Order No. 98151

E 1035499 8 1615 P 682 CAROL DEAM PAGE, DAVIS CHTY RECURDER 1993 NAY 14 4:21 PH FEE .00 DEP COP REC'O FOR SECURITY TITLE COMPANY

<u>EASEMENT</u>

NE 33 4N-1W

THE DAVIS COUNTY COUNCIL OF GOVERNMENTS, INC. (the "COG") as the owner of real property situated and located in Davis County, State of Utah, does hereby Convey and Warrant to KAYSVILLE CITY CORPORATION, Davis County, State of Utah ("City"), its successors, licensees, and assigns a perpetual permanent easement and right-of-way for utilities and drainage and appurtenant facilities thereto, and for any and all other present and future utilities, and related facilities, over, under, and through the real property situated in Davis County, State of Utah, that is more particularly described as being ten feet (10') wide around the entire perimeter of the following described tract of land:

Beginning at a point on the westerly right-of-way line of the Union Pacific Railroad said point being N 89°49'30" W 912.75 feet along the quarter section line and N 25°17'19" W 1432.15 feet from the east quarter corner of Section 33, Township 4 North, Range 1 West, Salt Lake Base and Meridian, and running thence S 68°35'06" W 601.47 feet to the easterly line of a street; thence N 21°24'54" W 874.30 feet along said street; thence N 68°35'06" E 542.27 feet to the said railroad right-of-way line; thence S 25°17'19" E 876.30 feet along said railroad right-of-way line to the point of beginning.

THE CONSIDERATION to be paid for this easement is the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, the receipt of which is hereby acknowledged. Grantor hereby agrees that the City, its successors, licensees, and assigns shall have the right of ingress and egress from the property above described for the purpose of constructing, maintaining, operating, repairing, replacing and using utility lines, cables, pipes, drainage pipes, ditches, appurtenant facilities, and any and all other public utilities and related facilities which City, its successors, licensees, and assigns may locate on, under or through the easement on the real property described herein.

The easement herein granted by the Undersigned shall run with the land and be binding on the heirs, assigns, and successors in interest of the COG. The COG hereby agrees on behalf of itself, its assigns, and successors in interest not to construct or maintain any building or structure upon the real property covered by the easement herein.

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EXECUTED this 13th day of _ May , 1993.

> THE DAVIS COUNTY COUNCIL OF GOVERNMENTS, INC.

Chairman

STATE OF UTAH

SS.

COUNTY OF BAYTS Lake - EMP

day of _, 1993, personally appeared before me Carl M. Johnson, the signer of the foregoing instruments, who, being duly sworn, acknowledged that he is the Chairman of the Davis County Council of Governments, Inc., and that he executed the same on behalf of said corporation pursuant to its bylaws, a resolution of its governing board, or other proper authority on behalf of the corporation and he acknowledged to me that said corporation executed the same.

Notary Public ELIZABETH WARE PIERCE 522 West 550 North West Bountful, Utah 84087 My Commission Expires August 11, 1996 State of Utah

with Ware Price

Residing at: 522 West 550 North, W. BIFF 94087 Commission Expires: 11 Avg 96