



\*W2199808\*

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DOUG CROFTS, WEBER COUNTY RECORDER  
10-AUG-06 840 AM FEE \$1.00 DEP SGC  
REC FOR: OGDEN CITY

## PUBLIC UTILITY EASEMENT

The undersigned Grantor, for good and valuable consideration hereby grants and conveys to Ogden City Corporation, a Utah municipal Corporation, Grantee, a perpetual public utility easement to be used for the installation, maintenance and operation of public utility service lines and facilities (culinary water, secondary water, sanitary sewer, storm drainage, electrical, gas, telephone, cable) as may be authorized by the Grantee, over, across and under the real property of Grantors and described in Exhibit A attached hereto and incorporated herein by reference.

Grantee, its officers, agents and employees, shall have the right of ingress and egress over and across the land of the Grantor to and from the above described permanent easement and all rights reasonably necessary or incident to the grant of said easement.

Grantor shall, subject to Grantee's rights contained herein, have the right to fully enjoy and use the premises for all purposes not inconsistent with this grant and not unreasonably interfering with exercise of the rights hereby granted.

No permanent buildings or trees shall be placed on the property granted herein as easement and Grantor shall not be liable for their removal if they are so placed.

In the event of any repair, replacement, inspection or maintenance work, Grantee or its authorized utilities, shall restore the surface of the ground to the same condition in which it was before the start of such work, as near as such restoration can be made.

All rights, title and privileges herein granted shall run with the land and shall be binding upon and inure to the benefit of the parties, and their successors in interest.

DATED this 3 day of August, 2006.

**GRANTOR:**

**MTK HOLDING LLC**

By

Name/Title: L. William Rands, CFO



EXHIBIT "A"

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08-087-00312

MTK HOLDING LLC

10 foot wide Public Utility Easement

A part of the Southeast quarter of the Northwest quarter of Section 12, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U S Survey: Beginning at a point on the North right of way line of 4400 South Street which is 17.04 feet South 89°52'04" West along the South line of said Northwest quarter and 33.00 feet North 0°46'04" East from the Southeast corner of said Northwest quarter section; and running thence North 0°46'04" East 10.00 feet; thence South 89°52'04" West 1317.88 feet; thence South 1°16'41" West 10.00 feet to said north right of way line; thence North 89°52'04" East 1317.97 feet along said north right of way line to the point of beginning.