

Office of the Davis County Recorder



Davis
COUNTY

County Seal

RETURNED
SEP 19 2013

E 2767254 B 5856 P 128-149
RICHARD T. NAUGHAN
DAVIS COUNTY, UTAH RECORDER
09/19/2013 11:25 AM
FEE \$0.00 Pgs: 22
DEP RT REC'D FOR FARMINGTON CITY

Recorder
Richard T. Maughan
Chief Deputy
Laile H. Lomax

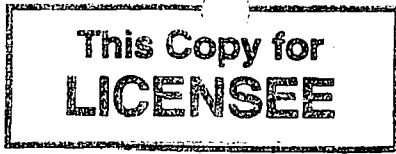
THE UNDERLYING DOCUMENT ATTACHED HERETO IS AN ORIGINAL DOCUMENT SUBMITTED FOR RECORDING IN THE OFFICE OF THE COUNTY RECORDER OF DAVIS COUNTY, UTAH. THE DOCUMENT HAS INSUFFICIENT MARGIN SPACE FOR THE REQUIRED RECORDING ENDORSMENT STAMP. THIS PAGE BECOMES THE FRONT PAGE OF THE DOCUMENT FOR RECORDING PURPOSES.

THE DOCUMENT HEREIN RECORDED IS A _____

Agreement

(Document Type)

Tax Serial Number(s)



UTA Contract # DR/D/1986/T
Farmington, Utah

**LICENSE AGREEMENT
REGARDING THE DEVELOPMENT AND OPERATION OF A RAIL TO TRAILS
PROJECT ON THE UTA-OWNED DENVER & RIO GRANDE WESTERN RAILROAD
CORRIDOR**

LICENSE AGREEMENT REGARDING THE DEVELOPMENT AND OPERATION OF A RAIL TO TRAILS PROJECT ON THE UTA-OWNED DENVER & RIO GRANDE WESTERN RAILROAD CORRIDOR (the "License") is made and entered into as of the 11th day of April, 2013, by and between UTAH TRANSIT AUTHORITY, a public transit district organized under the laws of the State of Utah (hereinafter "UTA"), and FARMINGTON CITY CORPORATION, a municipal corporation of the State of Utah (hereinafter "Licensee").

RECITALS

WHEREAS, Licensee and UTA entered into an Agreement Regarding the Development and Operation of a Rails to Trails project on the Utah Transit Authority owned Denver & Rio Grande Western Railroad Corridor, also known as UTA Contract #DR/D/1986/T (the "Agreement") to construct a Multiple Use Trail which will encroach upon the Right of Way between approximate Milepost 760.15 through 762.08 (approximately 2 miles); and

WHEREAS, Licensee and UTA entered into an Addendum #1 Agreement Regarding the Development and Operation of a Rails to Trails project on the Utah Transit Authority owned Denver & Rio Grande Western Railroad Corridor, also known as UTA Contract #DR/D/1986/T dated April 19, 2011 (the "Addendum") to install signage and connect Farminton Ranches HOA; and

WHEREAS, Licensee would like to participate in the extension of the Multiple Use Trail from Milepost 760.15 through 759.31; and

WHEREAS, Licensee has also built a paved connection to the Multiple Use Trail from 950 North prior to obtaining UTA's permission and is requesting that UTA allow the connection to remain in place; and

WHEREAS, UTA is willing to grant the Licensee a License (i) to extend the Multiple Use Trail between Milepost 760.15 through 759.31, and (ii) to continue to use the 950 North connection (collectively, the "New License"), conditioned upon the provisions set forth in this Agreement.

AGREEMENT

NOW THEREFORE, on the stated Recitals, which are incorporated herein by reference, and for and in consideration of the mutual covenants and agreements hereinafter set forth, the mutual benefits to the Parties to be derived herefrom, and for other valuable consideration, the receipt and sufficiency of which the Parties acknowledge, Licensee and UTA agree to the following.

1. UTA hereby grants Licensee a license to extend the Multiple Use Trail from Milepost 760.15 to 759.31, as depicted in Exhibit "A" (Exhibit "A" is attached hereto and hereby incorporated into and made a part hereof by reference). This extension is agreed to, and the New License granted, subject to all the terms and conditions set forth in both the Agreement and Addendum referenced above.
2. UTA hereby grants to Licensee a license for the use of the 950 North connection as depicted in Exhibit "B" (Exhibit "B" is attached hereto and hereby incorporated into and made a part hereof by reference). The license for the 950 North connection is subject to all the terms and conditions of the Agreement and Addendum. Upon Termination of the license for this connection, Licensee will remove all pavement and materials used to build and maintain this connection, and shall restore the underlying property to the same or substantially similar condition as before construction of the connection. In the event Licensee shall not restore the property as described in the foregoing sentence, within ninety (90) days of Termination, UTA shall have the right to complete such restoration and submit an invoice for the cost thereof, together with a 10% administrative fee. Licensee shall pay the invoice within thirty (30) days of receipt thereof.
3. As consideration to UTA for the licenses granted hereunder, Licensee at its sole cost and expense agrees to maintain the UTA right of way from Milepost 760.15 through 759.31 to a standard set forth in Exhibit "C" (Exhibit "C" is attached hereto and hereby incorporated into and made a part of this Agreement by reference).
4. All other conditions, requirements and agreements contained in the Agreement and Addendum shall continue in full force and effect. Unless otherwise defined herein, all capitalized terms used in this License shall have the same meanings as defined in the Agreement and Addendum.

IN WITNESS WHEREOF, the parties hereto have caused this License to be executed in duplicate as of the day and year first herein written.

FARMINGTON CITY CORPORATION

UTAH TRANSIT AUTHORITY

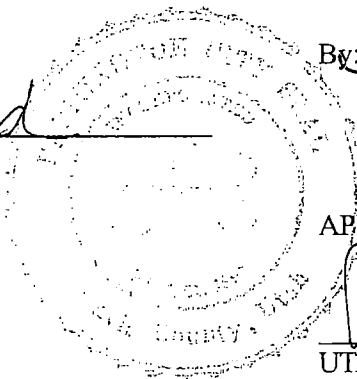
By: Scott C. Hartson
Name: SCOTT C. HARTSON
Title: Mayor

By: Paul Edwards
Paul Edwards, Senior Program Manger
ACTING FOR PAUL EDWARDS

ATTEST:

Holly Gadd
Clerk

By: Mailia Lauto'o
Mailia Lauto'o, Manager of Property
Administration



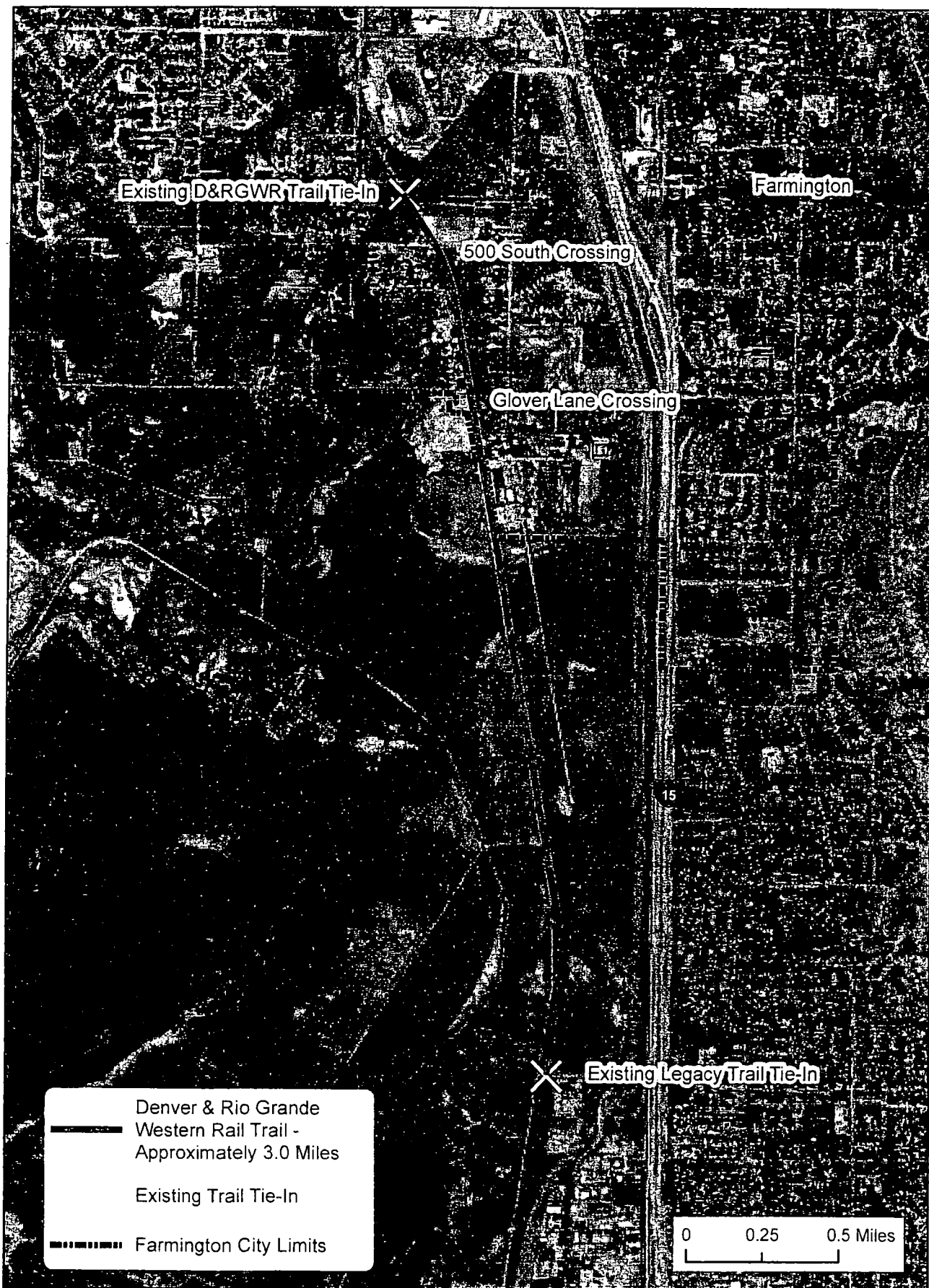
APPROVED AS TO FORM:

Ruth Huns
UTA Legal

EXHIBIT "A"

Design Plans for the extension to the Multiple Use Trail

Denver & Rio Grande Western Rail Trail



UTAH

DEPARTMENT OF TRANSPORTATION

FEDERAL AID PROJECT

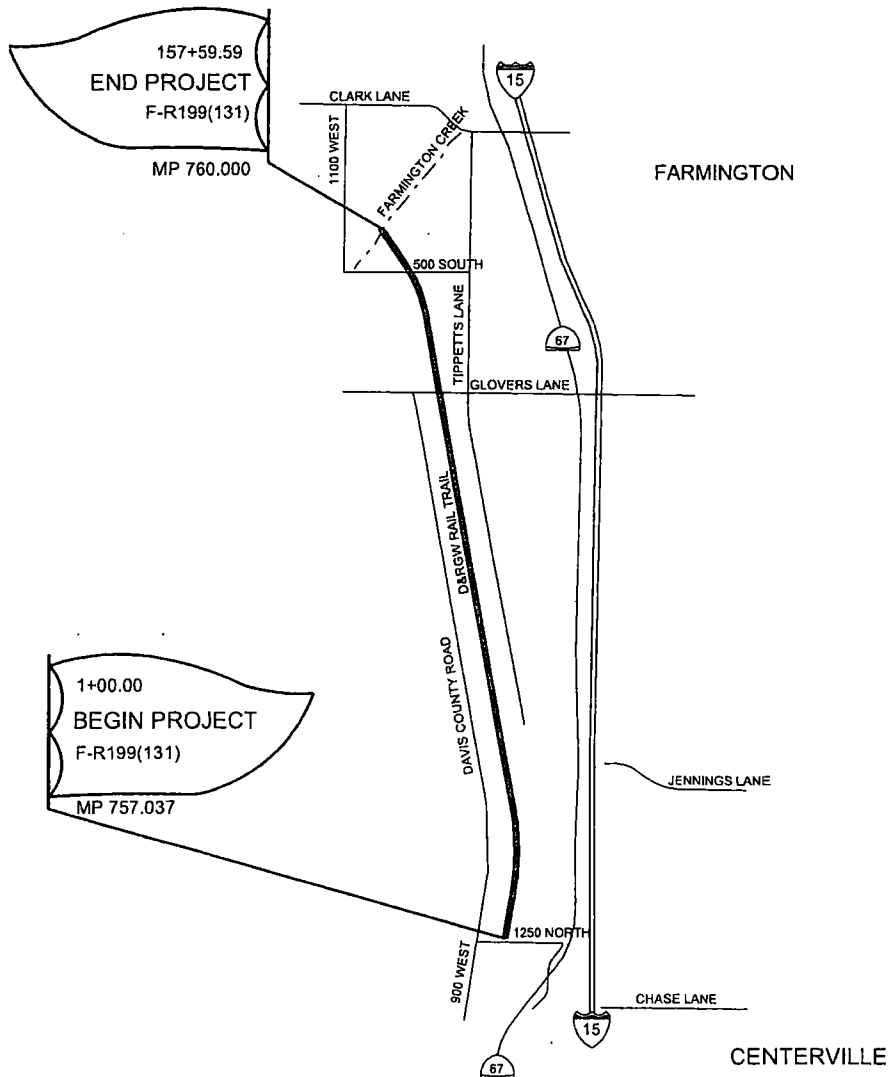
F-R199(131) PIN: 11099

D&RGW Rail Trail; Centerville to Farmington

TRAILS

DAVIS COUNTY

LENGTH = 2.963 MILES

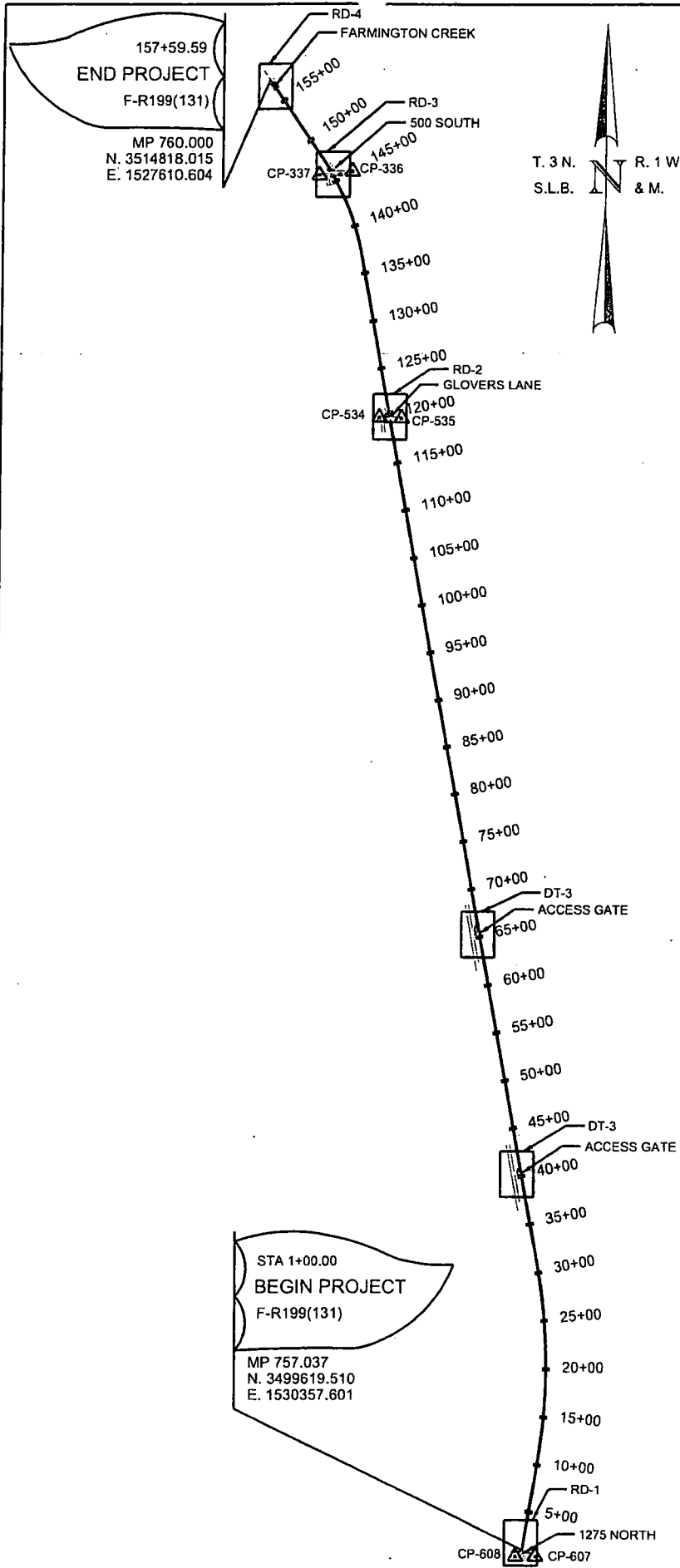


P:\2013\1301SF\UDOT D&RGW Rail Trail\11099 D&RGW Rail Trail\roadway design\11099 Tile1.dgn

PROJECT #: F-R199(131) PIN#: 11099

D&RGW RAIL TRAIL; CENTERVILLE TO FARMINGTON 6/13/2013

8/13/2013 D&RGW RAIL TRAIL, CENTERVILLE TO FARMINGTON PROJECT #: F-R199(131) PIN#: 11099 P:\001\311015F\UDOT\D&RGW Rail Trail\11099 D&RGW Rail Trailroadway design\11099_1A.dgn

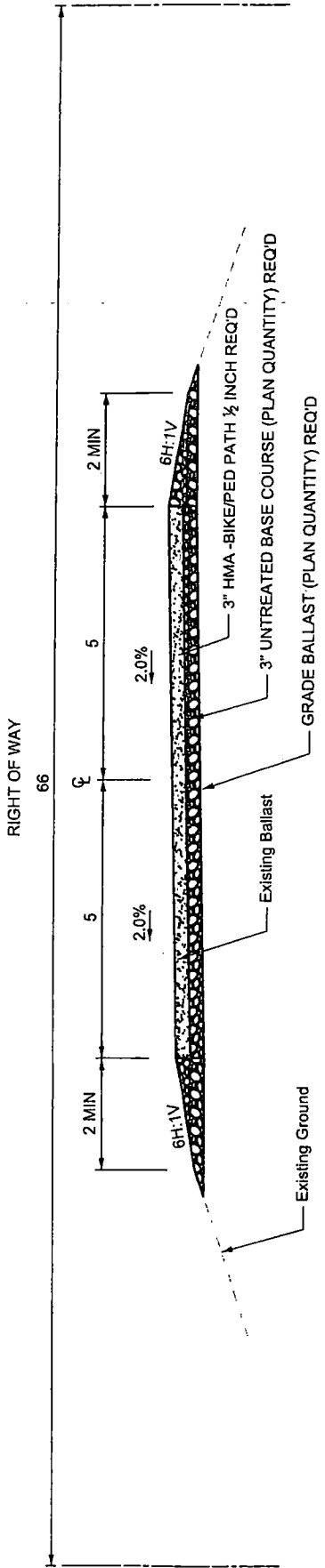


TRAIL ALIGNMENT CONTROL

SEGMENT	POB STATION	NORTHING	EASTING	LATITUDE	LENGTH	DIRECTION	RADIUS	DELTA	CHORD	CHORD DIRECTION
1	1+00.00	3499619.510	1530357.601	40°58'20.0640" N	1010.433	N 9°33'15" E	-	-	-	-
2	11+10.43	3500615.928	1530525.311	40°58'19.6680" N	1918.753	-	5500.000	19°59'18" LT	1909.038	N 0°26'25" W
3	30+29.19	3502524.909	1530510.645	40°57'54.9360" N	10709.822	N 10°26'04" W	2843.432	10°58'35" LT	543.895	N 18°07'37" W
4	137+39.01	3513057.622	1528570.992	40°57'54.8280" N	544.728	-	7298.900	3°00'44" LT	383.690	N 27°29'02" W
5	142+83.74	3513574.524	1528401.774	40°55'58.7640" N	383.734	-	-	-	-	-
6	146+67.47	3513914.911	1528224.702	40°55'58.7640" N	1092.114	N 34°12'55" W	-	-	-	-

CONTROL POINT	PROJECT NORTHING	PROJECT EASTING	LATITUDE	LONGITUDE	PROJECT ELEVATION	CONTROL POINT DESCRIPTION
CP 336	3513888.678	1528473.032	40°58'20.0640" N	111°54'19.4040" W	4234.829	REBAR WITH CAP
CP 337	3513828.748	1528132.190	40°58'19.6680" N	111°54'23.8320" W	4235.251	NAIL
CP 534	3511322.019	1528781.994	40°57'54.9360" N	111°54'15.2280" W	4230.055	NAIL
CP 535	3511312.159	1529013.252	40°57'54.8280" N	111°54'12.2040" W	4233.626	NAIL
CP 607	3499557.099	1530494.634	40°55'58.7640" N	111°53'52.1880" W	4214.723	NAIL
CP 608	3499557.022	1530286.655	40°55'58.7640" N	111°53'54.9240" W	4215.125	NAIL

6/13/2013 DARGOW RAIL TRAIL: CENTERVILLE TO FARMINGTON PROJECT #: F-R19(131) PIN#: 11099 P:\2013\13015F UDOT DARGOW RAIL TRAIL\11099 DARGOW Rail Trail\roadway design\11099_TS-1.dgn

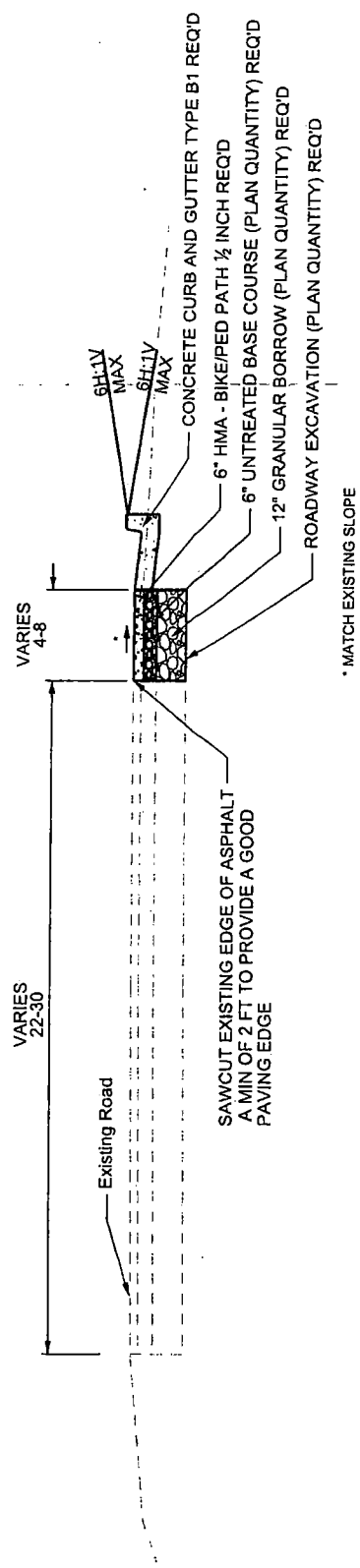


TYPICAL SECTION 1

TRAIL

1+00.00 TO 119+86.53
119+86.53 TO 145+56.32
146+03.22 TO 157+23.85

- NOTES:**
1. ALL BALLAST IS TO REMAIN WITHIN LIMITS OF RIGHT OF WAY.
 2. NO MATERIAL MAY BE REMOVED FROM THE UTA RIGHT OF WAY.
 3. BALLAST IS NOT TO BE PLACED IN EXISTING DITCHES.
 4. BALLAST MAY NOT BE STOCKPILED.



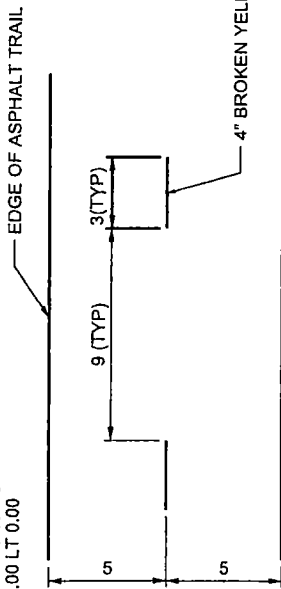
TYPICAL SECTION 2

ROADWAY GLOVERS LANE

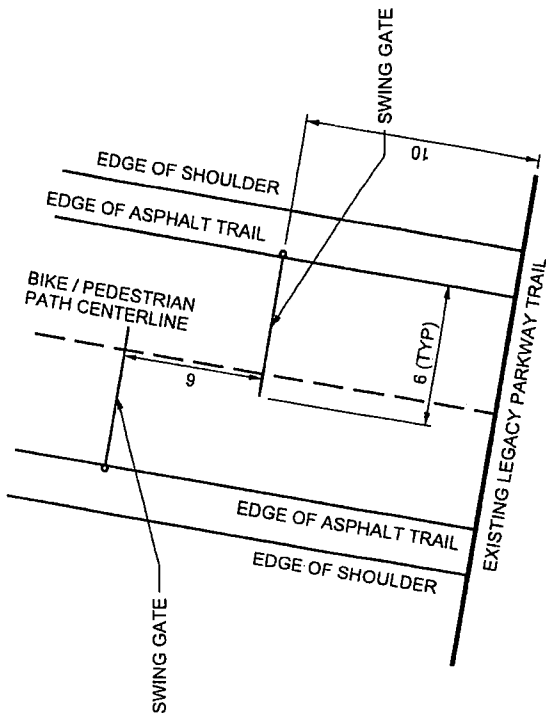
D&RGW RAIL TRAIL: CENTERVILLE TO FARMINGTON PROJECT #: F-R198(131) PIN#: 11099 P:\2013\13015F\DDOT\D&RGW Rail Trail\11099 D&RGW Rail Trail\roadway design\11099_DT-1.dgn

**PAVEMENT MARKING PAINT REQ'D
4" BROKEN YELLOW LINE (BYL)**

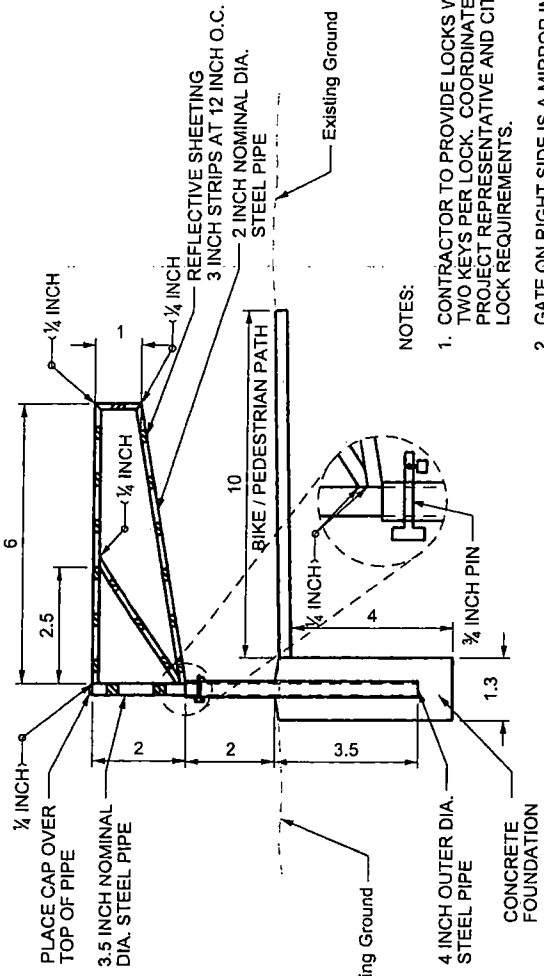
- 0+64.00 LT 0.00 TO
- 119+34.56 LT 0.00
- 119+86.53 LT 0.00 TO
- 145+64.40 LT 0.00
- 146+12.30 LT 0.00 TO
- 156+60.00 LT 0.00



TRAIL STRIPING PLAN
TYPICAL



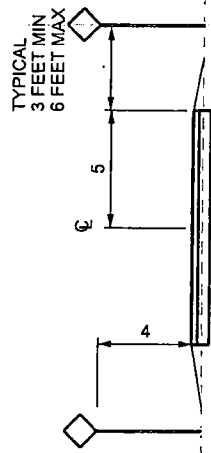
SWING GATE PLAN (LEGACY TRAIL TIE IN)



NOTES:

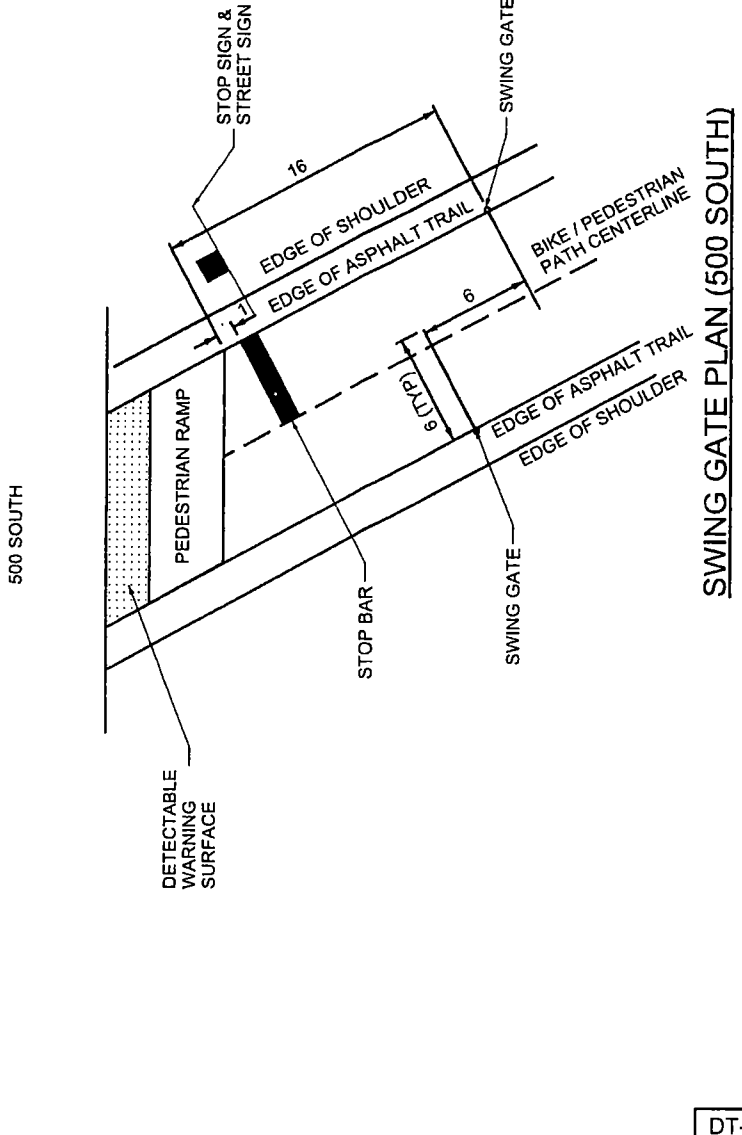
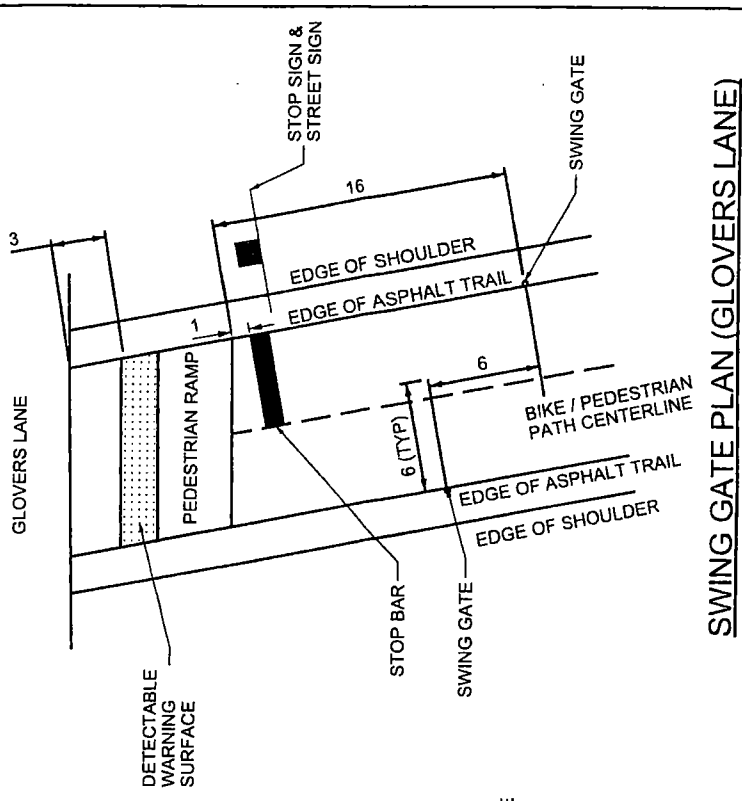
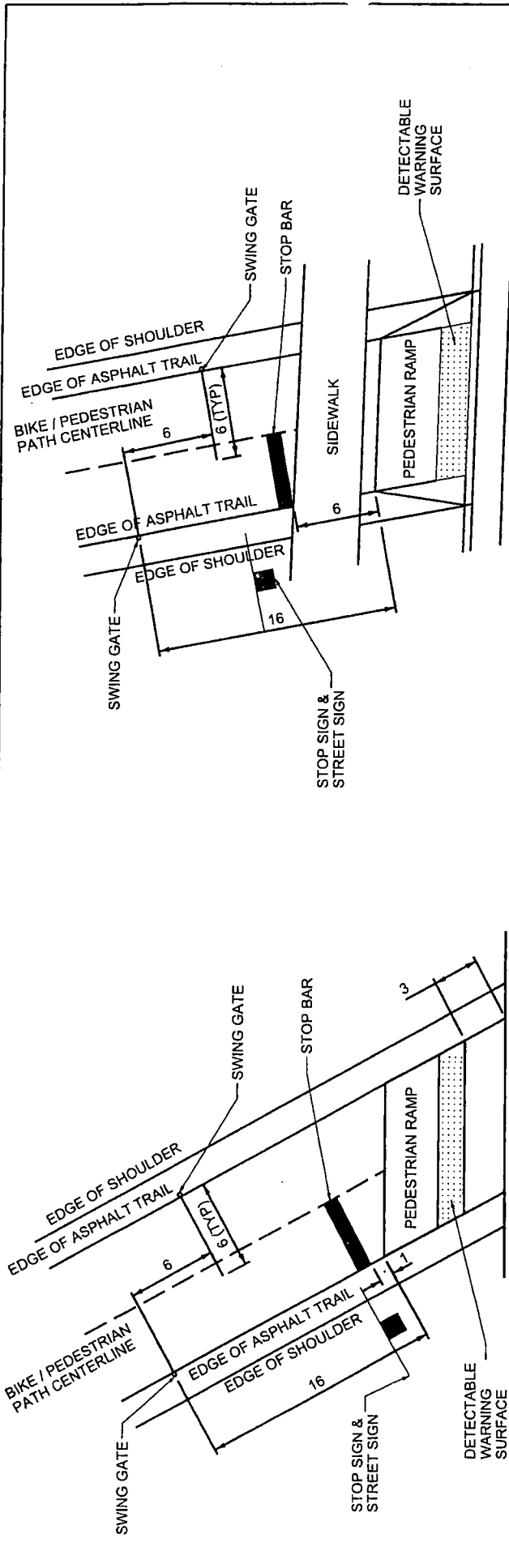
1. CONTRACTOR TO PROVIDE LOCKS WITH TWO KEYS PER LOCK. COORDINATE WITH PROJECT REPRESENTATIVE AND CITY FOR LOCK REQUIREMENTS.
2. GATE ON RIGHT SIDE IS A MIRROR IMAGE OF THE LEFT SIDE.
3. ALL STEEL PIPE IS TO BE GALVANIZED.

SWING GATE ELEVATION
N.T.S.

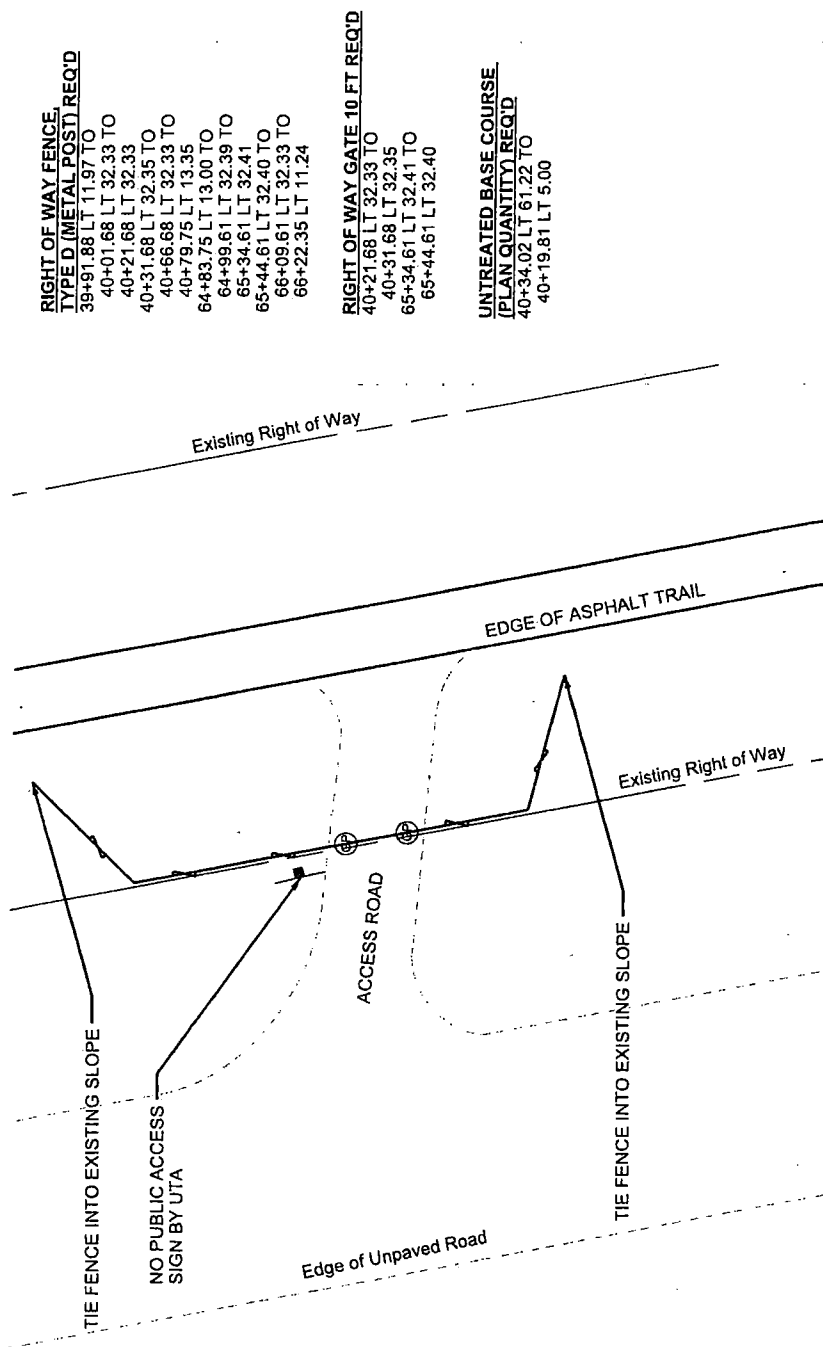


TRAIL SIGN PLACEMENT

6/13/2013 D&RGW RAIL TRAIL: CENTERVILLE TO FARMINGTON PROJECT #: F-R198(13) PIN#: 11059 P:\2013\13015F\UDOT D&RGW Rail Trail\roadway design\11059_DT-2.dgn



6/13/2013 D&RGW RAIL TRAIL: CENTERVILLE TO FARMINGTON PROJECT #: F-R198(131) PIN#: 11099 P:\2013\113015F UDOT D&RGW Rail Trail\roadway design\11099_DT-3.dgn



**RIGHT OF WAY FENCE
TYPE D (METAL POST) REQ'D**

- 39+91.88 LT 11.97 TO
- 40+01.68 LT 32.33 TO
- 40+21.68 LT 32.33
- 40+31.68 LT 32.35 TO
- 40+66.68 LT 32.33 TO
- 40+79.75 LT 13.35
- 64+83.75 LT 13.00 TO
- 64+99.61 LT 32.39 TO
- 65+34.61 LT 32.41
- 66+09.61 LT 32.40 TO
- 66+22.35 LT 11.24

RIGHT OF WAY GATE 10 FT REQ'D

- 40+21.68 LT 32.33 TO
- 40+31.68 LT 32.35
- 65+34.61 LT 32.41 TO
- 65+44.61 LT 32.40

**UNTREATED BASE COURSE
(PLAN QUANTITY) REQ'D**

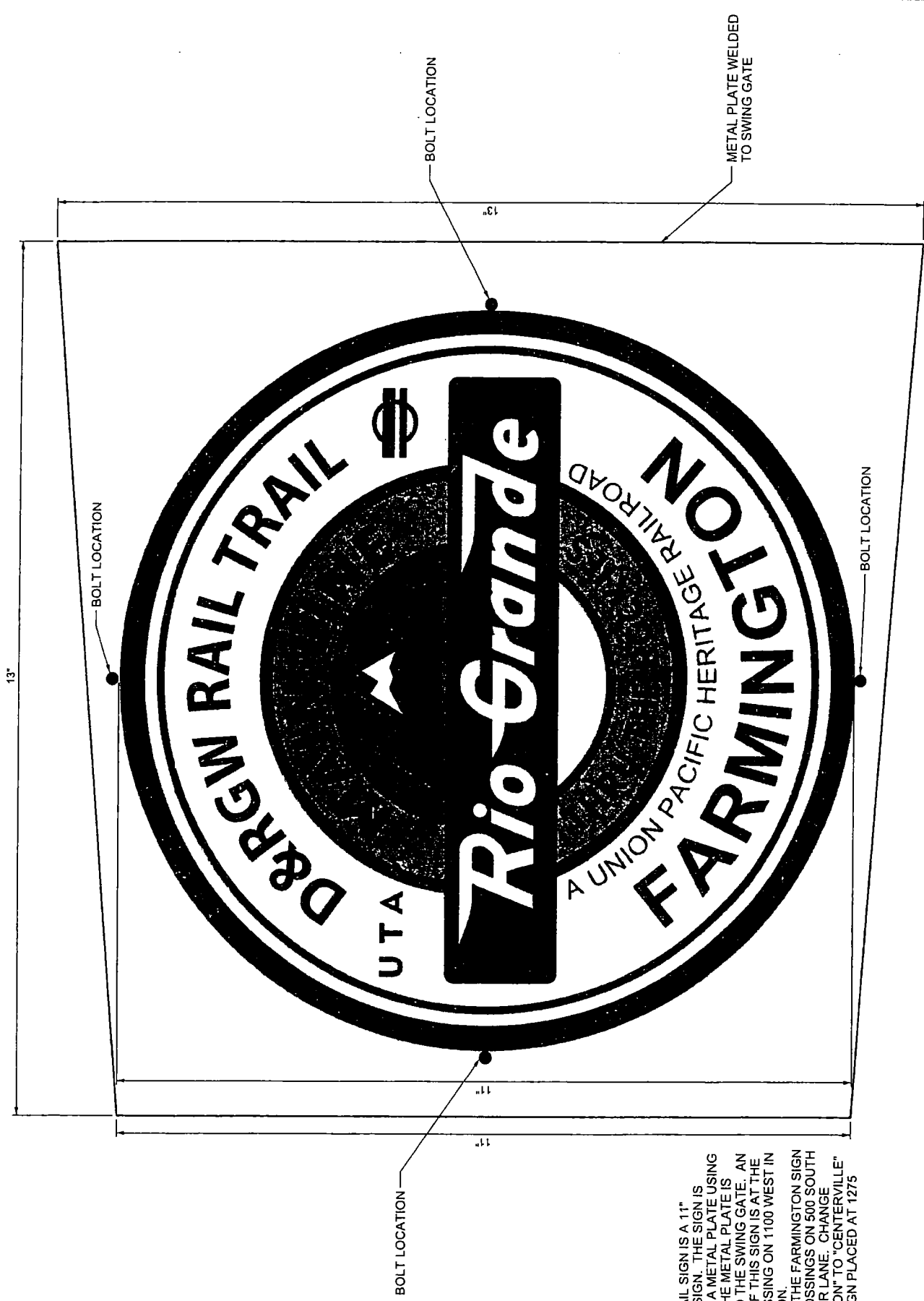
- 40+34.02 LT 61.22 TO
- 40+19.81 LT 5.00

ACCESS MANAGEMENT

NOTES:

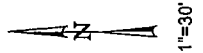
1. ADD UTBC TO ACCESS ROAD AS REQUIRED TO TRANSITION ONTO TRAIL.
2. INSTALL GATE TO SWING TOWARDS THE EXISTING DIRT ROAD.

6/13/2013 D&RGW RAIL TRAIL: CENTERVILLE TO FARMINGTON PROJECT #: F-R199(131) PIN#: 11099 P:\2013\13015F UDOT D&RGW Rail Trail\roadway design\11099_DT-4.dgn



- NOTES:
1. THIS TRAIL SIGN IS A 11" DIAMETER SIGN. THE SIGN IS BOLTED TO A METAL PLATE USING 4 BOLTS. THE METAL PLATE IS WELDED TO THE SWING GATE. AN EXAMPLE OF THIS SIGN IS AT THE TRAIL CROSSING ON 1100 WEST IN FARMINGTON.
 2. INSTALL THE FARMINGTON SIGN AT THE CROSSINGS ON 500 SOUTH AND GLOVER LANE. CHANGE "FARMINGTON" TO "CENTERVILLE" FOR THE SIGN PLACED AT 1275 NORTH.

6/13/2013 D&RGW RAIL TRAIL: CENTERVILLE TO FARMINGTON PROJECT #: F-R198(131) PIN#: 11099 P:\2013\13015F UDDT D&RGW Rail Trail\roadway design\11099 RD-1.dgn



2+00

4 FT. CHAIN LINK FENCE, TYPE II REQ'D
0+88.62 LT 107.36 TO
0+85.42 LT 8.00

SWING GATE REQ'D
0+85.42 LT 5.00

4 FT. CHAIN LINK FENCE, TYPE II REQ'D
0+79.35 RT 7.22 TO
0+88.65 RT 81.97

SWING GATE REQ'D
0+79.34 RT 5.00

SAWCUT EXISTING ASPHALT AND
TIE INTO EXISTING TRAIL

1+00

TIE FENCE INTO EXISTING DITCH

SIGN D&RGW RAIL TRAIL
CENTERVILLE REQ'D
0+79.34 RT 2.50
SEE SHEET DT-4



TIE FENCE INTO EXISTING FENCE

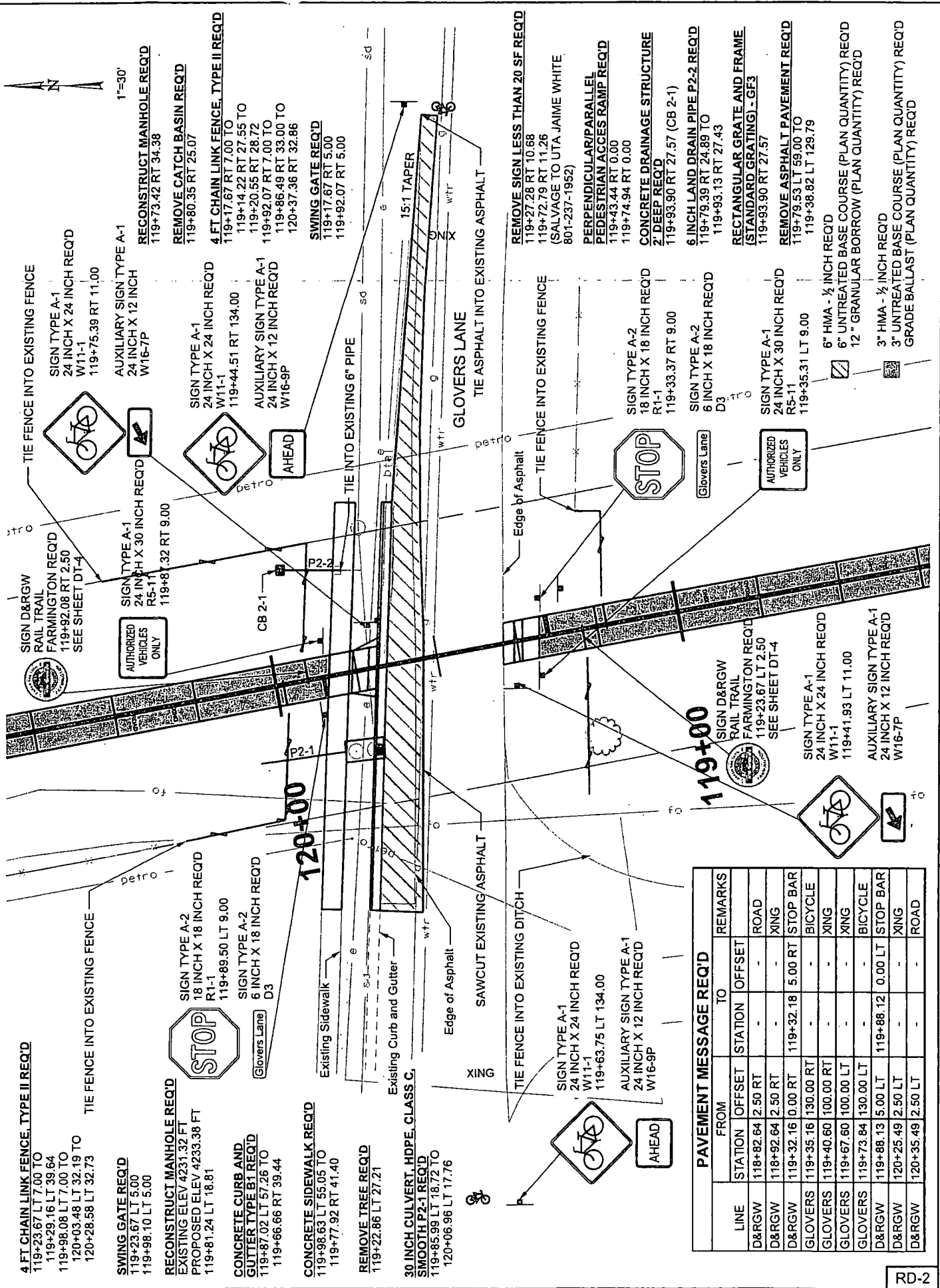
LINE	FROM		TO		REMARKS
	STATION	OFFSET	STATION	OFFSET	
D&RGW	1+43.51	2.50 LT	-	-	XING
D&RGW	1+53.51	2.50 LT	-	-	ROAD

1275 NORTH

0+00

3" HMA - 1/2 INCH REQ'D
3" UNTREATED BASE COURSE (PLAN QUANTITY) REQ'D
GRADE BALLAST (PLAN QUANTITY) REQ'D

D&RGW RAIL TRAIL: CENTERVILLE TO FARMINGTON PROJECT # F-R198(131) PIN# 11099 P:20131015F UDOT D&RGW Rail Trail 11099 D&RGW Rail Trail roadway design n11099 RD-2.dgn



LINE	FROM		TO		REMARKS
	STATION	OFFSET	STATION	OFFSET	
D&RGW	118+82.64	2.50 RT	-	-	ROAD
D&RGW	118+92.64	2.50 RT	-	-	XING
D&RGW	119+32.16	0.00 RT	119+32.18	5.00 RT	STOP BAR
GLOVERS	119+35.16	130.00 RT	-	-	BICYCLE
GLOVERS	119+40.60	100.00 RT	-	-	XING
GLOVERS	119+67.60	100.00 LT	-	-	XING
GLOVERS	119+73.84	130.00 LT	-	-	BICYCLE
D&RGW	119+88.13	5.00 LT	119+88.12	0.00 LT	STOP BAR
D&RGW	120+25.49	2.50 LT	-	-	XING
D&RGW	120+35.49	2.50 LT	-	-	ROAD

6/13/2013 D&RGW RAIL TRAIL: CENTERVILLE TO FARMINGTON PROJECT #: F-R199(131) PIN#: 11099 P:201313015F UDOT D&RGW Rail Trail\11099_D&RGW Rail Trail\roadway design\11099_RD-3.dgn

4 FT CHAIN LINK FENCE, TYPE II REQ'D
 145+53.11 LT 7.00 TO
 145+67.81 LT 32.50 TO
 145+79.23 LT 32.47
 146+31.00 LT 7.00 TO
 146+45.71 LT 31.82

SWING GATE REQ'D
 145+53.03 LT 5.00
 146+31.00 LT 5.00

REMOVE ASPHALT PAVEMENT REQ'D
 145+73.45 LT 0.00 TO
 146+03.21 LT 0.00

147+00
STOP
 SIGN TYPE A-2
 18 INCH X 18 INCH REQ'D
 R1-1
 146+15.35 LT 9.00
 SIGN TYPE A-2
 6 INCH X 18 INCH REQ'D
 D3
 500 South

SIGN D&RGW RAIL TRAIL FARMINGTON REQ'D
 146+25.04 RT 2.50
 SEE SHEET DT-4

AUTHORIZED VEHICLES ONLY
 SIGN TYPE A-1
 24 INCH X 30 INCH REQ'D
 R5-11
 146+08.43 RT 9.00

SIGN TYPE A-1
 24 INCH X 24 INCH REQ'D
 W11-1
 146+01.78 RT 11.00
AUXILIARY SIGN TYPE A-1
 24 INCH X 12 INCH REQ'D
 W16-7P

SIGN TYPE A-1
 24 INCH X 24 INCH REQ'D
 W11-1
 145+33.47 RT 135.00
AUXILIARY SIGN TYPE A-1
 24 INCH X 12 INCH REQ'D
 W16-9P

4 FT CHAIN LINK FENCE, TYPE II REQ'D
 145+39.84 RT 18.66 TO
 145+46.89 RT 7.00
 146+25.03 RT 7.00 TO
 146+12.45 RT 30.02 TO
 146+04.78 RT 35.79
SWING GATE REQ'D
 145+46.97 RT 5.00
 146+25.03 RT 5.00
REMOVE RAILROAD TRACK REQ'D
 145+64.85 RT 0.00 TO
 146+17.96 RT 0.00

SIGN TYPE A-1
 24 INCH X 24 INCH REQ'D
 W11-1
 146+37.69 LT 135.00
AUXILIARY SIGN TYPE A-1
 24 INCH X 12 INCH REQ'D
 W16-9P
AHEAD

SIGN TYPE A-1
 24 INCH X 24 INCH REQ'D
 W11-1
 145+66.32 LT 11.00
AUXILIARY SIGN TYPE A-1
 24 INCH X 12 INCH REQ'D
 W16-7P

SIGN TYPE A-2
 18 INCH X 18 INCH REQ'D
 R1-1
 145+53.44 RT 9.00
SIGN TYPE A-2
 6 INCH X 18 INCH REQ'D
 D3

AUTHORIZED VEHICLES ONLY

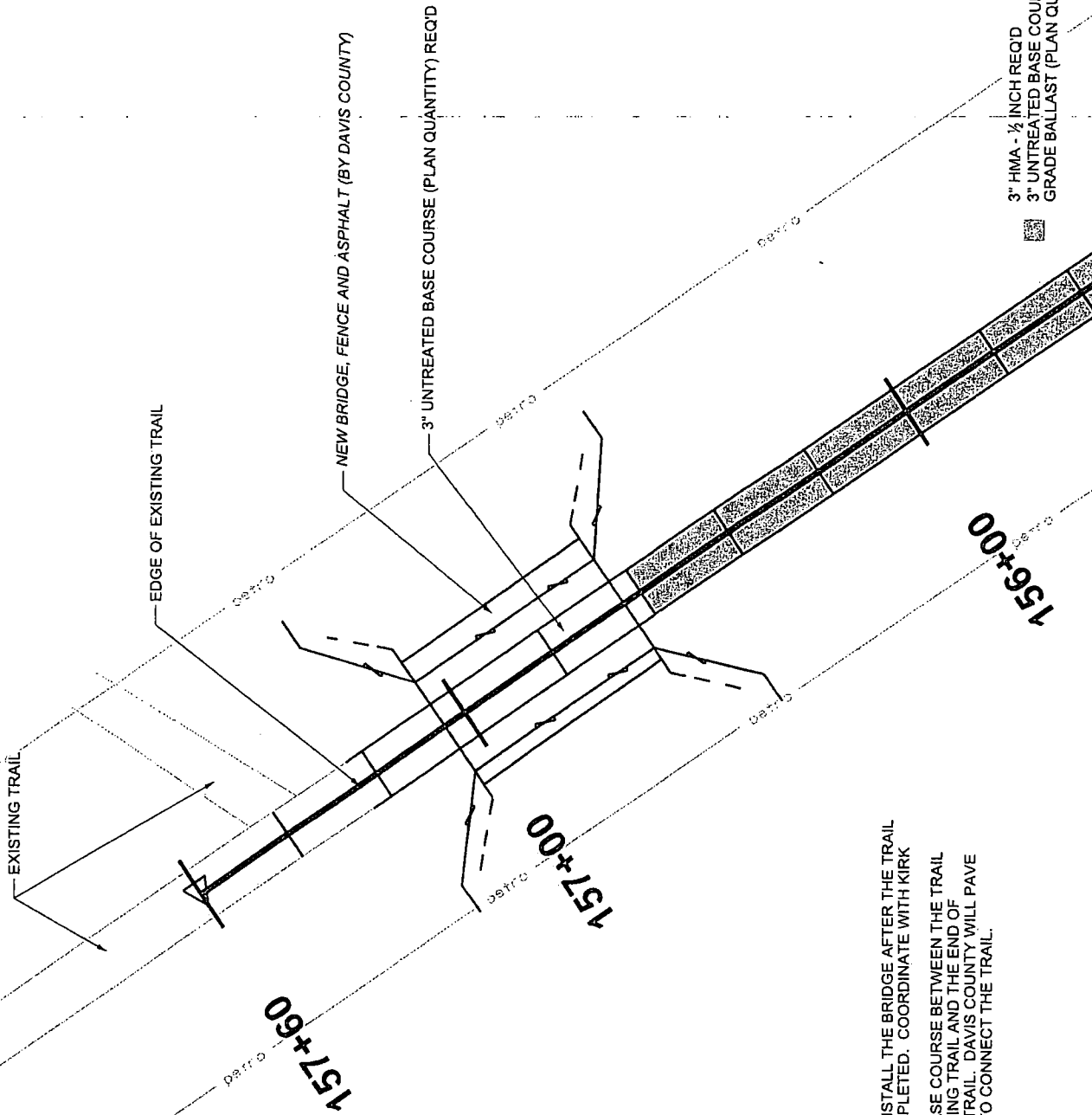
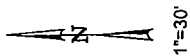
SIGN TYPE A-1
 24 INCH X 30 INCH REQ'D
 R5-11
 145+54.02 LT 9.00

REMOVE SIGN LESS THAN 20 SF REQ'D
 145+54.02 RT 11.12
 146+11.41 RT 9.90
PERPENDICULAR/PARALLEL PEDESTRIAN ACCESS RAMP REQ'D
 145+73.45 RT 0.00
 146+03.21 RT 0.00

6" HMA - 1/2 INCH REQ'D
6" UNTREATED BASE COURSE (PLAN QUANTITY) REQ'D
12" GRANULAR BORROW (PLAN QUANTITY) REQ'D
3" HMA - 1/2 INCH REQ'D
3" UNTREATED BASE COURSE (PLAN QUANTITY) REQ'D
GRADE BALLAST (PLAN QUANTITY) REQ'D

PAVEMENT MESSAGE REQ'D		REMARKS	
LINE	FROM	TO	REMARKS
D&RGW	STATION 145+03.00	OFFSET 2.50 RT	ROAD
D&RGW	145+13.00	2.50 RT	XING
500 SOUTH	145+31.49	130.00 RT	BICYCLE
500 SOUTH	145+45.51	100.00 RT	XING
D&RGW	145+61.96	0.00 RT	145+61.96 5.00 RT STOP BAR
D&RGW	146+16.52	5.00 LT	146+16.36 0.00 LT STOP BAR
500 SOUTH	146+27.04	100.00 LT	XING
500 SOUTH	146+42.28	130.00 LT	BICYCLE
D&RGW	146+53.74	2.50 LT	XING
D&RGW	146+63.74	2.50 LT	ROAD

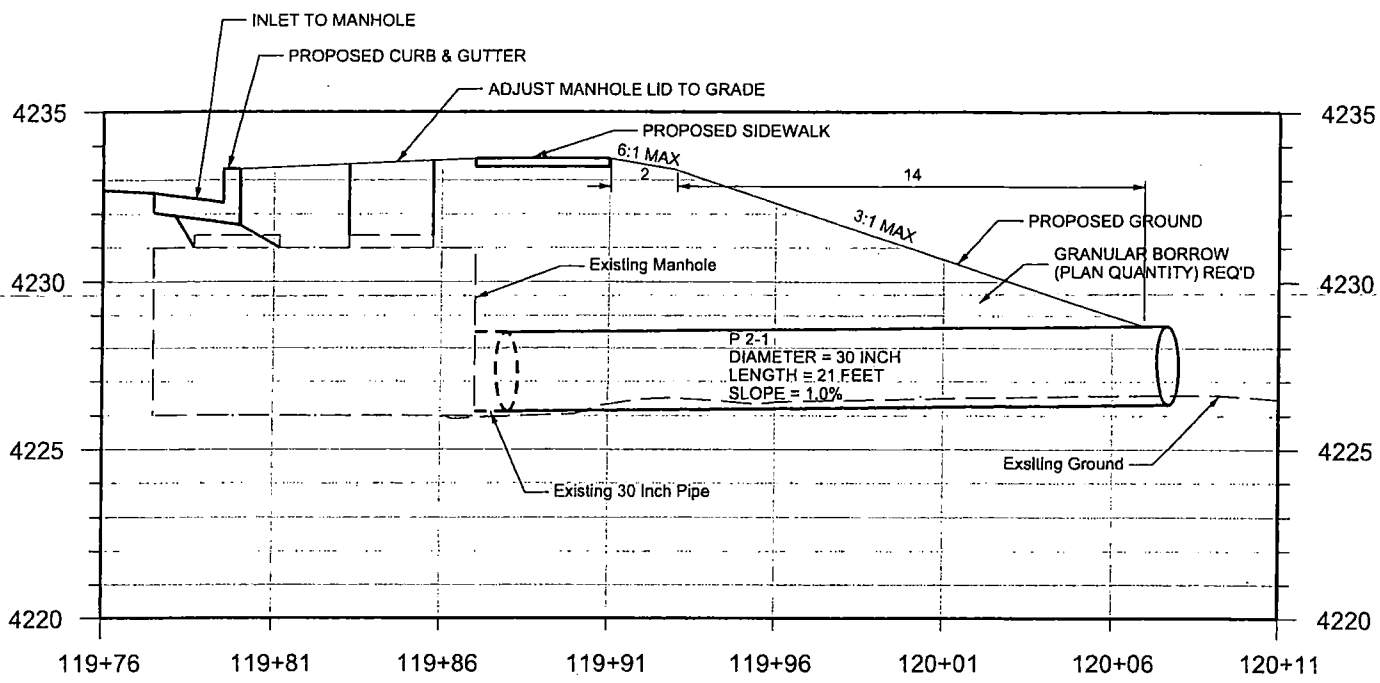
6/13/2013 D&RGW RAIL TRAIL: CENTERVILLE TO FARMINGTON PROJECT #: F-R199(131) PIN#: 11099 P:\2013\13015F\UDOT D&RGW Rail Trail\11099_D&RGW Rail Trail\roadway design\11099_RD-4.dgn



3" HMA - 1/4 INCH REQ'D
 3" UNTREATED BASE COURSE (PLAN QUANTITY) REQ'D
 GRADE BALLAST (PLAN QUANTITY) REQ'D

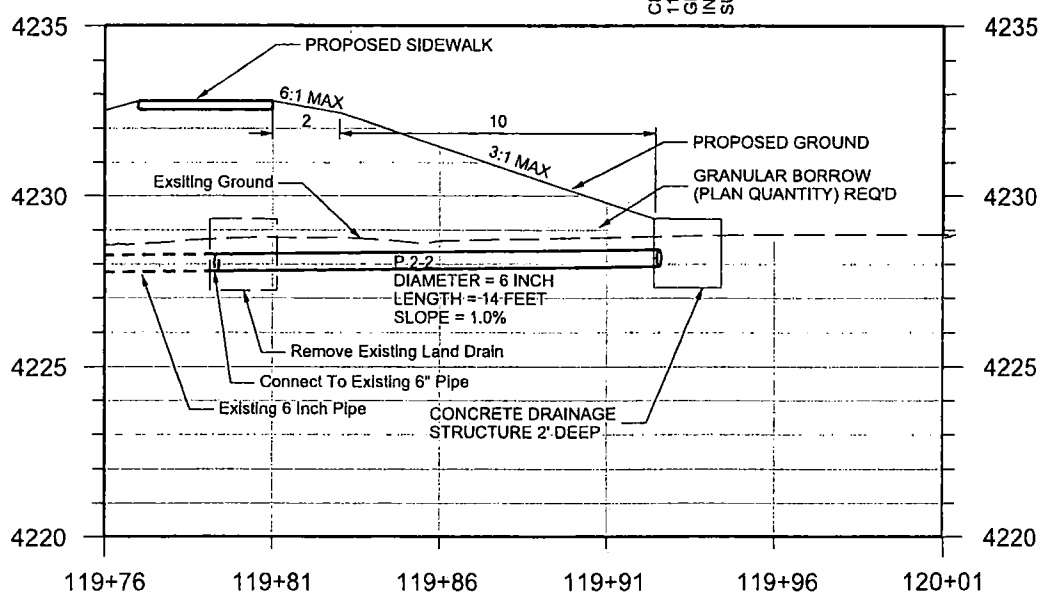
- NOTES:**
1. DAVIS COUNTY WILL INSTALL THE BRIDGE AFTER THE TRAIL PROJECT HAS BEEN COMPLETED. COORDINATE WITH KIRK SCHMALZ 801-444-2230.
 2. PLACE UNTREATED BASE COURSE BETWEEN THE TRAIL PAVEMENT OF THE EXISTING TRAIL AND THE END OF PAVEMENT OF THE NEW TRAIL. DAVIS COUNTY WILL PAVE OVER THE NEW BRIDGE TO CONNECT THE TRAIL.

6/13/2013 DARGIW RAIL TRAIL: CENTERVILLE TO FARMINGTON PROJECT #: F-R198(131) PINK: 11099 P:\2013\13015F UDOT D&RGW Rail Trail\11099 D&RGW Rail Trail\roadway design\11099 DP-1.dgn



P2-1

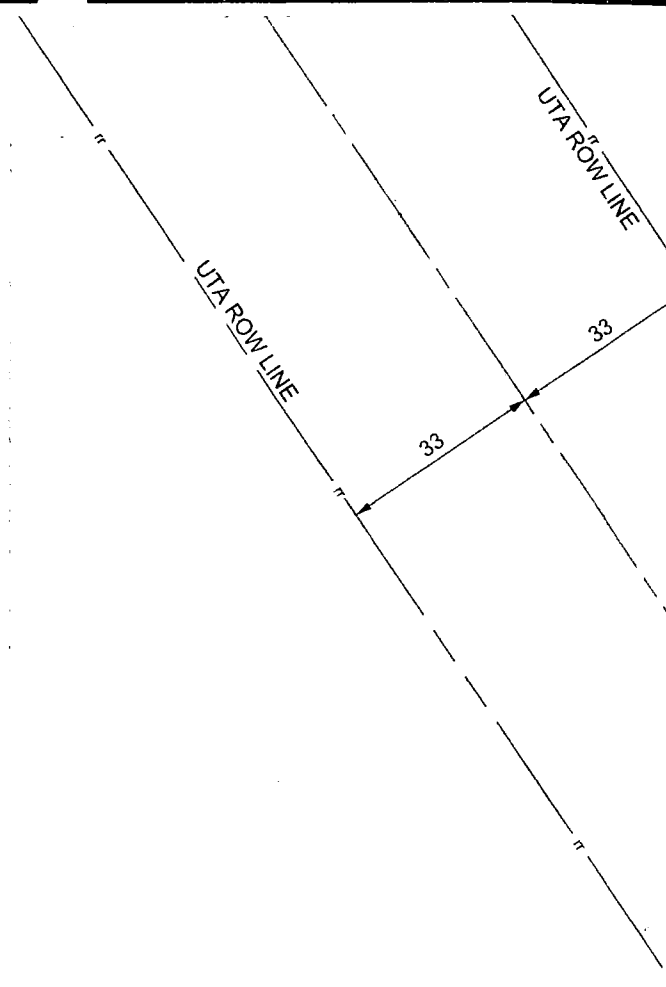
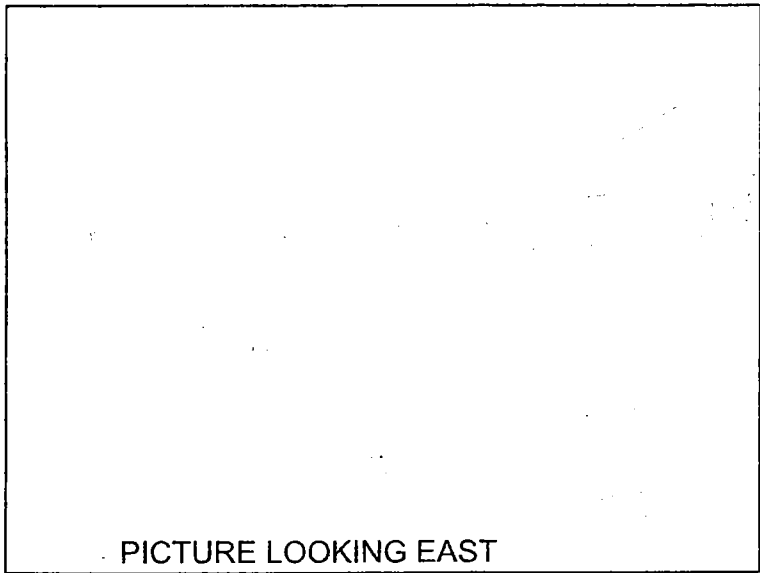
CB 2-1
 119+94.11 RT 27.64
 GRATE = 4228.14
 INVERT IN = 4228.39
 SUMP = 4227.14



P2-2

EXHIBIT "B"

Design Plans for the 950 North Connection



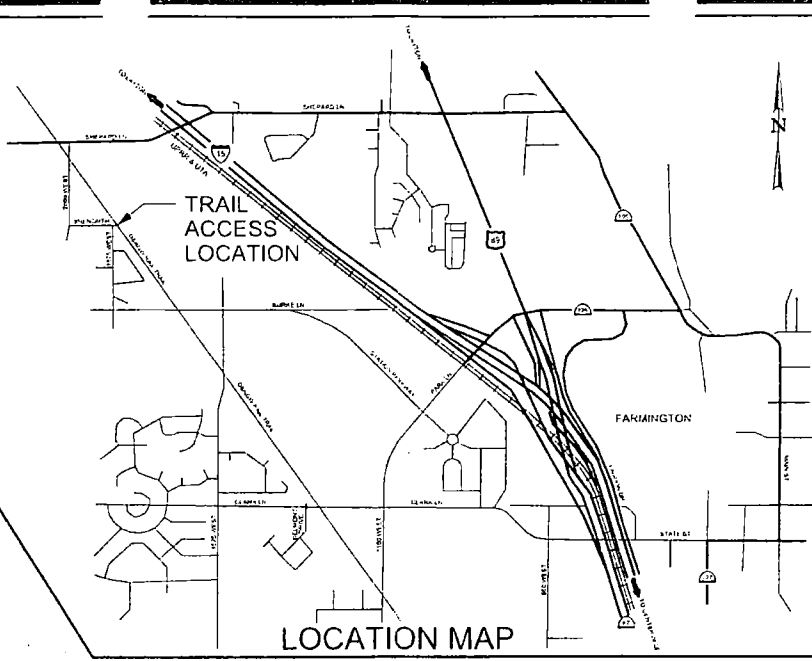
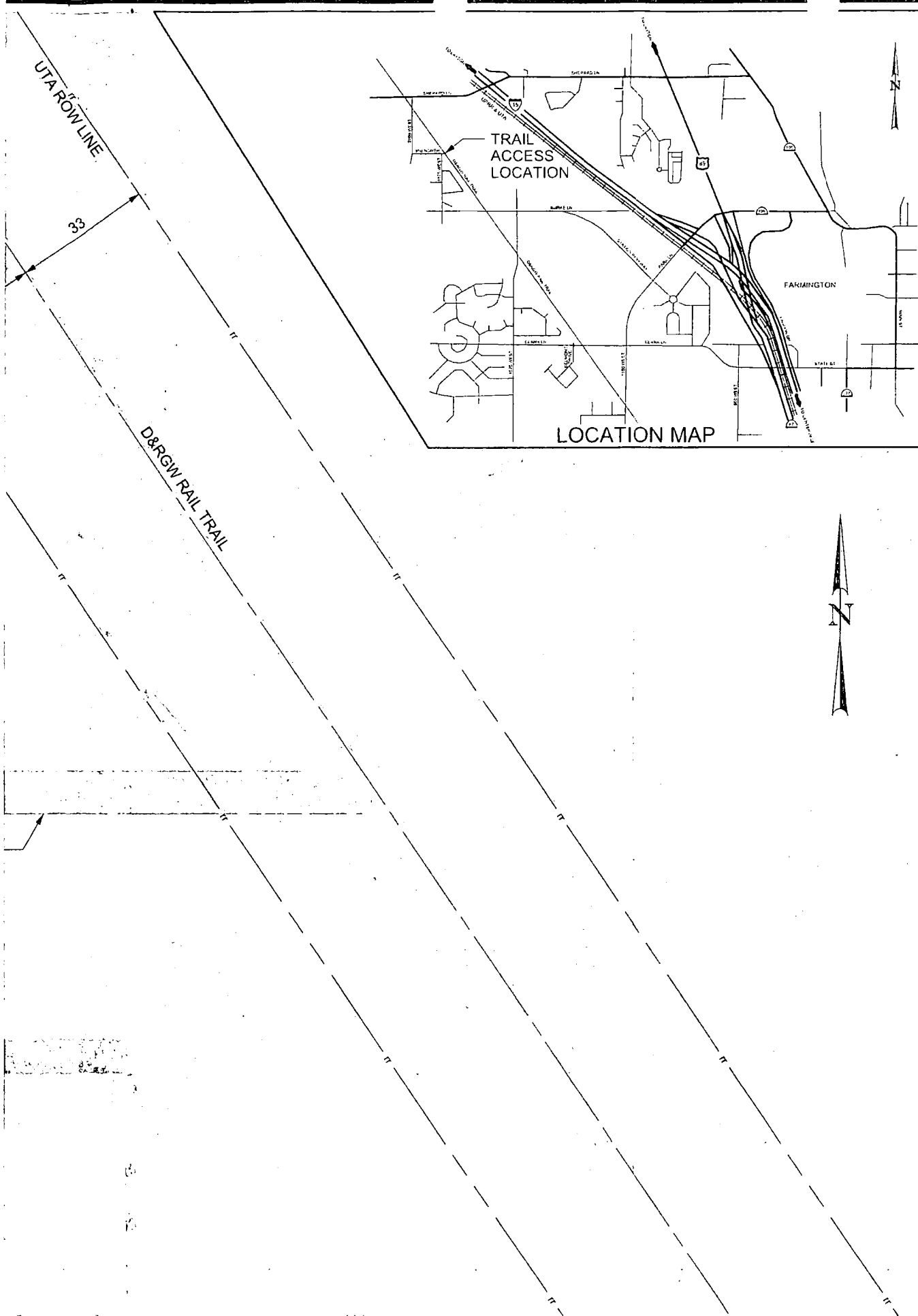
950 NORTH

PEDESTRIAN ACCESS RAMP



ASPHALT TRAIL ACCESS

950 NORTH



REVISIONS	
NO.	DATE

<p>UTAH DEPARTMENT OF TRANSPORTATION ROADWAY DESIGN</p>		DRAWN BY	
		QC CHECKED BY	
<p>APPROVED</p>		PROFESSIONAL ENGINEER	DATE
PROJECT	PARK LANE AT CLARK LANE AND 1100 WEST		
PROJECT NUMBER	F-LC11(49)	PIN 8591	
TRAIL ACCESS EXHIBIT			
SHEET NO. 1			

NO.	DATE	APPROVED BY	REMARKS

EXHIBIT "C"

Maintenance Standard

The City agrees to maintain all Trail improvements in a good and workmanlike manner and in a manner consistent with the City's other public parks and trails. All maintenance shall be performed consistent with the laws, rules, regulations, ordinances or other requirements of applicable governmental authority. Any landscaping, bushes, trees, plants, and the like (whether natural or planted by Licensee) within the Right of Way shall be maintained by Licensee in a manner that is acceptable to UTA.

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OR NOT FILLED IN AT
TIME OF RECORDING
RICHARD T. MAUGHAN
Davis County Recorder