

pt. 9 EAGLE IND. PARK
10-230-0009 RETURNED

2219129 BK 4160 PG 349
E 2219129 B 4160 P 349-351
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/15/2006 11:32 AM
FEE \$14.00 Pgs: 3
DEF. RT. REC'D FOR JACK D. PALMER

NOV 15 2006

Easement

Part One

This Easement is granted by: Jack D. Palmer, Trustee Elaine H. Palmer, Trustee, for J/E Living Trust Grantor, to Rocky Mountain Power, Qwest, Questar, and Layton City Public Utilities, Grantees. Grantor is the owner of the real property located in Layton Davis County, Utah, consisting of Property 1 described in Attachment A to this Easement. The Grantors wish to construct a service shop and offices for Old Brand Excavating, LLC on Property 1 that will serve the existing needs for this company. Such shop and office facilities will require the use of the utilities provided by the Grantees. Therefore an easement is provided to allow the Grantees' services to pass over the Grantors' property.

• Easement• The Grantors grant to the Grantees and their successors and assigns an nonexclusive easement allowing their officers, employees and agents to enter upon Property 1 and at any reasonable time for the purpose of inspecting the operation, construction, maintenance, or repair of their system. This easement remains effective unless and until Property 1 is conveyed to subsequent owners and each of the covenants described below is satisfied.

• Grantors covenant not to make any conveyance or take any other action that will result in any subsequent ownership of Property 1 unless and until the Grantors have granted or reserved the herein described easement across Property 1. Such easement will provide for the operation, construction, maintenance, repair and inspection of provided utilities and prohibit any use that is inconsistent with, or detrimental to the Grantors' use of Property 1.

Part Two

• General Provisions• All conditions and restrictions contained in the Easement run with the land and are binding on the heirs, successors, assigns of any interest in Property 1 until such time as any condition or restriction is removed by written certification from the Grantors that the condition or restriction is no longer required. Any person who at any time owns, occupies, or acquires any right, title, or interest in or to any portion of Property 1 is and shall be conclusively deemed to have consented and agreed to every condition and restriction contained in this Easement whether or not any reference to this Easement is contained in the instrument by which such person or entity acquired an interest in the Property 1.

• The Owner of any portion of Property 1 shall notify the Grantees at least 10 days before the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the Owner's interest in Property 1. This provision shall not apply to any entity or person who holds such interest solely for the security for the payment of an obligation. Upon any violation of any condition or restriction contained in this Easement the Grantor or the Grantees may seek any other available legal or equitable remedy to enforce this Easement.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed this 15th day of November 2006

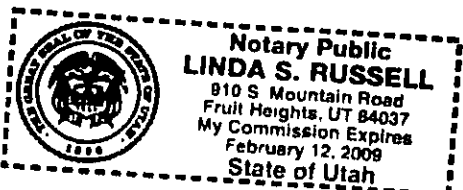
Signed: Jack D. Palmer, Trustee Elaine H. Palmer, Trustee for J/E Living Trust dated August 6th, 1998
Jack D. Palmer, Trustee Elaine H. Palmer, Trustee

Before me, the undersigned, a Notary Public within and for Davis County, State of Utah, on this 15th of November 2006, personally appeared Jack D. Palmer & Elaine H. Palmer to me known to be the identical persons who executed the within and foregoing instrument as owners of Property 1 and as the free and voluntary act and deed for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

My Commission expires: Feb. 12, 2009

Notary Public Linda Russell



21 FOOT PUBLIC UTILITY EASEMENT LEGAL DESCRIPTION

Beginning at a point which is North 00°11'20" East 715.54 feet along the section line and South 89°48'40" East 423.52 feet from the Southwest Corner of Section 20, Township 4 North, Range 1 West; Salt Lake Base and Meridian and running;

thence North 89°54'40" East 273.67 feet;

thence South 00°11'20" West 21.00 feet;

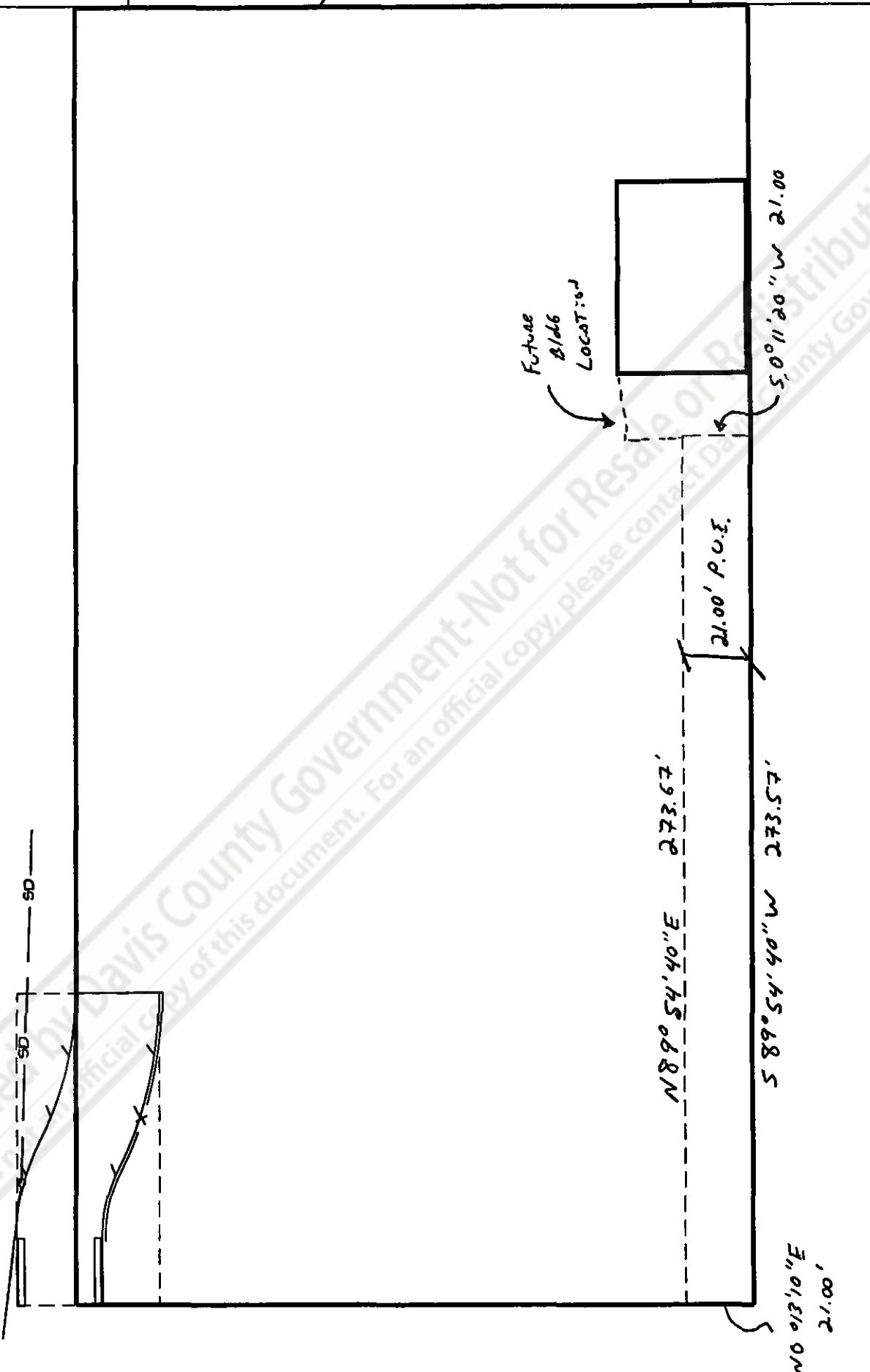
thence South 89°54'40" West 273.57 feet to the east line of Sugar Street;

thence North 00°13'10" East 21.00 feet along the east line of Sugar Street to the point of beginning.

Contains: 5,744 square feet. 0.13 acres.

RMKB
10/31/06
L1540

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