

LAYTON CITY PLANNING DEPT.
437 WASATCH DRIVE
LAYTON, UTAH 84041

2142616

BK 3964 PG 31 E 2142616 B 3964 P 31-33
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
02/03/2006 08:00 AM
FEE \$0.00 Pgs: 3
DEP RT REC'D FOR LAYTON CITY CORP

310

*Attn: Gayle
NW-1/4 - 4N-1W
09-045-0005pt*

ACCESS & UTILITY EASEMENT
(Wayne M. Belleau Property)

For the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned GRANTORS hereby grant, convey, sell, and set over unto Layton City Corporation a body politic of the State of Utah, hereinafter referred to as GRANTEE, its successors and assigns, a perpetual right-of-way and easement to lay, maintain, operate, repair, inspect, protect, install, remove and replace sanitary sewer lines hereinafter called Facilities. Said right-of-way and easement being situated in Layton City, State of Utah, over and through a parcel of the GRANTOR's land, more fully described as follows:

60-easement, 30 feet both sides of the following described centerline.

Beginning at a point which is South 00°03'00" West 30.00 feet from the Southeast Corner of Lot 2, Windsor Square Commercial Subdivision, part of the Northeast Quarter of Section 8, Township 4 North, Range 1 West, Salt Lake Base and Meridian, Layton City, Davis County, Utah, which point is also North 90°00'00" West 201.45 feet and South 00°00'00" West 1666.29 feet from the Northwest corner of Section 9, Township 4 North, Range I West, Salt Lake Base and Meridian and running thence North 89°58'00" East 1626.43 feet to the start of a 300.00-foot radius curve to the right; thence along the arc of said curve 104.89 feet, (central angle = 20°02'00", chord bearing and distance = South 80°01'00" East 104.36 feet); thence South 70°00'00" East 122.98 feet to the start of a 300.00-foot radius curve to the left; thence along the arc of said curve 104.72 feet, (central angle - 20°00'00", chord bearing; and distance = South 80°00'00" East 104.19 feet); thence to the North 90°00'00" East 37.04 feet more or less to the Grantor's East line which point is also the end of the 60-foot Right-of-Way Street easement through United States of America Property (tax id 090450006): *0005pt*

TO HAVE AND TO HOLD the same unto the said GRANTOR, its successors and assigns, with the rights of ingress and egress in said GRANTEE, its officers, employees, representatives, agents 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 and maintenance periods GRANTEE and its agents may use such portion of GRANTORS property along and adjacent to said right-of-way as may be reasonably necessary in connection with the construction or repair of said 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. GRANTORS

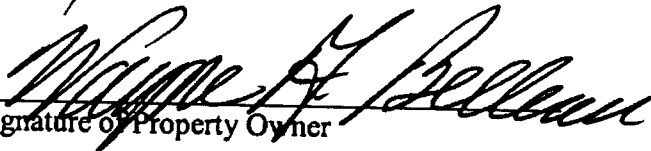
shall have the right to use said premises except for the purpose for which this right-of-way and easement is granted to the said GRANTEE, provided such use shall not interfere with the Facilities or which the collection and conveyance of sanitary sewer through said Facilities, or any other rights granted to the GRANTEE hereunder.

GRANTORS warrant that they and no one else holds title to the above described property and that they have authority to sell said easement to the City.

GRANTORS 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 benefit of the successors and assigns of the GRANTORS and the successors and assigns of the GRANTEE.

GRANTEE shall vacate this right-of-way at GRANTORS request after a Final Plat, approved by Layton City, is recorded on the GRANTORS land, a suitable replacement right-of-way is created by said Final Plat, and GRANTOR, or its assigns has relocated the affected Facilities according to Layton City standards.

IN WITNESS WHEREOF, the GRANTORS have executed this right-of-way and easement this 25th day of January, 2006.


Signature of Property Owner

Wayne A. Belleau
Print Name of Property Owner
1412 S Legend Hills Drive #34
Clearfield, UT 84015
Address of Property Owner

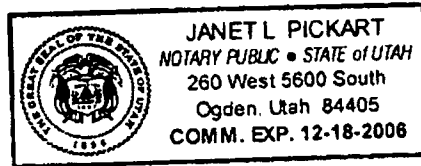
STATE OF UTAH)

COUNTY OF DAVIS)

On the 25th day of January, 2006 personally appeared before me Wayne A. Belleau, the signer(s) of the above instrument, who duly acknowledged to me that ~~they~~^{he} executed the same.

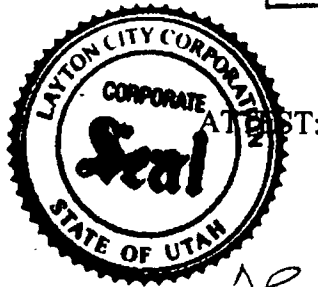
Janet L. Pickart
Notary
12-18-2006

Notary Stamp



Layton City Acceptance:

[Signature]
Alex Jensen, City Manager



APPROVED AS TO FORM
BY [Signature] 1/26/2006

[Signature]
Steven M. Ashby, City Recorder
Shieda Wellman