

EASEMENT

This Easement, granted this 26th day of October, 1993, from Eric Smith, hereinafter "Grantor," to Layton City, a municipal corporation, hereinafter "Grantee."

E 1087523 B 1709 P 1
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1994 JAN 5 8:23 AM FEE 12.00 DEP JB
REC'D FOR LAYTON CITY

WITNESSETH

Grantor, for good and valuable consideration, the receipt of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a perpetual easement for the purpose of constructing, maintaining and installing a public right-of-way and thoroughfare over, under and across the following described property in Davis County, State of Utah:

A part of the Northeast quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and Meridian, beginning at a point which is S 0° 10' 55" E 33.0 feet from the North quarter corner of said section 25 and running thence S 89° 50' 58" E 33.0 feet, thence S 0° 10' 55" W 340.64 feet, thence N 89° 50' 58" W 33.0 feet, thence N 0° 10' 55" E 340.64 feet to the point of beginning. Contains 11241.12 sf.

RETURNED

JAN - 5 1994

This easement is granted subject to the following restrictions:

1. That the purpose of this easement is to reserve property for a future public road and right-of-way necessary to access and service the property behind that which fronts the existing roadway, known as Gentile;
2. That upon the selection by the City of a different location for a roadway, which would make the subject location unneeded for this purpose, then this easement is vacated;
3. That upon the development of the property to be accessed by said roadway, and whereupon the City requires the construction of the roadway, then the developing party or underlying landowner shall develop and dedicate the subject parcel to the City for the purpose of establishing a public right-of-way;
4. That in the event the City develops the roadway, without benefit of development, improvement district or other means of making the improvements, prior to the development of the property, the City will be responsible for the purchase of the subject parcel by sale or condemnation.

DATED this 26th day of October, 1993.

GRANTOR:

Eric Smith
ERIC SMITH

GRANTEE:

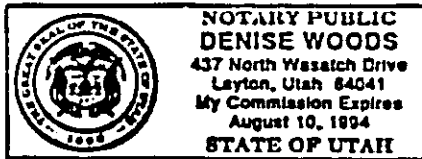
Alfred R. Jensen
LAYTON CITY CORPORATION
By: Alfred R. Jensen
Title: City Manager

STATE OF UTAH)
) : ss.
COUNTY OF DAVIS)

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On the 26th day of OCTOBER, 1993, personally appeared before me Eric Smith, the signer of the above instrument, who duly acknowledged to me that he executed the same.

WITNESS my hand and official seal this 26th day of OCTOBER, 1993.



Denise Woods
NOTARY PUBLIC
Residing at: Shoreline
My Commission Expires: 8-10-94