

RETURNED
JAN - 9 2001

E 1633082 B 2734 P 1028
SHERYL L. WHITE, DAVIS CNTY RECORDER
2001 JAN 9 12:10 PM FEE 22.00 DEP MEC
REC'D FOR VOICESTREAM PCS II CORP

PERPETUAL EASEMENT

SW 8 4N 1W
09-036-0006 pt

BOARD OF EDUCATION OF DAVIS COUNTY SCHOOL

DISTRICT, Grantor, of 45 East State Street, Farmington City, Davis County, State of Utah, does hereby grant and convey to VOICESTREAM PCS II CORP., a Delaware corporation, of 12920 SE 38th Street, Bellevue, Washington 98006, its successors and assigns, for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Perpetual Easement is granted to VoiceStream PCS II Corp. for use as part of Grantees' construction, operation, maintenance, repair and replacement of an Antenna Facility as legally described in Exhibit A, herein attached and Site Plan as shown in Exhibit B. VoiceStream PCS II Corp easement shall run over, on, across, under and through the following premises belonging to said Grantor in Layton City, Davis County, State of Utah, as follows:

A 5 foot easement, 2.50 feet each side of
The following described centerline for the
Purpose of constructing and maintaining
Underground utility lines to a telecommunications
site situated in the Southwest quarter of
Section 8, Township 4 North, Range 1 West,
Salt Lake Base and Meridian described as
Follows: Beginning at a point on the East property line
Of the Grantors land said point being 1300 feet
EAST along the section line and 49.20 feet
NORTH from the Southwest corner of the above
Mentioned Section 8 and running thence WEST
22.50 feet; thence North 0°14'30" East 442.01
feet to the South line of the above mentioned
telecommunications site and the terminus of

said easement. The above described easement contains 2324 sq. ft. or 0.05 acres.

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment hereby granted, and all rights and privileges incident thereto.

This Grant of Easement and the use of the facilities contained therein shall be without cost or expense to the Grantor, and the Grantee shall be responsible for the perpetual care and maintenance of the Easement.

The Grantee shall indemnify the Grantor for any claims, loss, or damage resulting from use of the property and facilities as part of the Grantee's telecommunications site.

WITNESS the hand of Grantor this 28th day of November 2000.

BOARD OF EDUCATION OF
DAVIS COUNTY SCHOOL DISTRICT

By: Barbara A. Smith
Barbara Smith
President

VoiceStream PCS II Corp Acceptance:

Peter Van Wickler
By: Peter Van Wickler

Director of Operations &

ATTEST:

By: Bruce D. Williams Technical Development
Bruce D. Williams
Business Administrator

(l) Students, patrons, citizens, and visitors are not employees or representatives of the District.

The Execution Date of this Lease is the March 28, 2000.

E 1633082 B 2734 P 1030

LANDLORD:

*Board of Education of the
Davis, School District
County*

By: *Robbann A. Small*

Its: *Board President*

Bruce D. Williams

Business Administrator

TENANT:

VoiceStream PCS II Corporation

By: *John Van Winkle*

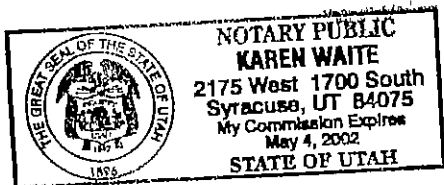
Its: *Executive Director*

STATE OF UTAH)
(ss.
COUNTY OF DAVIS)

On the 28th day of November, 2000, personally appeared before me BARBARA SMITH and BRUCE D. WILLIAMS, who being by me duly sworn did say, each for themselves, that she, the said Barbara Smith, is the President of the Board of Education of Davis County School District, and he, the said Bruce Williams, is the Business Administrator of the Board of Education of Davis County School District, and that the within and foregoing instrument was signed on behalf of the said Board of Education of Davis County School District and said Barbara Smith and Bruce Williams each duly acknowledged to me that the said Board of Education of Davis County School District executed the same and that the seal affixed is the seal of the said Board of Education of Davis County School District.

Karen Waite

NOTARY PUBLIC
Residing at: *Syracuse, Utah*
My Commission Expires: *May 4, 2002*



SEAL

STATE OF COLORADO)
)
COUNTY OF DENVER)

ss:

On this 12th day of December, 2000, before me personally appeared Peter Van Wickler, known to me to be the Director of Operations & Technical Development, Rocky Mountain Area, of Voicestream PCS II Corporation, a Delaware corporation, the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath, stated that he was authorized to execute said instrument.

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

Linda Lee Theesfeld
NOTARY PUBLIC in and for the State of Colorado

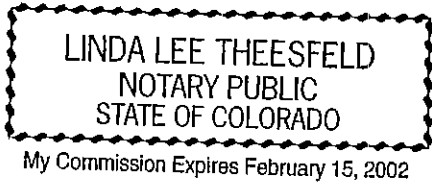


EXHIBIT A
Legal Description

The Property is legally described as follows:

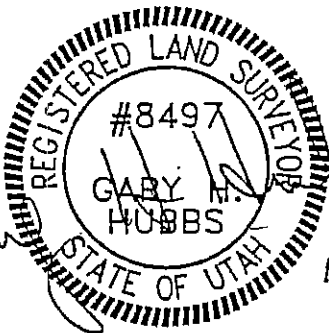
UTILITY EASEMENT

A 5 foot easement, 2.50 feet each side of the following described centerline for the purpose of constructing and maintaining underground utility lines to a telecommunications site situate in the Southwest quarter of Section 8, Township 4 North, Range 1 West, Salt Lake Base and Meridian described as follows:

Beginning at a point on the East property line of the grantors land said point being 1300 feet EAST along the section line and 49.20 feet NORTH from the Southwest corner of the above mentioned Section 8 and running thence WEST 22.50 feet; thence North 0°14'30" East 442.01 feet to the South line of the above mentioned telecommunication site and the terminus of said easement. The above described easement contains 2324 sq. ft. or 0.05 acres.

SURVEYOR'S CERTIFICATION

I, Gary H. Hubbs, of Salt Lake City, Utah, do hereby certify that I am a Registered Land Surveyor and that I hold License No. 8497 as prescribed by the State of Utah, and that I did supervise a survey of the above described easement.


10/31/2000

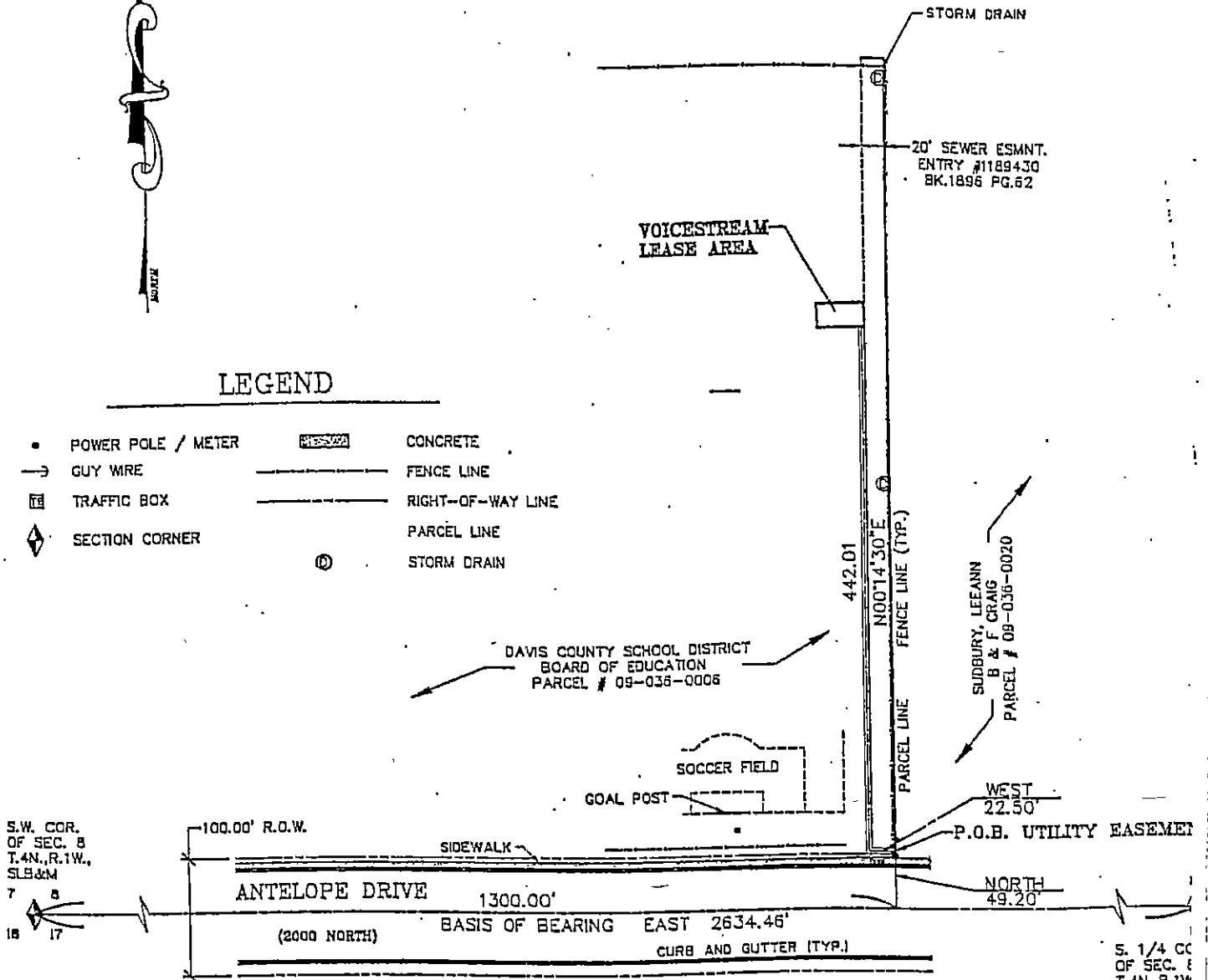
NOT VALID UNLESS SIGNED

EXHIBIT B
 The location of the Premises within the Property (together with access and utilities)
 is more particularly described and depicted as follows:



LEGEND

- | | | | |
|---|--------------------|--|-------------------|
| • | POWER POLE / METER | | CONCRETE |
| → | GUY WIRE | | FENCE LINE |
| | TRAFFIC BOX | | RIGHT-OF-WAY LINE |
| | SECTION CORNER | | PARCEL LINE |
| | | | STORM DRAIN |



GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

S. 1/4 CC
 OF SEC. 8
 T. 4N., R. 1W.
 SLB&M