

When Recorded Mail To:

Business Development
Division of Business and Economic Development
324 South State Street, 5th Floor
Salt Lake City, Utah 84114

E 1184500 B 1885 P 88
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1995 JUN 16 11:35 AM FEE .00 DEP DJW
REC'D FOR FIRST AMERICAN TITLE CO OF UTA

Attention: Mr. Richard Bradford

State No. 4 and 5 SL Escrow No. 301682CP and 301699Cp
County No. 03D-71991 and 03D-72040

LAND USE EASEMENT
(75 LdN)

nw 9 4n-1w
09-045-0013+0014

WANDA M. HANSEN, AS TRUSTEE, UDT (UNDER DECLARATION OF TRUST) DATED SEPTEMBER 29, 1994, WHEREIN WANDA M. HANSEN IS THE TRUSTOR, OR ANY SUCCESSOR TRUSTEE THEREUNDER, Grantor, City of Layton, County of Davis, State of Utah hereby grants and conveys to the STATE OF UTAH, Grantee, its successors and assigns for the sum of Ten and no/100 Dollars, a perpetual Land Use Easement for the purpose of protecting the health and safety of the citizens of Utah and assuring the continued operation of Hill Air Force Base as an active military base, as recited by the, Section 63-49a-1 et seq. Utah Code Annotated, 1953, as amended. Said easement regulates the use of the land hereinafter described and makes it subject to the following restrictions.

1. The grantor shall not use or permit any use of the land hereinafter described or any of the air space above said tract of the for any purpose other than following:
 - A. ONLY RESIDENTIAL TRANSIENT LODGING WITH NOISE LEVEL REDUCTION (but not in areas above 80 LdN) (see paragraph 2 below).
 - B. ALL INDUSTRIAL - MANUFACTURING
 - C. TRANSPORTATION - COMMUNICATION & UTILITIES except for noise sensitive communication services
 - D. ALL COMMERCIAL - RETAIL TRADE ESTABLISHMENTS
 - E. ALL PUBLIC AND QUASI PUBLIC SERVICES except for hospitals, nursing homes, other medical facilities and educational services
 - F. OUTDOOR RECREATION ACTIVITIES, including Golf Courses, Riding Stables and Water Recreation
 - G. ALL RESOURCES PRODUCTION, EXTRACTION AND OPEN SPACE

2. No residential dwellings shall be allowed under any of the above mentioned uses other than transient lodging with noise level reduction of 30 db.

3. Measures to achieve Noise Level Reductions (NLR) of 30 db must be incorporated into the design and construction of occupied portions of all facilities constructed in the 75-80 areas.

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4. Improvements located on the property subject to this easement at the time said easement is executed shall not be required to be removed. Single family dwellings in existence at the time this document is executed shall not be converted into multiple family dwellings.

5. The uses allowed under this easement shall not affect restrictions places on the property by zoning ordinances and uses which may be permitted in this easement may be prohibited by zoning ordinances. The restrictions of this shall not apply to use existing at the time the easement is executed.

6. The Grantor, his successors or assigns, shall not construct or place, or cause to be constructed or placed, any improvement upon the property subject to this easement which will exceed a height of 152 feet for parcel 09-045-0014 and 169 feet for parcel 09-045-0013.

7. Any use made of the property subject to this easement by the Grantor, his successors, or assigns, shall be such that no smoke, dust, steam or other substances is related into the airspace which would interfere with pilot vision.

8. The Grantor shall not put said property to a use which shall produce light emissions, either direct or indirect (reflections), which would interfere with pilot vision or a use which would produce electrical or other emissions which would interfere with aircraft communication systems or navigational equipment.

The boundaries of the tract of land for said perpetual easement any right of way are described as follows:

State No. 4, Parcel P2
In the 75 Decibel Zone, Outside the APZ

Beginning at a point North 537.74 feet from the Southwest corner of the Northwest Quarter of Section 9, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence East 1283.88 feet; thence North 179.36 feet; thence West 1283.88 feet; thence South 179.36 feet to the point of beginning.

West

pt 09-045-0014 Containing 5.29 Acres

State No. 4, Parcel P
In the 75 Decibel Zone, Inside the APZ

Beginning at a point North 537.74 feet and East 1283.88 feet from the Southwest Corner of the Northwest Quarter of Section 9, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence East 1081.72 feet; thence North 179.36 feet; thence West 1081.72 feet; thence

Rem 0014

South 179.36 feet to the point of beginning.

Containing 4.45 Acres

State No. 5, Parcel Q2
In the 75 Decibel Zone, Outside the APZ

E 1184500 B 1885 P 90

Beginning at a point N 00°03'00" E 394.06 feet from the West Quarter Corner of Section 9, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence N 00°03'00" E 143.68 feet; thence S 89°22'00" E 1283.49 feet; thence South 537.75 feet; thence N 89°22'00" W 568.78 feet; thence N 60°38'56" W 820.07 feet to the point of beginning.

Containing 12.61 Acres

09-045-0013 pt

State No. 5, Parcel Q
In the 75 Decibel Zone, Inside the APZ

Beginning at a point N 00°03'00" E 537.74 feet and S 89°22'00" E 1283.49 feet from the West Quarter Corner of Section 9, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence S 89°22'00" E 1082.13 feet; thence S 00°38'00" W 349.62 feet; thence Southerly along the arc of a 642.00 foot radius curve to the left 190.63 feet to the Quarter Section Line; thence N 89°22'00" W 1102.53 feet; thence North 537.75 feet to the point of beginning.

Containing 13.36 Acres

Rem 0013

The above described tract of land contains 25.73 acres, more or less.

WITNESS, the hand of said Grantor, this 24 day of May, A.D. 1995.

Signed in the presence of:

Wanda Marie Hansen, Trustee
WANDA MARIE HANSEN, Trustee

STATE OF UTAH

}

} SS

see Attached Acknowledgment

COUNTY OF

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On the _____ day of _____, A.D. 1995, personally appeared before me WANDA MARIE HANSEN, Trustee, the signer of the within instrument, who duly acknowledged to me that she executed the same pursuant to and in accordance with the powers vested in them by the terms of said Trust Agreement.

My Commission expires: _____

Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

State of California

E 1184500 & 1885 P 91

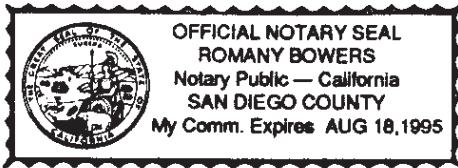
County of San Diego

On May 24, 1995 before me, Romany Bowers, Notary Public
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Wanda Marie Hansen
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in ~~his/her/their~~ authorized capacity(~~ies~~), and that by ~~his/her/their~~ signature(~~s~~) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Romany Bowers
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
- CORPORATE OFFICER
- _____ TITLE(S)
- PARTNER(S) LIMITED
- GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

DESCRIPTION OF ATTACHED DOCUMENT

Land Use Easement (75LdN)
TITLE OR TYPE OF DOCUMENT

3
NUMBER OF PAGES

5/24/95
DATE OF DOCUMENT

None
SIGNER(S) OTHER THAN NAMED ABOVE

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

