

WHEN RECORDED MAIL TO:
Stephen C Ward
Utah Attorney General's Office
160 East 300 South
P.O. Box 140857
Salt Lake City, Utah 84114-0875

E 2046485 B 3709 P 644-649
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
01/20/2005 01:31 PM
FEE \$0.00 Pgs: 6
DEP RT REC'D FOR UTAH ATTORNEY GEN
ERALS OFFICE

*flag legal
(less than excepting)*

*E 12 4-4n-1w
09-013-0008,0023*

QUIT CLAIM DEED

THIS INDENTURE, made this 10th day of December, 2004, by and between Wasatch Integrated Waste Management District of Layton, Utah, hereinafter referred to as the GRANTOR, and The Department of Community and Economic Development of the State of Utah, hereinafter referred to as the GRANTEE,

WITNESSETH, that the said GRANTOR, for and in consideration of One Dollar (\$1.00) in hand paid by the said GRANTEE, and for other good and valuable consideration, the receipt whereof is hereby acknowledged, has remised, released and quit-claimed and by these presents does remise, release and quit-claim unto the said GRANTEE and its heirs and assigns, forever, a restrictive land use easement as, set forth in Attachment A, in and to the following described lots, pieces or parcels of land to wit:

THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF DAVIS, STATE OF UTAH, AND IS DESCRIBED AS FOLLOWS:

PARCEL 705 3, IN THE 80 DECIBEL ZONE, OUTSIDE OF THE APZ:

BEGINNING AT A POINT 40 RODS EAST FROM THE CENTER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN; THENCE SOUTH 768.33 FEET, MORE OR LESS, TO THE NORTH LINE OF PROPERTY CONVEYED IN BOOK 602, PAGE 590; THENCE SOUTH 27°38'00" EAST 624.15 FEET; THENCE EAST 370.12 FEET; THENCE NORTH 100 RODS; THENCE WEST 40 RODS; THENCE SOUTH 20 RODS TO THE POINT OF BEGINNING.

EXCEPTING THEREFORE THE FOLLOWING: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, AND RUNNING THENCE NORTH 30.0 FEET ALONG THE EAST LINE OF SAID QUARTER; THENCE NORTH 89°34'45" WEST 386 FEET, MORE OR LESS, PARALLEL TO THE SOUTH LINE OF SAID SECTION TO THE EAST LINE OF THE PROPERTY OF THE UNITED STATES OF AMERICA; THENCE SOUTH 27°28' EAST 33.94 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID QUARTER; THENCE SOUTH 89°34'45" EAST 370.12 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH A RIGHT OF WAY FOR INGRESS AND EGRESS FOR FARM PURPOSES ONLY OVER THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT A POINT NORTH 0°08'30" EAST 1266.57 FEET AND NORTH 89°34'30" WEST 1368.86 FEET PARALLEL TO SOUTH LINE OF SECTION 4 FROM THE SOUTHEAST CORNER OF SAID SECTION 4, RUNNING THENCE SOUTH 0°03'30" WEST 20.0 FEET; THENCE SOUTH 89°34'30" EAST 98.0 FEET, THENCE SOUTH 0°08'30" WEST 1372.7 FEET, MORE OR LESS, TO NORTH LINE OF HIGHWAY; THENCE SOUTH 79°58' EAST 30.78 FEET ALONG SAID HIGHWAY; THENCE NORTH 0°08'30" EAST 1448.6 FEET, MORE OR LESS, TO THE NORTH LINE OF SOUTH HALF OF SOUTHEAST QUARTER OF SECTION 4; THENCE NORTH 89° 34'30" WEST 100 FEET, MORE OR LESS, TO WEST LINE OF LAYTON CITY AS ANNEXED AUGUST 23, 1979; THENCE NORTH 30 FEET, MORE OR LESS, TO A POINT NORTH OF BEGINNING, THENCE SOUTH TO POINT OF BEGINNING.

CONTAINING 21.91 ACRES
HEIGHT RESTRICTION 143 FEET

TO HAVE AND TO HOLD THE SAME, together with all and singular, the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and belief of the said party of the second part its heirs and assigns, forever.

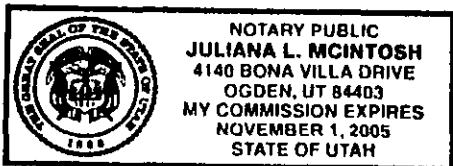
IN WITNESS WHEREOF, the WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT has caused this instrument to be executed this _____ day of _____, 2004.

WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT

By: Nathan Rich
Title: Executive Director

STATE OF UTAH)
) ss.
COUNTY OF DAVIS)

THE FOREGOING INSTRUMENT was acknowledged before me this 10th day of December, 2004.



Juliana L. McIntosh
NOTARY PUBLIC

646

ATTACHMENT A

**LAND USE EASEMENT
(80 LdN)**

The property hereinafter described will by this action be subject to a perpetual Land Use Easement for the purpose of protecting the health and safety of the citizens of Utah and assuring the continued operation of Hill Air Force Base as an active military base, as recited by Section 63-49a-1 et seq; Utah Code Annotated, 1953, as amended. Said easement regulates the use of the land hereinafter described and makes it subject to the following restrictions.

1. Owners of the hereinafter described property (Owners) shall not use or permit any use of said property or any of the air space above said tract of land for any purpose other than the following:

A. ALL INDUSTRIAL-MANUFACTURING except professional, scientific, and controlling instruments; photographic and optical goods, watches and clocks.

B. TRANSPORTATION & UTILITIES

- (1) Railroad, Rapid Rail Transit
- (2) Highway and Street Right of Way
- (3) Auto Parking
- (4) Utilities
- (5) Other Transportation and Utilities

C. COMMERCIAL - RETAIL TRADE

- (1) Wholesale Trade
- (2) Building Materials - Retail

D. PUBLIC AND QUASI PUBLIC SERVICES

- (1) Cemeteries
- (2) Repair Services (with hearing protection for workers)

E. RESOURCE PRODUCTION, EXTRACTION AND OPEN SPACE (with hearing protection for workers)

- (1) Agriculture
- (2) Livestock Farming, Animal Breeding
- (3) Forestry Activities
- (4) Fishing Activities & Related Services
- (5) Mining Activities
- (6) Permanent Open Space
- (7) Water Areas
- (8) Other Resource Extraction and Production

647

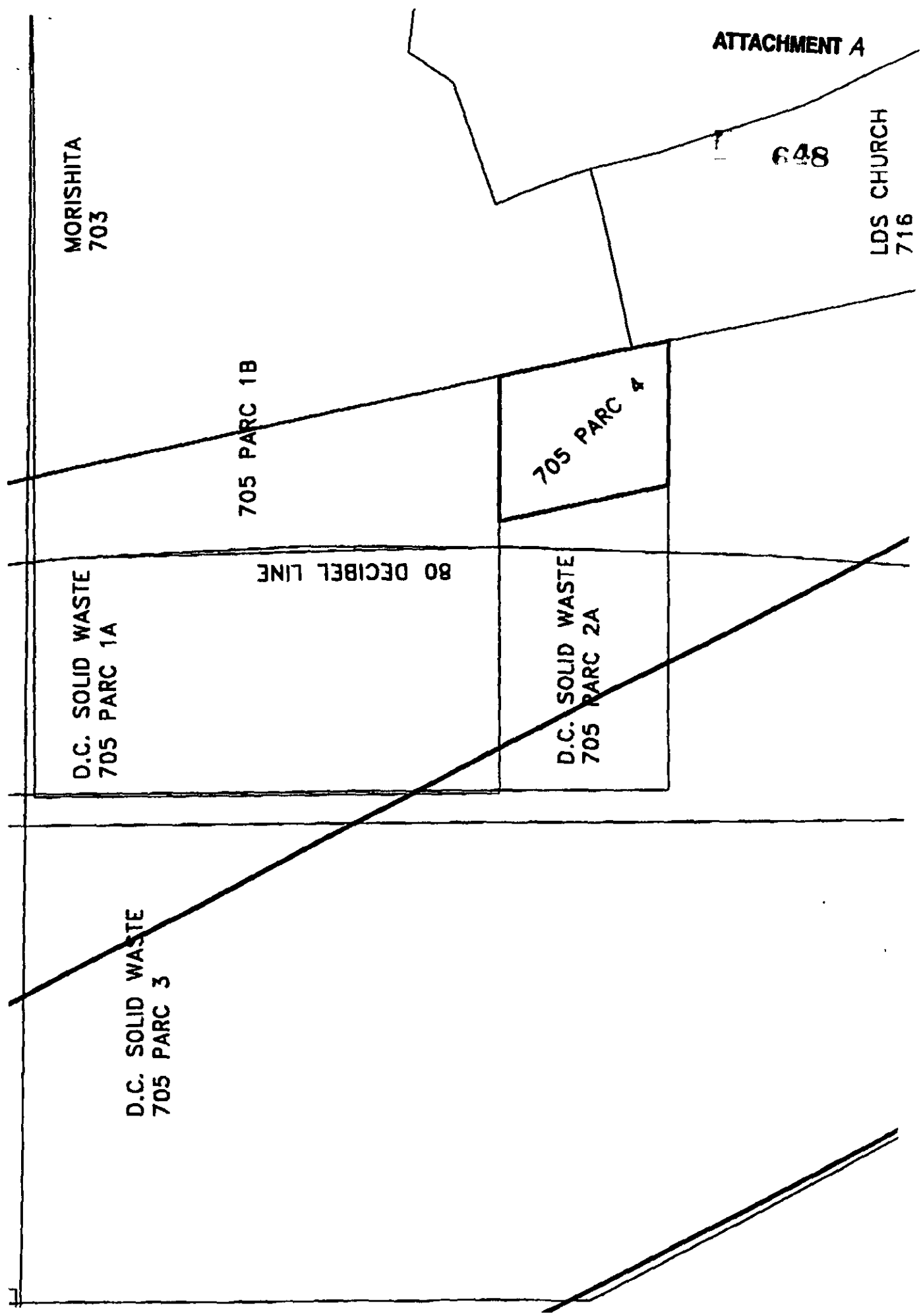
ATTACHMENT A

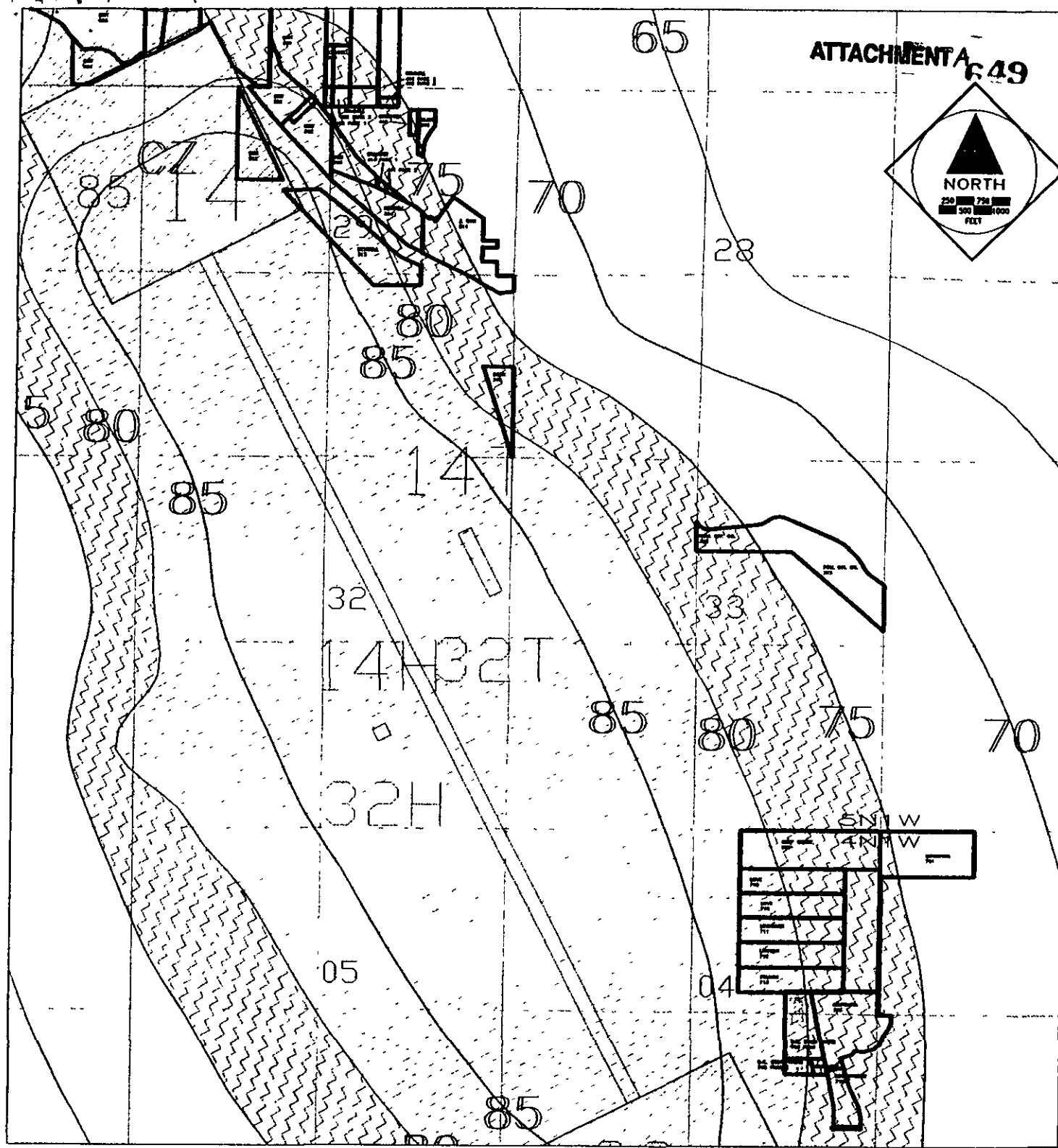
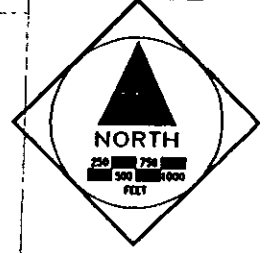
F. SOLID WASTE MANAGEMENT AND PROCESSING FACILITIES




- (1) Waste to Energy Facilities / Power Generation Facilities
 - (2) Solid Waste Transfer Station
 - (3) Materials Recovery Facilities
 - (4) Composting Facilities
 - (5) Recycling Facilities
 - (6) Truck Parking and Maintenance Facilities
2. No residential dwellings shall be allowed under any of the above mentioned uses.
 3. Measures to achieve Noise Level Reduction (NLR) of 35 db must be incorporated into the design and construction of occupied portions of all facilities constructed in the 80+ areas.
 4. Improvements located on the property subject to this easement at the time said easement is executed shall not be required to be removed. Single family dwellings in existence at the time this document is executed shall not be converted into multiple family dwellings.
 5. The uses allowed under this easement shall not affect restrictions placed on the property by zoning ordinances and uses which may be permitted in this easement may be prohibited by zoning ordinances. The restrictions of this easement shall not apply to use existing at the time the easement is executed.
 6. The Owners, their successors or assigns, shall not construct or place, or cause to be constructed or placed, any improvement upon the property subject to this easement which will exceed a height of 143 feet.
 7. Any use made of the property subject to this easement by the Owners, their successors, or assigns, shall be such that no smoke, dust, steam or other substances is released into the airspace which would interfere with pilot vision.
 8. The Owners shall not put said property to a use which will produce light emissions, either direct or indirect (reflections), which would interfere with pilot vision or a use which would produce electrical or other emissions which would interfere with aircraft communication systems or navigational equipment.

The description of the tract of land upon which said perpetual easement is to be imposed is as described on the attached sheets.

ATTACHMENT A





-  75 DECIBLE ZONE
-  80 DECIBLE ZONE
-  APPROACH ZONE

**HILL AIR FORCE BASE AVIGATION EASEMENT
DAVIS AND WEBER COUNTIES (MIDDLE)**

CONDEMNATION PROPERTIES