

AGREEMENT

This agreement is made and entered into this 2^d day of November 1995 by and between the City of North Logan, a Utah Municipal Corporation which shall be called the "City" in this agreement, and Joseph K. Gilgen and wife Jolene P. Gilgen, jointly and severally, who shall be called the "Gilgens" in this agreement.

WHEREAS the City is requesting an easement lying within the Gilgens' land for the purpose of installing a culinary water line and

WHEREAS the Gilgens feel they should be compensated for the granting of said easement and

WHEREAS the City and the Gilgens have come to an agreement as to what that compensation should be.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein undertaken, it is agreed between the parties as follows:

1. The City shall grant to the Gilgens two (2) free water hookups into the city water system. Such hookups may be used at any location within the city where the city water is available. It is further understood that said hookups may be transferred to other parties upon informing the City of such transfer. It is further understood that a free water hookup constitutes the waiver of the City's water hookup fee. The hookup fee does not include the extension of any water mains. It does include the installation of the service line to a customer's property line and the installation of the meter barrel, setter, meter, ring and cover unless the service is located within a subdivision, in which case it includes only the meter. In no case does it include the service line from the meter barrel to the customer's residence. Additionally, the free hookup does not include any future water-system impact fees which may be imposed.

2. The aforementioned hookups are granted as compensation for the granting of a twenty (20) foot wide easement for the installation of said waterline in accordance with the easement dated 2^{d Nov 1995}.

3. Be it understood by all affected parties that Gilgens now have the right to two (2) free hookups to the City water system to be used anywhere within the city where the water system is available.

4. Be it further understood as follows:

(a) The North Logan City Master Plan does not currently specify the planned location of a collector road which would serve this area, said road running roughly north and south at approximately 2000 East, and;

(b) It is the intention and desire of the current North Logan City Council that this north-south collector, in the area of this easement, be constructed between the existing Utah Power & Light Co. poles as much as possible rather than along the fence line along the west side of the Gilgen's property. This intention will be included as a public record by including a copy of this agreement in City Council Meeting minutes. This intention will also be communicated by the City Administrator to any future working group developing the master plan for this area. It is understood that the current City Council's intention is a recommendation only and cannot be necessarily binding on the future decisions of another City Council.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed as of the day and year first above written.

ATTEST: [Signature] City Recorder

NORTH LOGAN CITY

By [Signature] Mayor

GILGENS

[Signature] Joseph K. Gilgen

[Signature] Jolene P. Gilgen

ENT 632371 Bk 680 Pg 659 DATE 2-JAN-1996 2:32PM FEE 0.00 MICHAEL L GLEED, RECORDER - FILED BY JH CACHE COUNTY, UTAH FOR NORTH LOGAN CITY

WARRANTY DEED

JOSEPH K. GILGEN, also known as Joseph Kay Gilgen, and JOLENE P. GILGEN, husband and wife, Grantors of North Logan, County of Cache, State of Utah, hereby CONVEY AND WARRANT to JOSEPH K. GILGEN and JOLENE P. GILGEN, Trustees, Grantees of 2010 North 1600 East, North Logan, Utah 84321, for the sum of Ten Dollars and other good and valuable consideration, the following described tracts of land in Cache County, State of Utah:

See Exhibit "A" attached hereto and by reference made a part hereof.

WITNESS, the hands of said Grantors, this 6th day of July, A.D. 1993.

Signed in the presence of

Carol A. Bradford

Joseph K. Gilgen
Joseph K. Gilgen, also known as
Joseph Kay Gilgen

Jolene P. Gilgen
Jolene P. Gilgen

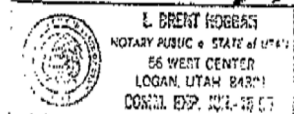
STATE OF UTAH)
) ss.
County of Cache)

RECORDING DATA

On the 6th day of July, A.D., 1992, personally appeared before me JOSEPH K. GILGEN, also known as Joseph Kay Gilgen, and JOLENE P. GILGEN, husband and wife, the signers of the within instrument, who duly acknowledged to me that they executed the same.

ENT 579711 Bk 569 Pg 156
DATE 6-JUL-1993 3:53PM FEE 22.00
MICHAEL L GLEED, RECORDER - FILED BY 08
CACHE COUNTY, UTAH
FOR OLSON & HOGGAN

L. Brent Hoggan
NOTARY PUBLIC



188/contato/gilgen.wd1/8-3594

ENT 632371 Bk 680 Pg 660

EXHIBIT "A"

Lot 1, Gilgen Minor Subdivision, containing 0.34 acre.

Lot 3, Gilgen Minor Subdivision, containing 4.33 acres.

Part of the Southwest Quarter of the Northwest Quarter of Section 24, Township 12 North, Range 1 East of the Salt Lake Meridian, described as follows: Beginning at the Southwest corner of Lot 5, Block 31, Plat "G" Logan Farm Survey, said point of beginning being in the East right-of-way line of 1600 East Street, and running thence East 200 feet along the South line of said Lot 5; thence North 215 feet in a line parallel to the East line of said 1600 East Street; thence West 200 feet to the East line of 1600 East Street at a point 215 feet North from the point of beginning; thence South 215 feet to the point of beginning. Containing .99 acre.

All of Lot 4 in Block 34, Plat "G" Logan Farm Survey. EXCEPTING THEREFROM: Part of Lot 4, Block 34, Plat "G" Logan Farm Survey, described as follows: Beginning at the Southwest corner of Lot 4, said Block 34, and running thence East 39 rods to the Southeast corner of said Lot 4; thence North 10.26 rods to a point 28.74 rods South of the Northeast corner of said Lot 4; thence West 39 rods parallel to the South line of said Lot 4 to the West line of said Lot 4; thence South 10.26 rods to the point of beginning. Containing 7.0 acres more or less.

All that part of Lot 5 lying East of canal and all of Lot 6, Block 31, Plat "G" Logan Farm Survey; and being situate in Section 24, Township 12 North, Range 1 East of the Salt Lake Meridian, containing 13 acres.

The Northeast Quarter of the Northeast Quarter of Section 24, Township 12 North, Range 1 East of the Salt Lake Meridian. Together with the following described right-of-way: Beginning at the center of the Northeast Quarter of said Section 24; thence South 709 feet more or less to Canyon Road; thence East 20 feet; thence North 709 feet more or less to a point 20 feet East of beginning; thence West to beginning. Containing 40 acres.

The East Half of the Southeast Quarter of Section 13, Township 12 North, Range 1 East of the Salt Lake Meridian, containing 80 acres. Also, beginning at the Southeast corner of the West Half of the Southeast Quarter of Section 13, Township 12 North, Range 1 East of the Salt Lake Meridian, and running thence West 140 rods; thence North 1 rod; thence East 140 rods; thence South 1 rod to the place of beginning, together with right-of-way, containing 140 square rods. Total 80.87 acres.

ENT 632371 Bk 680 Pg 661

ENT 579711 Bk 549 Pg 157

Beginning at a point 7 rods North of the Southwest corner of Lot 2, Block 40, Plat "A" LOGAN FARM SURVEY, and running thence North 3-1/2 rods; thence East 10 rods; thence South 3-1/2 rods; thence West 10 rods to the place of beginning, and further described as being situate in the Northwest Quarter of Section 34, Township 12 North, Range 1 East of the Salt Lake Base and Meridian.

ENT 632371 Bk 680 Pg 662

ENT 579711 Bk 569 Pg 158

WARRANTY DEED

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WITNESS, the hands of said Grantors, this 6th day of July, A.D. 1993.

Signed in the presence of

Patricia A. Bradford

Joseph K. Gilgen
Joseph K. Gilgen, also known as
Joseph Kay Gilgen

Jolene P. Gilgen
Jolene P. Gilgen

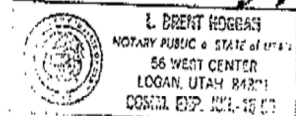
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DATE 6-JUL-1993 3:53PM FEE 22.00
MICHAEL L. GLEED, RECORDER - FILED BY DB
CACHE COUNTY, UTAH
FOR DLSON & HOGGAN

L. Brent Hoggan
NOTARY PUBLIC



188/entate/gilgen.wd1/N-3594

ENT 632371 Bk 680 Pg 663

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ENT 579711 Bk 569 Pg 157

ENT 632371 Bk 680 Pg 664

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ENT 579711 Bk 569 Pg 158

ENT 632371 Bk 680 Pg 665