

RETURNED
SEP 28 2007

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BK 4377 PG 923

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
09/28/2007 01:32 PM
FEE \$0.00 Pgs: 4
DEP RTT REC'D FOR MBA PROPERTIES

When recorded mail to:
Bountiful City
790 S. 100 E.
Bountiful, Utah 84010

39- Btfl- NMc

GRANT OF PUBLIC UTILITY EASEMENT

WHEREAS, MBA Properties, LLC hereinafter called the Grantor, owner and entitled to possession of real property situated in Bountiful, Davis County, Utah as shown:

BEGINNING AT A POINT ON THE EAST LINE OF 100 EAST STREET WHICH POINT IS NORTH 89°44'04" EAST 33.00 FEET ALONG THE MONUMENT LINE & SOUTH 0°14'56" EAST 133.00 FEET FROM THE MONUMENT MARKING THE CENTERLINE INTERSECTION OF 500 SOUTH & 100.00 EAST STREETS, WHICH POINT IS GIVEN AS 187.75 FEET EAST & 100 FEET SOUTH FROM THE NORTHWEST CORNER OF BLOCK 39, NMC PLAT, BOUNTIFUL TOWNSITE SURVEY, & RUNNING THENCE NORTH 89°44'04" EAST 174.03 FEET; THENCE NORTH 0°15'56" WEST 100.00 FEET TO THE SOUTH LINE OF 500 SOUTH STREET; THENCE NORTH 89°44'04" EAST 81.00 FEET, MORE OR LESS, ALONG SAID STREET TO THE WESTERLY LINE OF THAT PROPERTY DEEDED IN BOOK 1766 PAGE 1191; THENCE ALONG THE WESTERLY LINE SOUTH 0°15'56" EAST 86.00 FEET, MORE OR LESS TO THE NORTHWESTERLY CORNER OF THAT PROPERTY DEEDED IN BOOK 2069 PAGE 1439; THENCE SOUTH 52°23'26" EAST 22.80 FEET; THENCE SOUTH 0°40'30" EAST 4.00 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF THAT PROPERTY DEEDED IN BOOK 1766 PAGE 1191; THENCE ALONG SAID LINE NORTH 89°44'04" EAST 62.72 FEET, MORE OR LESS, TO THE EASTERLY LINE OF THAT PROPERTY DEEDED IN BOOK 1363 PAGE 334-336; THENCE SOUTH 0°40'30" EAST 218.16 FEET ALONG SAID EASTERLY LINE & THE EASTERLY LINE OF PROPERTY CONVEYED IN BOOK 1763 PAGE 1363 & BOOK 1852 PAGE 839; THENCE SOUTH 89°27'27" WEST 158.83 FEET ALONG A FENCE LINE TO A FENCE CORNER; THENCE NORTH 0°36'05" EAST 9.44 FEET TO A FENCE CORNER; THENCE NORTH 89°15'26" WEST 58.72 FEET; THENCE NORTH 0°14'56" WEST 114.45 FEET; THENCE SOUTH 89°44'04" WEST 120.00 FEET TO THE EAST LINE OF 100 EAST STREET; THENCE NORTH 0°14'56" WEST 98.00 FEET TO THE POINT OF BEGINNING. 03-037-0139-

0013pt

WHEREAS, Bountiful City, hereinafter called the Grantee, is desirous of obtaining a permanent public utility easement over a portion of said property as shown above.

WHEREAS, the said grantors are willing to grant and convey the same to Grantee for the consideration hereinafter set forth:

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) to the Grantors paid by the Grantee, receipt of which is hereby acknowledged, said Grantors hereby conveys and grants to the Grantee, its successors, transfers, and assigns a permanent public utility easement as described below, hereinafter described to construct, reconstruct, operate, repair, replace and maintain the Utility: in, over, upon across and through those portions of Grantors land as follows:

See Attached Exhibit "A"

Grantors shall, subject to the Grantees rights as herein granted, have the right to fully enjoy and use the premises burdened by said easements, but Grantor, his heirs successors, administrators, representatives or assigns, shall not erect any permanent buildings or structure upon the lands comprising the perpetual or permanent easement above herein described without Grantees consent in writing first had and obtained.

Grantee, by accepting this grant agrees to replace or repair, with materials of like kind and equal quality, any existing fences, ditches, pipelines, driveways, curbing parking lot, landscaping or roadways, including the appurtenances thereto, damaged or destroyed in said construction, and will restore the surface as near can be to its original condition within the easement area. Grantee, his heirs, successors, administrators, representatives or assigns, shall not erect any permanent buildings or structures over and across said easement.

BK 4377 PG 925

Witness the hand of said grantor this 24th day of September, 2007

MBA Properties, LLC. By

Marvin A. Bloch
Marvin A. Bloch, Member/Manager

STATE OF UTAH

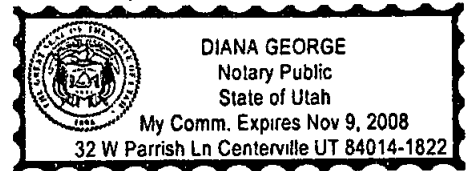
COUNTY OF DAVIS

On the 24 day of September, 2007, personally appeared before me, Marvin A. Bloch, Manager/Member of MBA Properties, LLC, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Diana George
NOTARY PUBLIC

My commission expires November 9, 2008 Residing at: Bountiful, UT

Accepted by:
Bountiful City
By,



Attest

STATE OF UTAH

SS

COUNTY OF DAVIS

On the ____ day of September, 2007 personally appeared before me, _____ who being duly sworn did say, _____ is the _____ of Bountiful City, and (s)he, the said _____ is the City Recorder of Bountiful City, and that the within and foregoing instrument was signed on behalf of the said Bountiful City by authority of the City Council of Bountiful and said _____ each duly acknowledged to me that the said Bountiful City executed the same and that the seal affixed is the seal of the said Bountiful City.

Notary Public

H**HILL & ARGYLE, Inc.****Engineering and Surveying****A**181 North 200 West, Suite #4, Bountiful, Utah 84010
(801) 298-2236 Phone, (801) 298-5983 Fax40° 53' 27.12" N
111° 53' 09.40" W*Exhibit A*

September 27, 2007

Marv Blosch - 500 South

10-foot Public Utility Easement - 5 feet on both sides of the following described centerline.
Centerline description runs 5 feet North and West and parallel to fence lines.

Beginning at a point 5 feet North of and existing fence which point is North 89°44'04" East 371.15 feet along the monument line and due South 288.16 feet from the monument at the intersection of 500 South and 100 East Streets, which point is given as 281.75 feet East from the Northwest Corner of Block 39, North Millcreek Plat, Bountiful Townsite Survey and running thence North 89°55'10" East 61.74 feet more or less, North of an existing fence to a point 5 feet West of an existing fence line; thence North 0°44'12" West 97.99 feet, more or less, to point on a fence line 5 feet West of an existing fence.