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When recorded mail to
SB-Clinton, L.C.
c/o H. Ernie Smith
2231 E. Murray Holladay Road #200
Salt Lake City, Utah 84117

E 1373639 8 2226 P 1044
JAMES ASHNER, DAVIS CITY RECORDER
1998 JAN 9 11:09 AM FEE 16.00 DEP HT
REC'D FOR BONNEVILLE TITLE COMPANY, INC

14-019-0032+0014
NE 28 SW 2W

AMENDED GRANT OF EASEMENT

This Amended Grant of Easement wholly supersedes, replaces and rescinds that Grant of Easement recorded by the office of the Davis County Recorder on November 10, 1997 at Entry # 1359542 in Book 2200 at Page 138.

THIS AMENDED GRANT OF EASEMENT is made this 19th day of December, 1997 by A. Demar Mitchell and Barbara B. Mitchell (hereinafter collectively the "Grantor") to the record owner (its successors and assigns) of the parcel described in the attached Exhibit "A" (hereinafter the "Grantee"), for the sum of Ten Dollars (\$10.00) and other good and valuable consideration.

WHEREAS, Grantee is the owner of the real property located in Davis County, Utah described on Exhibit "A" ("Grantee's Property") and Grantor is the owner of the real property located in Davis County, Utah described on Exhibit "B" ("Easement Property"); and

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. Grantor hereby grants to Grantee (its successors and assigns) a perpetual, non-exclusive easement for underground storm drainage, sewer, water and other buried utility lines across the Easement Property described in the attached Exhibit "B". The easement created hereunder shall run with the land and be for the benefit of Grantee's Property as well as Grantee and its successors and assigns provided that no utility shall be located in or under any building currently existing on Grantor's Property and so long as the same remains thereon.

2. Nothing contained herein shall be deemed to preclude Grantor from landscaping, paving, or otherwise improving the surface of Grantor's Property, as long as such action does not unreasonably interfere with the easement rights created hereunder.

3. So far as this easement is concerned, this Amended Grant of Easement constitutes the entire understanding between the parties and supersedes, replaces and rescinds that Grant of Easement recorded by the office of the Davis County Recorder on November 10, 1997 at Entry #1359542 in Book 2200 at Page 138 and all other prior negotiations, discussions and preliminary agreements concerning easements. No amendment, waivers or modifications hereof shall be made or deemed to have been made unless in writing executed by the party to be bound thereby.

IN WITNESS WHEREOF the Grantor has signed this Amended Grant of Easement as of the date first appearing above.

A. Demar Mitchell
A. Demar Mitchell

Barbara B. Mitchell
Barbara B. Mitchell

STATE OF UTAH)
)
COUNTY OF Davis) : ss.

On this 14th day of December, 1997, personally appeared before me A. Demar Mitchell, the signer of the within instrument, who duly acknowledged to me that he executed the same.



[Signature]
NOTARY PUBLIC

STATE OF UTAH)
)
COUNTY OF Davis) : ss.

On this 14th day of December, 1997, personally appeared before me Barbara B. Mitchell, the signer of the within instrument, who duly acknowledged to me that she executed the same.



[Signature]
NOTARY PUBLIC

GRANTEE'S PROPERTY

BEGINNING at a point on the West right of way line of 2000 West Street (State Highway 108), said point being North $0^{\circ}07'29''$ East along the section line 410.10 feet and North $89^{\circ}52'31''$ West 33.00 feet from the Southeast corner of the Northeast quarter of Section 28, Township 5 North, Range 2 West, Salt Lake Base & Meridian, and running thence North $0^{\circ}07'29''$ East along said West line 306.89 feet; thence North $89^{\circ}59'23''$ West 126.46 feet; thence North $0^{\circ}07'28''$ East 110.31 feet; thence North $89^{\circ}59'22''$ West 1,172.80 feet; thence South $0^{\circ}04'22''$ West 793.17 feet to the North right of way line of 1800 North Street (State Highway 37); thence South $89^{\circ}59'06''$ East along said North line 1,003.39 feet; thence North 7.92 feet; thence South $89^{\circ}59'11''$ East 264.49 feet; thence North $45^{\circ}04'09''$ East 30.65 feet; thence North $0^{\circ}07'29''$ East 346.51 feet; thence South $89^{\circ}52'31''$ East 9.02 feet to the point of beginning.

~~P. H. O'Connell~~

EXHIBIT "B"

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EASEMENT PROPERTY

Beginning at a point which is North $89^{\circ}59'06''$ West along the Section line 1331.52 feet and North $0^{\circ}04'22''$ East 793.17 feet from the Southeast Corner of the Northeast quarter of Section 28, Township 5 North, Range 2 West Salt Lake Base and Meridian, and running thence North $0^{\circ}04'22''$ East 416.19 feet; thence South $89^{\circ}59'29''$ East 20.00 feet; thence South $0^{\circ}04'24''$ West 416.19 feet; thence North $89^{\circ}59'23''$ West 20.00 feet to the point of beginning.

PT 14-019-0044.