3227251 BK 7452 PG 357

RETURNED

FEB 19 2020

LAYTON CITY
PUBLIC UTILITY EASEMENT

E 3227251 B 7452 P 357-360
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
02/19/2020 09:50 AM
FEE # 0.00 Pas: 4
DEP RT REC'D FOR LAYTON CITY CORP

10-063-0035

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 GRANTOR hereby grants, conveys, sells, and sets 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 construct, lay, maintain, operate, repair, inspect, protect, install, remove and replace culinary water, storm drain, land drain, and sanitary sewer lines and all appurtenances thereto, 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:

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

TO HAVE AND TO HOLD the same unto the said GRANTOR, its successors and assigns, with the right 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 construct, lay, maintain, operate, repair, inspect, protect, install, remove and replace said Facilities. During construction periods, GRANTEE and its agents may use such portion of GRANTOR's 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. GRANTOR 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 with the use of said Facilities, or any other rights granted to the GRANTEE hereunder.

GRANTOR warrants 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.

GRANTOR 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 GRANTOR and the successors and assigns of the GRANTEE.

[Signature page to follow]

IN WITNESS WHEREOF, the GRANTOR has executed this Public Utility Easement this 1312 day of EBRUARY, 2020.

GRANTOR:

GRANTOR'S SIGNATURE

Colinia Laborate .

GRANTOR'S NAME & TITLE

ATTEST:

KIMBERLY S BEAD, City Recorder

LAYTON CITY ACCEPTANCE:

ALEX R. JENSEN, City Manager

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Approved as to Form:

_, ___

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GRANTOR NOTARY

(Complete only if signing as an Individual)

STATE OF
COUNTY OF
On this day of, 20, personally appeared before me signer(s) of the foregoing <u>Layton City Public Utility Easement</u> who duly acknowledged to me that he/she/they executed the same.
NOTARY PUBLIC
(Complete only if signing on behalf of a Corporation/Partnership)
STATE OF
On this day of, 20, personally appeared before me who being by me duly sworn did say that he/she is the of, a corporation/partnership, and that the foregoing <u>Layton City Public Utility Easement</u> was signed in behalf of said corporation/partnership by authority of its Board of Directors/by-laws, and he/she acknowledged to me that said corporation/partnership executed the same.
NOTARY PUBLIC

STATE OF UTAH COUNTY OF DAVIS SSS
On this 13 day of Februar, 20, 20, personally appeared before me COLIN H. WAIGH? who being by me duly sworn did say that he/she is the MANAGER of CW THE PARK, LL & a limited liability company, and that the foregoing Layton City Public Utility Easement was signed in behalf of said company by authority, and he/she acknowledged to me that said company executed the same.
STEPHANIE HEINER Notary Public, State of Utah Commission Expires 02/11/2023

IF ADDITIONAL SIGNERS AND/OR NOTORIAL WORDING ARE NECESSARY, PLEASE NOTATE ANY ADDITIONS ON THIS NOTARY PAGE AND ATTACH A STATE APPROVED NOTARIAL CERTIFICATE, WHICH IDENTIFIES THE DOCUMENT THE ATTACHED NOTARIAL CERTIFICATE RELATES TO, AS WELL AS, THE NUMBER OF PAGES IN THE DOCUMENT



Exhibit A

October 28, 2019

The Park Parcel #10-063-0035

Small Detention Pond Easement

A part of the Northwest Quarter of Section 19, Township 4 North, Range 1 West. Salt Lake Base and Meridian, U.S Survey, Layton City, Davis County, Utah:

Beginning at a point 1050.97 feet South 00°11'10" West along the Quarter Section Line and 33.00 feet South 89°48'50" East from the Northwest Corner of said Section 19; and running; thence East 140.83 feet; thence South 190.45 feet; thence South 89°50'40" West 141.45 feet; thence North 00°11'10" East 190.84 feet to the POINT OF BEGINNING.

> Containing 26,907 square feet or 0.6177 acres, more or less.