

RETURNED

NOV 13 2017

E 3058004 B 6890 P 2190-2194
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/13/2017 04:50 PM
FEE \$18.00 Pgs: 5
DEP RT REC'D FOR ZACH JOHNSON

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Region One Permits
166 Southwell Street
Ogden UT, 84404

Tax ID No: 14-538-0001
Davis County

FUTURE GRANT OF EASEMENT AGREEMENT

2029 North 2000 West, Clinton, UT
(SR #108)

This **FUTURE GRANT OF EASEMENT AGREEMENT** (this "**Agreement**") made this ____ day of _____, 2017, is hereby granted and imposed by **HALLE PROPERTIES, L.L.C.**, an Arizona limited liability company (the "**Grantor**"), unto the future owner, its successors and/or assigns of Lot 2 Mitchell Place Subdivision #2 ("**Lot 2 Mitchell Place**"), located directly north of Lot 1, as shown on the DTC Clinton Minor Subdivision Plat (the "**DTC Plat**"), attached hereto as **Exhibit "A"**.

WHEREAS, Grantor is the current owner of the real property identified as Lot 1 in the DTC Plat and legally described in **Exhibit "B"**, attached hereto (the "**Grantor's Property**"). Grantor's Property and Lot 2 Mitchell Place are collectively referred to herein as the "**Properties**".

WHEREAS, Grantor wishes to grant and impose a non-exclusive perpetual easement for ingress and egress over a portion of Grantor's Property from State Route #108 (aka 2000 West Street), for the future development and benefit of Lot 2 Mitchell Place (the "**Cross Access Easement**"). The Cross Access Easement is depicted in the DTC Plat and legally described in **Exhibit "C"**, attached hereto (the "**Easement Description**").

Grantor, its successors, and/or assigns will allow the construction or reconstruction of a common access to the Properties. Prior to development of Lot 2 Mitchell Place, the then owner of Lot 2 Mitchell Place must enter into a separate agreement with Grantor formalizing this Agreement, which shall include, but not be limited to the construction and maintenance of the driveway upon Grantor's Property

(the "Cross Access Easement Agreement"). The Cross Access Easement Agreement to be granted is for the purpose of allowing ingress and egress to the Properties from State Route #108.

Grantor will keep the driveway clear of any and all obstructions and shall not allow any structures, vehicles, or signs to be placed too close to the driveway as to inhibit free ingress and egress from the Properties. The access shall be used for all purposes reasonably necessary for the full use of the Properties.

The access shall be subject to all restrictions specified by the Utah Department of Transportation Highway Encroachment Permit that must be obtained for the access.

DATED this 25th of August, 2017

GRANTOR:

HALLE PROPERTIES, L.L.C., an Arizona limited liability company

By: Wilanna, Inc., an Arizona corporation
Its: Managing Member

By: Pierre F. Smith
Pierre F. Smith, Agent

STATE OF ARIZONA)
) SS.
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 25th day of August, 2017, by Pierre F. Smith, Agent for Wilanna, Inc., an Arizona corporation, Managing Member of HALLE PROPERTIES, L.L.C., and Arizona limited liability company.

Magdalene Ellett
Notary Public

My Commission Expires:
9-22-19

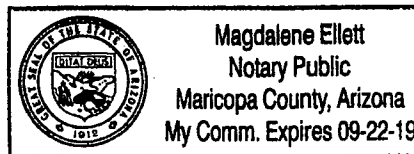
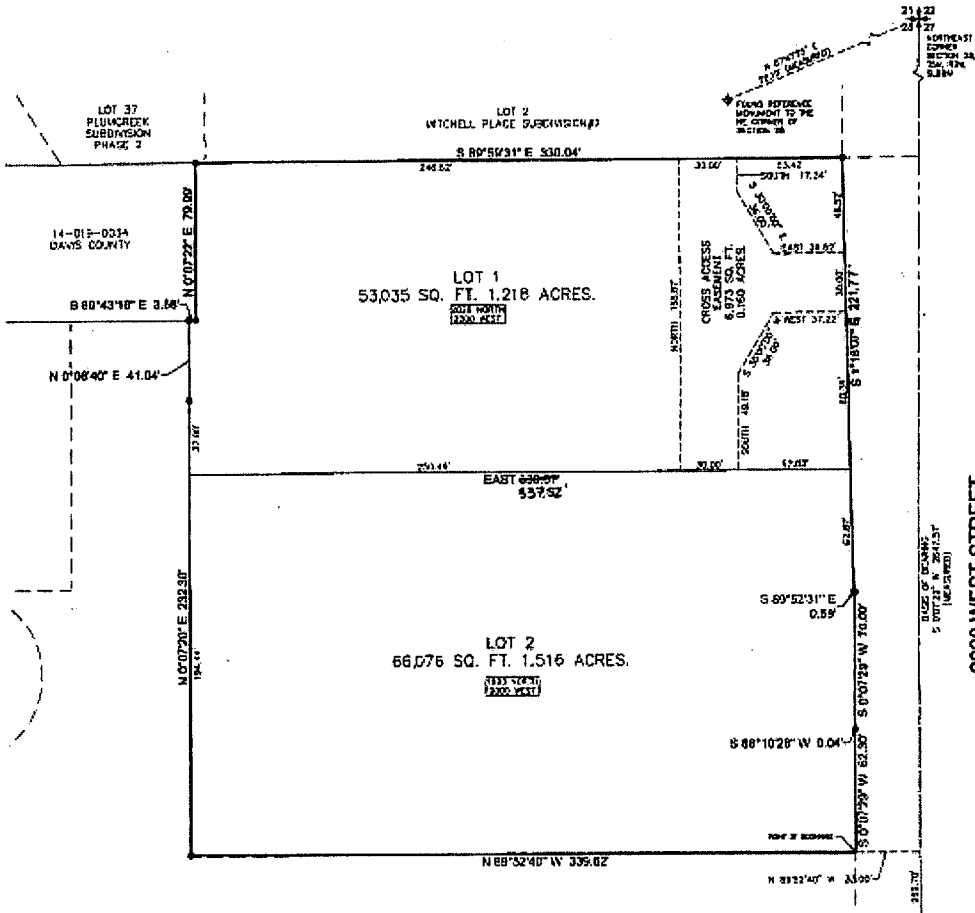


Exhibit "A"

DTC Plat



DTC CLINTON MINOR SUBDIVISION
LOCATED IN THE NORTHEAST QUARTER
OF SECTION 28, TOWNSHIP 3 NORTH, RANGE 2 WEST,
SALT LAKE BASE & MERIDIAN
CLINTON CITY, DAVIS COUNTY, UTAH

Exhibit "B"

Grantor's Property

DIAMOND LAND SURVEYING



DTC Minor Subdivision Lot 1 Description

A parcel of land located in the Northeast Quarter of Section 28, Township 5 North, Range 2 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point North 0°07'29" East 1164.87 feet and North 89°52'40" West 33.00 feet from the monument located at the East Quarter Corner of Section 28, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running:

thence West 337.52 feet;

thence North 0°07'20" East 37.88 feet;

thence North 0°06'40" East 41.04 feet;

thence South 89°43'16" East 3.58 feet;

thence North 0°07'22" East 79.99 feet;

thence South 89°59'31" East 330.04 feet;

thence South 01°18'10" East 221.77 feet;

to the point of beginning.

Parcel contains 53,035 sq. ft. 1.218 acres.

nate@diamondlandsurveying.com | office 801.266.5099 | fax 801.266.5032 | 5243 Greenpine Dr., Murray, UT 84123

Exhibit "C"

Easement Description

DIAMOND LAND SURVEYING



DTC Minor Subdivision Cross Access Easement Description

An access easement located in Lot 1, DTC Minor Subdivision located in the Northeast Quarter of Section 28, Township 5 North, Range 2 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point east line of said Lot 1, DTC Minor Subdivision, said point being North 0°07'29" East 1245.21 feet and North 89°52'40" West 37.15 feet from the monument located at the East Quarter Corner of Section 28, Township 5 North, Range 2 West, Salt Lake Base and Meridian and running:

Thence West 37.22 feet;

Thence South 30°00'00" West 36.00 feet;

Thence South 49.18 feet to the south line of said Lot 1, DTC Minor Subdivision;

Thence West along the said South line of said Lot 1, 30.00 feet;

Thence North 158.87 feet to the North line said Lot 1;

Thence South 89°59'31" East along the North line of said Lot 1, 30.00 feet;

Thence South 17.34 feet;

Thence South 30°00'00" East 36.00 feet;

Thence East 36.52 feet to the East line of said Lot 1;

Thence South 01°18'10" East along the said East line of Lot 1, 30.00 feet to the point of beginning.

Easement contains 6,973 sq. ft. 0.160 acres

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