

E 1031435 B 1607 P 126
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1993 APR 28 9:27 AM FEE .00 DEP JB
REC'D FOR UTAH DEPT OF TRANSPORTATION

Project No.: F-030(9)
Parcel No.: 030:31,31:A,
31:E, 31:2E,
31B:T

RETURNED

APR 28 1993

RIGHT OF ENTRY AGREEMENT

THE UNDERSIGNED, *Seldon O. Young Family Corporation, Inc.* a Utah Corporation, hereby grants to the UTAH DEPARTMENT OF TRANSPORTATION (UDOT) permission to enter upon and take possession of the following described property which is required for the construction of a public highway and/or appurtenances thereto.

The legal description of the subject parcels are attached to this Right of Entry Agreement and identified as Exhibits "A, B, C, D, and E".

It is understood and agreed that the sum of \$87,700.00 will be paid to the Grantor under this Right of Entry Agreement with UDOT being given credit for the amount paid in the final settlement or judgement.

It is understood and agreed that this permission is granted without prejudice to any rights of the undersigned, pending a settlement or judgement as to the amount of compensation to be paid the Grantor for said property, and as to any other amounts to which the Grantor is entitled. It is further agreed that if a satisfactory settlement cannot be agreed upon, the UTAH DEPARTMENT OF TRANSPORTATION, upon request from the undersigned, will proceed at once to commence and diligently prosecute a condemnation proceeding in the appropriate court for the judicial determination of such compensation.

It is further understood that statutory interest shall be paid from the date of this Right of Entry Agreement on any additional amounts of money that may be paid in the final settlement or judgement. Also, the date of this Right of Entry Agreement shall be the valuation date for the determination of fair market value the of property mentioned in the Exhibits .

It is further understood that if an amiable agreement has not been mutually reached within *six months* from the date of this Right of Entry agreement, the UTAH DEPARTMENT OF TRANSPORTATION will proceed to commence and diligently prosecute a condemnation proceeding in the appropriate court.

DATED this 11 day of February

Page 2
Right of Entry Agreement

STATE OF UTAH)
COUNTY OF Davis) SS.

The undersigned did personally appear before a Notary Public on 10 day of February, 1993, and acknowledge their signatures.

[Handwritten Signature]

by _____

Alan W. Dearden
NOTARY PUBLIC

My commission Expires:

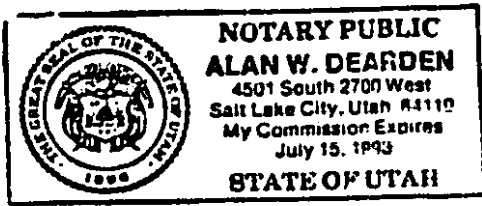


EXHIBIT 'A'

MACROS: (G-1)(X-1)

Sec. Stas. 369+20 & 370+40
 Easterly side of highway
 SW 1/4 N R1W

Davis County

Parcel No. 030:J1
 Project No. F-030(9)

A parcel of land in fee for a frontage road incident to the widening of an existing expressway State Route 89 known as Project No. 030, being part of an entire tract of property, situate in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T. 4 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning in the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ at a point 30.00 ft. perpendicularly distant easterly from the center line of said frontage road known as the "E1" Line of said project, which point is 2634.78 ft. N. 0°20'44" E. along the west line of the SE $\frac{1}{4}$ of said Section 1 to the center of said Section 1, 1117.39 ft. S. 0°20'44" W., 871.06 ft. N. 89°57'03" W., 200.00 ft. S. 0°20'23" W. and approximately 1167.02 ft. N. 89°57'03" W. from the South Quarter corner of said Section 1; and running thence N. 89°57'03" W. 58.83 ft. along said south line; thence N. 3°32'16" E. 123.95 ft., more or less, to a point 68.39 ft. perpendicularly distant easterly from the control line of the North-Bound On-Ramp known as the "B" Line of said project at Engineer Station 10+08.51; thence S. 74°22'19" E. 52.85 ft. to a point of tangency with a 42.00-foot radius curve to the right; thence Southeasterly 93.00 ft. along the arc of said curve (Note: Chord to said curve bears S. 10°56'13" E. for a distance of 75.13 ft) to a point of reverse curve; thence Southerly 11.58 ft. along the arc of an 18.00-foot radius curve to the left (Note: Chord to said curve bears S. 34°03'47" W. for a distance of 11.38 ft.); thence S. 15°37'41" W. 28.26 ft. along a line parallel to said "E1" Line, to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 8,417 square feet in area or 0.193 acre, more or less.

(Note: Rotate all bearings in the above description 0°21'04" clockwise to match highway bearings based upon the Utah State Plane Coordinate System modified.)

Prepared by M.W.B. (Versar A&E) 3/18/92
 Checked by R.H.J. 4/08/92
 Reviewed by B.C.B. 5/25/92

Typed by dgf 4/21/92
 Proofread by BCB & RHJ 5/26/92

EXHIBIT 'B'

MACROS: (B-3)(C-2)(G-1)(X-1)

Sta. Stas. 369+20 & 376+39
Easterly side of highway

Davis County

Parcel No. 030:31:A
Project No. F-030(9)

W/2 SW 1/4 Sec 1

A parcel of land in fee for the widening of an existing expressway State Route 89 and an adjacent frontage road known as Project No. 030, being part of an entire tract of property, situate in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, T. 4 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning in the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ at a point 2634.78 ft. N. 0°20'44" E. along the west line of the SE $\frac{1}{4}$ of said Section 1 to the center of said Section 1, 1117.39 ft. S. 0°20'44" W., 871.06 ft. N. 89°57'03" W., 200.00 ft. S. 0°20'23" W. and approximately 1225.85 ft. N. 89°57'03" W. from the South Quarter corner of said Section 1; and running thence N. 89°57'03" W. 181.75 ft. along said south line to the westerly boundary line of said entire tract (purported by the Owners Deed of Record to be the easterly right of way and limited-access line of said existing expressway); thence N. 4°12'00" E. 276.98 ft. (by record, but 261.02 ft. by measurement) along said westerly boundary line; thence S. 84°31'00" E. 2.00 ft., more or less, to the true easterly right of way and limited-access line of said expressway; thence along said true easterly right of way and limited-access line the following eight (8) courses and distances: thence N. 5°29'00" E. 115.00 ft.; thence N. 22°11'00" E. 52.20 ft.; thence N. 5°29'00" E. 337.00 ft. (by record, but 354 ft. by measurement) to a point which lies N. 0°24'50" E. 777.48 ft. along section line and 440 ft. S. 89°33'00" E. from the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1; thence N. 5°29'00" E. 33.00 ft. (by record, but 21 ft. by measurement); thence N. 7°16'00" E. 642.00 ft.; thence N. 9°54'00" W. 61.30 ft. (by record, but 62.11 ft. by measurement); thence N. 2°25'03" W. 206.47 ft. (by record, but 215.31 ft. by measurement); thence N. 4°00'00" E. 30.00 ft. (by record, but 32.46 ft. by measurement) to the northerly boundary line of said entire tract, being the center of a dirt road of record; thence Easterly 46.64 ft. along the arc of a 172.56-foot radius curve to the right (Note: Chord to said curve bears S. 78°35'28" E. for a distance of 46.50 ft.); thence S. 3°45'16" W. 44.47 ft.; thence S. 2°37'01" E. 277.32 ft. to a point 105.00 ft. radially distant easterly from the control line of the North-Bound On-Ramp known as the "B" Line of said project at Engineer Station 23+00.00; thence S. 2°12'52" W. 391.29 ft. to a point 90.00 ft. perpendicularly distant easterly from said "B" Line at Engineer Station 19+00.00; thence S. 6°59'00" W. 101.12 ft. to a point 75.00 ft. perpendicularly distant easterly from said "B" Line at Engineer Station 18+00.00; thence S. 1°32'49" E. 200.00 ft. along a line parallel to said "B" Line; thence S. 0°35'24" E. 493.81 ft. to a point 70.00 ft. perpendicularly distant easterly from said "B" Line at Engineer Station 11+11.30; thence S. 3°32'16" W. 226.75 ft., more or less, to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 4.000 acres, more or less.

*7
SEC-3000*

(Note: Rotate all bearings in the above description 0°21'04" clockwise to match highway bearings based upon the Utah State Plane Coordinate System modified.)

EXHIBIT 'C'

MACROS: (B-3)(I-1)(W-2)(X-1)

Bar.Stas. 169+20 & 176+39
 Easterly side of highway

Davis County

Parcel No. 030:31:E
 Project No. F-030(9)

See 1 1/4 mi. River

a perpetual easement, upon part of an entire tract of property, in the NW¹/₄SW¹/₄ of Section 1, T. 4 N., R. 1 W., S.L.B. & M., in Davis County, Utah, for the purpose of constructing thereon cut and/or fill slopes and appurtenant parts thereof incident to the widening and grading of an existing expressway State Route 89 known as Project No. 030.

The boundaries of said part of an entire tract are described as follows:

Beginning in the south line of said NW¹/₄SW¹/₄ at a point 1117.39 ft. S. 0°20'43" W., 871.06 ft. N. 89°57'08" W., 200.00 ft. S. 0°20'23" W. and approximately 985.42 ft. N. 89°57'03" W. from the center of said Section 1; and running thence N. 89°57'03" W. 186.21 ft. along said south line to a point 30.00 ft. perpendicularly distant easterly from the center line of a frontage road of said project known as the "E1" Line; thence N. 15°37'41" E. 28.26 ft. along a line parallel to said "E1" Line, to a point of tangency with a 18.00-foot radius curve to the right; thence Northeasterly 11.58 ft. along the arc of said curve to a point of reverse curve with a 42.00-foot radius curve to the left (Note: Chord to said curve bears N. 34°03'47" E. for a distance of 11.38 ft.); thence Northwesterly 93.00 ft. along the arc of said 42.00-foot radius curve to a point of curve to tangent (Note: Chord to said curve bears N. 10°56'13" W. for a distance of 75.13 ft.); thence N. 74°22'19" W. 52.86 ft. to the easterly right of way and no-access line of said project at a point 68.39 ft. perpendicularly distant easterly from the center line of North-Bound On-Ramp known as the "B" Line of said project at Engineer Station 20+08.51; thence the following two courses along said easterly right of way and no-access line: N. 1°32'16" E. 102.80 ft; thence N. 0°35'24" W. 493.81 ft. to a point 75.00 ft. perpendicularly distant easterly from said "B" Line at Engineer Station 16+00.00; thence S. 60°04'13" E. 287.27 ft. to a point 320.00 ft. perpendicularly distant easterly from said "B" Line at Engineer Station 14+50.00; thence S. 1°53'57" E. 474.11 ft. thence S. 15°15'45" W. 108.46 ft. to the point of beginning. The above described part of an entire tract contains 3.590 acres, more or less.

(Note: Rotate all bearings in the above description 0°21'04" clockwise to match highway bearings based upon the Utah State Plane Coordinate System modified.)

EXHIBIT 'D'

SACROS: (B-3)(I-1)(W-3)(X-1)(X-3)

Sec.Stas. 386+00 & 386+44
Easterly side of highway

Davis County

Parcel No. 030:31:2E
Project No. F-030(9)

NW 1/4 NW

a temporary easement, upon part of an entire tract of property, in the SW¹/₄NW¹/₄ of Section 1, T. 4 N., R. 1 W., S.L.B. & M., in Davis County, Utah, for the purpose of constructing thereon an access road and appurtenant parts thereof incident to the widening of an existing expressway State Route 89 and adjacent frontage road known as Project No. 030.

The boundaries of said part of an entire tract are described as follows:

Beginning in the easterly right of way line of said frontage road at a point 547.68 ft. east and 370.10 ft. north from the West Quarter corner of said Section 1; and running thence N. 3°45'16" E. 44.47 ft. to the north boundary line of said entire tract; thence Southeastly 26.15 ft. along the arc of a 172.56-foot radius curve to the right (Note: Chord to said curve bears S. 66°30'23" E. for a distance of 26.12 ft.); thence S. 62°09'59" E. 16.88 ft.; thence S. 3°45'20" W. 26.43 ft.; thence N. 89°34'52" W. 40.07 ft. to the point of beginning. The above described part of an entire tract contains 1,443 square feet in area or 0.033 acre, more or less.

(Note: Rotate all bearings in the above description 0°21'04" clockwise to match highway bearings based upon the Utah State Plane Coordinate System modified.)

This easement shall expire upon the completion of the construction of said project or 3 years after the date of the execution of the within instrument, whichever first occurs.

pt 27-002-0017

EXHIBIT 'E'

MACROS: (H-1)(X-2)

Bet. Stas. 370+80 & 371+60
Easterly side of highway

Davis County

Parcel No. 030:31B:T
Project No. F-030(9)

SW 1 T4N R1W

A parcel of land in fee for the widening of the existing expressway State Route 89 known as Project No. 030, being all of an entire tract of property, situate in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T. 4 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at a point 1117.39 ft. S. 0°20'23" W., 872.49 ft. N. 89°57'45" W., 200.00 ft. S. 0°20'23" W., 1407.60 ft. N. 89°57'45" W. and approximately 278 ft. N. 4°12' E. from the center of said Section 1; and running thence N. 84°31' W. 17 ft., more or less; thence S. 5°29' W. 80 ft.; thence S. 84°31' E. 19.0 ft.; thence N. 4°12' E. 80.0 ft., more or less, to the point of beginning. The above described parcel of land contains 1448 square feet in area or 0.033 acre, more or less.

5000.000
pt 07003.0005

Prepared by B.C.B. 6/23/92
Checked by R.H.J. 6/23/92
Reviewed by M.S.M. 6/24/92

Typed by dgf 6/23/92
Proofread by BCB & RHJ 6/24/92