

**WHEN RECORDED MAIL TO:**

TJ Wall  
PO Box 2000  
Layton, UT 84041  
(801) 499-5106

12-106-0048

**EASEMENT**

**THIS EASEMENT** is dated this 9 day of January, 2014, by and between **BRIGHTON BENCHMARK DEVELOPERS, LLC**, a Utah limited liability company, hereinafter called **GRANTOR**; and **SYRACUSE CITY**, hereinafter called **GRANTEE**, whose address is 1979 W. 1900 S. Syracuse, Utah 84075.

RECITALS

WHEREAS, Grantor is the owner of certain real property located in Syracuse City, Davis County, Utah, described more particularly on Exhibit A (The Property) attached hereto, which Exhibit A is by this reference incorporated into and made a part of this agreement; and,

WHEREAS, Grantor intends to develop the southern portion of The Property and therefore requires utilities to access the proposed development on the southern portion; and,

WHEREAS, Grantor intends to sell a portion of the northern part of The Property; and,

WHEREAS, Grantee is the governing municipality for any future development of the northern portion of The Property.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt, value and sufficiency of which is hereby acknowledged, the parties hereby covenant and agree as follows:

AGREEMENT

Grantor, for and in consideration of **ONE DOLLAR (\$1.00)** received by Grantor, does hereby grant and convey unto the Grantee a perpetual easement over and across the lands as described in Exhibit B, attached hereto and made a part hereof.

**IN WITNESS WHEREOF**, Grantor has caused this instrument to be executed by its duly authorized officer(s) and its corporate seal to be hereunto affixed on the day and year first above written.

**Brighton Benchmark Developers, LLC**  
a Utah limited liability company,

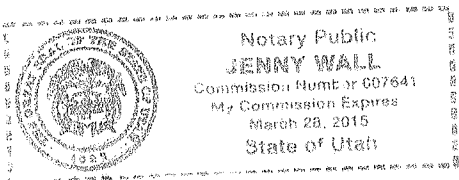
By: Tyrell Wall

Its Managing Member

ACKNOWLEDGMENT

STATE OF UTAH        )  
                                  ) SS  
COUNTY OF DAVIS    )

On this 9 day of January, 2014, before me Jenny Wall, a Notary Public in and for Davis County, State of Utah, personally appeared Tyrell Wall, Managing Member of Brighton Benchmark Developers, LLC, a Utah limited liability company, and known to me (or satisfactorily proved to me on the oath of \_\_\_\_\_, a competent and creditable witness for that purpose by me duly sworn), to be the person described in and who executed the foregoing instrument and who duly acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.



Jenny Wall  
Notary Public for the State of Utah  
Residing in Layton UT  
My commission expires 3/28/15

**EXHIBIT A**

**The Property**

Parcel 12-106-0048

BEG AT A PT ON THE N R/W LN OF GENTILE STR (3700 SOUTH STR) SD PT BEING N 00°12'25" E 33.00 FT ALG THE 1/4 SEC LN & S 89°58'46" E 99.99 FT FR THE S 1/4 COR OF SEC 22-T4N-R2W, SLM; TH N 00°12'25" E 1758.49 FT ALG THE E BNDRY LN OF THE DAVIS COUNTY PROP BK 1212 PG 717, TO THE SW COR OF SYRACUSE CITY PROP BK 3229 PG 1363; TH ALG THE S LN OF SD SYRACUSE CITY PROP E 1473.35 FT TO THE W'LY R/W LN OF THE LAYTON CANAL BK 238 PG 371; TH S 46°00'00" E 38.30 FT ALG SD W'LY R/W LN; TH S 00°12'25" W 1732.42 FT TO THE N R/W LN OF GENTILE STR (3700 SOUTH STR); TH N 89°58'46" W 1501.00 FT ALG SD N R/W LN TO TE POB. CONT 60.595 ACRES

**EXHIBIT B**

A UTILITY EASEMENT FOR UTILITY LINES, FOR INGRESS, EGRESS, AND FOR MAINTENANCE OF UTILITY LINES THROUGH THE FOLLOWING DESCRIBED 30 FOOT WIDE STRIP OF GROUND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF STILL WATER LAKE ESTATES SUBDIVISION (NOT YET RECORDED), SAID POINT BEING LOCATED NORTH 00°12'25" EAST ALONG QUARTER SECTION LINE 946.66 FEET AND EAST 1457.35 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 22, AND RUNNING THENCE NORTH 19°38'33" EAST 46.87 FEET; THENCE NORTH 00°12'25" EAST PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER 668.46 FEET; AND THENCE NORTH 44°00'00" EAST 165.43 FEET TO THE SOUTHWESTERLY LINE OF THE LAYTON CANAL.

CONTAINING: 26,423 SQ.FT. (0.61 ACRES)

PREPARED BY: SPB

CHECKED BY: SPB

DATE: 12/30/13

FILE NAME: UtilityEasementtoSyracuseCityonUDOTParcel2.dox

EXHIBIT C

