thence North 60°56′42″ West 20.45 feet; thence South 29°03′18″ West 60.12 feet; thence South 60°56′42″ East 23.54 feet; thence South 29°03′18″ West 25.00 feet; thence North 60°56′42″ West 23.54 feet; thence South 29°03′18″ West 79.64 feet; thence South 60°56′42″ East 25.57 feet; thence South 29°03′18″ West 40.00 feet; thence North 60°56′42″ West 18.60 feet; thence 89°22′50″ West 102.64 feet; thence South 0°37′10″ West 14.00 feet; thence North 89°22′50″ West 25.00 feet; thence North 0°37′10″ East 14.00 feet; thence North 89°22′50″ West 199.39 feet; thence South 0°37′10″ West 14.50 feet; thence North 89°22′50″ West 20.00 feet; thence North 0°37′10″ East 14.50 feet; thence North 89°23′09″ West 109.46 feet; thence South 0°36′51″ West 5.00 feet; thence North 89°23′09″ West 20.00 feet; thence North 0°36′51″ East 5.00 feet; thence North 89°23′09″ West 185.60 feet; thence South 0°37′12″ West 25.97 feet; thence North 89°22′50″ West 20.00 feet; thence North 0°37'10" East 26.00 feet; thence North 89°22′50″ West 16.88 feet; thence South 0°18′27″ East 212.19 feet to said Northerly line of 2400 North Street; thence South 89°41′33″ West 20.00 feet along said Northerly line of 2400 North Street to the point of beginning.

Less and Excepting:

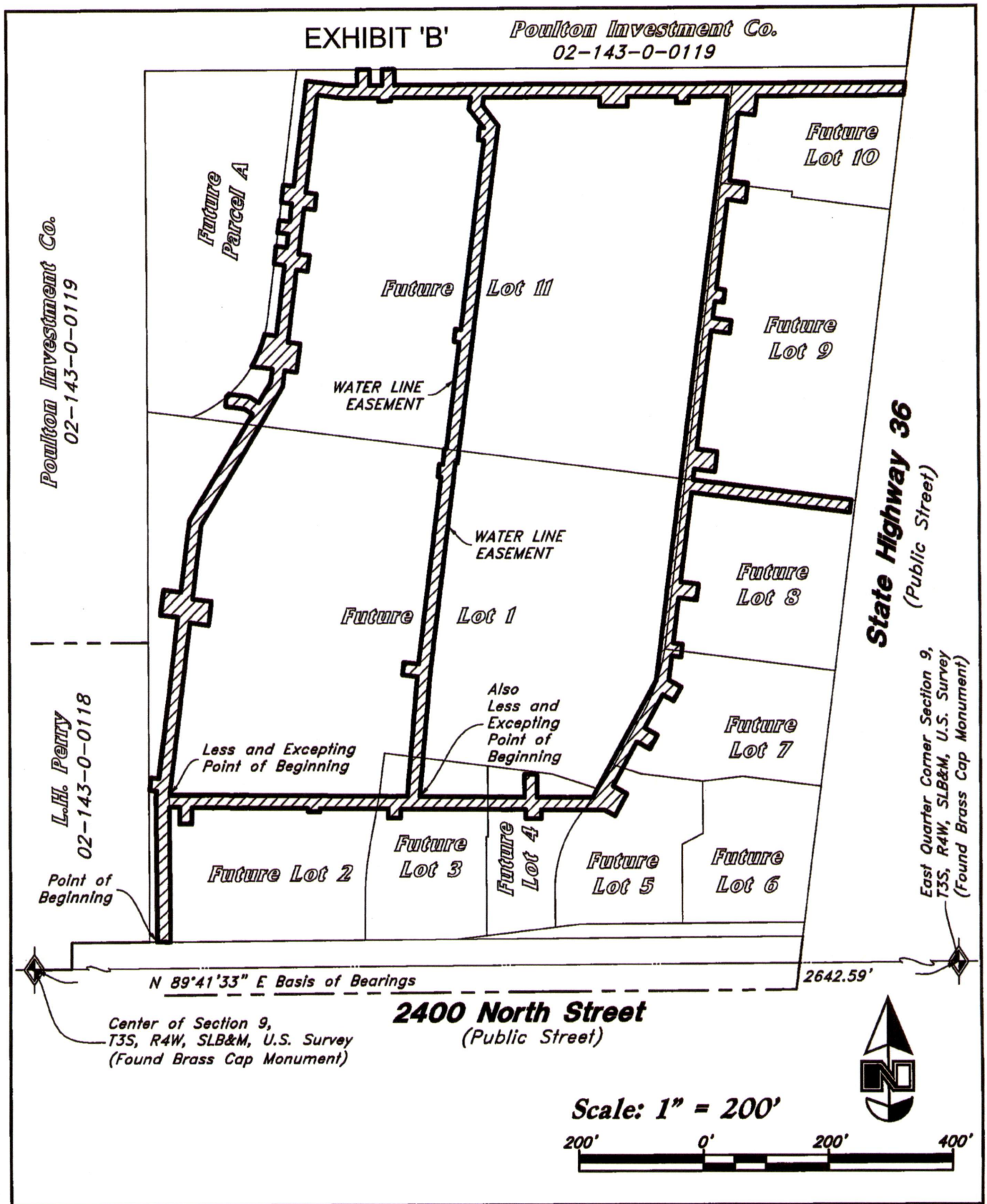
Beginning at a point located 1180.62 feet North 89°41'33" East along the Quarter Section line; and 274.19 feet North 0°18'27" West from a Brass Cap Monument found marking the Center of said Section 9; and running thence North 7°07′11″ East 273.22 feet; thence South 82°52′49″ East 30.64 feet; thence North 7°07′11″ East 38.00 feet; thence North 82°52′49″ West 30.64 feet; thence North 7°07′11″ East 117.92 feet; thence North 31°07′51″ East 255.06 feet; thence Noth 7°15′52″ East 24.98 feet; thence South 82°44′08″ East 19.86 feet; thence North 7°15′52″ East 45.00 feet; thence North 82°44′08″ West 19.86 feet; thence North 7°15′52″ East 115.80 feet; thence South 82°44′08″ East 17.50 feet; thence North 7°15′52″ East 25.00 feet; thence North 82°44′08″ West 17.50 feet; thence North 7°15′52″ East 72.53 feet; thence South 82°44′08″ East 17.50 feet; thence North 7°15′52″ East 25.00 feet; thence North 82°44′08″ West 17.50 feet; thence North 7°15′52″ East 155.43 feet; thence South 83°14′12″ East 45.00 feet; thence East 53.30 feet; South 5.00 feet; thence East 20.00 feet; thence North 5.00 feet; thence East 127.09 feet; thence South 7°45′26″ West 18.33 feet; thence South 37°14′34″ East 37.42 feet; thence North 82°44′34″ West 6.71 feet; thence South 7°15′26″ West 20.00 feet; thence South 82°44′34″ East 9.19 feet; thence South 7°15′26″ West 300.92 feet; thence North 82°44′34″ West 8.72 feet; thence South 7°15′26″ West 20.00 feet; thence South 82°44′34″ East 8.72 feet; thence South 7°15′26″ West 169.58 feet; thence North 82°44′08″ West 3.13 feet; thence South 7°08′30″ West 24.94 feet; thence North 82°51′30″ West 5.00 feet; thence South 7°08′30″ West 20.00 feet; thence South 82°51′30″ East 5.00 feet; thence South 7°08′30″ West 297.67 feet; thence North 82°51′30″ West 23.98 feet; South 7°08'30" West 20.00 feet; thence South 82°51'30" East 23.98 feet; thence South 5°02'13" West 189.68 feet; thence North 89°22'50" West 382.11 feet to the point of beginning.

Also Less and Excepting:

Beginning at a point located 1582.74 feet North 89°41'33" East along the Quarter Section line; and 267.68 feet North 0°18'27" West from a Brass Cap Monument found marking the Center of said Section 9; and running thence North 5°08'30" East 197.69 feet; thence North 7°08'30" East 332.28 feet; thence South 82°44'08" East 3.09 feet; thence North 7°15'26" East 536.16 feet; thence North 37°14'34" West 40.85 feet; thence North 7°45'26" East 12.77 feet; thence East 186.78 feet; thence South 15.00 feet; thence East 45.00 feet; thence North 15.00 feet; thence East 78.15 feet; thence South 10.00 feet; thence East 20.00 feet; thence North 10.00 feet; thence East 62.43 feet; thence South 7°31'10" West 480.40 feet; thence South 7°17'27" West 448.27 feet; thence South 29°03'18" West 211.99 feet; thence North 89°22'50" West 89.79 feet; thence North 0°37'10" East 36.00 feet; thence North 89°22'50" West 20.00 feet; thence South 0°37'10" West 36.00 feet; thence North 89°22'50" West 166.71 feet to the point of beginning.

Gross Contains 875,408 sq. ft.
Less and Excepting 352,358 sq. ft.
Also Less and Excepting 392,334 sq ft.
Net Contains 130,716 sq. ft.

EXHIBIT 'B'



AWA

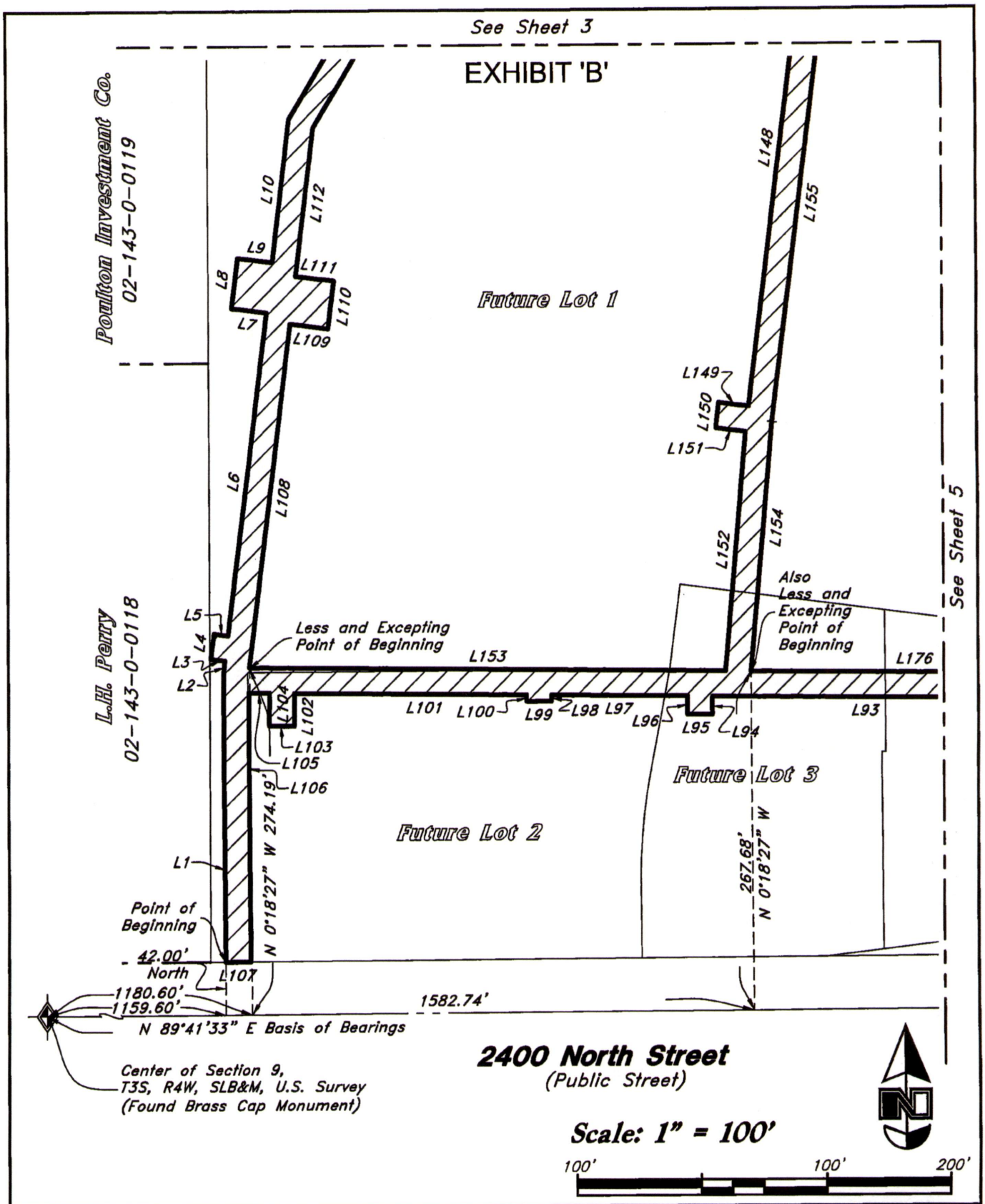
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No. 1

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024



AWA

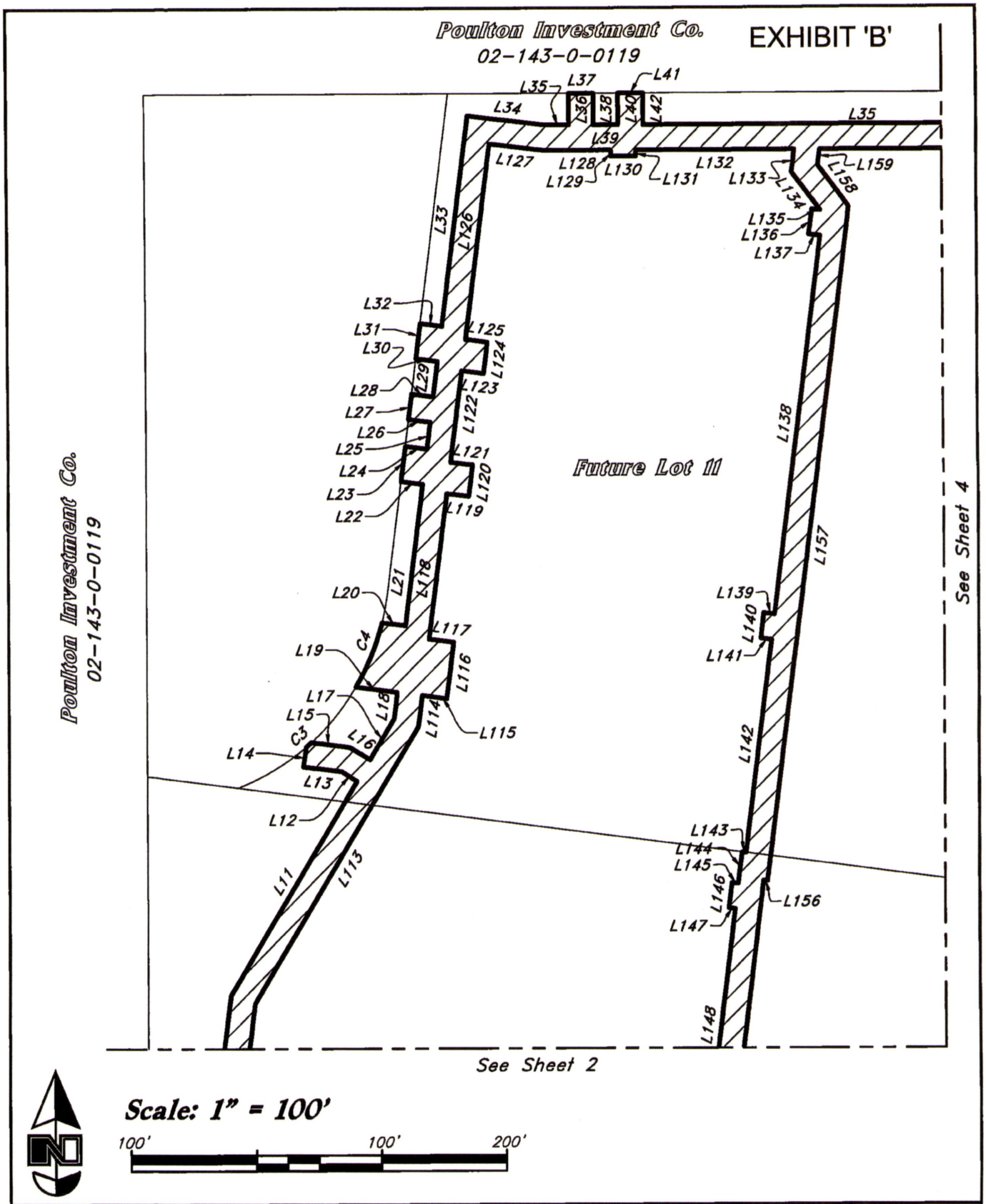
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

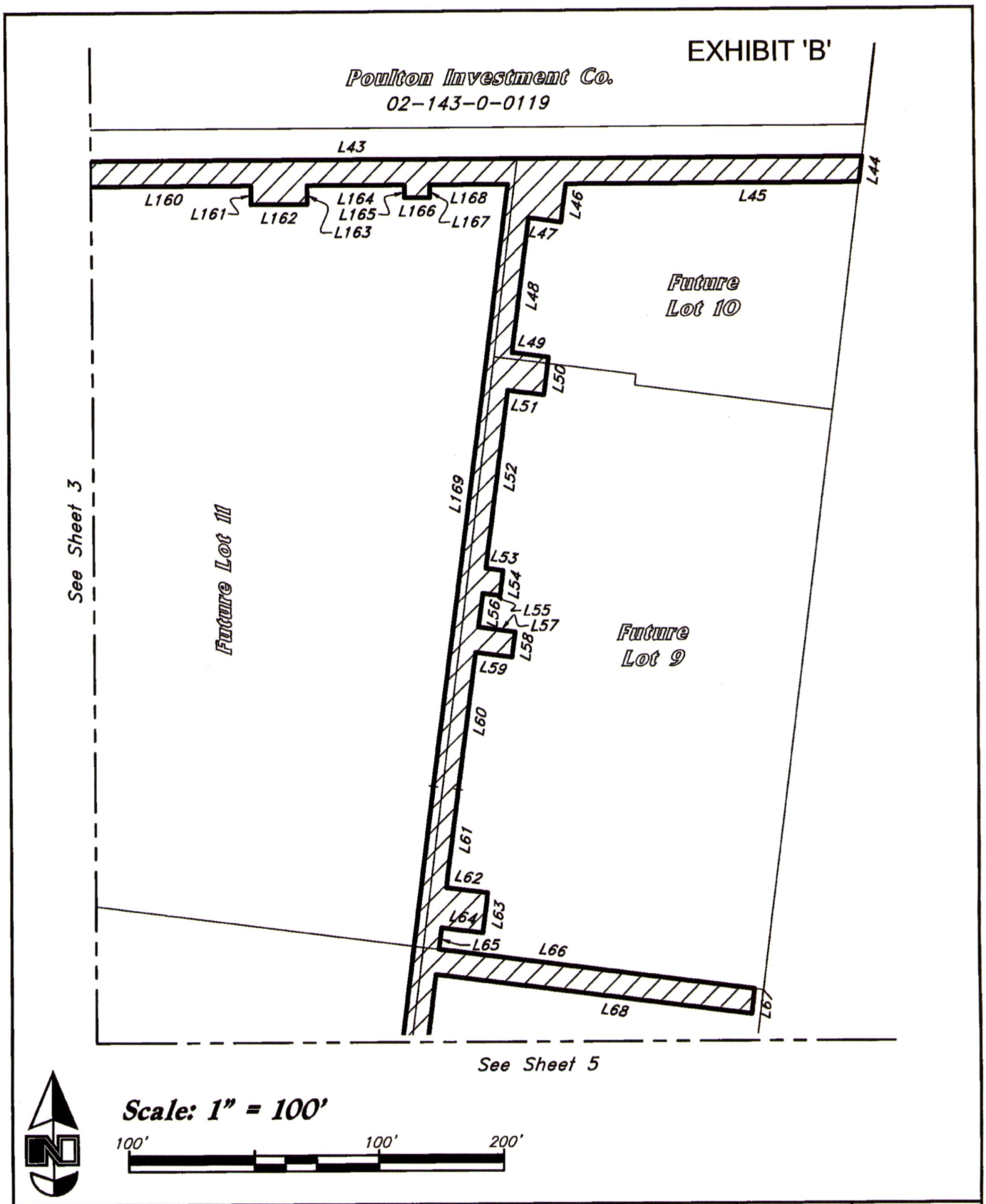
Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No. **2**

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024



AWA 2010 North Redwood Road, Salt Lake City, Utah 84116 (801) 521-8529 - AWAengineering.net	**Water Line Easment** **Smith's Tooele** 2400 North, Highway 36 Tooele, Utah	Sheet No. **3**	Designed By: TW Drafted By: TC,LC Client Name: Smith's SMC290 WL EX **16 Oct 2024**



AWA

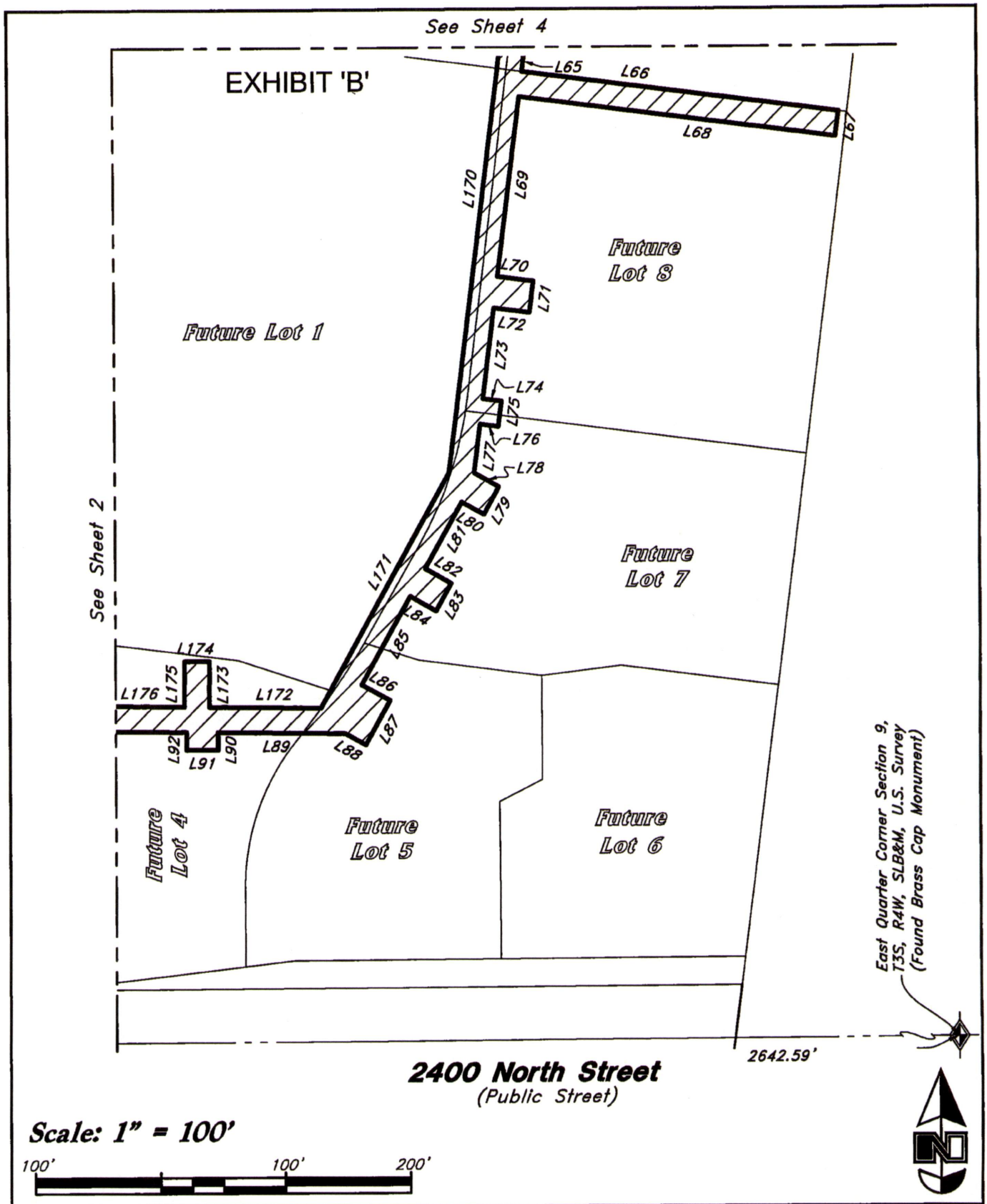
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No. **4**

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024



AWA

2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No.
5

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024

Line Table

Line #	Bearing	Length
L1	N00°18'27"W	227.40'
L2	N07°07'11"E	10.44'
L3	S82°52'49"E	11.37'
L4	N07°07'11"E	20.00'
L5	S82°52'49"E	11.37'
L6	N07°07'11"E	256.83'
L7	N82°52'49"W	27.93'
L8	N07°07'11"E	40.00'
L9	S82°52'49"E	27.93'
L10	N07°07'11"E	113.56'
L11	N31°07'51"E	197.15'
L12	N58°52'09"W	14.58'
L13	N82°44'08"W	30.89'
L14	N07°15'52"E	15.60'
L15	S82°44'08"E	31.18'
L16	S58°52'09"E	18.81'
L17	S31°07'51"W	37.94'
L18	N07°15'52"E	20.75'
L19	N82°44'08"W	33.50'
L20	S82°44'08"E	18.89'
L21	N07°15'52"E	112.77'
L22	N82°44'08"W	17.44'
L23	N07°15'52"E	28.00'
L24	S82°44'08"E	17.44'
L25	N07°15'52"E	21.31'
L26	N82°44'08"W	17.44'
L27	N07°15'52"E	20.00'
L28	S82°44'08"E	17.44'
L29	N07°15'52"E	28.23'
L30	N82°44'08"W	17.44'

Line Table

Line #	Bearing	Length
L31	N07°15'52"E	28.00'
L32	S82°44'08"E	17.44'
L33	N07°15'52"E	167.27'
L34	S83°14'12"E	63.65'
L35	East	18.17'
L36	North	25.00'
L37	East	20.00'
L38	South	25.00'
L39	East	19.87'
L40	North	25.00'
L41	East	20.00'
L42	South	25.00'
L43	East	818.83'
L44	S07°15'39"W	20.16'
L45	West	235.86'
L46	S07°31'10"W	30.32'
L47	N82°28'50"W	26.30'
L48	S07°31'10"W	107.65'
L49	S82°28'50"E	29.35'
L50	S07°15'52"W	30.00'
L51	N82°28'50"W	29.49'
L52	S07°31'10"W	141.66'
L53	N82°28'50"W	14.00'
L54	S07°31'10"W	20.00'
L55	N82°28'50"W	14.00'
L56	S07°31'10"W	27.06'
L57	S82°28'50"E	29.85'
L58	S07°31'10"W	20.05'
L59	N82°28'50"W	29.85'
L60	S07°31'10"W	109.75'

EXHIBIT 'B'

AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No. 6

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024

Line Table

Line #	Bearing	Length
L61	S07°17'27"W	78.04'
L62	S82°42'33"E	33.18'
L63	S07°17'27"W	32.00'
L64	N82°42'33"W	33.18'
L65	S07°17'27"W	17.19'
L66	S82°44'08"E	255.59'
L67	S07°15'52"W	20.00'
L68	N82°44'08"W	255.60'
L69	S07°17'27"W	142.75'
L70	S82°42'33"E	28.93'
L71	S07°17'27"W	25.00'
L72	N82°42'33"W	28.93'
L73	S07°17'27"W	72.14'
L74	S82°42'13"E	14.96'
L75	S07°17'27"W	20.00'
L76	N82°42'33"W	14.96'
L77	S07°17'27"W	38.72'
L78	S60°56'42"E	22.77'
L79	S29°03'18"W	25.00'
L80	N60°56'42"W	20.45'
L81	S29°03'18"W	60.12'
L82	S60°56'42"E	23.54'
L83	S29°03'18"W	25.00'
L84	N60°56'42"W	23.54'
L85	S29°03'18"W	79.64'
L86	S60°56'42"E	25.57'
L87	S29°03'18"W	40.00'
L88	N60°56'42"W	18.60'
L89	N89°22'50"W	102.64'
L90	N00°37'10"E	14.00'

Line Table

Line #	Bearing	Length
L91	N89°22'50"W	25.00'
L92	N00°37'10"E	14.00'
L93	N89°22'50"W	199.39'
L94	S00°37'10"W	14.50'
L95	N89°22'50"W	20.00'
L96	N00°37'10"E	14.50'
L97	N89°23'09"W	109.46'
L98	N00°36'51"E	5.00'
L99	N89°23'09"W	20.00'
L100	N00°36'51"E	5.00'
L101	N89°23'09"W	185.60'
L102	S00°37'12"W	25.97'
L103	N89°22'50"W	20.00'
L104	N00°37'10"E	26.00'
L105	N89°22'50"W	16.88'
L106	S00°18'27"E	212.19'
L107	S89°41'33"W	20.00'
L108	N07°07'11"E	273.22'
L109	S82°52'49"E	30.64'
L110	N07°07'11"E	38.00'
L111	N82°52'49"W	30.64'
L112	N07°07'11"E	117.92'
L113	N31°07'51"E	255.06'
L114	N07°15'52"E	24.98'
L115	S82°44'08"E	19.86'
L116	N07°15'52"E	45.00'
L117	N82°44'08"W	19.86'
L118	N07°15'52"E	115.80'
L119	S82°44'08"E	17.50'
L120	N07°15'52"E	25.00'

EXHIBIT 'B'

AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No. 7

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024

Line Table

Line #	Bearing	Length
L121	N82°44'08"W	17.50'
L122	N07°15'52"E	72.53'
L123	S82°44'08"E	17.50'
L124	N07°15'52"E	25.00'
L125	N82°44'08"W	17.50'
L126	N07°15'52"E	155.43'
L127	S83°14'12"E	45.00'
L128	East	53.30'
L129	South	5.00'
L130	East	20.00'
L131	North	5.00'
L132	East	127.09'
L133	S07°45'26"W	18.33'
L134	S37°14'34"E	37.42'
L135	N82°44'34"W	6.71'
L136	S07°15'26"W	20.00'
L137	S82°44'34"E	9.19'
L138	S07°15'26"W	300.92'
L139	N82°44'34"W	8.72'
L140	S07°15'26"W	20.00'
L141	S82°44'34"E	8.72'
L142	S07°15'26"W	169.58'
L143	N82°44'08"W	3.13'
L144	S07°08'30"W	24.94'
L145	N82°51'30"W	5.00'
L146	S07°08'30"W	20.00'
L147	S82°51'30"E	5.00'
L148	S07°08'30"W	297.67'
L149	N82°51'30"W	23.98'
L150	S07°08'30"W	20.00'

Line Table

Line #	Bearing	Length
L151	S82°51'30"E	23.98'
L152	S05°02'13"W	189.68'
L153	N89°22'50"W	382.11'
L154	N05°08'30"E	197.69'
L155	N07°08'30"E	332.28'
L156	S82°44'08"E	3.09'
L157	N07°15'26"E	536.16'
L158	N37°14'34"W	40.85'
L159	N07°45'26"E	12.77'
L160	East	186.78'
L161	South	15.00'
L162	East	45.00'
L163	North	15.00'
L164	East	78.15'
L165	South	10.00'
L166	East	20.00'
L167	North	10.00'
L168	East	62.43'
L169	S07°31'10"W	480.40'
L170	S07°17'27"W	448.27'
L171	S29°03'18"W	211.99'
L172	N89°22'50"W	89.79'
L173	N00°37'10"E	36.00'
L174	N89°22'50"W	20.00'
L175	N00°37'10"E	36.00'
L176	N89°22'50"W	166.71'

EXHIBIT 'B'

Curve Table

Curve #	Delta	Radius	Length	Chord	Chord Length
C3	1°46'47"	190.00'	5.90'	N49°00'37"E	5.90'
C4	16°38'38"	190.00'	55.19'	N22°40'17"E	55.00'

AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

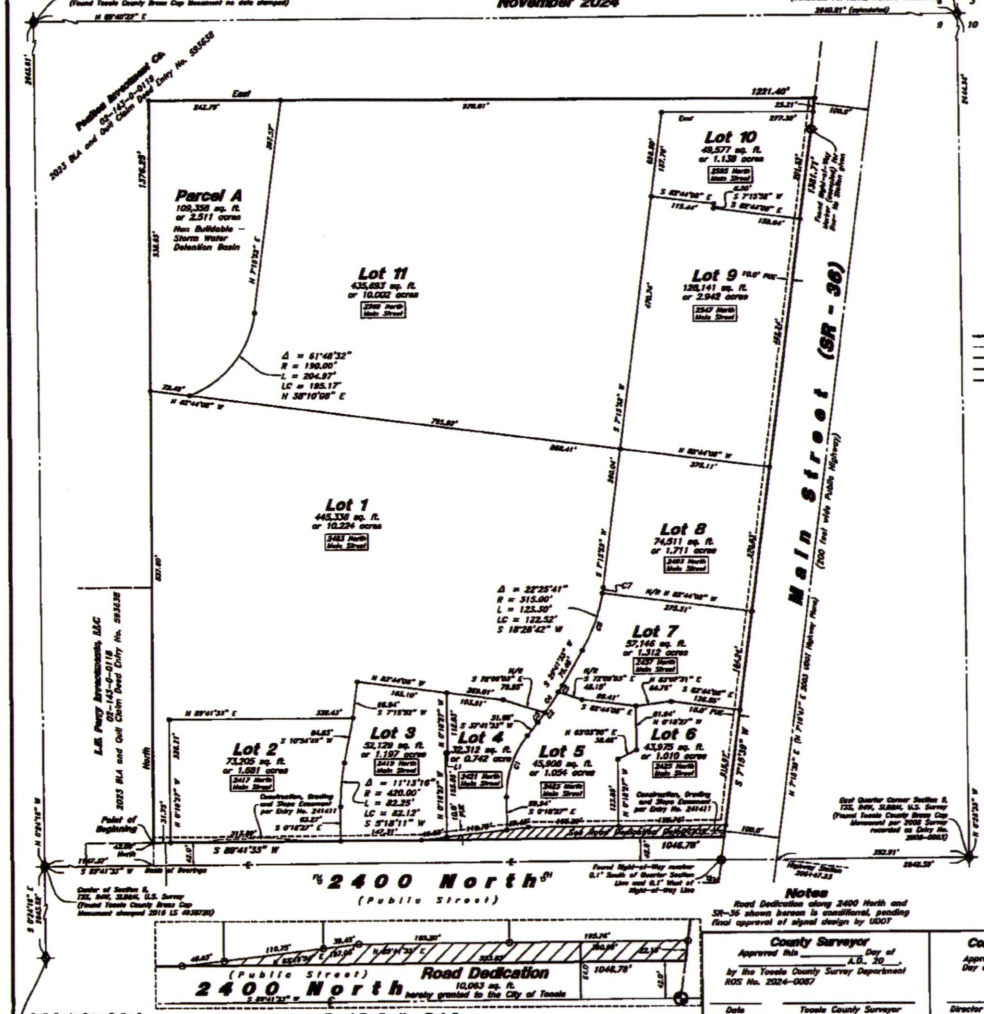
Sheet No. 8

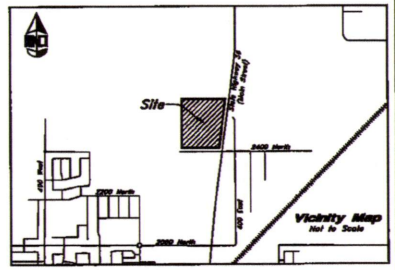
Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024

The Peak at Compass Point Subdivision

A part of the Northeast Quarter of Section 9, T3S, R4W, Salt Lake Base and Meridian, U.S. Survey, in Tooele County, Utah

November 2024





Narrative

This Subdivision was requested by Smith's Food & Drug Centers, Inc. prerequisite to the development of this property.

This Survey retraces a previous 2023 Survey by Cotelius for The Westerly and Northerly lines, and the 2003 Highway plans for the Easterly and Southerly lines as it exists on the ground.

A line between monuments found for the East Quarter Corner and the Center of Section 9 was assigned the VRS derived NAD83 bearing of South 89°41'33" West as the Basis of Bearings to place the Survey on the NAD83 Utah Central Zone State Plane Datum.

Legend

- Property Line
- Easement Line
- Adjoiner Line
- Section Line
- Center Line
- Right-of-Way Monuments
- Section Corner
- 3rd 5/8" rebar with plastic cap or nail with 3inch flag stamped "3DNA"
- DJH Existing Fire Hydrant

Line Table

Line #	Bearing	Length
L1	N 89°41'33" E	3.16'

Curve Table

Curve	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	30°06'00"	145.00'	152.70'	S 16°41'33" W	150.98'
C2	6°29'16"	300.00'	67.95'	N 34°31'54" E	67.81'
C3	2°11'06"	300.00'	22.93'	N 30°36'03" E	22.92'
C4	3°49'00"	300.00'	20.00'	S 32°39'03" W	20.00'
C5	1°26'42"	300.00'	13.73'	N 30°31'54" E	13.73'
C6	20°27'31"	315.00'	112.51'	N 19°27'37" E	111.91'
C7	1°52'36"	315.00'	10.88'	N 41°47'47" E	10.88'

Agreements

This Subdivision is subject to a Reciprocal Easement Agreement which includes but is not limited to Cross Access, Public Utility, and Drainage Easements to be recorded by a separate document simultaneous with the recordation of this Plat.

as Entry No. _____ in Book _____ at Page _____.

This Subdivision is also subject to a Water line Easement to be recorded by a separate document simultaneous with the recordation of this Plat.

as Entry No. _____ in Book _____ at Page _____.

Scale: 1" = 100'

Enbridge Gas Utah

Questar Gas Company, dba Enbridge Gas Utah, hereby approves this plat solely for the purposes of confirming that the plat contains public utility easements. Enbridge Gas Utah may require additional easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities including prescriptive rights and other rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set forth in the Owner Dedication or in the Notes, and does not constitute a guarantee of particular terms or conditions of natural gas service. For further information please contact Enbridge Gas Utah's Right-of-Way Department at 800-366-8532.

Questar Gas Company
dba Enbridge Gas Utah

Approved this _____ day of _____, 20__.

By: _____

Title: _____

Notes

Road Dedication along 2400 North and SR-36 shown hereon is conditional, pending final approval of signal design by UDOT

Surveyor's Certification

I, Bruce D. Pimper, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 382256 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Licensing Act. I further certify for, and on behalf of AWA that by authority of the Owners I have retraced Tooele County Record of Survey No. 2024-0087, being a survey of the property described on this Subdivision Plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; hereafter known as The Peak at Compass Point Subdivision.

Boundary Description

A part of the Northeast Quarter of Section 9, Township 3 South, Range 4 West, Salt Lake Base and Meridian, U.S. Survey, in Tooele City, Tooele County, Utah:

Beginning at a point on the Northerly line of 2400 North Street as it exists at 42.00 foot half-width, located 1147.57 feet North 89°41'33" East along the Quarter Section line of said Section 9; and 42.00 feet North from a Brass Cap Monument found marking the Center of said Section 9; and running thence North 1379.25 feet; thence East 1221.40 feet to the Westerly line of State Highway 36 as it exists at 100.00 feet half-width; thence South 7°15'39" West 1381.71 feet along said Westerly line of State Highway 36 to said Northerly line of 2400 North Street; thence South 89°41'33" West 1046.78 feet along said Northerly line to the point of beginning.

Contains 1,557,352 sq. ft.
or 35.752 acres
11 Lots
1 Parcel
and Road Dedication

Date

Bruce D. Pimper
Utah PLS No. 382256

Owner's Dedication and Consent to Record

Know all men by these presents that the undersigned are the Owners of the above described tract of land, and hereby cause the same to be divided into Lots, together with easements as set forth to be hereafter known as

The Peak at Compass Point Subdivision

and do hereby dedicate to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities.

In witness hereof we have hereunto set our hands this _____ day of _____, A.D. 20 _____.

LJH Perry Investments, L.L.C., a Utah limited liability company

By: William D. Perry IV
Its: Manager

Acknowledgment

State of
County of } ss

On the _____ day of _____, 20___, personally appeared before me, the undersigned Notary Public, William D. Perry IV, who being by me duly sworn did say that they are the Manager of LJH Perry Investments, LLC., and that the foregoing instrument was signed in behalf of said Limited Liability Company, and they acknowledged to me that said Limited Liability Company executed the same.

Notary Public Full Name: _____
Commission Number: _____
My Commission Expires: _____

A Notary Public

A Notary Public Commissioned in Utah

(If above information is provided, no stamp required per Utah Code, Title 46, Chapter 1, Section 16)

Rocky Mountain Power

1. Pursuant to Utah Code Ann. 54-3-27 this plat conveys to the Owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
2. Pursuant to Utah Code Ann. 10-9a-603 Rocky Mountain Power accepts delivery of the PUE as described in this plat and grants this plat solely for the purpose of confirming that the plat contains Public Utility Easements, but expressly excludes the location of the Public Utility Easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under:

a. A recorded easement or Right-of-Way
b. The law applicable to prescriptive rights
c. Title 54, Chapter 8a, damage to underground utility facilities
d. Any other provision of law

Approved this _____ day of _____, 20___

Rocky Mountain Power Company

By: _____

Title: _____

Sheet 1 of 1

Owner:
L.H. Perry Investments, LLC
17 East Winchester Street
Unit #200
Murray, UT 84107
801-264-2600

AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AllVangroup.net

County Surveyor
Approved this _____ Day of _____ A.D., 20___, by the Tooele County Survey Department
ROS No. 2024-0087
Date — Tooele County Surveyor

Community Development
Approved as to Form this _____ Day of _____ A.D., 20___.
Director

County Treasurer
Approved this _____ Day of _____ A.D., 20___, by the Tooele County Treasurer
Tooele County Treasurer

The Peak at Compass Point Subdivision
A part of the Northeast Quarter of Section 9, T3S, R4W, SLB&M, U.S. Survey
2400 North & State Highway 36 (Main Street)
Tooele City, Tooele County, Utah

Tooele County Health Department
Approved as to Form this _____ Day of _____ A.D., 20___.
Tooele County Health

Tooele City Engineer
Approved as to Form this _____ Day of _____ A.D., 20___.
Tooele City Engineering Dept.

Tooele City Attorney
Approved as to Form this _____ Day of _____ A.D., 20___.
Tooele City Attorney

Tooele City Land Use Authority
Tooele City Public Works Director
Tooele City Engineer
Tooele City Community Development Director

Tooele County Recorder
Recorded #
State of Utah, County of Tooele, Recorded and Filed at the Request of
Date _____ Time _____ Book _____ Page _____
Fee $ _____ Tooele County Recorder

Exhibit B

Vacation Document

WHEN RECORDED MAIL TO:

TOOELE CITY
90 North Main Street
Tooele City, Utah 84074

_____SPACE ABOVE THIS LINE FOR RECORDER'S USE_____

TERMINATION OF RECORDED GRANT OF RIGHT-OF-WAY EASEMENT TO TOOELE CITY

This Termination of Recorded Grant of Right-of-Way Easement to Tooele City is made effective as of_____, 2026 (the "Effective Date"), with reference to that certain Grant of Right-of-Way Easement to Tooele City executed November 7, 2024 (the "Easement"), by L.H. Perry Investments, L.L.C., a Utah limited liability company ("Grantor") in favor of Tooele City, a municipal corporation ("City"), for premises legally described on Exhibit A and depicted on Exhibit B hereto and incorporated herein by this reference.

1. The Easement was recorded in the Official Records of the Tooele County, Recorder's Office (the "Official Records") on November 7, 2024, as Entry No. 610717.
2. The Easement is hereby terminated as of the Effective Date and is declared to be of no further force or effect.
3. This Termination shall be recorded by the City with the Recorder's Office of Tooele County , Utah, and a copy of such recorded instrument shall be provided to Smith's Food & Drug Centers, Inc., an Ohio corporation, and successor-in-interest to the Grantor to the premises legally described on Exhibit A and depicted on Exhibit B.

CITY:

TOOELE CITY, a municipal corporation

By: _____

Name: _____

Title: _____

[City acknowledgment on next page]

STATE OF UTAH)
) ss.
COUNTY OF TOOELE)

On this ___ day _____, 2026, before me, the undersigned Notary Public in and for said State, personally appeared _____, known or identified to me to be the _____ of the corporation, that executed the instrument or the person who executed the instrument on behalf of Tooele City, a municipal corporation, and acknowledged to me that said entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(notary signature)

NOTARY PUBLIC FOR _____(state)

EXHIBIT 'A'

EXHIBIT 'A'

The Peak at Compass Point Subdivision **October 22, 2024**
Water Line Easement

An Easement of varied width for water line facilities, being a part of the Northeast Quarter of Section 9, Township 3 South, Range 4 West, Salt Lake Base, and Meridian, U.S. Survey, in Tooele City, Tooele County, Utah:

Beginning at a point on the Northerly line of 2400 North Street as it exists at 42.00 foot half-width, located 1159.60 feet North 89°41'33" East along the Quarter Section line; and 42.00 feet North from a Brass Cap Monument found marking the Center of said Section 9; and running thence North 0°18'27" West 227.40 feet; thence North 7°07'11" East 10.44 feet; thence North 82°52'49" West 11.37 feet; thence North 7°07'11" East 20.00 feet; thence South 82°52'49" East 11.37 feet; thence North 7°07'11" East 256.83 feet; thence North 82°52'49" West 27.93 feet; thence North 7°07'11" East 40.00 feet; thence South 82°52'49" East 27.93 feet; thence North 7°07'11" East 113.56 feet; thence North 31°07'51" East 197.15 feet; thence North 58°52'09" West 14.58 feet; thence North 82°44'08" West 30.89 feet; thence North 7°15'52" East 15.60 feet to a point on a curve on the Easterly line of future Parcel A of the forthcoming The Peak at Compass Point Subdivision; thence Northwesterly along the arc of a 190.00 foot radius curve to the left a distance of 5.90 feet (Center bears North 40°06'00" West, Central Angle equals 1°46'47" and Long Chord bears North 49°00'37" East 5.90 feet) along said Easterly line of future Parcel A; thence South 82°44'08" East 31.18 feet; thence South 58°52'09" East 18.81 feet; thence North 31°07'51" East 37.94 feet; thence North 7°15'52" East 20.75 feet; thence North 82°44'08" West 33.50 feet to a point on a curve; thence Northeasterly along the arc of a 190.00 foot radius curve to the left a distance of 55.19 feet (Center bears North 59°00'24" West, Central Angle equals 16°38'38" and Long Chord bears North 22°40'17" East 55.00 feet); thence South 82°44'08" East 18.89 feet; thence North 7°15'52" East 112.77 feet; thence North 82°44'08" West 17.44 feet; thence North 7°15'52" East 28.00 feet; thence South 82°44'08" East 17.44 feet; thence North 7°15'52" East 21.31 feet; thence North 82°44'08" West 17.44 feet; thence North 7°15'52" East 20.00 feet; thence South 82°44'08" East 17.44 feet; thence North 7°15'52" East 28.23 feet; thence North 82°44'08" West 17.44 feet; thence North 7°15'52" East 28.00 feet; thence South 82°44'08" East 17.44 feet; thence North 7°15'52" East 167.27 feet; thence South 83°14'12" East 63.65 feet; thence East 18.17 feet; thence North 25.00 feet; thence East 20.00 feet; thence South 25.00 feet; thence East 19.87 feet; thence North 25.00 feet; thence East 20.00 feet; thence South 25.00 feet; thence East 818.83 feet to the Westerly line of Highway 36; thence South 7°15'39" West 20.16 feet along said Westerly line; thence West 235.86 feet; thence South 7°31'10" West 30.32 feet; thence North 82°28'50" West 26.30 feet; thence South 7°31'10" West 107.65 feet; thence South 82°28'50" East 29.35 feet; thence South 7°15'52" West 30.00 feet; thence North 82°28'50" West 29.49 feet; thence South 7°31'10" West 141.66 feet; thence South 82°28'50" East 14.00 feet; thence South 7°31'10" West 20.00 feet; thence North 82°28'50" West 14.00 feet; thence South 7°31'10" West 27.06 feet; thence South 82°28'50" East 29.85 feet; thence South 7°31'10" West 20.05 feet; thence North 82°28'50" West 29.85 feet; thence South 7°31'10" West 109.75 feet; thence South 7°17'27" West 78.04 feet; thence South 82°42'33" East 33.18 feet; thence South 7°17'27" West 32.00 feet; thence North 82°42'57" West 33.18 feet; thence

South 7°17′27″ West 17.19 feet; thence South 82°44′08″ East 255.59 feet; thence South 7°15'52" West 20.00 feet; thence North 82°44'08" West 255.60 feet; thence South 7°17′27″ West 142.75 feet; thence South 82°42′33″ East 28.93 feet; thence South 7°17′27″ West 25.00 feet; thence North 82°42′33″ West 28.93 feet; thence South 7°17′27″ West 72.14 feet; thence South 82°42′13″ East 14.96 feet; thence South 7°17'27" West 20.00 feet; thence North 82°42'33" West 14.96 feet; thence South 7°17′27″ West 38.72 feet; thence South 60°56′42″ East 22.77 feet; thence South 29°03′18″ West 25.00 feet; thence North 60°56′42″ West 20.45 feet; thence South 29°03′18″ West 60.12 feet; thence South 60°56′42″ East 23.54 feet; thence South 29°03′18″ West 25.00 feet; thence North 60°56′42″ West 23.54 feet; thence South 29°03′18″ West 79.64 feet; thence South 60°56′42″ East 25.57 feet; thence South 29°03′18″ West 40.00 feet; thence North 60°56′42″ West 18.60 feet; thence 89°22′50″ West 102.64 feet; thence South 0°37′10″ West 14.00 feet; thence North 89°22′50″ West 25.00 feet; thence North 0°37′10″ East 14.00 feet; thence North 89°22′50″ West 199.39 feet; thence South 0°37′10″ West 14.50 feet; thence North 89°22′50″ West 20.00 feet; thence North 0°37′10″ East 14.50 feet; thence North 89°23′09″ West 109.46 feet; thence South 0°36′51″ West 5.00 feet; thence North 89°23′09″ West 20.00 feet; thence North 0°36′51″ East 5.00 feet; thence North 89°23′09″ West 185.60 feet; thence South 0°37′12″ West 25.97 feet; thence North 89°22′50″ West 20.00 feet; thence North 0°37'10" East 26.00 feet; thence North 89°22′50″ West 16.88 feet; thence South 0°18′27″ East 212.19 feet to said Northerly line of 2400 North Street; thence South 89°41′33″ West 20.00 feet along said Northerly line of 2400 North Street to the point of beginning.

Less and Excepting:

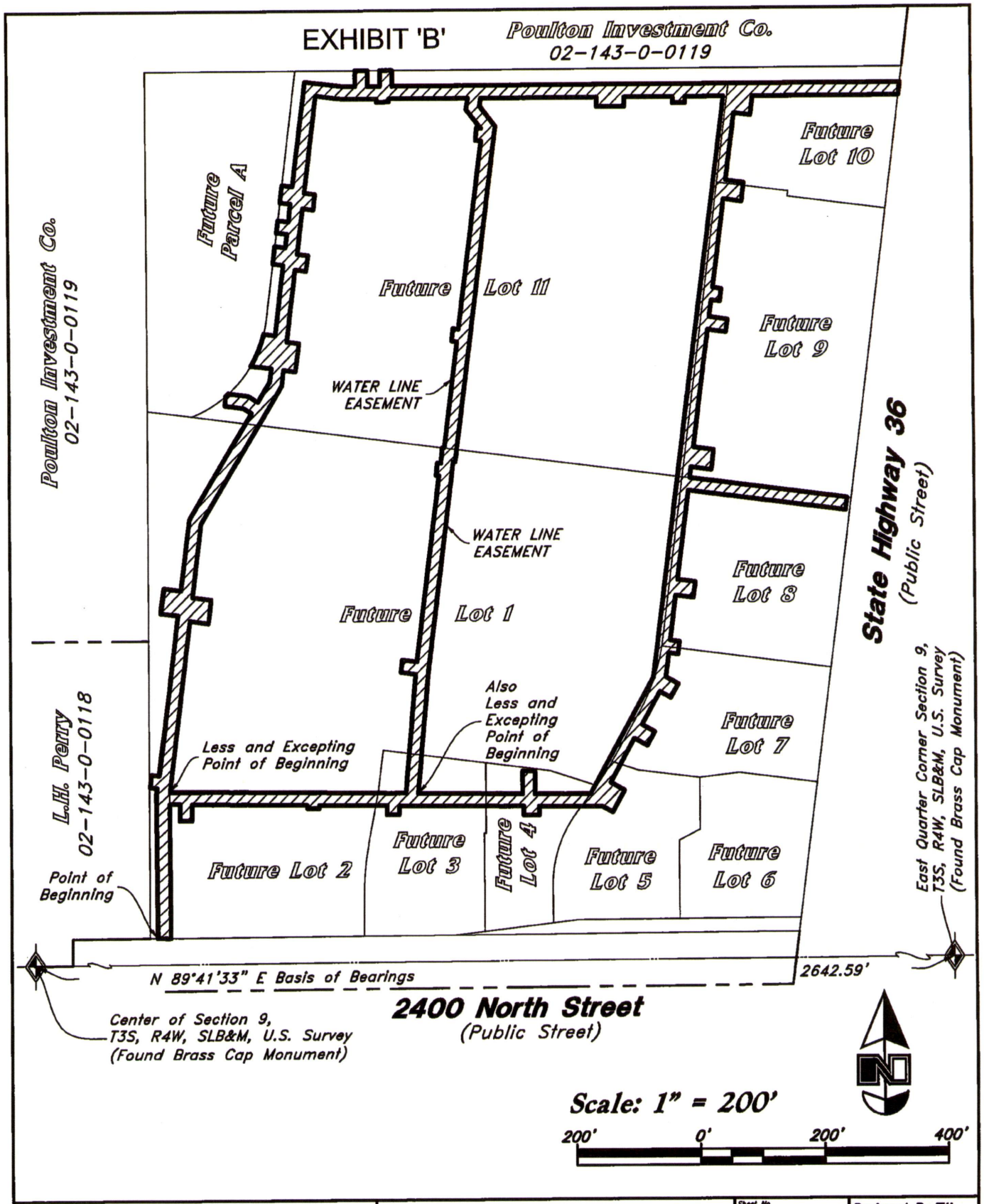
Beginning at a point located 1180.62 feet North 89°41'33" East along the Quarter Section line; and 274.19 feet North 0°18'27" West from a Brass Cap Monument found marking the Center of said Section 9; and running thence North 7°07′11″ East 273.22 feet; thence South 82°52′49″ East 30.64 feet; thence North 7°07′11″ East 38.00 feet; thence North 82°52′49″ West 30.64 feet; thence North 7°07′11″ East 117.92 feet; thence North 31°07′51″ East 255.06 feet; thence Noth 7°15′52″ East 24.98 feet; thence South 82°44′08″ East 19.86 feet; thence North 7°15′52″ East 45.00 feet; thence North 82°44′08″ West 19.86 feet; thence North 7°15′52″ East 115.80 feet; thence South 82°44′08″ East 17.50 feet; thence North 7°15′52″ East 25.00 feet; thence North 82°44′08″ West 17.50 feet; thence North 7°15′52″ East 72.53 feet; thence South 82°44′08″ East 17.50 feet; thence North 7°15′52″ East 25.00 feet; thence North 82°44′08″ West 17.50 feet; thence North 7°15′52″ East 155.43 feet; thence South 83°14′12″ East 45.00 feet; thence East 53.30 feet; South 5.00 feet; thence East 20.00 feet; thence North 5.00 feet; thence East 127.09 feet; thence South 7°45′26″ West 18.33 feet; thence South 37°14′34″ East 37.42 feet; thence North 82°44′34″ West 6.71 feet; thence South 7°15′26″ West 20.00 feet; thence South 82°44′34″ East 9.19 feet; thence South 7°15′26″ West 300.92 feet; thence North 82°44′34″ West 8.72 feet; thence South 7°15′26″ West 20.00 feet; thence South 82°44′34″ East 8.72 feet; thence South 7°15′26″ West 169.58 feet; thence North 82°44′08″ West 3.13 feet; thence South 7°08′30″ West 24.94 feet; thence North 82°51′30″ West 5.00 feet; thence South 7°08′30″ West 20.00 feet; thence South 82°51′30″ East 5.00 feet; thence South 7°08′30″ West 297.67 feet; thence North 82°51′30″ West 23.98 feet; South 7°08'30" West 20.00 feet; thence South 82°51'30" East 23.98 feet; thence South 5°02'13" West 189.68 feet; thence North 89°22'50" West 382.11 feet to the point of beginning.

Also Less and Excepting:

Beginning at a point located 1582.74 feet North 89°41'33" East along the Quarter Section line; and 267.68 feet North 0°18'27" West from a Brass Cap Monument found marking the Center of said Section 9; and running thence North 5°08'30" East 197.69 feet; thence North 7°08'30" East 332.28 feet; thence South 82°44'08" East 3.09 feet; thence North 7°15'26" East 536.16 feet; thence North 37°14'34" West 40.85 feet; thence North 7°45'26" East 12.77 feet; thence East 186.78 feet; thence South 15.00 feet; thence East 45.00 feet; thence North 15.00 feet; thence East 78.15 feet; thence South 10.00 feet; thence East 20.00 feet; thence North 10.00 feet; thence East 62.43 feet; thence South 7°31'10" West 480.40 feet; thence South 7°17'27" West 448.27 feet; thence South 29°03'18" West 211.99 feet; thence North 89°22'50" West 89.79 feet; thence North 0°37'10" East 36.00 feet; thence North 89°22'50" West 20.00 feet; thence South 0°37'10" West 36.00 feet; thence North 89°22'50" West 166.71 feet to the point of beginning.

Gross Contains 875,408 sq. ft.
Less and Excepting 352,358 sq. ft.
Also Less and Excepting 392,334 sq ft.
Net Contains 130,716 sq. ft.

EXHIBIT 'B'



AWA

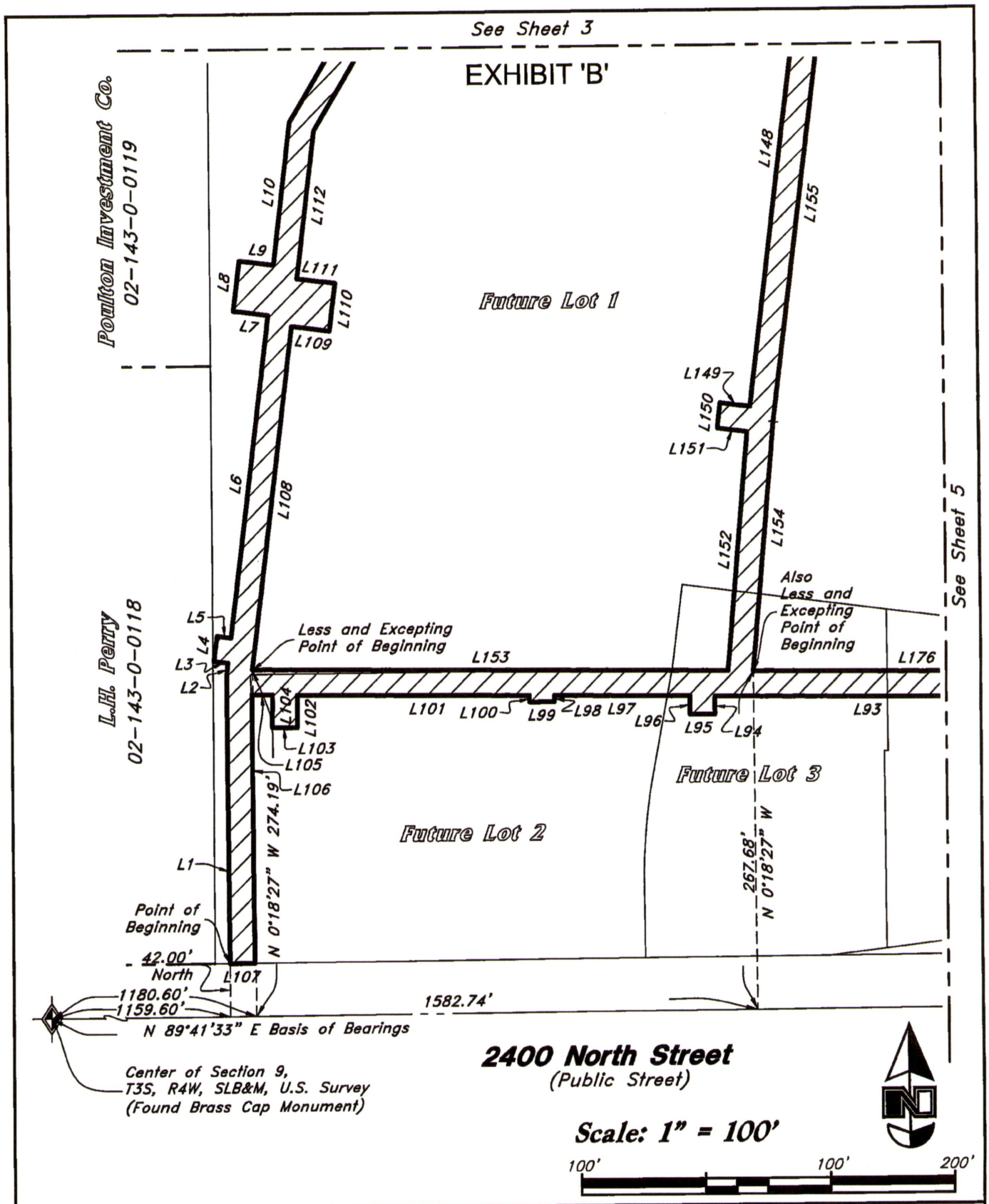
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No. 1

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024



AWA

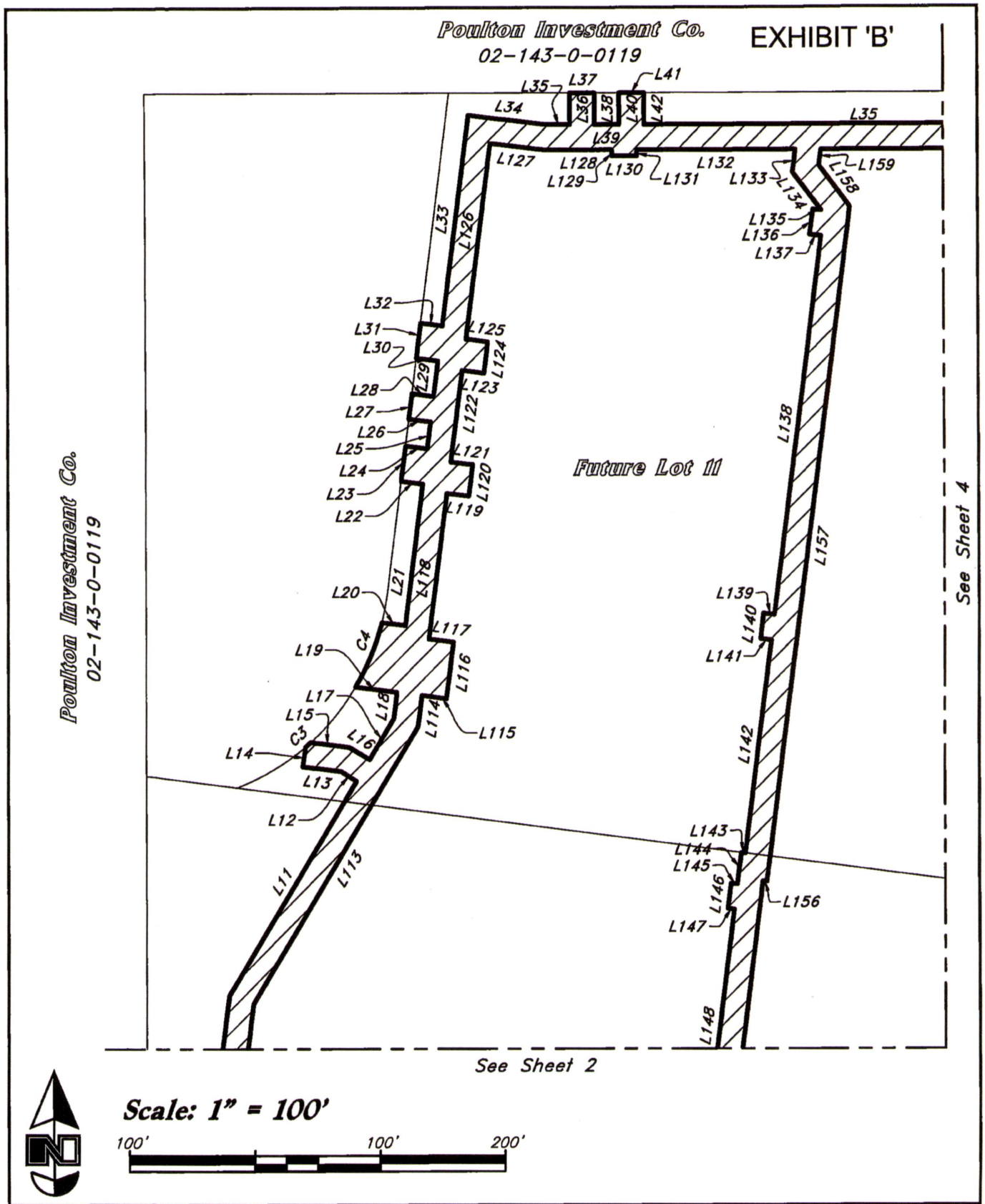
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

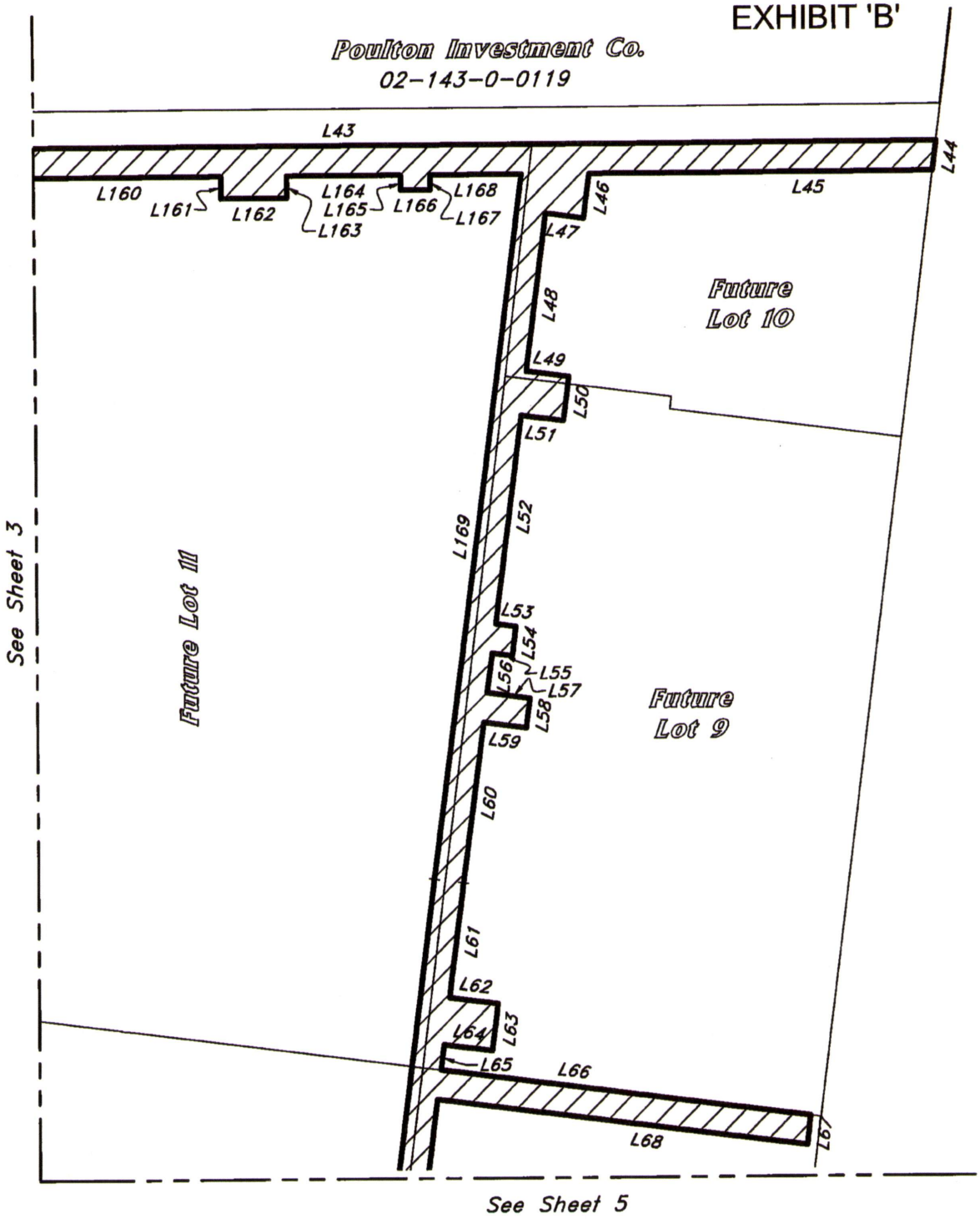
Sheet No.
2

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024



AWA 2010 North Redwood Road, Salt Lake City, Utah 84116 (801) 521-8529 - AWAengineering.net	**Water Line Easment** **Smith's Tooele** 2400 North, Highway 36 Tooele, Utah	Sheet No. **3**	Designed By: TW Drafted By: TC,LC Client Name: Smith's SMC290 WL EX **16 Oct 2024**

EXHIBIT 'B'



Scale: 1" = 100'

100' 100' 200'

AWA

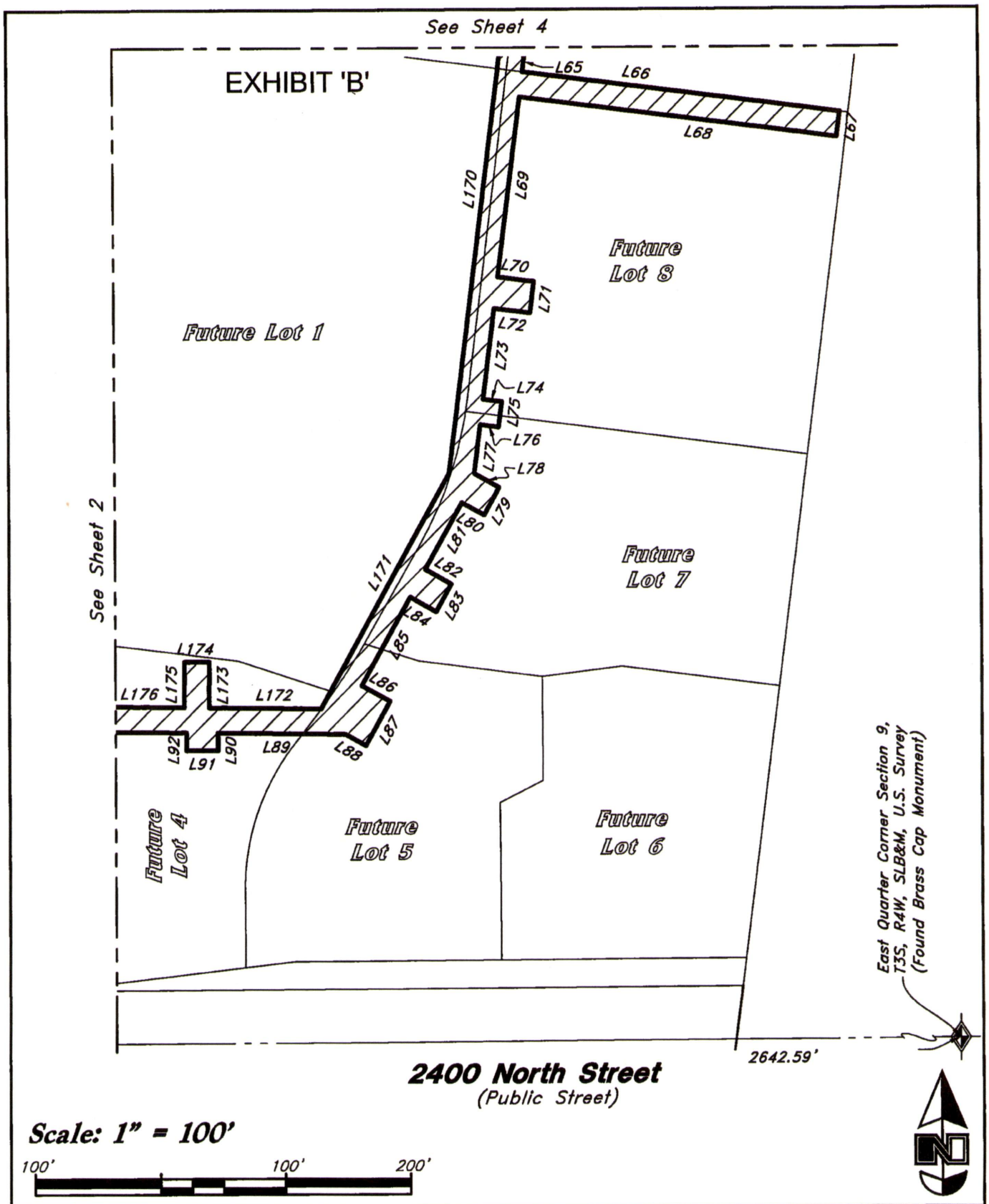
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No. **4**

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024



AWA

2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No.
5

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024

Line Table

Line #	Bearing	Length
L1	N00°18'27"W	227.40'
L2	N07°07'11"E	10.44'
L3	S82°52'49"E	11.37'
L4	N07°07'11"E	20.00'
L5	S82°52'49"E	11.37'
L6	N07°07'11"E	256.83'
L7	N82°52'49"W	27.93'
L8	N07°07'11"E	40.00'
L9	S82°52'49"E	27.93'
L10	N07°07'11"E	113.56'
L11	N31°07'51"E	197.15'
L12	N58°52'09"W	14.58'
L13	N82°44'08"W	30.89'
L14	N07°15'52"E	15.60'
L15	S82°44'08"E	31.18'
L16	S58°52'09"E	18.81'
L17	S31°07'51"W	37.94'
L18	N07°15'52"E	20.75'
L19	N82°44'08"W	33.50'
L20	S82°44'08"E	18.89'
L21	N07°15'52"E	112.77'
L22	N82°44'08"W	17.44'
L23	N07°15'52"E	28.00'
L24	S82°44'08"E	17.44'
L25	N07°15'52"E	21.31'
L26	N82°44'08"W	17.44'
L27	N07°15'52"E	20.00'
L28	S82°44'08"E	17.44'
L29	N07°15'52"E	28.23'
L30	N82°44'08"W	17.44'

Line Table

Line #	Bearing	Length
L31	N07°15'52"E	28.00'
L32	S82°44'08"E	17.44'
L33	N07°15'52"E	167.27'
L34	S83°14'12"E	63.65'
L35	East	18.17'
L36	North	25.00'
L37	East	20.00'
L38	South	25.00'
L39	East	19.87'
L40	North	25.00'
L41	East	20.00'
L42	South	25.00'
L43	East	818.83'
L44	S07°15'39"W	20.16'
L45	West	235.86'
L46	S07°31'10"W	30.32'
L47	N82°28'50"W	26.30'
L48	S07°31'10"W	107.65'
L49	S82°28'50"E	29.35'
L50	S07°15'52"W	30.00'
L51	N82°28'50"W	29.49'
L52	S07°31'10"W	141.66'
L53	N82°28'50"W	14.00'
L54	S07°31'10"W	20.00'
L55	N82°28'50"W	14.00'
L56	S07°31'10"W	27.06'
L57	S82°28'50"E	29.85'
L58	S07°31'10"W	20.05'
L59	N82°28'50"W	29.85'
L60	S07°31'10"W	109.75'

EXHIBIT 'B'

AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No. 6

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024

Line Table

Line #	Bearing	Length
L61	S07°17'27"W	78.04'
L62	S82°42'33"E	33.18'
L63	S07°17'27"W	32.00'
L64	N82°42'33"W	33.18'
L65	S07°17'27"W	17.19'
L66	S82°44'08"E	255.59'
L67	S07°15'52"W	20.00'
L68	N82°44'08"W	255.60'
L69	S07°17'27"W	142.75'
L70	S82°42'33"E	28.93'
L71	S07°17'27"W	25.00'
L72	N82°42'33"W	28.93'
L73	S07°17'27"W	72.14'
L74	S82°42'13"E	14.96'
L75	S07°17'27"W	20.00'
L76	N82°42'33"W	14.96'
L77	S07°17'27"W	38.72'
L78	S60°56'42"E	22.77'
L79	S29°03'18"W	25.00'
L80	N60°56'42"W	20.45'
L81	S29°03'18"W	60.12'
L82	S60°56'42"E	23.54'
L83	S29°03'18"W	25.00'
L84	N60°56'42"W	23.54'
L85	S29°03'18"W	79.64'
L86	S60°56'42"E	25.57'
L87	S29°03'18"W	40.00'
L88	N60°56'42"W	18.60'
L89	N89°22'50"W	102.64'
L90	N00°37'10"E	14.00'

Line Table

Line #	Bearing	Length
L91	N89°22'50"W	25.00'
L92	N00°37'10"E	14.00'
L93	N89°22'50"W	199.39'
L94	S00°37'10"W	14.50'
L95	N89°22'50"W	20.00'
L96	N00°37'10"E	14.50'
L97	N89°23'09"W	109.46'
L98	N00°36'51"E	5.00'
L99	N89°23'09"W	20.00'
L100	N00°36'51"E	5.00'
L101	N89°23'09"W	185.60'
L102	S00°37'12"W	25.97'
L103	N89°22'50"W	20.00'
L104	N00°37'10"E	26.00'
L105	N89°22'50"W	16.88'
L106	S00°18'27"E	212.19'
L107	S89°41'33"W	20.00'
L108	N07°07'11"E	273.22'
L109	S82°52'49"E	30.64'
L110	N07°07'11"E	38.00'
L111	N82°52'49"W	30.64'
L112	N07°07'11"E	117.92'
L113	N31°07'51"E	255.06'
L114	N07°15'52"E	24.98'
L115	S82°44'08"E	19.86'
L116	N07°15'52"E	45.00'
L117	N82°44'08"W	19.86'
L118	N07°15'52"E	115.80'
L119	S82°44'08"E	17.50'
L120	N07°15'52"E	25.00'

EXHIBIT 'B'

AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No. 7

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024

Line Table

Line #	Bearing	Length
L121	N82°44'08"W	17.50'
L122	N07°15'52"E	72.53'
L123	S82°44'08"E	17.50'
L124	N07°15'52"E	25.00'
L125	N82°44'08"W	17.50'
L126	N07°15'52"E	155.43'
L127	S83°14'12"E	45.00'
L128	East	53.30'
L129	South	5.00'
L130	East	20.00'
L131	North	5.00'
L132	East	127.09'
L133	S07°45'26"W	18.33'
L134	S37°14'34"E	37.42'
L135	N82°44'34"W	6.71'
L136	S07°15'26"W	20.00'
L137	S82°44'34"E	9.19'
L138	S07°15'26"W	300.92'
L139	N82°44'34"W	8.72'
L140	S07°15'26"W	20.00'
L141	S82°44'34"E	8.72'
L142	S07°15'26"W	169.58'
L143	N82°44'08"W	3.13'
L144	S07°08'30"W	24.94'
L145	N82°51'30"W	5.00'
L146	S07°08'30"W	20.00'
L147	S82°51'30"E	5.00'
L148	S07°08'30"W	297.67'
L149	N82°51'30"W	23.98'
L150	S07°08'30"W	20.00'

Line Table

Line #	Bearing	Length
L151	S82°51'30"E	23.98'
L152	S05°02'13"W	189.68'
L153	N89°22'50"W	382.11'
L154	N05°08'30"E	197.69'
L155	N07°08'30"E	332.28'
L156	S82°44'08"E	3.09'
L157	N07°15'26"E	536.16'
L158	N37°14'34"W	40.85'
L159	N07°45'26"E	12.77'
L160	East	186.78'
L161	South	15.00'
L162	East	45.00'
L163	North	15.00'
L164	East	78.15'
L165	South	10.00'
L166	East	20.00'
L167	North	10.00'
L168	East	62.43'
L169	S07°31'10"W	480.40'
L170	S07°17'27"W	448.27'
L171	S29°03'18"W	211.99'
L172	N89°22'50"W	89.79'
L173	N00°37'10"E	36.00'
L174	N89°22'50"W	20.00'
L175	N00°37'10"E	36.00'
L176	N89°22'50"W	166.71'

EXHIBIT 'B'

Curve Table

Curve #	Delta	Radius	Length	Chord	Chord Length
C3	1°46'47"	190.00'	5.90'	N49°00'37"E	5.90'
C4	16°38'38"	190.00'	55.19'	N22°40'17"E	55.00'

AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

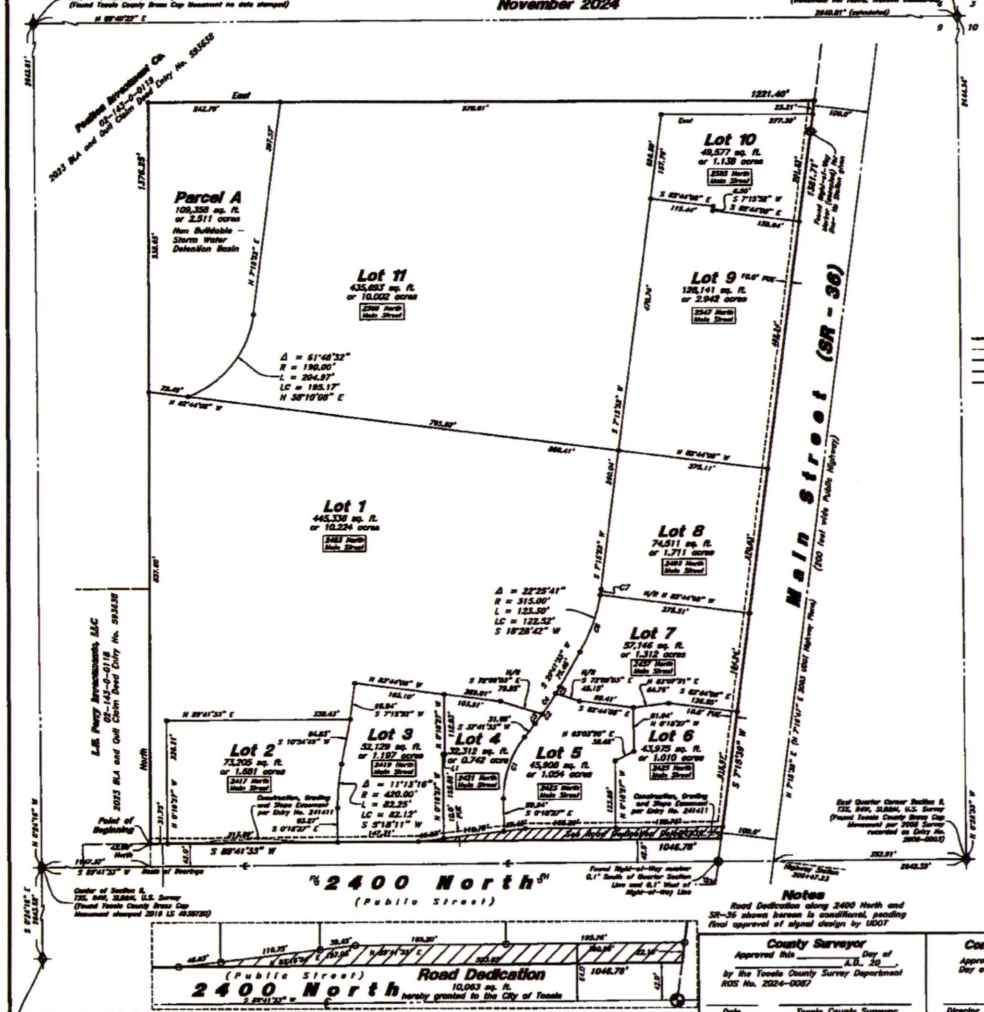
Smith's Tooele
2400 North, Highway 36
Tooele, Utah

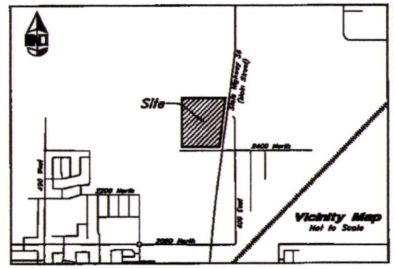
Sheet No. 8

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
16 Oct 2024

The Peak at Compass Point Subdivision

A part of the Northeast Quarter of Section 9, T3S, R4W,
Salt Lake Base and Meridian, U.S. Survey, in Tooele County, Utah
November 2024





Narrative

This Subdivision was requested by Smith's Food & Drug Centers, Inc. prerequisite to the development of this property.

This Survey retraces a previous 2023 Survey by Entellus for The Westerly and Northerly lines, and the 2003 Highway plans for the Easterly and Southerly lines as it exists on the ground.

A line between monuments found for the East Quarter Corner and the Center of Section 9 was assigned the VRS derived NAD83 bearing of South 89°41'33" West as the Basis of Bearings to place the Survey on the NAD83 Utah Central Zone State Plane Datum.

Legend

- Property Line
- Easement Line
- Adjoiner Line
- Section Line
- Center Line
- Right-of-Way Monument
- Section Corner
- Set 5/8" rebar with plastic cap or nail with Brass Tag stamped "LS#"
- Existing Fire Hydrant

Line Table

Line #	Bearing	Length
L1	N 88°41'33" E	3.16'

Curve Table

Curve	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	38°26'55"	145.00'	122.20'	S 16°41'33" W	118.46'
C2	6°28'16"	300.00'	67.85'	N 34°31'54" E	67.71'
C3	2°11'06"	300.00'	22.93'	N 36°36'53" E	22.92'
C4	3°49'00"	300.00'	20.00'	S 32°38'03" W	20.00'
C5	1°26'42"	300.00'	12.72'	N 30°31'54" E	12.72'
C6	20°27'31"	315.00'	112.51'	N 19°27'37" E	111.91'
C7	1°52'38"	315.00'	10.88'	N 41°47'47" E	10.88'

Agreements

This Subdivision is subject to a Reciprocal Easement Agreement which includes but is not limited to Cross Access, Public Utility, and Drainage Easements to be recorded by a separate document simultaneous with the recordation of this Plat.

as Entry No. _____ in Book _____ of Page _____.

This Subdivision is also subject to a Water line Easement to be recorded by a separate document simultaneous with the recordation of this Plat.

as Entry No. _____ in Book _____ of Page _____.

Scale: 1" = 100'

100' 0 100' 200'

Enbridge Gas Utah

Questar Gas Company, dba Enbridge Gas Utah, hereby approves this plat solely for the purposes of confirming that the plat contains public utility easements. Enbridge Gas Utah may require additional easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities including prescriptive rights and other rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set forth in the Owner Dedication or in the Notes, and does not constitute a guarantee of particular terms or conditions of natural gas service. For further information please contact Enbridge Gas Utah's Right-of-Way Department at 800-366-8532.

Questar Gas Company
dba Enbridge Gas Utah

Approved this _____ day of _____, 20__.

By: _____

Title: _____

Surveyor's Certification

I, Bruce D. Pimper, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 362256 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Licensing Act. I further certify for, and on behalf of AWA that by authority of the Owners I have retraced Tooele County Record of Survey No. 2024-0087, being a survey of the property described on this Subdivision Plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; hereafter known as the Peak at Compass Point Subdivision.

Boundary Description

A part of the Northeast Quarter of Section 9, Township 3 South, Range 4 West, Salt Lake Base and Meridian, U.S. Survey, in Tooele City, Tooele County, Utah:

Beginning at a point on the Northerly line of 2400 North Street as it exists at 42.00 foot half-width, located 1142.37 feet North 89°41'33" East along the Quarter Section line of said Section 9; and 42.00 feet North from a Brass Cap Monument found marking the Center of said Section 9; and running thence North 1376.25 feet; thence East 1221.40 feet to the Westerly line of State Highway 36 as it exists at 100.00 feet half-width; thence South 7°15'38" West 1301.71 feet along said Westerly line of State Highway 36 to said Northerly line of 2400 North Street; thence South 89°41'33" West 1046.76 feet along said Northerly line to the point of beginning.

Contains 1,557,352 sq. ft.
or 35.752 acres
11 Lots
1 Parcel
and Road Dedication

Date

Bruce D. Pimper
Utah PLS No. 362256

Owner's Dedication and Consent to Record

Know all men by these presents that the undersigned are the Owners of the above described tract of land, and hereby cause the same to be divided into Lots, together with easements as set forth to be hereafter known as

The Peak at Compass Point Subdivision

and do hereby dedicate to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities.

In witness hereof we have hereunto set our hands this _____ day of _____, A.D. 20 _____.

L.H. Perry Investments, L.L.C., a Utah limited liability company

By: William D. Perry IV
Its: Manager

Acknowledgment

State of
County of } ss

On the _____ day of _____, 20____, personally appeared before me, the undersigned Notary Public, William D. Perry IV, who being by me duly sworn did say that they are the Manager of L.H. Perry Investments, LLC., and that the foregoing instrument was signed in behalf of said Limited Liability Company, and they acknowledged to me that said Limited Liability Company executed the same.

Notary Public Full Name: _____
Commission Number: _____
My Commission Expires: _____

A Notary Public

A Notary Public Commissioned in Utah

(If above information is provided, no stamp required per Utah Code, Title 46, Chapter 1, Section 16)

Rocky Mountain Power

1. Pursuant to Utah Code Ann. 54-3-27 this plat conveys to the Owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described herein.
2. Pursuant to Utah Code Ann. 10-9a-603 Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains Public Utility Easements and approximates the location of the Public Utility Easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under:
   a. A recorded easement or Right-of-Way
   b. The law applicable to prescriptive rights
   c. Title 54, Chapter 8a, damage to underground utility facilities or
   d. Any other provision of law

Approved this _____ day of _____, 20____.

Rocky Mountain Power Company

By: _____

Title: _____

Sheet 1 of 1

The Peak at Compass Point Subdivision
A part of the Northeast Quarter of Section 9, T3S, R4W, SLB&M, U.S. Survey
2400 North & State Highway 36 (Main Street)
Tooele City, Tooele County, Utah

Owner:
L.H. Perry Investments, LLC
17 East Winchester Street
Unit #200
Murray, UT 84107
801-264-8900

AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-3529 • AllianceEngineering.net

County Surveyor
Approved this _____ Day of _____ A.D., 20__,
by the Tooele County Survey Department
ROS No. 2024-0087
Date — Tooele County Surveyor

Community Development
Approved as to Form this _____
Day of _____ A.D., 20__.
Director

County Treasurer
Approved this _____ Day of _____ A.D., 20__.
by the Tooele County Treasurer
Tooele County Treasurer

Tooele County Health Department
Approved as to Form this _____
Day of _____ A.D., 20__.
Tooele County Health

Tooele City Engineer
Approved as to Form this _____
Day of _____ A.D., 20__.
Tooele City Engineering Dept.

Tooele City Attorney
Approved as to Form this _____
Day of _____ A.D., 20__.
Tooele City Attorney

Tooele City Land Use Authority
Tooele City Public Works Director
Tooele City Engineer
Tooele City Community Development Director

Tooele County Recorder
Recorded #
State of Utah, County of Tooele, Recorded and Filed at the Request of
Date _____ Time _____ Book _____ Page _____
Fee $ _____
Tooele County Recorder

Exhibit C

Proposed New Easement
(to replace Exhibit A)

AFTER RECORDATION
MAIL TO:
TOOELE CITY
90 NORTH MAIN STREET
TOOELE CITY, UT 84074

GRANT OF RIGHT-OF-WAY EASEMENT TO TOOELE CITY

For good and valuable consideration, receipt of which is hereby acknowledged, the undersigned Property Owner **L.H. PERRY INVESTMENTS, L.L.C.**, a Utah limited liability company; **AMERICA FIRST FEDERAL CREDIT UNION**, a federally chartered credit union; and **SMITH'S FOOD & DRUG CENTERS, INC.**, an Ohio corporation, as GRANTOR(S) hereby grant to TOOELE CITY, a municipal corporation situated in Tooele County, the State of Utah, as CITY, a permanent easement and right-of-way for the purpose of accessing, constructing, operating, and maintaining water facilities in the easement granted herein. Said easement is described as follows:

(See Attached Exhibit 'A' for Legal Description &
Exhibit 'B' for Location Map)

GRANTOR hereby grants to CITY a perpetual right of ingress and egress to and from and along said right-of-way with the right to operate, maintain, repair, replace, augment and/or remove the public facilities as deemed necessary; also the right to trim, clear or remove, at any time from said right-of-way any tree, brush, structure or obstruction of any character whatsoever, which in the sole judgment of CITY may endanger the safety of or interfere with the operation of CITY's facilities. The Grantor and its successors in interest hereby forever relinquish the right to construct any improvement, structure, change in topography, or landscaping which would interfere with the operation, replacement or repair of the water facilities constructed and maintained under the provisions of this easement, without the express written consent in advance of the CITY. Any improvements erected within this easement without written consent will be removed at the current lot owner's expense.

GRANTOR agrees on its own behalf, and on behalf of its successors in interest, that it will indemnify and hold harmless CITY for any damages to the property which result from maintenance and repair operations by CITY of its facilities within the easement. CITY will make reasonable efforts to restore the ground surface of the property within the easement to a safe condition following any maintenance or repair operations, but final surface hardscape or landscape restoration will be the responsibility of the GRANTOR.

GRANTOR may use said land as a driveway and parking, and to the extent of such use, may surface or pave the area, subject to the restrictions as to changes in existing topography set forth above.

CITY shall have the right to transfer and assign all or a portion of this easement to its successor in interest, or to any other political subdivision or public utility for use of the above stated purpose.

CITY shall be responsible for any accidents or damages occurring on or to the property during the term of this easement caused by negligent acts or conduct of CITY, or by the negligent acts or conduct of CITY's employees, servants or agents.

All work and other activities performed by CITY pursuant to this easement shall be performed in a good and workmanlike, and lien-free manner in compliance with all applicable laws, codes and regulations, and once commenced, shall be diligently pursued to completion. CITY shall not allow any liens to be placed on the property as a result of CITY's work.

CITY shall only use the easement area or any of the adjoining land of GRANTOR's property for the parking of vehicles or equipment on a temporary basis and as reasonably necessary to exercise CITY's rights hereunder, and no overnight parking whatsoever.

CITY shall use commercially reasonable efforts to minimize the disturbance of GRANTOR's business operations on GRANTOR's property, and shall not cause or permit any unattended parking of equipment on the paved surfaces of GRANTOR's property that are outside of easement area. Where reasonably practicable CITY will make efforts to keep GRANTOR's ingress and egress points to public rights-of-way, and drive lanes and drive aisles within the shopping center shall remain open and unobstructed during normal business hours.

To the extent practicable, CITY shall patch or restore any asphalt, curb and gutter, or sidewalks on the property that is removed or disturbed by CITY as a result of CITY's maintenance or repairs of its facilities within the easement area. City shall only be required to repair those areas that are removed or disturbed by CITY.

GRANTOR:
L.H. PERRY INVESTMENTS, L.L.C.
A Utah limited liability company

By:_____
Name:_____
Title:_____

STATE OF_____)
) ss.
COUNTY OF_____)

On this ___ day _____, 2026, before me, the undersigned Notary Public in and for said State, personally appeared _____(name), known or identified to me to be the _____(president/vice-president/secretary/assistant secretary) of the corporation, that executed the instrument or the person who executed the instrument on behalf of _____(entity name), and acknowledged to me that said entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

_____
(notary signature)

NOTARY PUBLIC FOR _____(state)

GRANTOR:
AMERICA FIRST FEDERAL CREDIT UNION,
a federally chartered credit union

By:_____
Name:_____
Title:_____

STATE OF_____)
) ss.
COUNTY OF_____)

On this ___ day _____, 2026, before me, the undersigned Notary Public in and for said State, personally appeared _____(name), known or identified to me to be the _____(president/vice-president/secretary/assistant secretary) of the corporation, that executed the instrument or the person who executed the instrument on behalf of _____(entity name), and acknowledged to me that said entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

_____
(notary signature)

NOTARY PUBLIC FOR _____(state)

GRANTOR:
SMITH'S FOOD & DRUG CENTERS, INC.,
an Ohio corporation

By:_____
Name: Kyle R. Grubbs
Title: Vice President

STATE OF OHIO)
) ss.
COUNTY OF HAMILTON)

On this ___ day _____, 2026, before me, the undersigned Notary Public in and for said State, personally appeared Kyle R. Grubbs, known or identified to me to be the Vice President of the corporation, that executed the instrument or the person who executed the instrument on behalf of Smith's Food & Drug Centers, Inc., an Ohio corporation, and acknowledged to me that said entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

_____
(notary signature)

NOTARY PUBLIC FOR _____(state)

EXHIBIT 'A'

The Peak at Compass Point Subdivision **October 22, 2025**
Water Line Easement Revised

An easement for water line facilities, being a part of The Peak at Compass Point Subdivision recorded as Entry No. 610734 in the Official Records of Tooele County, located within the Northeast Quarter of Section 9, Township 3 South, Range 4 West, Salt Lake Base, and Meridian, U.S. Survey, in Tooele City, Tooele County, Utah:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point on the Northerly line of 2400 North Street as it exists at 42.00 foot half-width, located 1169.83 feet North 89°41'33" East along the Quarter Section line; and 42.00 feet North 0°18'27" West from a Brass Cap Monument found marking the Center of said Section 9; and running thence North 0°18'27" West 222.36 feet to a point hereinafter referenced as Point 'A'; thence continuing North 0°18'27" West 12.13 feet; thence North 7°07'11" East 12.12 feet to a point hereinafter referenced as Point 'B'; thence continuing North 7°07'11" East 285.98 feet to a point hereinafter referenced as Point 'C'; thence continuing North 7°07'11" East 3.05 feet to a point hereinafter referenced as Point 'D'; thence continuing North 7°07'11" East 211.86 feet; thence North 41°15'32" East 129.31 feet to a point hereinafter referenced as Point 'E'; thence continuing North 41°15'32" East 57.44 feet; thence North 7°15'52" East 41.17 feet to a point hereinafter referenced as Point 'F'; thence continuing North 7°15'52" East 3.48 feet to a point hereinafter referenced as Point 'G'; thence continuing North 7°15'52" East 147.32 feet to a point hereinafter referenced as Point 'H'; thence continuing North 7°15'52" East 6.49 feet to a point hereinafter referenced as Point 'I'; thence continuing North 7°15'52" East 45.31 feet to a point hereinafter referenced as Point 'J'; thence continuing North 7°15'52" East 45.73 feet to a point hereinafter referenced as Point 'K'; thence continuing North 7°15'52" East 6.49 feet to a point hereinafter referenced as Point 'L'; thence continuing North 7°15'52" East 145.94 feet; thence North 76°56'53" East 83.30 feet; thence East 4.77 feet to a point hereinafter referenced as Point 'M'; thence continuing East 33.91 feet to a point hereinafter referenced as Point 'N'; thence continuing East 5.98 feet to a point hereinafter referenced as Point 'O'; thence continuing East 142.61 feet to a point hereinafter referenced as Point 'P'; thence continuing East 217.96 feet to a point hereinafter referenced as Point 'Q'; thence continuing East 110.65 feet to a point hereinafter referenced as Point 'R'; thence continuing East 83.89 feet to a point hereinafter referenced as Point 'S'; thence South 7°31'10" West 20.79 feet to a point hereinafter referenced as Point 'T'; thence continuing South 7°31'10" West 120.78 feet to a point hereinafter referenced as Point 'U'; thence continuing South 7°31'10" West 79.43 feet to a point hereinafter referenced as Point 'V'; thence continuing South 7°31'10" West 124.26 feet to a point hereinafter referenced as Point 'W'; thence continuing South 7°31'10" West 146.54 feet; thence South 7°17'27" West 94.39 feet to a point hereinafter referenced as Point 'X'; thence continuing South 7°17'27" West 43.20 feet to a point hereinafter referenced as Point 'Y'; thence continuing South 7°17'27" West 167.75 feet to a point hereinafter referenced as Point 'Z'; thence continuing South 7°17'27" West 99.57 feet to a point hereinafter referenced as Point 'AA'; thence continuing South 7°17'27" West 45.26 feet; thence South 29°03'18" West 135.11 feet to a point hereinafter referenced as Point 'AB'; thence continuing South 29°03'18" West

46.34 feet to a point hereinafter referenced as Point 'AC'; thence continuing South 29°03'18" West 38.42 feet; thence North 89°22'50" West 100.88 feet to a point hereinafter referenced as Point 'AD'; thence continuing North 89°22'50" West 6.45 feet to a point hereinafter referenced as Point 'AE'; thence continuing North 89°22'50" West 68.28 feet to a point hereinafter referenced as Point 'AF'; thence continuing North 89°22'50" West 117.67 feet to a point hereinafter referenced as Point 'AG'; thence continuing North 89°22'50" West 27.17 feet to a point hereinafter referenced as Point 'AH'; thence continuing North 89°22'50" West 132.17 feet to a point hereinafter referenced as Point 'AI'; thence continuing North 89°22'50" West 205.60 feet to a point hereinafter referenced as Point 'AJ'; thence continuing North 89°22'50" West 37.05 feet to previously referenced as Point 'A' and the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'B'; and running thence North 82°52'49" West 20.37 feet to the termination of this easement centerline.

Also:

A 30.00 foot wide easement being 15.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'C'; and running thence South 82°52'49" East 45.25 feet to the termination of this easement centerline.

Also:

A 40.00 foot wide easement being 20.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'D'; and running thence North 82°52'49" West 38.81 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'E'; and running thence North 48°44'28" West 15.13 feet; thence North 82°44'08" West 38.37 feet to the Easterly line of Parcel A of said The Peak at Compass Point Subdivision and the termination of this easement centerline.

Also:

A 45.00 foot wide easement being 22.50 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'F'; and running thence South 82°44'08" East 29.86 feet to the termination of this easement centerline.

Also:

A 53.00 foot wide easement being 26.5 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'G'; and running thence North 82°44'08" West 34.27 feet to the Easterly line of Parcel A of said The Peak at Compass Point Subdivision and the termination of this easement centerline.

Also:

A 25.00 foot wide easement being 12.50 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'H'; and running thence South 82°44'08" East 27.50 feet to the termination of this easement centerline.

Also:

A 30.00 foot wide easement being 15.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'I'; and running thence North 82°44'08" West 27.44 feet to the Easterly line of Parcel A of said The Peak at Compass Point Subdivision and the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'J'; and running thence North 82°44'08" West 27.44 feet to the Easterly line of Parcel A of said The Peak at Compass Point Subdivision and the termination of this easement centerline.

Also:

A 25.00 foot wide easement being 12.50 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'K'; and running thence South 82°44'08" East 27.50 feet to the termination of this easement centerline.

Also:

A 30.00 foot wide easement being 15.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'L'; and running thence North 82°44'08" West 27.44 feet to the Easterly line of Parcel A of said The Peak at Compass Point Subdivision and the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'M'; and running thence North 35.00 feet to the Northerly line of The Peak at Compass Point Subdivision and the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'N'; and running thence South 15.00 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'O'; and running thence North 35.00 feet to the Northerly line of The Peak at Compass Point Subdivision and the termination of this easement centerline.

Also:

A 45.00 foot wide easement being 22.50 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'Q'; and running thence South 25.00 feet to the termination of this easement centerline.

Also:

A 30.00 foot wide easement being 15.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'R'; and running thence South 20.00 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'S'; and running thence East 272.42 feet to the Westerly line of Main Street (SR – 36) as it exists at a 100.00 foot half-width and the termination of this easement centerline.

Also:

A 30.00 foot wide easement being 15.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'T'; and running thence South 82°28′50″ East 36.30 feet to the termination of this easement centerline.

Also:

A 30.00 foot wide easement being 15.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'U'; and running thence South 82°28′50″ East 36.43 feet to the termination of this easement centerline.

Also:

A 45.00 foot wide easement being 22.50 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'V'; and running thence South 82°28′50″ East 33.54 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'W'; and running thence South 82°28′50″ East 24.00 feet to the termination of this easement centerline.

Also:

A 30.00 foot wide easement being 15.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'X'; and running thence South 82°42′33″ East 43.18 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'Y'; and running thence South 82°48'31" East 272.53 feet to said Westerly line of Main Street (SR – 36) and the termination of this easement centerline.

Also:

A 25.00 foot wide easement being 12.50 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'Z'; and running thence South 82°42'33" East 38.93 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AA'; and running thence South 82°42'44" East 24.69 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AB'; and running thence South 60°56'42" East 30.97 feet to the termination of this easement centerline.

Also:

A 40.00 foot wide easement being 20.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AC'; and running thence South 60°56'42" East 33.95 feet to the termination of this easement centerline.

Also:

A 40.00 foot wide easement being 20.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AD'; and running thence South 0°37'10" West 34.60 feet to the termination of this easement centerline.

Also:

A 30.00 foot wide easement being 15.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AE'; and running thence North 0°37'10" East 40.99 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AF'; and running thence South 0°37'10" West 14.17 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AH'; and running thence South 0°37'10" West 24.51 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AI'; and running thence South 0°37'10" West 15.01 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AJ'; and running thence South 0°37'10" West 36.00 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'P'; and running thence South 7°45'26" West 25.64 feet; thence South 37°14'34" East 40.90 feet; thence South 7°15'26" West 11.57 feet to a point hereinafter referenced as Point 'AK'; thence continuing South 7°15'26" West 321.26 feet to a point hereinafter referenced as Point 'AL'; thence South 7°17'12" West 214.65 feet to a point hereinafter referenced as Point 'AM'; thence South 7°40'30" West 317.02 feet to a point hereinafter referenced as Point 'AN'; thence South 5°08'30" West 208.73 feet to previously referenced as Point 'AG' and the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AK'; and running thence North 82°44'34" West 19.19 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AL'; and running thence North 82°44'34" West 18.72 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AM'; and running thence North 82°19'32" West 17.95 feet to the termination of this easement centerline.

Also:

A 20.00 foot wide easement being 10.00 feet each side of the following described centerline:

Beginning at a point previously referenced as Point 'AN'; and running thence North 83°42'21" West 33.99 feet to the termination of this easement centerline.

Note:

The sidelines of the above described easement are to be lengthened or shortened to exactly match said Easterly line of Parcel A, said Northerly line of The Peak at Compass Point Subdivision and said Westerly line of Main Street.

EXHIBIT 'B'

Poulton Investment Co.
02-143-0-0119

Parcel A
24-037-0-000A

Poulton Investment Co.
02-143-0-0119

L.H. Perry Investments, LLC
02-143-0-0120

The Peak at Compass Point Subdivision

Point P
Point Q
Point S
Point R
Point T
Point M
Point N
Point O
Point AK
Point U
Point L
Point K
Point V
Point I
Point J
Point H
Point W
Point AL
Point G
Point F
WATER LINE EASEMENT
Point E
Point X
Point AM
Point Y
WATER LINE EASEMENT
Point D
Point Z
Point C
Point AN
Point AA
Point B
Point A
Point AJ
Point AH
Point AE
Point AC
Point AB
Point AG
Point AI
Point AF
Point AD

Lot 10
24-037-0-0010

Lot 11
24-037-0-0011

Lot 9
24-037-0-0009

Lot 8
24-037-0-0008

Lot 1
24-037-0-0001

Lot 7
24-037-0-0007

Lot 6
24-037-0-0006

Lot 2
24-037-0-0002

Lot 3
24-037-0-0003

Lot 4
24-037-0-0004

Lot 5
24-037-0-0005

Point of Beginning

42.00'
N 0°18'27" W

169.83'

N 89°41'33" E Basis of Bearings

2642.59'

Center of Section 9,
T3S, R4W, SLB&M, U.S. Survey
(Found Brass Cap Monument)

2400 North Street
(Public Street)

Main Street (SR 36)
(Public Street)

East Quarter Corner Section 9,
T3S, R4W, SLB&M, U.S. Survey
(Found Brass Cap Monument)

Scale: 1" = 200'

200' 0' 200' 400'

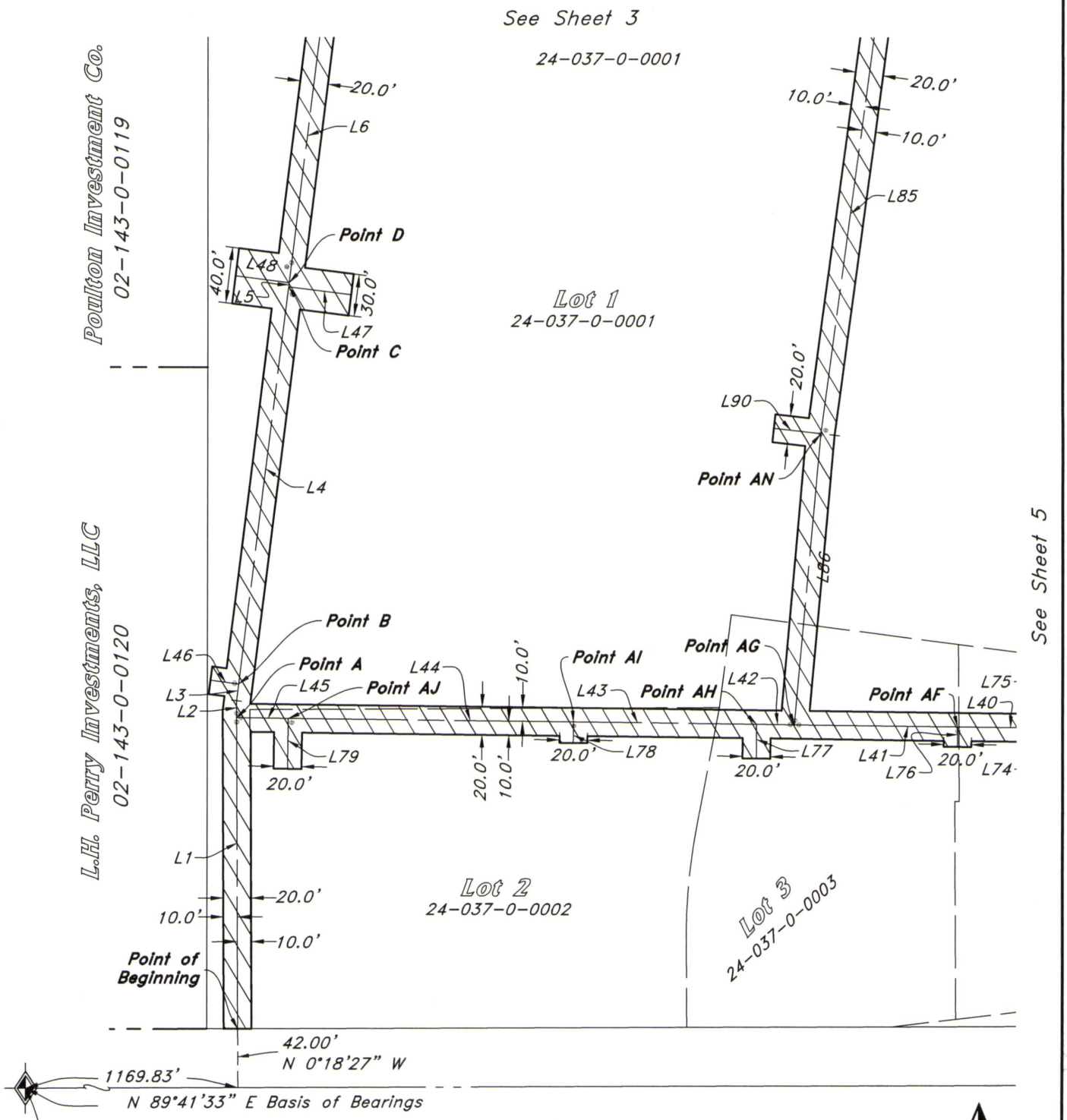
AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No.
1

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
22 Oct, 2025



AWA

2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele

2400 North, Highway 36
Tooele, Utah

Sheet No.
2

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
22 Oct, 2025

Poulton Investment Co.
02-143-0-0119

L19 20.0' 20.0' L58 L18 L17 L60 L21 Point P L22
L80 L81 L87 L82 Point AK
Point M Point N L59 L20 Point O 20.0'
L16 25.0' 30.0' L57 L15 Point L L56 L14 Point K L55 Point J L13 Point I L54 Point H L12 L53
Parcel A
24-037-0-000A
Lot 11
24-037-0-0011
L83 20.0' L88 Point AL
30.0' 25.0' L11 Point G Point F L52 53.0' 45.0' L10 L51 L9 20.0' L49 L8 L50 Point E L7
L84 20.0' L89 Point AM
Lot 1
24-037-0-0001
20.0' L6 10.0' 20.0' 10.0'
Poulton Investment Co.
02-143-0-0119
See Sheet 4
See Sheet 2

Scale: 1" = 100'

100' 100' 200'

AWA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No.
3

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
22 Oct, 2025

Poulton Investment Co.
02-143-0-0119

10.0'
Point Q
Point R
L23
L24
Point S
L63
L64
L61
L62
L25
10.0'
20.0'
45.0'
30.0'
Point T
30.0'
20.0'
L26
Lot 10
24-037-0-0010
30.0'
Point U
L65
L27
Point V
L66
45.0'
See Sheet 3
L28
Lot 11
24-037-0-0011
20.0'
Point W
L67
Lot 9
24-037-0-0009
L29
Main Street (SR 36)
(Public Street)
20.0'
10.0'
10.0'
L30
30.0'
Point X
L68
L31
L69
Point Y
20.0'
See Sheet 5

Scale: 1" = 100'

100' 100' 200'

2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No.
4

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
22 Oct, 2025

See Sheet 4

L69

Point Y

20.0'

L32

25.0'

L70

Lot 8

24-037-0-0008

Point Z

Lot 1

24-037-0-0001

L33

Point AA

L71

L34

20.0'

20.0'

L35

Lot 7

24-037-0-0007

Point AB

20.0'

L36

L72

Point AC

30.0'

L75

Point AE

Point AF

L40

L39

L37

40.0'

41

20.0'

L76

L74

L38

L73

40.0'

Point AD

Main Street (SR 36)

(Public Street)

See Sheet 2

Lot 4

24-037-0-0004

Lot 5

24-037-0-0005

Lot 6

24-037-0-0006

2400 North Street

(Public Street)

Scale: 1" = 100'

100' 100' 200'

AWA

2010 North Redwood Road, Salt Lake City, Utah 84116

(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele

2400 North, Highway 36

Tooele, Utah

Sheet No.

5

Designed By: TW

Drafted By: TC,LC

Client Name: Smith's

SMC290 WL EX

22 Oct, 2025

Line Table

Line #	Bearing	Length
L1	N 0°18'27" W	222.36'
L2	N 0°18'27" W	12.13'
L3	N 7°07'11" E	12.12'
L4	N 7°07'11" E	285.98'
L5	N 7°07'11" E	3.05'
L6	N 7°07'11" E	211.86'
L7	N 41°15'32" E	129.31'
L8	N 41°15'32" E	57.44'
L9	N 7°15'52" E	41.17'
L10	N 7°15'52" E	3.48'
L11	N 7°15'52" E	147.32'
L12	N 7°15'52" E	6.49'
L13	N 7°15'52" E	45.31'
L14	N 7°15'52" E	45.73'
L15	N 7°15'52" E	6.49'
L16	N 7°15'52" E	145.94'
L17	N 76°56'53" E	83.30'
L18	East	4.77'
L19	East	33.91'
L20	East	5.98'
L21	East	142.61'
L22	East	217.96'
L23	East	110.65'
L24	East	83.89'
L25	S 7°31'10" W	20.79'
L26	S 7°31'10" W	120.78'
L27	S 7°31'10" W	79.43'
L28	S 7°31'10" W	124.26'
L29	S 7°31'10" W	146.54'
L30	S 7°17'27" W	94.39'

Line Table

Line #	Bearing	Length
L31	S 7°17'27" W	43.20'
L32	S 7°17'27" W	167.75'
L33	S 7°17'27" W	99.57'
L34	S 7°17'27" W	45.26'
L35	S 29°03'18" W	135.11'
L36	S 29°03'18" W	46.34'
L37	S 29°03'18" W	38.42'
L38	N 89°22'50" W	100.88'
L39	N 89°22'50" W	6.45'
L40	N 89°22'50" W	68.28'
L41	N 89°22'50" W	117.67'
L42	N 89°22'50" W	27.17'
L43	N 89°22'50" W	132.17'
L44	N 89°22'50" W	205.60'
L45	N 89°22'50" W	37.05'
L46	N 82°52'49" W	20.37'
L47	S 82°52'49" E	45.25'
L48	N 82°52'49" W	38.81'
L49	N 48°44'28" W	15.13'
L50	N 82°44'08" W	38.37'
L51	S 82°44'08" E	29.86'
L52	N 82°44'08" W	34.27'
L53	S 82°44'08" E	27.50'
L54	N 82°44'08" W	27.44'
L55	N 82°44'08" W	27.44'
L56	S 82°44'08" E	27.50'
L57	N 82°44'08" W	27.44'
L58	North	35.00'
L59	South	15.00'
L60	North	35.00'

Line Table

Line #	Bearing	Length
L61	South	25.00'
L62	South	20.00'
L63	East	272.42'
L64	S 82°28'50" E	36.30'
L65	S 82°28'50" E	36.43'
L66	S 82°28'50" E	33.54'
L67	S 82°28'50" E	24.00'
L68	S 82°42'33" E	43.18'
L69	S 82°48'31" E	272.53'
L70	S 82°42'33" E	38.93'
L71	S 82°42'44" E	24.69'
L72	S 60°56'42" E	30.97'
L73	S 60°56'42" E	33.95'
L74	S 0°37'10" W	34.60'
L75	N 0°37'10" E	40.99'
L76	S 0°37'10" W	14.17'
L77	S 0°37'10" W	24.51'
L78	S 0°37'10" W	15.01'
L79	S 0°37'10" W	36.00'
L80	S 7°45'26" W	25.64'
L81	S 37°14'34" E	40.90'
L82	S 7°15'26" W	11.57'
L83	S 7°15'26" W	321.26'
L84	S 7°17'12" W	214.65'
L85	S 7°40'30" W	317.02'
L86	S 5°08'30" W	208.73'
L87	N 82°44'34" W	19.19'
L88	N 82°44'34" W	18.72'
L89	N 82°19'32" W	17.95'
L90	N 83°42'21" W	33.99'

2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AWAengineering.net

Water Line Easment

Smith's Tooele
2400 North, Highway 36
Tooele, Utah

Sheet No.
6

Designed By: TW
Drafted By: TC,LC
Client Name: Smith's
SMC290 WL EX
22 Oct, 2025