

**EASEMENT**

Mountain View Title & Escrow, Inc., as Trustee or James A. Aland, 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 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> |
|--------------------------|-----------------------|-----------------|
| 14-029-0033              | 25,614 square feet    | Permanent       |
| 14-029-0033              | 51,274 square feet    | 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.

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.

This document is being recorded solely as a courtesy and an accommodation to the parties named herein. National Title Agency, LLC hereby expressly disclaims any responsibility or liability for the accuracy or the content thereof.

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

21 day of August, ~~2007~~ <sup>2008</sup>

GRANTOR(S)  
MOUNTAIN VIEW TITLE & ESCROW INC. AS  
TRUSTEE FOR JAMES G. ALAND  
By: [Signature]  
MICHAEL L. HENDRY, PRESIDENT  
By: [Signature]

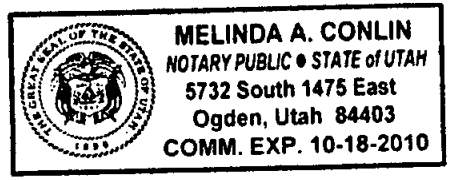
STATE OF UTAH )  
COUNTY OF DAVIS )

:SS

On the 21 day of August, <sup>2008</sup> ~~2007~~, personally appeared before me,  
James G. Aland & Michael L. Hendry - President of Mountain  
View Title & Escrow, Inc

the signer(s) of the above instrument who duly acknowledged to me he/she/they executed  
the same as an individual and as president under authority of a  
Resolution passed by the board of directors of said corporation.

[Signature]  
Notary Public



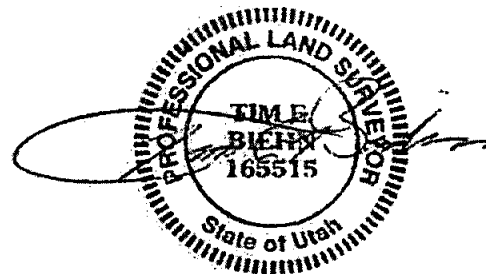
**Exhibit A****RBB****ROBINSON, BIEHN & BIEHN, INC.**

Professional Land Surveyors  
 5330 South 900 East, Suite 120  
 Salt Lake City, Utah 84117-7261  
 (801) 266-1118 • (801) 262-6814 Fax

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

March 31, 2007

Project: North Davis Sewer District, West Outfall Sewer Line  
 A land Property 0033  
 Davis County Parcel # 14-029-0033

**Permanent Easement**

A parcel of land for a sewer line easement said parcel is located in the Northwest 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 East property line and the center of a North Davis Sewer District pipeline at a point  $S0^{\circ}04'01''W$  1100.60 feet along the North/South Quarter Section Line from a Davis County monument at the North Quarter Corner of said Section 29; thence  $S0^{\circ}04'01''W$  10.00 feet along Grantor's East property line; thence  $N89^{\circ}59'50''W$  1128.56 feet; thence South 131.77 feet to Grantor's South property line; thence  $N89^{\circ}59'23''W$  10.00 feet along said line to the center of said North Davis Sewer District Pipeline; thence  $N89^{\circ}59'23''W$  13.67 feet along said Grantor's South property line; thence  $N44^{\circ}00'17''E$  5.28 feet; thence North 147.97 feet; thence  $S89^{\circ}59'50''E$  114.58 feet to Grantor's East property line thence  $S0^{\circ}04'01''W$  10.00 feet to the point of beginning. Contains 25,614  $ft^2$ , more or less.

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

A 20 foot wide strip of land for a temporary construction easement located in the Northwest 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 East property line and the Northeasterly corner of the above described Permanent Easement at a point  $S0^{\circ}04'01''W$  1090.60 along the North/South Quarter Section Line from a Davis County monument at the North Quarter Corner of said Section 29; thence along the North and West lines of the above described Permanent Easement the following three courses (1)  $N89^{\circ}59'50''W$  1148.58 feet (2) South 147.97 feet (3)  $S44^{\circ}00'17''W$  5.28 feet to Grantor's South property line; thence  $N89^{\circ}59'23''W$  27.80 feet; thence  $N44^{\circ}00'19''E$  16.51 feet; thence North 159.89 feet; thence  $S89^{\circ}59'50''E$  1168.61 feet to Grantor's East property line; thence  $S0^{\circ}04'01''W$  20.00 feet to the point of beginning. Contains 26,468  $ft^2$ , more or less.

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

A 20 foot wide strip of land for a temporary construction easement located in the Northwest 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 East property line and the Southeasterly corner of the above described Permanent Easement at a point  $S0^{\circ}04'01''W$  1110.60 along the North/South Quarter Section Line from a Davis County monument at the North Quarter Corner of said Section 29; thence  $S0^{\circ}04'01''W$  20.00 feet along Grantor's East property line; thence along the South and East lines of the above described Permanent Easement  $N89^{\circ}59'50''W$  1108.54 feet and South 111.77 feet to Grantor's South property line; thence  $N89^{\circ}59'23''W$  20.00 feet along Grantor's South property line; thence North 131.77 feet; thence  $S89^{\circ}59'50''E$  1128.56 feet to the point of beginning. Contains 24,806 ft<sup>2</sup>, more or less.

