

(330)4795724

E 2235095 B 4197 P 632-634
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
1/11/2007 11:59:00 AM
FEE \$19.00 Pgs: 3
DEP eCASH REC'D FOR FIRST AMERICAN TITLE

STORM DRAINAGE EASEMENT

This indenture, made this January 2, 2007, between Randy D. Brown and Shelley R. Brown and Vance T. Bennett and Kathryn S. Bennett, Trustees of the Vance T. Bennett Family Protection Trust, dated the 14th day of June, 1995, Grantor, and ,
BURT INVESTMENT COMPANY, LLC as Grantee and their successors and assigns;

WITNESSETH:

That for and in consideration of \$10.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee, and their successors and assigns

a non-exclusive easement a perpetual right of way and easement to lay, maintain, operate, repair, inspect, protect, and install a land drain line to carry limited amounts of storm drainage water, or other run off, along with the clean out boxes, access manholes isolation valves, hereinafter called facilities, over and across the following described property:

STORM DRAINAGE EASEMENT

THROUGH 12-093-0010

BEGINNING AT A POINT WHICH IS LOCATED SOUTH 89°40'47" EAST 1113.68 FEET ALONG SECTION LINE, SAID SECTION LINE ALSO BEING THE BASIS OF BEARING, AND SOUTH 1003.21 FEET FROM THE WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE:

SOUTH 89°40'47" EAST 15.00 FEET;

THENCE SOUTH 00°09'12" WEST 371.84 FEET;

THENCE NORTH 89°40'47" WEST 15.00 FEET;

THENCE NORTH 00°09'12" EAST 371.84 FEET TO THE POINT OF BEGINNING.

A One Foot Berm on West and North side of Property, along with a 2 x 2 Inlet Box on said property. Contiguous upon City approval.

CONTAINS 5,578 SQ. FT. - 0.13 ACRES

STORM DRAIN EASEMENT

THROUGH 12-093-0004

BEGINNING AT A POINT WHICH IS LOCATED SOUTH 89°40'47" EAST 1112.70 FEET ALONG SECTION LINE, SAID SECTION LINE ALSO BEING THE BASIS OF BEARING, AND SOUTH 1370.31 FEET FROM THE WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE:

SOUTH 89°40'47" EAST 15.00 FEET;

THENCE SOUTH 00°09'12" WEST 215.80 FEET;

THENCE SOUTH 16°09'12" WEST 126.66 FEET;

THENCE NORTH 89°40'47" WEST 15.59 FEET;

THENCE NORTH 16°09'12" EAST 128.81 FEET;

THENCE NORTH 00°09'12" EAST 213.73 FEET TO THE POINT OF BEGINNING.

CONTAINS 5,138 SQ. FT. - 0.12 ACRES

Said easement is for : Storm Drainage, for the purpose of constructing and maintaining thereon Storm Drainage facilities for the purposes of the transer and conveyance of storm water runoff and appurtenant parts thereof, which is described on the described property.

To have and to hold the same unto said grantee, its successors and assigns, so long as such facilities shall be maintained, with right of ingress and egress in said grantee, its officers, employees, agents, contractors and assigns to enter upon the described property with such equipment as is necessary to install, maintain, operate repair, inspect, protect, remove and replace said facilities. During construction periods Grantee and its contractors may use such portions of the property along and adjacent to said right of way as may be reasonably necessary in connection with the construction or repair of the facilities. The contractor performing the work shall restore all property possible. Grantor shall have the right to use said premises except for the purpose for which this right of way and easement is granted to the Grantee, provided such use shall not interfere with the facilities, or with Grantees use thereof or any other rights provided to the Grantee hereunder.

Grantor shall not build or construct, or permit to be build or constructed any building or other improvment over or across said right of Way, nor change the contour thereof without the written consent of Grantee. This right of way and easement grant shall be binding upon and inure to the benefit of any heirs, representatives, successors and assigns of the Grantor and the successors and assigns of the Grantee, and may be assigned in whole or in part by Grantee.

If at any time this easement is abandoned by Grantee, or their assigns, the rights granted herein shall cease and terminate and the land traversed by or included in the easement so abandoned shall revert to the then owner of the above described property and be free of said easement as fully and completely as if this indenture had not been made.

IN WITNESS WHERE the Grantor has caused this indenture to be signed on the day and year first written above.

Randy D. Brown
Randy D. Brown

Vance T. Bennett, Trustee
Vance T. Bennett, Trustee

Shelley R. Brown
Shelley R. Brown

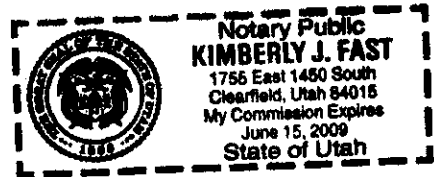
Kathryn S. Bennett, Trustee
Kathryn S. Bennett Trustee

State of Utah

County of Davis

On the 5th of January, 2007 personally appeared before me Vance T. Bennett and Kathryn S. Bennett, Trustees of the aforesaid trust, being by me duly sworn did say that the foregoing was signed and executed by the said Vance T. Bennett and Kathryn S. Bennett, in behalf of said trust, by authority.

Kimberly Fast
Notary Public
Residing in: Utah
My commission expires: 6/15/2009



State of Utah

County of Davis

On the 5th day of January, 2007, personally appeared before me Randy D. Brown and Shelley R. Brown the signer(s) of the within instrument, who duly acknowledged to me that ~~she~~^{they} executed the same.

Sherryl A Hutchings
Notary Public
My Commission expires: 9-19-08
Residing in: Utah

