

102 161-009
19, Market Place

RETURNED
JUN 26 2003

WHEN RECORDED MAIL TO
Centerville City
250 North Main
Centerville, UT 84014-1824

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RICHARD T. MAUGHAN, DAVIS CNTY RECORDER
2003 JUN 26 2:11 PM FEE .00 DEP MT
REC'D FOR CENTERVILLE CITY

**Storm Drain & Regional Detention Pond Easement
Lot 9, Market Place Subdivision**

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantor, Independence Square Enterprises, LLC, a limited liability company, hereby grants, conveys, sells, and sets over unto Centerville City, a municipal corporation of the State of Utah, as Grantee, its successors and assigns, a perpetual right-of-way and easement to lay, maintain, operate, repair, inspect, protect, install, remove and replace storm drain pipelines, manholes, detention basins, catch basins, structures and other public utilities, hereinafter called the "Facilities", said right-of-way and easement being situated in Davis County, State of Utah, over and through a parcel of Grantor's land, which easement is more particularly described as follows:

Located in the Southwest Quarter of Section 7, Township 2 North, Range 1 East, Salt Lake Base & Meridian.

Beginning at a point being North 0°03'25" West 248.07 feet along the east line from the Southeast Corner of Lot 9, Centerville Marketplace Subdivision as found and on file in the Davis County Recorders Office, Book 1867, Page 32, and running;

- thence South 89°24'44" West 44.94 feet;
- thence North 55°57'28" West 240.65 feet;
- thence South 41°36'51" West 192.59 feet;
- thence South 0°16'47" West 25.76 feet;
- thence Southwesterly 14.86 feet along the arc of a 52.00 foot radius curve to the right, (center bears North 89°43'13" West and the long chord bears South 8°26'08" West 14.81 feet with a central angle of 16°22'42");
- thence South 16°39'29" West 35.95 feet;
- thence Southwesterly 13.72 feet along the arc of a 48.00 foot radius curve to the left, (center bears South 73°20'31" East and the long chord bears South 8°26'08" West 13.67 feet with a central angle of 16°22'42");
- thence South 0°16'47" West 100.07 feet;
- thence Southeasterly 30.74 feet along the arc of a 23.00 foot radius curve to the left, (center bears South 89°43'13" East and the long chord bears South 36°00'21" East 28.50 feet with a central angle of 76°34'15");
- thence South 0°16'47" West 25.63 feet to the south line of Lot 9, Centerville Marketplace Subdivision;
- thence North 89°43'13" West 80.64 feet along the south line to the Southwest Corner of said Lot 9, Centerville Marketplace Subdivision, said point also being on the east line of the I-15 Frontage Road;
- thence North 3°42'54" East 73.06 feet along the east line of said I-15 Frontage Road;
- thence Northeasterly 218.23 feet along the arc of a 778.51 foot radius curve to the right, (center bears South 86°19'30" East and the long chord bears North 11°42'20" East 217.52 feet with a central angle of 16°03'41"), along the east line of said I-15 Frontage Road;
- thence South 87°27'56" East 51.65 feet;
- thence North 41°36'51" East 137.88 feet;

thence North 89°43'08" West 28.62 feet;
 thence Southwesterly 6.88 feet along the arc of a 10.00 foot radius curve to the left, (center bears South 0°16'54" West and the long chord bears South 70°17'25" West 6.94 feet with a central angle of 39°58'57");
 thence South 50°17'56" West 32.95 feet;
 thence North 89°43'28" West 8.83 feet;
 thence Northwesterly 9.68 feet along the arc of a 20.00 foot radius curve to the right, (center bears North 0°16'47" East and the long chord bears North 75°33'58" West 9.78 feet with a central angle of 28°18'30");
 thence North 81°24'43" West 12.02 feet;
 thence Northwesterly 14.36 feet along the arc of a 20.00 foot radius curve to the right, (center bears North 28°35'17" East and the long chord bears North 40°50'18" West 14.06 feet with a central angle of 41°08'50"), to the east line of Marketplace Drive;
 thence Northeastly 184.13 feet along the arc of a 255.50 foot radius curve to the right, (center bears South 56°15'39" East and the long chord bears North 54°23'05" East 180.17 feet with a central angle of 41°17'27"), along the east line of said Marketplace Drive;
 thence South 0°16'46" West 111.31 feet;
 thence South 55°57'28" East 208.12 feet;
 thence North 88°24'44" East 40.40 feet to the east line of Lot 9, Centerville Marketplace Subdivision;
 thence South 0°03'25" East 15.00 feet along the east line of said Lot 9, Centerville Marketplace Subdivision to the point of beginning.

Contains 33,432 square feet. 0.77 acres.

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns, so long as such Facilities shall be maintained, with right of ingress and egress in said Grantee, its officers, employees, agents, contractors and assigns to enter upon the above described property with such equipment as is necessary to install, maintain, operate, repair, inspect, protect, remove and replace said Facilities. During construction periods, Grantee and its contractors may use such portions of the property along and adjacent to said right-of-way as may be reasonably necessary in connection with the construction or repair of the Facilities. The contractor performing the work shall restore all property, through which the work traverses, to as near its original condition as is reasonably possible. Grantor shall have the right to use said premises except for the purpose for which this right-of-way and easement is granted to the Grantee, provided such use shall not interfere with the Facilities, or with Grantee's use thereof, or any other rights provided to the Grantee hereunder.

Grantor shall not build or construct, or permit to be built or constructed, any building or other improvement over or across said right-of-way, nor change the contour thereof, without the written consent of Grantee. This right-of-way and easement grant shall be binding upon and inure to the benefits of heirs, representatives, successors and assigns of the Grantor(s) and the successors and assigns of the Grantee, and may be assigned in whole or in part by Grantee.

