

E 2307308 B 4370 P 297-303  
 RICHARD T. MAUGHAN  
 DAVIS COUNTY, UTAH RECORDER  
 9/19/2007 12:55:00 PM  
 FEE \$28.00 Pgs: 7

## EASEMENT

DEP eCASH REC'D FOR EXECUTIVE TITLE INS AGENCY

Carl N. Smith and Dawna F. Smith, Trustees for the Carl N. Smith Family Protection Trust, Dated the 7<sup>th</sup> of June, 1996, Grantor(s), hereby convey(s) and warrant(s) to North Davis Sewer District, its successors in interest and assigns, Grantee for the sum of One Dollar and other good and valuable consideration, a permanent easement and right-of-way for the construction, operation, maintenance, repair, alteration, enlargement, inspection, relocation and replacement of an underground sewer and associated facilities related thereto, on, over, under and across real property located in Davis County, Utah and described as follows:

A Permanent Sewer Line Easement described as follows:

See description attached Exhibit A and,

A Temporary Construction Easement described as follows:

See description attached Exhibit A

<u>County Serial No.</u>	<u>Square Footage</u>	<u>Easement</u>
14-031-0069	500 square feet	Temporary
14-031-0070	2,226 square feet	Permanent
	2,226 square feet West Side	Temporary
	1,726 square feet East Side	Temporary
14-031-0077	29,493 square feet	Permanent
	1,834 square feet West Side	Temporary
	59,278 square feet East Side	Temporary

Together with all necessary and reasonable rights of ingress and egress and the right to excavate and refill ditches and trenches for the location, installation and repair of the above-mentioned facilities and to remove trees, shrubbery, undergrowth or other obstructions interfering with the repair and maintenance of said underground facilities.

The Grantor(s) reserve(s) the right to occupy, use and cultivate said property for all purposes not inconsistent with the rights herein granted. Grantor(s) shall not build or construct over or across said permanent right-of-way, any building or other improvement, nor change the contour thereof without the written consent of the Grantee.

The temporary easement shall remain in force a maximum of one year beyond the Contract Time as specified within the Contract Documents as agreed to by the Contractor selected to construct said pipeline. Upon termination of said one-year guarantee period, the temporary easement shall be dissolved and all previous rights of the Grantor(s) shall be restored with respect to the temporary easement.

ACCOMMODATION RECORDING ONLY. EXECUTIVE  
 TITLE INSURANCE AGENCY, INC. MAKES NO  
 REPRESENTATION AS TO CONDITION OF TITLE,  
 NOR DOES IT ASSUME ANY RESPONSIBILITY FOR  
 VALIDITY SURETY AGENCY OR RECORD OF DOCUMENT

Exhibit A

RBB

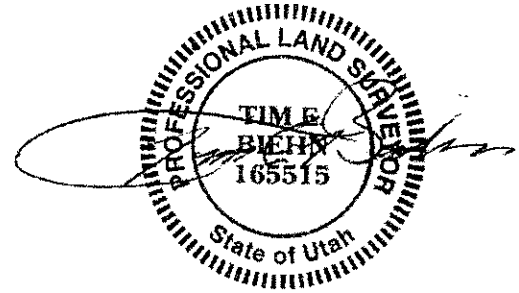
**ROBINSON, BIEHN & BIEHN, INC.**

Professional Land Surveyors  
5330 South 900 East, Suite 120  
Salt Lake City, Utah 84117-7261  
(801) 266-1118 • (801) 262-5814 Fax

Lee E. Robinson, PLS  
Ted M. Biehn, PLS  
Tim E. Biehn, PLS

April 17, 2007

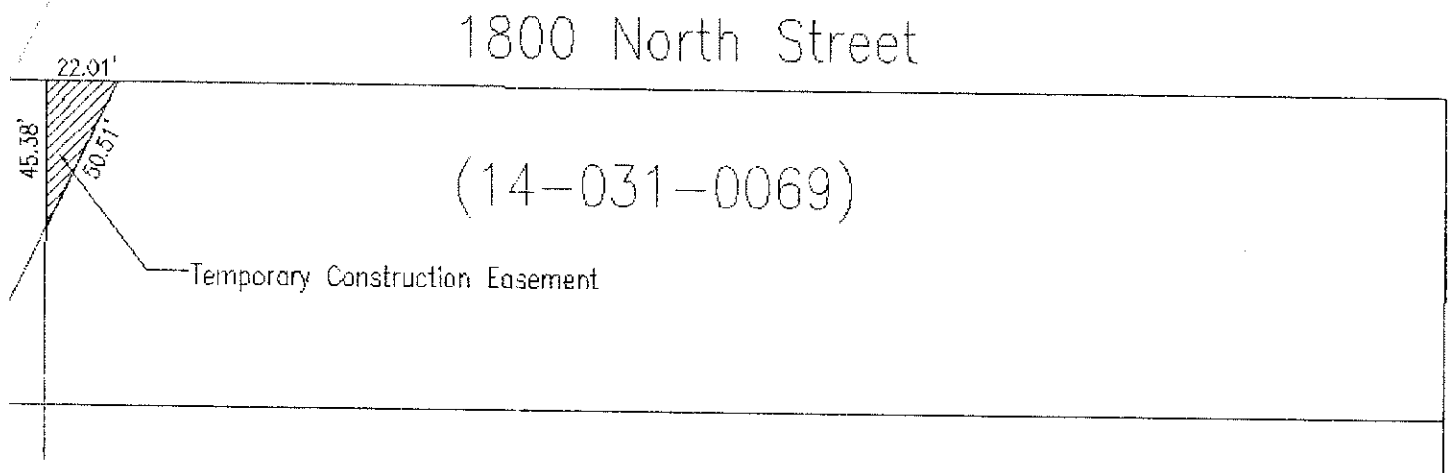
Project: North Davis Sewer District, West Outfall Sewer Line  
Smith Property  
Davis County Parcel # 14-031-0069



**Temporary Construction Easement:**

A parcel of land for a temporary construction easement located in the Southwest Quarter of Section 29, Township 5 North Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, and being more particularly described as follows.

Beginning at Grantor's Northwest Property Corner and the North Line of 1800 North Street at a point S89°58'56" E 150.00 feet along the East / West Quarter section line and S0°13'18" W 50.00 feet from a Davis County monument at the West Quarter Corner of said Section 29; thence S89°58'56"E 22.01 feet along Grantor's North line and the South line of said 1800 North Street; thence S26°03'30"W 50.51 feet; thence N0°13'18"E 45.38 feet to the point of beginning.  
Contains 500 ft<sup>2</sup>, more or less.



**RBB**

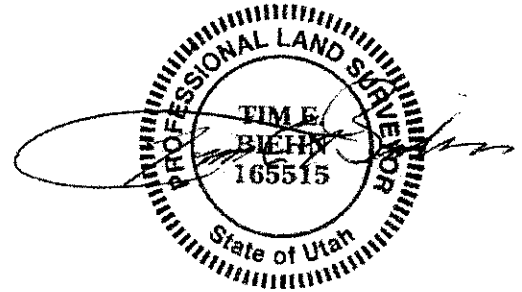
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April 17, 2007

Project: North Davis Sewer District, West Outfall Sewer Line  
Smith Property 0070  
Davis County Parcel # 14-031-0070



**Permanent Easement**

A 20 foot wide strip of land for a sewer line easement with the side lines being 10 feet on each side of the following described centerline with the side lines extending to or terminating at Grantor's property lines, said strip of land is located in the Southwest Quarter of Section 29, Township 5 North Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, and being more particularly described as follows.

Beginning on Grantor's North property also being the South Line of 1800 North Street and the center of a North Davis Sewer District pipeline at a point S89°58'56"E 138.44 feet along the East/West quarter Section line and South 50.00 feet from a Davis County monument at the West Quarter Corner of said Section 29; thence S26°03'30"W 111.30 feet to Grantor's South Property Line. Contains 2226 ft<sup>2</sup>, more or less.

**Temporary Construction Easement: (West Side)**

A parcel of land for a temporary construction easement located in the Southwest Quarter of Section 29, Township 5 North Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, and being more particularly described as follows.

Beginning on Grantor's North property line also being the South Line of 1800 North Street and the Northwesterly corner of the above described Permanent Easement at a point S89°58'56"E 127.30 feet along the East/West quarter Section line and South 50.00 feet from a Davis County monument at the West Quarter Corner of said Section 29; thence S26°03'30"W 111.30 feet along the Westerly line of said Permanent Easement to Grantor's South property line; thence N89°59'00"W 22.27 feet along Grantor's South property line; thence N26°03'30"E 111.30 feet to Grantor's North property line; thence S89°59'00"E 22.27 feet to the point of beginning. Contains 2,226 ft<sup>2</sup>, more or less.

**Temporary Construction Easement: (East Side)**

A parcel of land for a temporary construction easement located in the Southwest Quarter of Section 29, Township 5 North Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, and being more particularly described as follows.

Beginning at Grantor's Northeast corner, also being on the South Line of 1800 North Street at a

point S89°58'56"E 149.81 feet along the East/West quarter Section line and South 50.00 feet from a Davis County monument at the West Quarter Corner of said Section 29; thence S0°13'18"W 45.38 feet along Grantor's East property line; thence S26°03'30"W 60.79 feet to Grantor's South property line; thence N89°59'00"W 22.26 feet along Grantor's South property line to the Easterly line of the above described Permanent Easement; thence N26°03'30"E 111.30 feet along said Easterly line to Grantor's North property line; thence S89°59'00"E 0.25 feet to the point of beginning. Contains 1,726 ft<sup>2</sup>, more or less.

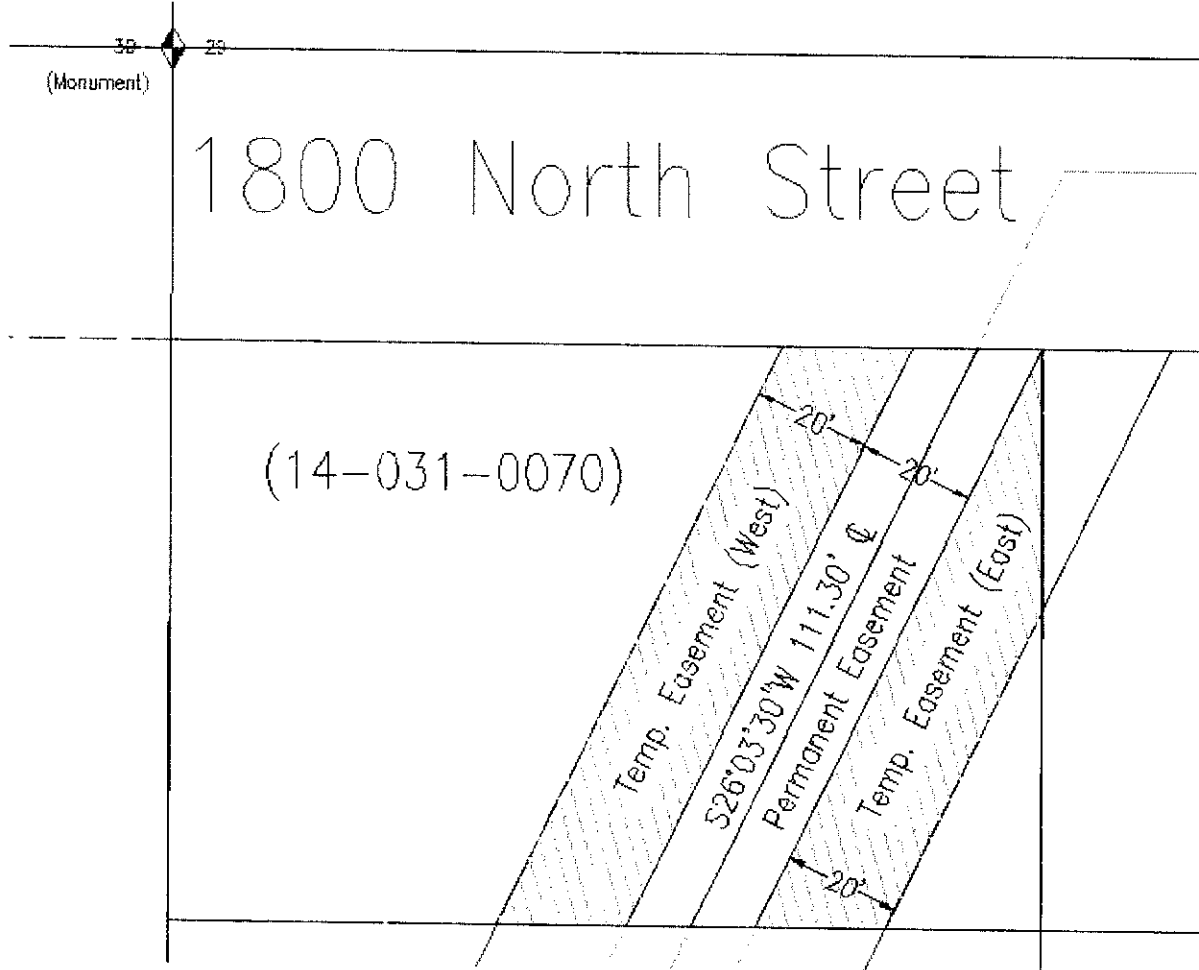


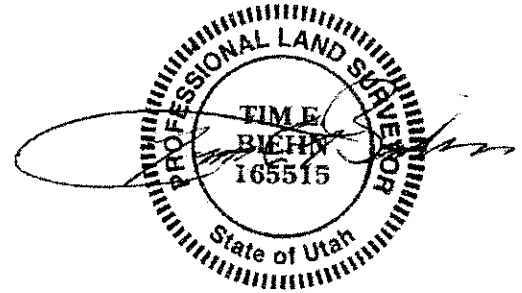
Exhibit A**RBB****ROBINSON, BIEHN & BIEHN, INC.**

Professional Land Surveyors  
 5330 South 900 East, Suite 120  
 Salt Lake City, Utah 84117-7261  
 (801) 266-1118 • (801) 262-5814 Fax

Lee E. Robinson, PLS  
 Ted M. Biehn, PLS  
 Tim E. Biehn, PLS

April 17, 2007

Project: North Davis Sewer District, West Outfall Sewer Line  
 Smith Property 0077  
 Davis County Parcel # 14-031-0077

**Permanent Easement**

A 20 foot wide strip of land for a sewer line easement with the side lines being 10 feet on each side of the following described centerline with the side lines extending to or terminating at Grantor's property lines, said strip of land is located in the Southwest Quarter of Section 29, Township 5 North Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, and being more particularly described as follows.

Beginning on Grantor's North property and the center of a North Davis Sewer District pipeline at a point S89°58'56"E 89.54 feet along the East/West quarter Section line and South 150.00 feet from a Davis County monument at the West Quarter Corner of said Section 29; thence S26°03'30"W 119.63 feet; thence S0°13'27"W 1317.05 feet; thence N89°58'00"W 38.00 feet to Grantor's West Property Line. Contains 29,493 ft<sup>2</sup>, more or less.

**Temporary Construction Easement: (West Side)**

A parcel of land for a temporary construction easement located in the Southwest Quarter of Section 29, Township 5 North Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, and being more particularly described as follows.

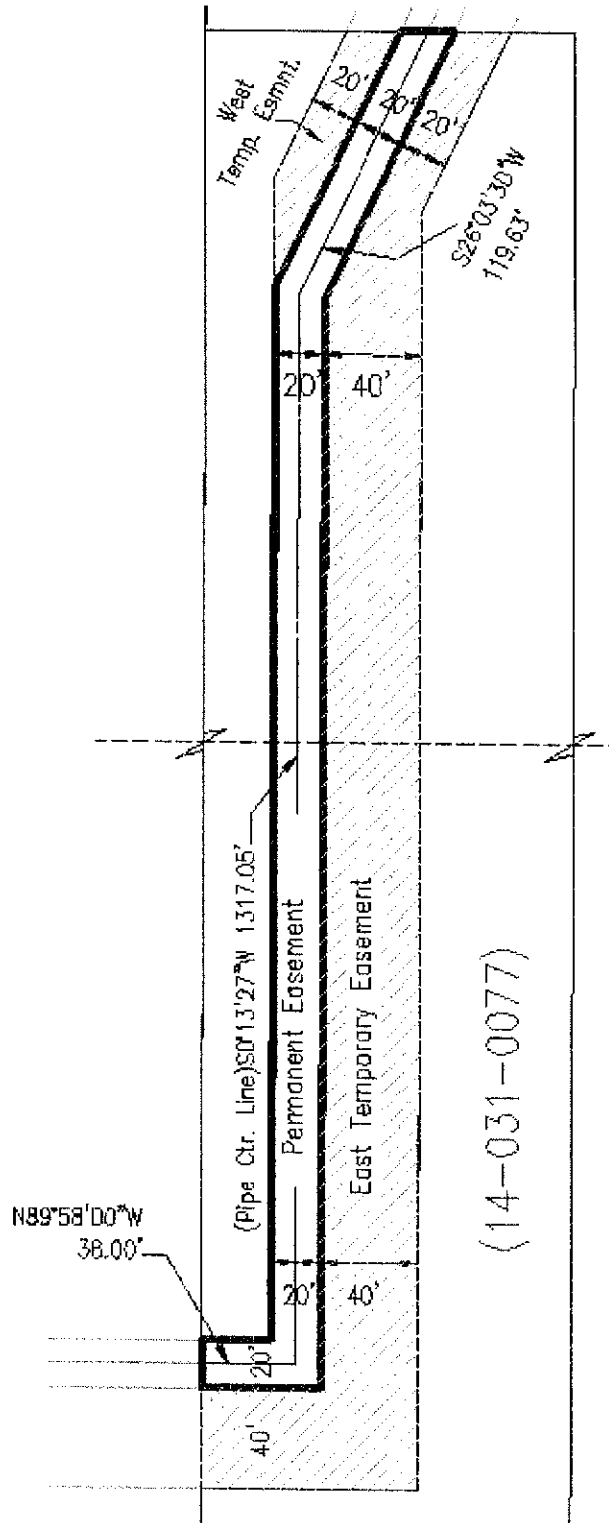
Beginning on Grantor's North property line and the Northwesterly corner of the above described Permanent Easement at a point S89°58'56"E 78.41 feet along the East/West quarter Section line and South 150.00 feet from a Davis County monument at the West Quarter Corner of said Section 29; thence S26°03'30"W 117.04; thence N0°00'41"W 45.51 feet; thence N26°03'17"E 66.39 feet to Grantor's North property line; thence S89°59'00"E 22.27 feet to the point of beginning. Contains 1,834 ft<sup>2</sup>, more or less.

**Temporary Construction Easement: (East Side)**

A parcel of land for a temporary construction easement located in the Southwest Quarter of Section 29, Township 5 North Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, and being more particularly described as follows.

Beginning at Grantor's North property line and the Northeasterly corner of the above described Permanent Easement at a point S89°58'56"E 100.67 feet along the East/West quarter Section line and South 150.00 feet from a Davis County monument at the West Quarter Corner of said

Section 29; thence S89°59'00"E 22.26 feet along Grantor's North property line; thence S26°03'30"W 81.52 feet; thence S0°13'27"W 1401.31 feet; thence N89°58'00"W 88.00 feet to Grantor's West property line; thence N0°13'28"E 40.00 feet along Grantor's West property line to the South line of said Permanent Easement; thence along the South and Easterly lines of said Permanent Easement the following 3 courses, (1) S89°58'00"E 48.99 feet. (2) N0°13'27"E 1324.72 feet, (3) N26°03'31"E 122.23 feet to the point of beginning. Contains 59,278 ft<sup>2</sup>, more or less.



The Grantor(s) hereby covenant(s) with the North Davis Sewer District that Grantor(s) is/are lawfully seized and possessed of the real estate above described; that Grantor(s) has/have a good and lawful right to convey it, or any part thereof; that it is free from all encumbrances and that Grantor(s) will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

As part of the consideration for this grant, the Grantor(s) hereby release(s) any and all claims for damages from whatsoever cause incidental to the exercise of the rights herein granted.

The property over which said easement passes and the location thereof are depicted in Exhibit "A", attached hereto and by reference made a part hereof as though set forth fully herein.

In Witness Whereof, the Grantor(s) have executed this right-of-way and easement this 30<sup>th</sup> day of August, 2007.

**GRANTOR(S)**

By: Carl N. Smith  
Carl N. Smith  
By: Dawna F. Smith  
Dawna F. Smith

STATE OF UTAH            )  
  :SS  
COUNTY OF DAVIS        )

On the 30<sup>th</sup> day of August, 2007, personally appeared before me,  
Carl N. Smith & Dawna F. Smith

the signer(s) of the above instrument who duly acknowledged to me he/she/they executed the same.

[Signature]  
Notary Public

