

RETURNED
SEP 29 2009

E 2484132 B 4870 P 777-778
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
09/29/2009 01:16 PM
FEE \$0.00 Pgs: 2
DEP RT REC'D FOR CENTERVILLE CITY

pt 02-107-0001

WHEN RECORDED MAIL TO:

**Centerville City
250 North Main
Centerville, UT 84014**

STORM DRAINAGE EASEMENT

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantor, **Helen Ann Nichols**, owner of the below described property that houses the Centerville Dairy Queen business, hereby grants, conveys, sells, and sets over unto **CENTERVILLE CITY**, a municipal corporation of the State of Utah, as Grantee, its successors, assigns, licensees and franchisees, a perpetual easement to lay, maintain, operate, repair, inspect, protect, install, remove and replace storm drain pipelines and other public utility structures and facilities, hereinafter called the "Facilities," said 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:

A 15 foot wide Drainage Easement being 7.5 feet on each side of the following described centerline. Beginning at a point which is S 0°21'21" W 36.00 feet along the boundary of Lot 1 of Parrish Park Subdivision in Centerville City, Davis County, Utah from the Northwest Corner of Lot 1 and running thence S 89°57'24" E 195.71 feet along a line which is parallel to and 36 feet south of the north boundary of said Lot 1 to a point which is S 0°06'27" W 36.00 feet from the Northeast Corner of said Lot 1.

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns, perpetually 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, construct, 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 the right-of-way and easement is granted to the Grantee, provided such use shall not interfere with the Facilities, or with Grantees' use thereof, or any other rights provided to the Grantee hereunder.

