

Layton City
C/O Gary Crane, Esq.
437 Wasatch Dr.
Layton, Utah 84041

All Layton Market
Center
10-188-0001 thru 0012

**STORM DRAIN
EASEMENT
(Subdivision)**

E 1257087 B 2014 P 1137
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1996 JUN 20 11:43 AM FEE 27.00 DEP REC
REC'D FOR FIRST AMERICAN TITLE CO OF UTA

NW 17 4N-1W

10-027-
00 77 +
0078

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 for a storm water drainage, said right-of-way and easement being situated in Layton City, State of Utah, over and through a parcel of the GRANTOR's land (the "Easement Property"), more fully described as follows:

See attached Exhibit "A"

TO HAVE AND TO HOLD the same unto the said GRANTEE, 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 Easement Property with such equipment as is necessary to install, maintain, operate, repair, inspect, protect, remove and replace said Facilities. Upon approval of GRANTOR's development plan by GRANTEE and GRANTOR's installation of a storm water transmission system approved by GRANTEE, this easement will be amended to specifically define the location of the Easement Property, GRANTOR acknowledges and agrees that among other things, the right-of-way and easement for storm water drainage granted herein shall benefit that certain property described in Exhibit "B" attached hereto and incorporated herein by reference. During construction periods, GRANTEE and its agents may use such portion of GRANTOR's property along and adjacent to the Easement Property as may be reasonably necessary in connection with the construction, repair or replacement 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 the Easement Property 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 the collection and conveyance through said Facilities, or any other rights granted to the GRANTEE hereunder.

GRANTOR warrants that it and no one else holds title to the Easement Property and that it has authority to convey said easement to GRANTEE.

GRANTOR shall not build or construct, or permit to be built or constructed, any building, structure or other improvement over or across the Easement Property which impedes the storm water transmission system or changes the contour thereof without the written consent of GRANTEE. This right-of-way and easement grant shall be binding upon the GRANTOR and inure to the benefit of the successors and assigns of the GRANTEE.

FIRST AMERICAN TITLE
JLP# 060-11403

IN WITNESS WHEREOF, the GRANTOR has executed this utility easement this 10
day of June, 1996.

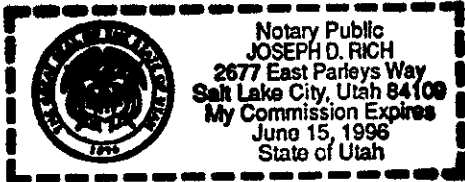
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**HOMCO INVESTMENT CO.,
a general partnership**

By: [Signature]
Layton P. Ott, General Partner

STATE OF UTAH)
) : ss.
COUNTY OF SALT LAKE)

On this 10th day of June, 1996, before me personally appeared LAYTON P. OTT, General Partner of HOMCO INVESTMENT COMPANY, a Utah partnership, who by me being duly sworn (or affirmed) upon oath did say that such person is the general partner of the named partnership and that the foregoing instrument was executed pursuant to the partnership agreement with consent of non executing partners as may be required by law and Layton P. Ott acknowledged to me that such person executed the same as the act of said partnership.



[Signature]
Notary Public

LAYTON CITY ACCEPTANCE:

[Signature]
Alex Jensen, City Manager



ATTEST:

[Signature]
Steven M. Ashby, City Recorder

LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN, COUNTY OF DAVIS, STATE OF UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER FROM WHICH THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER BEARS SOUTH 89 DEGREES 55 MINUTES 10 SECONDS WEST, A DISTANCE OF 2634.88; THENCE SOUTH 00 DEGREES 10 MINUTES 04 SECONDS WEST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1435.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 10 MINUTES 04 SECONDS WEST, A DISTANCE OF 747.95 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 1600 NORTH STREET AS DESCRIBED IN BOOK 1789 AT PAGE 295; THENCE RUNNING ALONG SAID NORTH RIGHT-OF-WAY LINE THE NEXT FOUR (4) COURSES: 1) SOUTH 89 DEGREES 54 MINUTES 50 SECONDS WEST, A DISTANCE OF 346.02 FEET; 2) ALONG THE ARC OF A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 26 DEGREES 07 MINUTES 43 SECONDS AN ARC DISTANCE OF 456.03 FEET, A RADIUS OF 1000.00 FEET AND A CHORD BEARING OF NORTH 77 DEGREES 01 MINUTES 19 SECONDS WEST WITH A DISTANCE OF 452.09 FEET; 3) NORTH 63 DEGREES 57 MINUTES 28 SECONDS WEST, A DISTANCE OF 54.69 FEET; 4) ALONG THE ARC OF A CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 19 DEGREES 16 MINUTES 59 SECONDS AN ARC DISTANCE OF 356.74 FEET, A RADIUS OF 1060.00 FEET AND A CHORD BEARING OF NORTH 73 DEGREES 35 MINUTES 57 SECONDS WEST WITH A DISTANCE OF 355.06 FEET TO A POINT LYING NORTH 89 DEGREES 55 MINUTES 10 SECONDS EAST, A DISTANCE OF 434.80 FEET FROM THE WEST RIGHT-OF-WAY LINE OF 100 WEST STREET AS RECORDED IN BOOK 1808 AT PAGE 232; THENCE NORTH 00 DEGREES 22 MINUTES 10 SECONDS EAST, PARALLEL WITH SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 636.04 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1320.00 FEET OF THE SAID NORTHWEST QUARTER OF SECTION 17; THENCE NORTH 89 DEGREES 55 MINUTES 10 SECONDS EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 849.74 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 04 SECONDS WEST, A DISTANCE OF 115.00 FEET; THENCE NORTH 88 DEGREES 55 MINUTES 10 SECONDS EAST, A DISTANCE OF 325.00 FEET TO THE POINT OF BEGINNING.

PT 10-027-0077,0078

EXHIBIT "B"

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Real Property located in Davis County, State of Utah, described as follows:

Lots 1 through 12, Layton market Center Subdivision, according to the official plat thereof as recorded in the office of the Davis County Recorder, State of Utah.

10-027 +

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