

Affidavit

This affidavit has been prepared to clarify the vehicular access for the property known as, Lot 1, Pheasant Crossing Business Park Subdivision, as described below. Attached Exhibits A & B provide for a City approval of temporary emergency egress from the property until such time that a permanent cross easement can be obtained from the adjoining property owner. Said property located in Syracuse City, Davis County, Utah, described as follows:

A PART OF THE NORHTEAST QUARTER OF SECTION 9, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT 50.00 FEET NORTH 89°47'24" WEST AND 33.00 FEET SOUTH 0°09'42" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 9; RUNNIGN THENCE SOUTH 0°09'42" WEST 300.00 FEET ALONG THE WEST RIGHT-OFOWAY LINE OF 2000 WEST STREET; THENCE NORTH 89°47'24" WEST 300.00 FEET; THENCE NORHT 0°09'42" EAST 300.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 700 SOUTH STREET; THENCE SOUTH 89°47'24" EAST 300.00 FEET TO THE POINT OF BEGINNING. CONTAINING 2.066 ACRES.

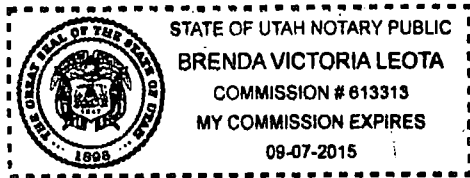
12-048-0134  
pt street

E 2691592 B 5620 P 781-783  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
10/04/2012 03:46 PM  
FEE \$0.00 Pgs: 3  
DEP RTT REC'D FOR SYRACUSE CITY

STATE OF UTAH )  
                  ) :SS  
COUNTY OF DAVIS )

*Sherrie Christensen*  
Sherrie Christensen, AICP  
Syracuse City Planner

On the 28<sup>TH</sup> day of SEPTEMBER, 2012, Sherrie Christensen, personally known to me to be the person whose name is subscribed to this instrument, personally appeared before me and acknowledged that she executed the same.



*Brenda Victoria Leota*  
Notary Public Commissioned in the State of Utah

## MEMORANDUM

**TO:** Syracuse City  
**FROM:** BND Partners, LLC  
**PROJECT:** Pheasant Crossing Business Park  
**SUBJECT:** Emergency Access on 2000 West  
**DATE:** September 20, 2012

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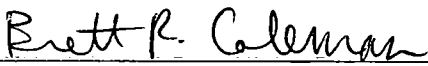
This memorandum is to acknowledge UDOT has granted an emergency access point on 2000 West for the purpose of a second access to the site for emergency vehicles, and ensure Pheasant Crossing will complete the second access to their property when the cross access agreement between Benchmark Properties and BND Partners is accomplished.

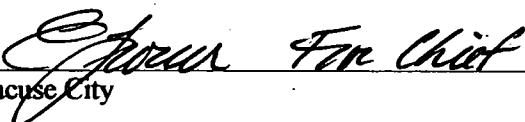
The emergency access is in lieu of a cross access agreement for access from the north drive approach on Canterbury Business Park property to the Pheasant Crossing development, and is intended to be temporary in nature.

BND Partners has been and will continue to diligently seek execution and legal recording of a cross access easement from Benchmark Properties.

BND Partners agrees to accomplish the development as originally intended with access on 700 South and access to the business park from Canterbury Business Park at the north entrance on 2000 West as shown on the approved development and permit drawings.

### ACKNOWLEDGEMENTS

  
\_\_\_\_\_  
BND Development, LLC

  
\_\_\_\_\_  
Syracuse City



State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

September 20, 2012

Dan Vanzeben  
Vanzeben Architecture  
2032 Lincoln Avenue  
Ogden, UT 84401

RE: **SR-108, Pheasant Crossing Bus Park in Syracuse**  
**ID# 12-027**

Dear Mr. Vanzeben:

The UDOT Region One Engineering staff has reviewed and **approved** the request for **SR-108, Pheasant Crossing Bus Park in Syracuse**. At this time a bonded contractor may fill out the **Online Permit Application**:

Go to: [www.udot.utah.gov](http://www.udot.utah.gov)

- Click drop down arrow on "Doing Business" tab
- Go to: "UDOT Permits"
- Click: "Apply Online"
- Create User Name, Password and Register "Online Permit System"
- Fill out encroachment permit application

If you have any further questions or concerns, please contact me at 801-620-1604

Sincerely,

A handwritten signature in black ink, appearing to read "Tommy H. Vigil".

Tommy H. Vigil  
Region Right of Way Control Coordinator

THV/kn

cc: Kris Peterson, P.E.  
Darin Duersch, P.E.  
Darin K. Frstrup, P.E.  
Brent DeYoung, P.E.  
Gordon Young  
Kelly Moffitt