



"W2199079"

EN 2199079 PG 1 OF 5  
DOUG CROFTS, WEBER COUNTY RECORDER  
07-AUG-06 252 PM FEE \$18.00 DEP SGC  
REC FOR: SMITH KNOWLES

**ACCESS & UTILITY EASEMENT**

This Deed of Easement is entered into by and between Elite Properties of Utah, LLP (hereinafter "Elite") and Weber-Box Elder Conservation District, assignee of Northeastern Developers, LLC. Elite may hereafter be referred to as Grantor and Weber-Box Elder Conservation District, assignee of Northeastern Developers, LLC may hereafter be referred to as Grantee. Grantor and Grantee may hereinafter sometimes be referred to as the Parties.

**RECITALS**

A. Grantor is the owner of certain real property located in Weber County, State of Utah, which is known as serial number 17-065-0009 and is more particularly described as follows:

*17-065-0009*

PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT IN THE EAST RIGHT-OF-WAY LINE OF THE O.S.L. RAILROAD, SAID POINT BEING 1542.5 FEET EAST FROM THE SOUTHWEST CORNER OF SOUTHWEST QUARTER OF SECTION 31, THENCE NORTH 26046' WEST ALONG SAID EAST RIGHT-OF-WAY LINE FOR 1479 FEET; THENCE EAST 83 FEET, MORE OR LESS, TO A POINT WHICH IS 50 FEET DISTANT AT RIGHT ANGLES FROM SAID EAST RIGHT-OF-WAY LINE, THENCE SOUTH 26046' EAST 50 FEET DISTANT AT RIGHT ANGLES TO SAID EAST RIGHT-OF-WAY LINE FOR 1479 FEET, MORE OR LESS, TO A POINT DUE EAST OF BEGINNING, THENCE WEST TO BEGINNING.  
CONTAINING 1.65 ACRES, M/L.

B. Grantee owns or has acquired rights in property adjacent or near the Grantee property.

C. A county plat map showing the location of parcel number 17-065-0009 is attached hereto as Exhibit "A".

D. The parties now desire to enter into this easement agreement to provide Grantee with a water pipeline easement across a portion of the property owned by Grantor pursuant to the terms of this easement agreement.

E. Grantors represent and covenant that they are the owners of the property on which an easement is granted and that they have authority to enter into this easement agreement. Moreover, Grantors covenant that they will provide any future documentation which is reasonably necessary, either from themselves or co-tenants of the property to record any further documentation which would uphold the intent of this agreement.

For the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Elite, hereinafter referred to as **GRANTOR**, does hereby grant, convey, sell, and set over unto Weber-Box Elder Conservation

District, a body corporate and politic of Weber County, Utah hereinafter referred to as GRANTEE, its successors and assigns, a perpetual twenty foot (20') right-of-way and easement to erect, install, lay, use, maintain, replace, operate, repair, increase or decrease the size of or remove a water pipeline for the purpose of transmitting and distributing water on, over, under and across a parcel of the GRANTOR's land, more fully described as follows:

10' EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:  
BEGINNING AT A POINT WHICH IS N89°08'10"W, 1093.89 FEET ALONG THE SECTION LINE FROM THE SOUTH QUARTER CORNER OF SECTION 31, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE N25°54'10"W, 1527.38 FEET. 17-065-0009, 0038

This grant also includes the right of ingress or egress for all purposes incident to such easement and right and it is expressly understood that no buildings or other structures or trees will be placed under or over such lines and in said right-of-way or easement. GRANTOR shall have the right to use said premises except for the purpose for which this right-of-way and easement is granted to the said Grantee. It is intended that this easement shall run with the land.

GRANTOR warrants that he and no one else holds title to the above described property. GRANTOR also warrants that he has authority to convey said easement to the GRANTEE.

IN WITNESS WHEREOF, the GRANTOR has executed this right-of-way and easement this 25 day of July, 2006.

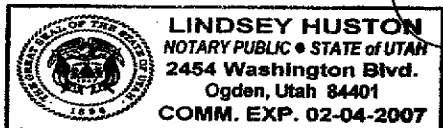
ELITE PROPERTIES OF UTAH, LLP

*Glenn Williams, General Partner*  
Glenn Williams, General Partner

STATE OF UTAH )  
 ) :SS  
COUNTY OF WEBER )

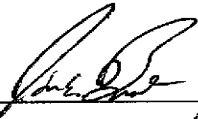
On the 25<sup>th</sup> day of July, 2006, personally appeared before me Glenn Williams, General Partner of Elite Properties, the signer(s) of the above instrument, who duly acknowledged to me that they executed the same.

*Lindsey Huston*  
Notary Public



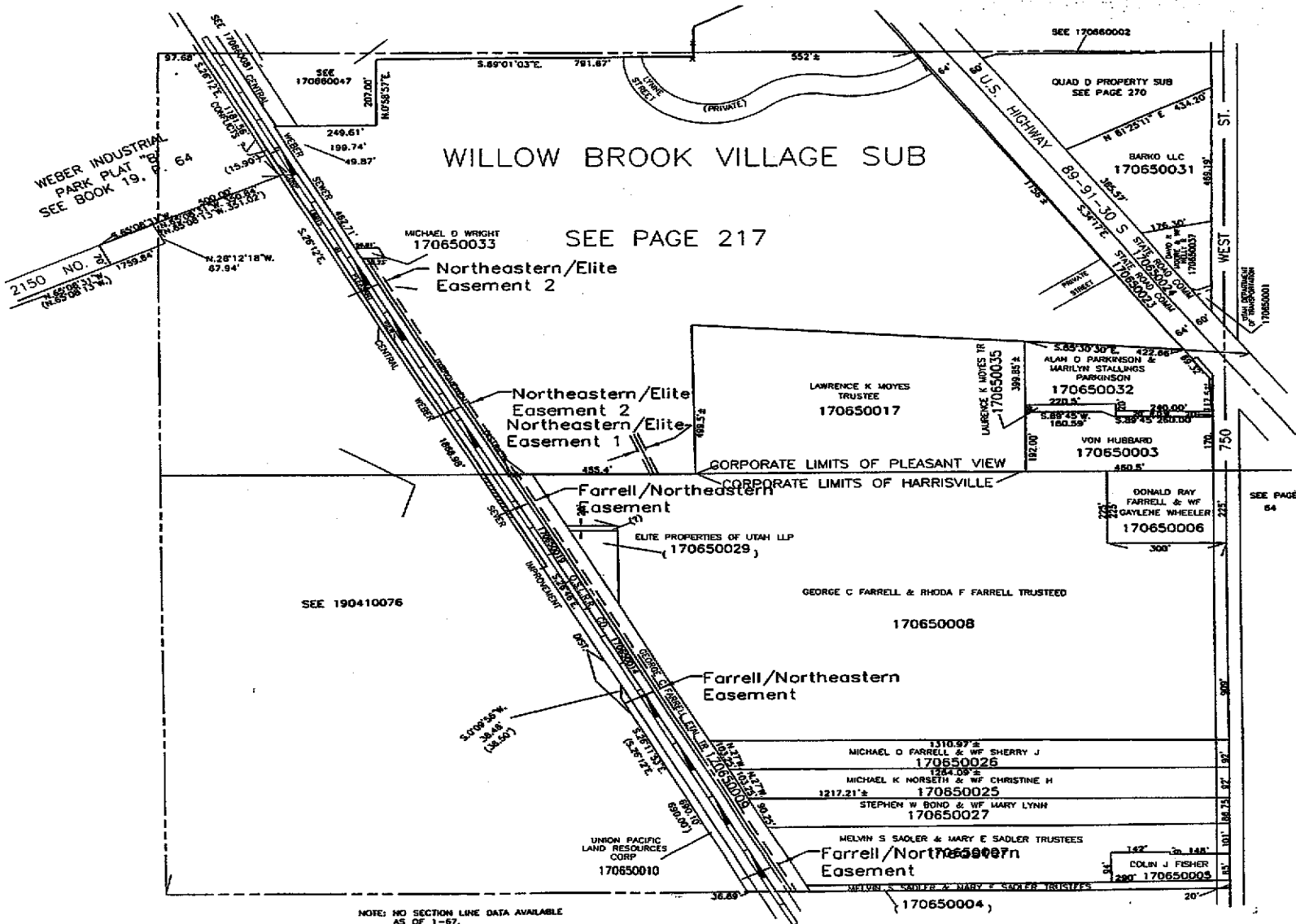
Accepted By:

NORTHEASTERN DEVELOPERS, LLC

By: 

Its: manager / member

**EXHIBIT "A"**



NOTE: NO SECTION LINE DATA AVAILABLE AS OF 1-57. THIS MAYBE AN OVERSIZED 1/4 SECTION.