Project No: S-0089(406)398 Parcel No.(s): 500B, 500B:E

Pin No: 13821

Job/Proj No: 72194

Project Location: US-89; Farmington to I-84

County of Property: DAVIS

Tax ID / Sidwell No: 11-505-0013

Property Address: Approx. 3007 E Canyon Creek Circle LAYTON UT, 84040

Owner's Address: 220 South 200 East #330, Salt Lake City, UT, 84111

Owner's Home Phone:

Owner's Work Phone:

Owner / Grantor (s): Canyon Creek Estates Owners Association, LLC., a Utah Nonprofit Company or

the separate owners within the Canyon Creek Estate Corporation Grantee: Utah Department of

Transportation (UDOT)/The Department

WHEN RECORDED, MAIL TO:

Utah Department of Transportation

4501 South 2700 West P.O. Box 148420

Salt Lake City, UT 84114-8420

E 3321244 B 7647 P 2731-2769

RICHARD T. MAUGHAN

DAVIS COUNTY, UTAH RECORDER

12/1/2020 4:45:00 PM

FEE \$0.00 Pgs: 39

Utah Department of Transportation For COTTONWOOD TITLE IN Right of Entry and Occupancy Agreement

Project No: S-0089(406)398 Parcel No.(s): 500B, 500B:E

Pin No: 13821

Job/Proj No: 72194

Project Location: US-89; Farmington to I-84

County of Property: DAVIS

Tax ID / Sidwell No: 11-505-0013

Property Address: Approx. 3007 E Canyon Creek Circle LAYTON UT, 84040 Owner's

Address: 220 South 200 East #330, Salt Lake City, UT, 84111

Owner's Home Phone: Owner's Work Phone:

Owner / Grantor (s): Canyon Creek Estates Owners Association, LLC., a Utah Nonprofit Company or

the separate owners within the Canyon Creek Estate Grantee: Utah Department of Transportation

(UDOT)/The Department

Acquiring Entity: Utah Department of Transportation (UDOT)

For the subject property described in the attached deed (Exhibit A).

This Right of Entry and Occupancy Agreement ("Agreement") is entered between Canyon Creek Estates Owners Association, LLC, a Utah Nonprofit Company or the separate owners and individual property owners within the Association ("Property Owners") and Utah Department of Transportation (UDOT).

Property Owners hereby grant to UDOT, its contractors, permitees, and assigns, including but not limited to, utilities and their contractors, the right to occupy and commence construction or other necessary activity on the property sought to be acquired/occupied with this Agreement, and to do whatever construction, relocation of utilities, and other work as may be required in furtherance of the state transportation project, located on the property described in attached Exhibit A. This Agreement is made in anticipation of a possible condemnation action by UDOT and is intended to provide for the entry and occupancy of the property pending further negotiations or the filing and pursuit of condemnation proceedings and possible alternative informal proceedings as provided for in this Agreement. Property Owners understand that, by executing this Agreement, Property Owners have waived and abandoned all defenses to the acquisition of the property.

The sum of \$51,100.00 (the "Deposit") will be paid into escrow, a non-interest bearing account, at a title company for the benefit of Property Owners as consideration for entering into this Agreement. UDOT will be responsible for the expenses of the escrow account. This amount paid into escrow shall be deducted from a final settlement, award of arbitration, or other determination of just compensation in an eminent domain action should one be pursued to acquire the property that is determined to be necessary for the project. The amount paid will be for the purposes of this Agreement only, and will not be admissible as evidence in any subsequent process used to establish the value of the property or the amount of compensation that may be due to the Property Owners. Property taxes will be the responsibility of the Property Owners until transfer of the deed(s) to UDOT.

The parties to this Agreement understand that a title report may indicate that other third parties may have a claim to part of the proceeds being paid by UDOT to the Property Owners under this Agreement. UDOT will have the right to approve the release of the Deposit from Escrow to Property Owners and to require a

Canyon Creek Estates Owners Association, Inc. is defunct as an expired entity. Currently, there is no entity representing the property owners association that holds or owns title to the property; therefore, until the association entity is reorganized and formed, this agreement will be entered by the separate property owners within the association.

Project No: \$-0089(406)398 Parcel No.(s): 500B, 500B:E

Pin No: 13821

Job/Proj No: 72194

Project Location: US-89; Farmington to I-84

County of Property: DAVIS

Tax ID / Sidwell No: 11-505-0013

Property Address: Approx. 3007 E Canyon Creek Circle LAYTON UT, 84040

Owner's Address: 220 South 200 East #330, Salt Lake City, UT, 84111

Owner's Home Phone:

Owner's Work Phone:

Owner / Grantor (s): Canyon Creek Estates Owners Association, LLC., a Utah Nonprofit Company or the separate owners within the Canyon Creek Estate Corporation Grantee: Utah Department of

Transportation (UDOT)/The Department

conveyance of the subject property from the Property Owners to UDOT prior to the release. It is not the intent of the Agreement to properly assess potential third-party claims. In the event it is later determined that part of the Deposit should properly be paid to other third parties, then UDOT will have the right to require that the third parties participate in the release of the Deposit or the Deposit will be applied to any remaining liens. In the event that UDOT desires to obtain title insurance in connection with the release of the deposit, UDOT will pay the premiums for the title coverage.

This Agreement is granted without prejudice to the rights of the Property Owners, pending any settlement, to contest the amount of compensation to be paid the Property Owners for the property described in Exhibit A or as otherwise may be applicable. If

a satisfactory settlement can not be agreed upon, UDOT will, upon notice from the Property Owners that the amount of compensation offered and/or other proposed settlement terms are not acceptable, or at its own election, proceed to commence and diligently prosecute a condemnation proceeding in the appropriate court for a judicial determination of such compensation. If requested to do so by the Property Owners, UDOT will, prior to commencing a condemnation proceeding, enter into a mediation or arbitration procedure provided for in the Utah Code Annotated 78B-6-522 and 13-43-204 through the Office of the Property Rights Ombudsman.

If the Property Owner uses the property for a residence, business, or farming operation and is required to move as a result of UDOT's acquisition of the property, the Property Owners may be entitled to relocation assistance and/or payments as a displaced person. The relocation assistance and payment are available as a matter of right and subject to federal and state law if the Property Owners are displaced by the acquisition of this property and are not conditional upon the Property Owners signing this Right of Entry and Occupancy Agreement.

The effective date of the Right Of Entry and Occupancy Agreement shall be the date this Agreement is executed by the Property Owners, as shown below, and that date shall be the date of value for fair market valuation purposes in the context of settlement negotiations, arbitration, or an eminent domain proceeding, should one be necessary, unless the Property Owners have been previously served with a summons in regard to this property acquisition or the parties have otherwise agreed in writing to a different date for purposes of valuation. It is understood that, according to state law, any additional compensation that is ordered to be paid to the Property Owners for the acquisition of the property will include interest at an annual rate of 8 % on any additional compensation that is determined to be payable to the Property Owners over and above that paid with this Agreement, calculated from the date of entry upon the property.

Exhibits:

[Signatures and Acknowledgments to Follow Immediately]

Project No; S-0089(406)398 Parcel No.(s); 500B, 500B:E

Pin No: 13821

Job/Proj No: 72194

Project Location: US-89; Farmington to 1-84

County of Property: DAVIS

Tax ID / Sidwell No: 11-505-0013

Property Address: Approx. 3007 E Canyon Creek Circle LAYTON UT, 84040 Owner's Address: 220 South 200 East #330, Salt Lake City, UT, 84111

Owner's Home Phone:

Owner's Work Phone:

Owner / Grantor (s): Canyon Creek Estates Owners Association, LLC., a Utah Nonprofit Company or the separate owners within the Canyon Creek Estate Corporation Grantee: Utah Department of

Transportation (UDOT) The Department

Property Owner

SIGNATURE PAGE

TO

UTAH DEPARTMENT OF TRANSPORTATION RIGHT OF ENTRY AND OCCUPANCY AGREEMENT

DATED this		day of	,	
Holly	A	/		}
1/4	Property Owner		Pro	perty Owner
	Property Owner		Pro	perty Owner
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Property Owner

BK 7647 PG 2734
Project No; S-0089(406)398 Parcel No.(s): 500B, 500B:E
Pin No: 13821 Job/Proj No: 72194 Project Location: US-89; Farmington to I-84 County of Property: DAVIS Tax ID / Sidwell No: 11-505-0013 Property Address: Approx. 3007 E Canyon Creek Circle LAYTON UT, 84040 Owner's Address: 220 South 200 East #330,Salt Lake City,UT,84111 Owner's Home Phone: Owner's Work Phone: Owner / Grantor (s): Canyon Creek Estates Owners Association, LLC., a Utah Nonprofit Company or the separate owners within the Canyon Creek Estate Corporation Grantee: Utah Department of Transportation (UDOT)/The Department
STATE OF UTAH County of
On the Ist day of 2020, Hollie Schilleman, Scott Schultz, Erin Schultz, Cory Christensen, Shauna Christensen, Calvin Potter, Tracy Potter, Daniel Leininger, Jenilee Leininger, Matson Bailey, Jennifer Bailey, Michelle Jensen, Chris Record, Catherine Record, Robert Nielsen, Hae Sook Nielsen, Andrew McDermont, Keiji Kay Matsumura, Geraldine Matsumura, personally appeared before me
who duly acknowledged to me that they executed the same. Lieutera Beet NOTARY PUBLIC
DATED this day of ERENDIRA BUTZ Notary Public, State of Utah Commission # 707117 My Commission Expires On August 28, 2023
UDOT Director / Deputy Director of Right of Way
STATE OF UTAH County of
On the day of , personally appeared before me
the signer(s) of this Agreement for UDOT who duly acknowledged to me that they executed the same.

NOTARY PUBLIC

Project No: S-0089(406)398 Parcel No.(s): 500B, 500B:E

Pin No: 13821

Job/Proj No: 72194

Project Location: US-89; Farmington to I-84

County of Property: DAVIS

Tax ID / Sidwell No: 11-505-0013

Property Address: Approx. 3007 E Canyon Creek Circle LAYTON UT, 84040

Owner's Address: 220 South 200 East #330.Salt Lake City.UT,84111

Owner's Home Phone:

Owner's Work Phone:

Owner / Grantor (s): Canyon Creek Estates Owners Association, LLC., a Utah Nonprofit Company or

the separate owners within the Canyon Creek Estate Corporation Grantee: Utah Department of

Transportation (UDOT)/The Department

SIGNATURE PAGE

TO

UTAH DEPARTMENT OF TRANSPORTATION RIGHT OF ENTRY AND OCCUPANCY AGREEMENT

DATED this	15th	day of October	. 2020
MALA	hillo Con	day of VCIODEY	1
- Mus	Property Owner		Property Owner
	Property Owner		Property Owner
1	Property Owner		Property Owner
	Property Owner		Property Owner
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	Property Owner		Property Owner

Project No: S-0089(406)398 Parcel No.(s): 500B, 500B:E

Pin No: 13821 Job/Proj No: 72194 Project Location: US-89; Farmington to I-84 County of Property: DAVIS Tax ID / Sidwell No: 11-505-0013 Property Address: Approx. 3007 E Canyon Creek Circle LAYTON UT, 84040 Owner's Address: 220 South 200 East #330,Salt Lake City,UT,84111 Owner's Home Phone: Owner's Work Phone: Owner / Grantor (s): Canyon Creek Estates Owners Association, LLC., a Utah Nonprofit Company or the separate owners within the Canyon Creek Estate Corporation Grantee: Utah Department of Transportation (UDOT)/The Department
STATE OF UTAH County of Weber
On the 18th day of 2020, Hollie Schilleman, Scott Schultz, Erin Schultz, Cory Christensen, Shauna Christensen, Calvin Potter, Tracy Potter, Daniel Leininger, Jenilee Leininger, Matson Bailey, Jennifer Bailey, Michelle Jensen, Chris Record, Catherine Record, Robert Nielsen, Hae Sook Nielsen, Andrew MeDermont, Keiji Kay Matsumura, Geraldine Matsumura personally appeared before me
who duly acknowledged to me that they executed the same. Graw Moreur NOTARY PUBLIC
DATED this 15 that of October Depter
UDOT Director / Deputy Director of Right of Way
STATE OF UTAH County of Webw
On theday of, personally appeared before me
the signer(s) of this Agreement for UDOT who duly acknowledged to me that they executed the same.
NOTARY PUBLIC

Project No: \$-0089(406)398 Parcel No.(s): 500B, 500B:E

Pin No: 13821

Job/Proj No: 72194

Project Location: US-89; Farmington to I-84

County of Property: DAVIS

Tax ID / Sidwell No: 11-505-0013

Property Address: Approx. 3007 E Canyon Creek Circle LAYTON UT, 84040

Owner's Address: 220 South 200 East #330, Salt Lake City, UT, 84111

Owner's Home Phone:

Owner's Work Phone:

Owner / Grantor (s): Canyon Creek Estates Owners Association, LLC., a Utah Nonprofit Company or the separate owners within the Canyon Creek Estate Corporation Grantee: Utah Department of

Transportation (UDOT)/The Department

SIGNATURE PAGE

TO

UTAH DEPARTMENT OF TRANSPORTATION RIGHT OF ENTRY AND OCCUPANCY AGREEMENT

DATED this	1374	day of	OCTOBER	, 2020
Links	operty Owner		Andres	Property Owner Property Owner
Charlet Pro	operty Owner		an	Property Owner
Ofair ox	operty Owner	u	, -	Property Owner
Pro	operty Owner			Property Owner
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Jan Y	operty Owner)		Property Owner
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The state of the s
Project No: \$-0089(406)398 Parcel No.(s): 500B, 500B:E
Pin No: 13821 Job/Proj No: 72194 Project Location: US-89; Farmington to I-84
County of Property: DAVIS Tax ID / Sidwell No: 11-505-0013 Property Address: Approx. 3007 E Canyon Creek Circle LAYTON UT, 84040
Owner's Address: 220 South 200 East #330,Salt Lake City,UT,84111
Owner's Home Phone: Owner's Work Phone:
Owner / Grantor (s): Canyon Creek Estates Owners Association, LLC., a Utah Nonprofit Company or the separate owners within the Canyon Creek Estate Corporation Grantee: Utah Department of
Transportation (UDOT)/The Department
STATE OF UTAH
County of Davis
On the 13th day of 2020, Hollie Schilleman, Scott Schultz, Erin Schultz, Cory Christensen, Shauna Christensen, Calvin
Potter, Tracy Potter, Daniel Leininger, Jenilee Leininger, Matson Bailey, Jennifer Bailey, Michelle Jensen. Chris
Record, Catherine Record, Robert Nielsen, Hae Sook Nielsen, Andrew McDermont, Keiji Kay Matsumura, Geraldine
Matsumura personally appeared before me
the signer(s) of the Agreement set forth above,
who duly acknowledged to me that they executed the same
Lundera Buty
NOTARY PUBLIC
<i>y</i> .
ERENDIRA BUTZ Notary Public, State of Utah
DATED this 27 day of 100000 , 50 30 Commission # 707117
My Commission Expires On
DOT Director Beput Director of Right of Way
STATE OF UTAH
County of Salt Lake
30
On the Hattiday of October, 2020, personally appeared before me
Charles A. Stormont the signer(s) of this Agreement for UDOT
who duly acknowledged to me that they executed the same.
Kussy Plett
NOLAKY PUBLIC

Krissy Piett
Notary Public - State of Utah
Expires 07/31/2022
Commission # 701558

WHEN RECORDED, MAIL TO: Utah Department of Transportation Right of Way, Fourth Floor Box 148420 Salt Lake City, Utah 84114-8420

Warranty Deed

(NON-PROFIT CORPORATION)

Davis County

Tax ID. 11-505-0013 PIN No. 13821

Project No. S-0089(406)398 Parcel No. 0089:500B

Canyon Creek Estates Owners Association, Inc., a Utah Nonprofit Corporation, Grantor, hereby CONVEYS AND WARRANTS to the UTAH DEPARTMENT OF TRANSPORTATION, Grantee, at 4501 South 2700 West, Salt Lake City, Utah 84114, for the sum of ______ TEN (\$10.00) ______ Dollars, and other good and valuable considerations, the following described parcel of land in _____ Davis ____ County, State of Utah, to-wit:

A parcel of land in fee, being part of an entire tract of property situate in Parcel A, Canyon Creek Estates Subdivision, according to the official plat thereof, recorded May 17, 2002, as Entry No. 1754446 in Book 3046 at Page 751 in the office of the Davis County Recorder, situate in the NW1/4 SW1/4 of Section 24, Township 4 North, Range 1 West, Salt Lake Base and Meridian, for the widening of existing US-89, known as Project No. S-0089(406)398. The boundaries of said parcel of land are described as follows:

Beginning at the northwest corner of said Parcel A; and running thence N.85°14'21"E. 20.84 feet along the northerly boundary line of said Parcel A to the northeasterly corner of said Parcel A; thence S.30°23'00"E. 121.77 feet along said easterly boundary line to a point 363.93 feet radially distant easterly from the US-89 right of way control line of said Project, opposite approximate Engineers Station 1244+24.62; thence S.01°54'07"E. 60.90 feet to the southwesterly boundary line of said Parcel A at a point 362.90 feet radially distant easterly from the US-89 right of way control line of said Project, opposite approximate Engineers Station 1243+60.15; thence along said southwesterly boundary line the following three (3) courses and distances: (1) N.30°23'00"W. 147.34 feet to a point of curvature of a curve to the right with a radius of 71.00 feet; (2) thence northerly along said curve with an arc length of 34.76 feet, chord bears N.16°24'47"W. 34.42 feet;

Page 2

PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B

(3) thence N.01°52'00"W. 4.06 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described parcel of land contains 4,367 square feet in area or 0.100 acre.

(Note: Rotate above bearings 00°20'52" clockwise to equal Highway bearings)

Page 3

PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B

IN WITNESS V	NHEREOF	, said	Canyon	Creek Est	ates Ow	ners Ass	ociation,	Inc.,
a Utah Nonprofit Corp								
officers thereunto dul								
	,	_			,			
STATE OF)						
) ss.						
COUNTY OF)						
				Ву				—
On the	e date fi	ret abov	e writte	n nersor	nally an	neared	hefore	me
	- date iii							
says that _he is the								
Owners Association	Inc., a	Utah N	Vonprofit	Corporat	ion , a	nd that	the v	vithin
and foregoing instru	ment was	signed	in behalf	of said	corpora	ation by	authorit	ty of
				edged to				
executed the same.								
WITNESS my	hand and o	fficial sta	mp the da	te in this	certificate	e first abo	ve writte	en:
Noton	Dublio							
inolary	Public							

Page 4		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B
Lot 1		
WITNESS, the hand of	f said Grantor, this	day of, A.D. 20
STATE OF)) ss.	Cory Robert Christensen
COUNTY OF)	Cory Nobelt Christensen
		Shauna Ford Christensen
	and Shauna Ford Christ	en personally appeared before me ensen, husband and wife as joint tenants t, who duly acknowledged to me that the
Notary Public		

Page 5		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B
Lot 2		
WITNESS, the hand o	of said Grantor, this	day of, A.D. 20
STATE OF)) ss.	Calvin D. Potter
COUNTY OF) 55.	Calvill D. Foller
		Tracy M. Potter
	and Tracy M. Potter	en personally appeared before me husband and wife, as joint tenants t, who duly acknowledged to me that the
Notary Public		

Page 6		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B
Lot 3		
WITNESS, the hand	of said Grantor, this	day of, A.D. 20
STATE OF)	Daniel R. Leininger
COUNTY OF) ss.)	Danier R. Leininger
		Jenilee S. Leininger
Daniel R. Leininger and	d Jenilee S. Leininger,	en personally appeared before me husband and wife as joint tenants , who duly acknowledged to me that the
Notary Public		

Page 7		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B
Lot 4		
WITNESS, the ha	and of said Grantor, this	day of, A.D. 20
STATE OF)	Keiji Kay Matsumura, Trustee
COUNTY OF) ss.)	Keiji Kay Matsumura, Trustee
		Geraldine O. Matsumura, Trustee
Keiji Kay Matsumura Revocable Trust dated S to me that they signed to	and Geraldine O. Mats September 1, 1994 , which within and foregoing in	tten personally appeared before me, umura, trustees of The Matsumura Family no, being by me duly sworn, acknowledged instrument in accordance with the authoritying said Trust, and that as Trustees they
Notary Pub	olic	

Page 8		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B
Lot 5		
WITNESS, the h	and of said Grantor, this _	day of, A.D. 20
STATE OF)) ss.	Andrew J McDermont
COUNTY OF)	Andrew 3 McDermont
Andrew J McDe		vritten personally appeared before me the within and foregoing instrument, who duly
Notary Pt	ublic	

Page 9		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B
Lot 6		
WITNESS, the ha	and of said Grantor, this _	day of, A.D. 20
STATE OF)	Pahart I. Nielean Trustae
COUNTY OF) ss.)	Robert L. Nielsen, Trustee
		Hae Sook Nielsen, Trustee
Robert L. Nielsen a dated March 28, 2017, acknowledged to me th	and Hae Sook Nielsen, a and any trustees in succe at they signed the within ustees given under the in	en personally appeared before me, s co-Trustees of The Nielsen Trust, U/A ession , who, being by me duly sworn, and foregoing instrument in accordance strument creating said Trust, and that as
Notary Pub		

Page 10		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B	
Lot 7			
WITNESS, the hand	d of said Grantor, this _	day of, A.D. 20	
STATE OF)) ss.	Chris Record	
COUNTY OF)	Chins Record	
	, the signer of th	written personally appeared before more within and foregoing instrument, who du	
Notary Publi	C		

Page 11			PIN No. 13821 S-0089(406)398 I No. 0089:500E	В
Lot 8				
WITNESS, the hand of	said Grantor, this	day of,	A.D. 20	
STATE OF)) ss.	Chris M. Record		
COUNTY OF)	Chils W. Record		
		Catherine J. Record		•
	Catherine J. Record	itten personally appea husband and wife as join who duly acknowledge	nt tenants,	the
Notary Public				

Page 12		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B
Lot 9		
WITNESS, the han	d of said Grantor, this _	day of, A.D. 20
STATE OF)) ss.	Michelle Jensen
COUNTY OF) 55.	Wichelle Jensen
	married woman	vritten personally appeared before me,, the signer of the within and foregoing he executed the same.
Notary Publi	c	

Page 13			PIN No. 13821 b. S-0089(406)398 cel No. 0089:500B
Lot 10			
WITNESS, the hand	l of said Grantor, this	day of	_, A.D. 20
STATE OF)	Matson H. Bailey	
COUNTY OF) ss.)	watson n. balley	
		Jennifer A. Bailey	
	late first above writ and Jennifer A. Bailey, h d foregoing instrument,	usband and wife as jo	oint tenants, the
Notary Public			

Page 14		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B
Lot 11		
WITNESS, the ha	nd of said Grantor, this	day of, A.D. 20
STATE OF)	Soott Thomas Sabultz, Truston
COUNTY OF) ss.)	Scott Thomas Schultz, Trustee
		Erin Sue Schultz, Trustee
Scott Thomas Schul successors in trust, as July 1, 2016 , who, I within and foregoing ins	tz and Erin Sue Schu s trustees of the Sco being by me duly sworn trument in accordance	tten personally appeared before me, ltz, each of Davis County, Utah or their tt and Erin Schultz Living Trust, dated, acknowledged to me that they signed the with the authority as Trustees given under rustees they executed the same.
Notary Pub	lic	

Page 15		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B
Lot 12		
WITNESS, the ha	nd of said Grantor, this _	day of, A.D. 20
STATE OF)) ss.	Hollie Anne Schilleman
COUNTY OF)	Home Arme Schmeman
Hollie Anne Sch		written personally appeared before me, n, the signer of the within and foregoing he executed the same.
Notary Put	olic	

WHEN RECORDED, MAIL TO: Utah Department of Transportation Right of Way, Fourth Floor Box 148420 Salt Lake City, Utah 84114-8420

Easement

(NON-PROFIT CORPORATION)

Davis County

Tax ID No. 11-505-0013 PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E

Ca	inyon Cre	ek Estates	<u>Owners</u>	Association,	Inc.	, a	Utah Non	profit	Corporatio	<u>n</u> ,
Grantor,	hereby	GRANTS	AND	CONVEYS	to	the	UTAH	DEP	ARTMENT	OF
TRANSF	ORTATIO	N, Grantee	, at 450	1 South 270	0 W	est,	Salt Lake	City,	Utah 8411	4, for
the sum	of	TEN (\$10.00)		_, D	ollar	s, and oth	er go	od and val	uable
consider	ations, the	e following of	describe	d easement	in		Davis		County,	State
of Utah,	to-wit:									

A temporary easement, upon part of an entire tract of property situate in Parcel A, Canyon Creek Estates Subdivision, according to the official plat thereof, recorded May 17, 2002, as Entry No. 1754446 in Book 3046 at Page 751 in the office of the Davis County Recorder, situate in the NW1/4 SW1/4 of Section 24, Township 4 North, Range 1 West, Salt Lake Base and Meridian, for the purpose of constructing cut and/or fill slopes and appurtenant parts thereof to facilitate the construction of US-89, known as Project No. S-0089(406)398. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three (3) years, whichever first occurs. The easement shall be non-exclusive such that the Grantor may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said part of an entire tract are described as follows:

Beginning at the intersection of the easterly boundary line of said Parcel A and the easterly frontage road right of way line of said Project, which point is 121.77 feet S.30°23'00"E. from the northeast corner of said Parcel A; and running thence S.30°23'00"E. 10.48 feet along said easterly boundary line to a point 368.81 feet radially distant easterly from the US-89 right of way control line of said Project, opposite approximate Engineers Station 1244+14.79; thence S.01°54'07"E. 60.90 feet to the

Continued on Page 2 COMPANY RW-01C (11-01-03) Page 2

PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E

southwesterly boundary line of said Parcel A at a point 367.69 feet radially distant easterly from the US-89 right of way control line of said Project, opposite approximate Engineers Station 1243+50.28; thence N.30°23'00"W. 10.48 feet along said southwesterly boundary line to said easterly frontage road right of way line of said Project; thence N.01°54'07"W. 60.90 feet along said easterly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract contains 304 square feet in area or 0.007 acre.

(Note: Rotate above bearings 00°20'52" clockwise to equal Highway bearings)

Page 3

PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E

IN WIT	NESS	WHEREOF, said _	Canyon Cre	ek Estates O	wners A	ssociation, Inc., a
Utah Nong	orofit	Corporation	has	caused	this	instrument to
be executed b	y its p	proper officers there , A.D. 20	unto duly aut	horized, this _		day of
STATE OF)) ss				
) ss	5.			
COUNTY OF)		Ву_		
		he date first al , w _ of Canyon	ho, being by	me duly sv	vorn, sa	ys that he is the
		on, a				
•		said corporation by _ acknowledged to				
WITNE	SS my	y hand and official s	tamp the dat	e in this certif	icate firs	t above written:
	Notar	y Public	_			

Page 4		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E
Lot 1		
WITNESS, the hand of	said Grantor, this	day of, A.D. 20
STATE OF)) ss.	Cory Robert Christensen
COUNTY OF)	Cory Robert Christensen
		Shauna Ford Christensen
Cory Robert Christensen a	nd Shauna Ford Chris	ten personally appeared before me tensen, husband and wife as joint tenants nt, who duly acknowledged to me that the
Notary Public		

Page 5		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E
Lot 2		
WITNESS, the hand	of said Grantor, this	day of, A.D. 20
STATE OF)) ss.	Calvin D. Potter
COUNTY OF) 55.	Calvill D. 1 Otter
		Tracy M. Potter
Calvin D. Potter, Jr.	and Tracy M. Potter	ten personally appeared before me <u>, husband and wife, as joint tenant</u> it, who duly acknowledged to me that the
Notary Public	c	

Page 6		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E	
Lot 3			
WITNESS, the hand of sa	aid Grantor, this	_ day of, A.D. 20	
STATE OF)	Daniel D. Laininger	
COUNTY OF) ss.)	Daniel R. Leininger	
		Jenilee S. Leininger	
Daniel R. Leininger and Je	nilee S. Leininger,	n personally appeared before me husband and wife as joint tenants who duly acknowledged to me that they	
Notary Public			

Page 7		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E
Lot 4		
WITNESS, the ha	ınd of said Grantor, this _	day of, A.D. 20
STATE OF)) ss.	Keiji Kay Matsumura, Trustee
COUNTY OF) 55.	Keiji Kay Matsumura, Trustee
		Geraldine O. Matsumura, Trustee
Keiji Kay Matsumura Revocable Trust dated S to me that they signed t	and Geraldine O. Matsu September 1, 1994 _, wh he within and foregoing in	en personally appeared before me, mura, trustees of The Matsumura Family o, being by me duly sworn, acknowledged estrument in accordance with the authority g said Trust, and that as Trustees they
Notary Put	olic	

Page 8		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E
Lot 5		
WITNESS, the ha	and of said Grantor, this	day of, A.D. 20
STATE OF)	Andrew J McDermont
COUNTY OF) ss.)	Andrew 3 MicDermont
Andrew J McDer		written personally appeared before me the within and foregoing instrument, who duly
Notary Pu	blic	

Page 9		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E
Lot 6		
WITNESS, the hand	d of said Grantor, this	day of, A.D. 20
STATE OF)	Debot I. Nielsen Trustes
COUNTY OF) ss.)	Robert L. Nielsen, Trustee
		Hae Sook Nielsen, Trustee
Robert L. Nielsen and dated March 28, 2017, an acknowledged to me that	Hae Sook Nielsen, and any trustees in succession they signed the within tees given under the in	tten personally appeared before me, as co-Trustees of The Nielsen Trust, U/A ression, who, being by me duly sworn, and foregoing instrument in accordance instrument creating said Trust, and that as
Notary Public	,	

Page 10		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E
Lot 7		
WITNESS, the han	d of said Grantor, this	day of, A.D. 20
STATE OF)	
COUNTY OF) ss.)	Chris Record
	, the signer of the	written personally appeared before me he within and foregoing instrument, who duly e.
Notary Publi	С	

Page 11		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E
Lot 8		
WITNESS, the hand o	of said Grantor, this _	day of, A.D. 20
STATE OF)	Chris M. Record
COUNTY OF) ss.)	Chins M. Record
		Catherine J. Record
Chris M. Record and	Catherine J. Record	ritten personally appeared before me husband and wife as joint tenants , the t, who duly acknowledged to me that the
Notary Public		

Page 12		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E
Lot 9		
WITNESS, the ha	nd of said Grantor, this _	day of, A.D. 20
STATE OF)	
COUNTY OF) ss.)	Michelle Jensen
	n, married woman	vritten personally appeared before me , the signer of the within and foregoing he executed the same.
Notary Pub	lic	

Page 13			PIN No. 13821 o. S-0089(406)398 el No. 0089:500B:E
Lot 10			
WITNESS, the hand of	f said Grantor, this _	day of	_, A.D. 20
STATE OF)	Mataon H. Doiley	
COUNTY OF) ss.)	Matson H. Bailey	
		Jennifer A. Bailey	
	d Jennifer A. Bailey,	ritten personally app husband and wife as jo t, who duly acknowled	oint tenants, the
Notary Public			

Page 14		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E
Lot 11		
WITNESS, the har	nd of said Grantor, this	day of, A.D. 20
STATE OF)	
COUNTY OF) ss.)	Scott Thomas Schultz, Trustee
		Erin Sue Schultz, Trustee
Scott Thomas Schult successors in trust, as July 1, 2016 , who, be within and foregoing inste	z and Erin Sue Scho trustees of the Sco eing by me duly sworr rument in accordance	ritten personally appeared before me, ultz, each of Davis County, Utah or their out and Erin Schultz Living Trust, dated in, acknowledged to me that they signed the with the authority as Trustees given under rustees they executed the same.
Notary Publi	C	

Page 15		PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B:E
Lot 12		
WITNESS, the han	d of said Grantor, this ₋	day of, A.D. 20
STATE OF)	11-11:- 4 0.1:11
COUNTY OF) ss.)	Hollie Anne Schilleman
On the on the one Hollie Anne Schill instrument, who duly acknowledge of the control of the cont	leman, a single woma	written personally appeared before me, n, the signer of the within and foregoing he executed the same.
Notary Public	С	

WHEN RECORDED, MAIL TO: Utah Department of Transportation Right of Way, Fourth Floor Box 148420 Salt Lake City, Utah 84114-8420

Exhibit "A"

Warranty Deed

(NON-PROFIT CORPORATION)

Davis County

Tax ID. 11-505-0013 PIN No. 13821 Project No. S-0089(406)398 Parcel No. 0089:500B

C	anyon Cre	eek Estates C	wners	Associat	ion, Ir	nc., a	Uta	h Nonpr	ofit Cor	poratio	n	,
		CONVEYS										
TRANSF	ORTATIO	DN, Grantee,	at 450	1 South	2700	Wes	st, Sa	alt Lake	City, U	Itah 84	114,	for
the sum	of	TEN (\$10	.00)			Dolla	ars, a	and othe	er good	and v	alua	ble
consider	ations, the	e following de	scribe	d parcel c	of land	l in _	[Davis	c	ounty,	St	ate
of Utah,	to-wit:											

A parcel of land in fee, being part of an entire tract of property situate in Parcel A, Canyon Creek Estates Subdivision, according to the official plat thereof, recorded May 17, 2002, as Entry No. 1754446 in Book 3046 at Page 751 in the office of the Davis County Recorder, situate in the NW1/4 SW1/4 of Section 24, Township 4 North, Range 1 West, Salt Lake Base and Meridian, for the widening of existing US-89, known as Project No. S-0089(406)398. The boundaries of said parcel of land are described as follows:

Beginning at the northwest corner of said Parcel A; and running thence N.85°14'21"E. 20.84 feet along the northerly boundary line of said Parcel A to the northeasterly corner of said Parcel A; thence S.30°23'00"E. 121.77 feet along said easterly boundary line to a point 363.93 feet radially distant easterly from the US-89 right of way control line of said Project, opposite approximate Engineers Station 1244+24.62; thence S.01°54'07"E. 60.90 feet to the southwesterly boundary line of said Parcel A at a point 362.90 feet radially distant easterly from the US-89 right of way control line of said Project, opposite approximate Engineers Station 1243+60.15; thence along said southwesterly boundary line the following three (3) courses and distances: (1) N.30°23'00"W. 147.34 feet to a point of curvature of a curve to the right with a radius of 71.00 feet; (2) thence northerly along said curve with an arc length of 34.76 feet, chord bears N.16°24'47"W. 34.42 feet;