

WHEN RECORDED MAIL TO:

OGDEN CITY

QUIT CLAIM AND EASEMENT AGREEMENT

THIS AGREEMENT made this 14th day of JANUARY, 1998^{RM}
by and between Rubin, Inc. residing at 120 25th Street,
Ogden 84401 County of Weber, State of Utah, (herein called the "Owner") and
Ogden City Redevelopment Agency, a public body corporate and politic, County of Weber, State
of Utah (herein called the "Agency") do hereby convey and agree as follows:

RECITALS:

WHEREAS, the Agency is constructing a parking lot on property located between Wall and Lincoln Avenues in the 2400 Block, the design and construction of which requires that Depot Alley, as previously recorded and dedicated, be vacated and the underlying property incorporated into said parking lot;

WHEREAS, the Ogden City Council has approved such vacation, after notice and hearing, to allow the property comprising such alley to be used for such parking lot, subject to the granting of access easements across such parking lot being granted to the property owners adjacent and to the south of such alley;

WHEREAS, in consideration of the owner quit claiming any underlying interest it may have in Depot Alley to the Agency, the Owner, which is a property owner adjacent to and to the south of Depot Alley, shall be granted:

1. Together with all other property owners adjacent to and to the south of Depot Alley, a perpetual common easement across said parking lot for pedestrian and vehicular access to their respective properties; and

2. An individual easement for direct access to such common easement from the property adjacent to and to the south of Depot Alley belonging to the Owner.

E: 1526678 BK 1912 PG 2167
DOUG GROFFS, WEBER COUNTY RECORDER
09-MAR-98 1018 AM FEE \$1.00 DEP MB
REC FOR: OGDEN.CITY

AGREEMENT:

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. The Owner hereby conveys and quit claims to the Agency any and all interest it may have in Depot Alley located between Wall and Lincoln Avenues in the 2400 Block and more particularly described as follows:

01-019-0034- PART

A PART OF THE SOUTH HALF OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF LINCOLN AVENUE, OGDEN, UTAH, SAID POINT BEING NORTH 0D58'EAST 132.0 FEET FROM THE SOUTHEAST CORNER OF BLOCK 23, PLAT A, OGDEN CITY SURVEY; THENCE NORTH 89D02' WEST 386.4 FEET; THENCE SOUTH 0D58' WEST 12.0 FEET; THENCE NORTH 89D02' WEST 279.6 FEET TO THE EAST LINE OF WALL AVENUE; THENCE NORTH 0D58' EAST 12.0 FEET; THENCE SOUTH 89D58' EAST 233.90 FEET; THENCE NORTH 0D58' EAST 12.0 FEET; THENCE SOUTH 89D02' EAST 432.10 FEET; THENCE SOUTH 0D58' WEST 12.0 FEET TO THE POINT OF BEGINNING;

2. The Agency hereby conveys and quit claims to the Owner for the benefit of its property lying adjacent to and to the south of the alley, heretofore known as Depot Alley, a perpetual easement for pedestrian and vehicular access more particularly described in Exhibit "A" attached hereto and incorporated by reference.

WITNESS the following duly authorized signatures of the parties the day and year above written.

OGDEN CITY REDEVELOPMENT AGENCY

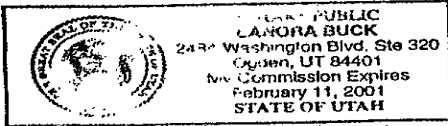
PRINT NAME
By: *[Signature]*
Executive Director

ATTEST:

[Signature]
Secretary

OWNER
[Signature]
Rubin, Inc.

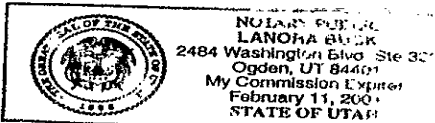
On the 25 day of February, 1998, personally appeared before me Glenn J. Mecham and Robert O. Scott, who being duly sworn did say, each and for himself, that he, the said Glenn J. Mecham is the Executive Director, and he, the said Robert O. Scott, is the Secretary of the Ogden City Redevelopment Agency, and that the within and foregoing instrument was signed in behalf of said Agency by authority of its Board of Commissioners and said Glenn J. Mecham and Robert O. Scott each duly acknowledged to me that the said Agency executed the same.



Lanora Buck
Notary Public

My Commission expires on: 2-11-2001

On the 14 day of January, 1998, personally appeared before me Scott VanDeusen whose name is signed to the foregoing Quit Claim and Easement Agreement, and who has acknowledged the same before me in my County aforesaid.



Lanora Buck
Notary Public

My Commission expires on: 2-11-2001

EXHIBIT A

Common Easement

Parking Lot Easements

SUBJECT TO: 01-019-0034 R.O.W.
TOGETHER WITH: 01-019-0005, 0006 R.O.W.

Combined Easement (Grantees: George Pappas Jr., C. Brent Morgan and Eric C. Stevenson, Rubin Inc., Gus Chournos and wife Veve Chournos, Adrian Steik, Dorene W. Chambers; and Margo Ann Turpin)

A parcel of land located in the South half of Section 29, Township 6 North, Range 1 West, SLB&M described as follows:

Beginning at a point on the West line of Lincoln Avenue, Ogden, Utah, said point being North 0° 58' East 157.75 ft. from the Southeast corner of Block 23, Plat A, Ogden City Survey; thence North 89° 02' West 666.0 ft. to the West line of said Block 23, thence North 0° 58' East 15.0 ft.; thence South 89° 02' East 666.0 ft. ; thence South 0° 58' West 15.0 ft. to the point of beginning.

Individual Easement

Easement No. 4 (Grantee: Rubin Inc)

SUBJECT TO: 01-019-0034 R.O.W.
TOGETHER WITH 01-019-0005, 0006 R.O.W.

A parcel of land located in the South half of Section 29, Township 6 North, Range 1 West, SLB&M described as follows:

Beginning at a point which is North 0° 58' East 132.0 ft. and South 89° 58' East 330.91 ft. from the Southwest Corner of Block 23, Plat A, Ogden City Survey; thence North 0° 58' East 25.75 ft.; thence South 89° 02' East 17.50 ft.; thence South 0° 58' West 25.75 ft.; thence North 89° 02' West 17.50 ft. to the point of beginning.

E# 1526678 BK1912 PG2170