

WHEN RECORDED MAIL TO:
WEBER BASIN WATER CONSERVANCY DISTRICT
2837 EAST HWY 193
LAYTON, UTAH 84040
ATC FILE # 290730
SERIAL # ~~11-019-0001~~

Ben Lomond Golf Course, Inc.

**Land Use Agreement
for
Ben Lomond Golf Course Well**



W1797957

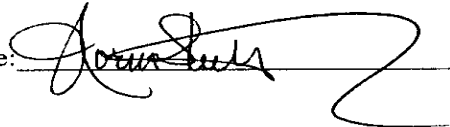
I, NORM STEELE, as an authorized agent for Ben Lomond Golf Course, Inc. acknowledge the Drinking Water Source Protection Plan which delineates the Zone One (100-foot radius) Drinking Water Source Protection area for the Ben Lomond Golf Course Well. The approximate location of the well is south 483.38 feet, east 1,427.77 feet from the north quarter corner of Section 6, Township 6 North, Range 1 West, Salt Lake Base and Meridian. Ben Lomond Golf Course, Inc. is the owner of all of the property located within this zone, excepting that parcel sold to Weber Basin Water Conservancy District.

Ben Lomond Golf Course, Inc. will not locate or allow the location of any uncontrolled potential contamination sources on this property, as defined in R309-600-6 (1) (u) of the Utah Administrative Code, within Zone One of said Well. This agreement is binding upon all successors and assigns for so long as the Ben Lomond Golf Course Well is utilized as a source of drinking water.

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

By: NORM STEELE

Title: PRESIDENT

Signature: 

STATE OF UTAH)

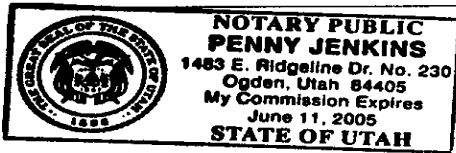
COUNTY OF WEBER)

The foregoing instrument was acknowledged before me this 31 Day of AUGUST, 2001.


NOTARY PUBLIC

My Commission Expires:

E# 1797957 BK2170 PG1860
DOUG CROFTS, WEBER COUNTY RECORDER
28-SEP-01 8:41 AM FEE \$18.00 DEP JPM
REC FOR: ASSOCIATED.TITLE



Atc Order # 290730
Serial # 11-019-0001

EXHIBIT "A"
LEGAL DESCRIPTION

The land referred to is situated in Weber County, and is described as follows:

WELL PROPERTY

Part of the Northeast quarter of Section 6, Township 6 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, described as follows:

Beginning at a point that is South 463.31 feet and East 1,375.40 feet from the North quarter corner of Section 6, basis of bearings being North 00 deg. 46'49" East between said corner and the center of Section 31, Township 7 North, Range 1 West, thence North 79 deg. 11'00" East 60.00 feet; thence South 10 deg. 49'00" East 100.00 feet; thence South 79 deg. 11'00" West 60.00 feet; thence North 10 deg. 40'00" West 100 feet to the point of beginning.

TOGETHER WITH THE FOLLOWING 4 EASEMENTS:

WELL PROTECTION ZONE EASEMENT

A one hundred foot radius well protection zone within the Northeast Quarter of Section 6, Township 6 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, centered at the location of a well that is South 483.38 feet and East 1,427.77 feet from the North Quarter corner of Section 6, basis of bearing being North 00 deg. 46'49" East between said corner and the center of Section 31, Township 7 North, Range 1 West, and extending from said well in a full and complete circle with a radius of 100 feet total including said well and all property within a 100 foot radius of said well.

PIPELINE & INGRESS/EGRESS EASEMENT

A pipeline and ingress/egress easement located within the Northeast Quarter of Section 6, Township 6 North, Range 1 West, Salt Lake Base and Meidian, U.S. Survey, described as follows:

Beginning at a point that is South 460.88 feet and East 1,388.14 feet from the North Quarter corner of said Section 6, basis of bearings being North 00 deg. 46'49" East between said corner and the center of Section 31, Township 7 North, Range 1 West; thence North 59 deg. 42'50" West 81.66 feet; thence South 63 deg. 11'01" West 37.30 feet to the center of the Ben Lomond Golf Course access gate at the Northeasterly right-of-way line of U.S. Highway 89; thence North 26 deg. 48'59" west along said line 493.53 feet to the existing Bona Vista Water Improvement District pipeline; thence

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North 63 deg. 11'01" East 20.00 feet; thence South 26 deg. 48'59" East 429.97 feet; thence South 59 deg. 42'50" East 167.34 feet; thence South 79 deg. 11'00" West 30.42 feet to the point of beginning.

UTILITY SERVICE EASEMENT

A fifteen foot wide utility service easement service easement located within the Northeast quarter of Section 6, Township 6 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, lying seven and one half feet on each side of the centerline described as follows:

Beginning at a point that is South 547.95 feet and East 1,391.57 feet from the North quarter corner of said Section 6, Basis of bearings being North 0 deg. 46'49" East between said corner and the center of Section 31, Township 7 North, Range 1 West, thence South 67 deg. 58'50" West 60.25 feet to the Northeast right-of-way line of U.S. Highway 89, to a point alinged with an existing Utah Power Company utility pole.

WELL BLOW-OFF PIPING EASEMENT

A Twenty foot wide easement for a well blow-off pipeline located within the Northeast quarter of Section 6, Township 6 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey: Lying ten feet on each side of the center line described as follows:

Beginning at a point that is South 555.91 feet and East 1,423.61 feet from the North quarter corner of said Section 6, basis of bearings being North 00 deg. 46'49" East between said corner and the center of Section 31, Township 7 North, Range 1 West, thence South 59 deg. 07'15" East 126.50 feet to an existing pond.