

GRANT OF EASEMENT

Trustees WHEREAS, Dewilt Harding Family Revocable Trust, dated 4-23-1994 Emma Mills Harding & Thomas J. Hardin; hereinafter called the Grantors, owners and entitled to possession of real property situated in Morgan City, Morgan County, Utah;

WHEREAS, Morgan City Corporation, a municipal corporation in the State of Utah, hereinafter called the Grantee, is desirous of obtaining an easement over and along a portion of said property, as more particularly hereinafter described; and

WHEREAS, the said Grantors are willing to grant and convey the same to the Grantee for the consideration hereinafter set forth;

NOW, THEREFORE, in consideration of the sum of \$10.00 to the Grantors paid by the Grantee, receipt of which is hereby acknowledged, said Grantors hereby conveys and grants to the Grantee, its successors, transferees and assigns, the 60 foot wide perpetual easement hereinafter described to construct, reconstruct, operate, repair, replace and maintain city utilities and for access thereto in Morgan City, Utah; in, over, under, upon, across and through those portions of Grantor's land as follows:

This easement, being 30 feet on either side of a centerline, traversing across the Southeast quarter of Section 35, Township 4 North, Range 2 East, Salt Lake Base and Meridian, U. S. Survey, City of Morgan, Morgan County, Utah, being more particularly described as follows:

Commencing at the North Quarter corner of said Section 35; Thence South 00°01'53" East 3735.08 feet along the North-South quarter section line; Thence North 90°00'00" East 703.00 feet to a point on the North line of the proposed Wasatch Shadows Subdivision, Phase 2, and the South line of the Dewilt C., Harding, Et Al parcel, the true point of beginning;

Thence North 54°00'00" West 20.18 feet; Thence 167.71 feet along a curve to the right, having a radius of 300.00 feet and a long chord bearing North 37°59'05" West 165.54 feet; Thence North 21°58'10" West 324.63 feet to the Northerly line of the Dewilt C. Harding parcel and the Southerly line of the P.J. Jersey Farms parcel, and where the survey ends;

The above described right of way contains 30,751 square feet (0.706 acres),

The basis of bearing is the North line of the Northwest quarter of said Section 35, called North 89°41'02" East.

Grantors shall, subject to the Grantee's rights as herein granted, have the right to fully enjoy and use the premises burdened by said easements, but Grantor, his heirs, successors, administrators, representatives or assigns, shall not erect any permanent buildings or structure upon the lands comprising the perpetual or permanent easement above described without Grantee's consent in writing first had and obtained.

Grantee by accepting this grant agrees to replace or repair, with materials of like kind and equal quality, any existing fences, ditches, pipelines, driveways or roadways, including the appurtenances thereto, damaged or destroyed in said construction, and will restore the surface as near as can be to its original condition within the easement area.

WITNESS THE HANDS of Grantors this 4th day of April 2006.

[Signature]
Dewilt Harding Family Revocable Trust dated 4-23-1994 by Thomas J. Harding, trustee

[Signature]
Emma Mills Harding, trustee

STATE OF UTAH)
COUNTY OF MORGAN)

On the 4th day of April 2006, personally appeared before me, Emma Mills Harding and Thomas J. Harding, trustees of the Dewilt Harding Family Revocable Trust dated April 23, 1994, the signer of the foregoing instrument who duly acknowledged to me that he executed the same.

Residing at: *Mountain Green, UT*

My commission Expires 4-22-2009 Notary Public
(Seal)



ACCEPTANCE:

Morgan City hereby accepts this grant of easement:

By: *[Signature]*
Mayor H. Dean Pace

Date: 4/11/06 **ACKNOWLEDGMENT**

State of Utah
County of Morgan
On this 11th day of April, 2006, H. Dean Pace personally appeared before me, who is personally known to me, whose identity I verified on the basis of _____, whose identity I verified on the oath/affirmation of _____ a credible witness, to be the signer of the foregoing document, and he/she acknowledged that he/she signed it. *[Signature]*
Notary Signatur
My Commission Expires: 4-10-2008

Ent 102601 Bk 228 Pg 667
Date: 12-APR-2006 1:47PM
Fee: None
Filed By: AKT
BRENDA NELSON, Recorder
MORGAN COUNTY
For: MORGAN CITY

