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DAVIS COUNTY RECORDER

LEWIS OFFICE No Fee

Utah Department of Transportation  
Receiving Desk  
Fourth Floor  
400 South State Street  
Salt Lake City, Utah 84143-0000

Parcel No. 123:6:AQ  
Project No. NS-123(1)

GRANT OF ACCESS OPENING  
Davis County

NW 13-3N-1W

The UTAH DEPARTMENT OF TRANSPORTATION, by its duly appointed Director, Grantor, of Salt Lake City, County of Salt Lake, State of Utah, hereby GRANTS to Foxglove Associates, Grantee, at 524 South 600 East, Salt Lake City, County of Salt Lake, State of Utah, zip 84102, for the sum of \$101<sup>00</sup> and other valuable consideration Dollars, the following described access opening in Davis County, State of Utah, to-wit:

One 50.00-foot access opening in the northerly Limited Access Line of Project No. NS-123(1) (SR-106, aka Shepherd Lane), for the purpose of ingress to and egress from the Foxglove Commercial Center. Said opening centers directly opposite Engineer Station 17+75.40. Said center point is approximately 403 ft. South and 1,317 ft. East from the Northwest corner of Section 1J, T. 3 N., R. 1 W., S.L.B.& M. *pt 03-051-0070*

As a covenant to this instrument, the Grantee, their heirs and or assigns accept the following conditions and stipulations:

1. The Utah Department of Transportation, will at present, maintain a painted median which will be striped to allow two-way left turns at said access opening.
2. The Utah Department of Transportation reserves the right, should it deem necessary, to implement and construct a system of raised median barriers, when necessary, to provide a protected left turning lane for westbound traffic on SR-106 turning southbound onto US-89, and; to restrict ingress and egress traffic flow at said access opening to right turns only.
3. The Grantee will relinquish to the Utah Department of Transportation their access along the northerly right of way line of State Route 106 between Engineers Stations 15+46.44 and 17+50.40; and, relinquish to Farmington City, the easterly right of way line of Foxglove Road for a distance of 170.00 ft., which said easterly right of way line begins at the intersection of the northerly right of way line of State Route 106 and the easterly right of way line of Foxglove Road.
4. All costs for curb, gutter, safety features, resurfacing, advanced warning devices and appurtenant parts thereof shall be the responsibility of the Grantee and or assigns.
5. Unrestricted vehicular visibility will be maintained for a distance of 30.0 ft. north from said access opening from State Route 106, which includes, but is not limited to, any and all vegetation above three (3) feet, any fences or structures which would create a hazard to the public.

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