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UTILITY AND ACCESS EASEMENT

09-301-0003

For the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Owners of Lot 3 on the Hoth Subdivision Plat, a Subdivision Plat Recorded at the Davis County Recorders Office, hereinafter referred to as GRANTORS hereby grants, conveys, sells, and sets over unto Kirt D. Sudweeks and Beverly J Sudweeks, hereinafter referred to as GRANTEE, its successors and assigns, a non-exclusive, perpetual right-of-way and easement to construct, lay, maintain, operate, repair, inspect, protect, install, remove and replace utilities including, but not limited to, sewer, water, storm water, electrical, gas, cable, or other similar utilities, and an improved private access to the GRANTEE'S property, hereinafter called UTILITY AND ACCESS EASEMENT, said right-of-way and easement being situated in Layton City, State of Utah, over and through a parcel of the GRANTOR's land, more fully described as follows:

AN INGRESS/EGRESS AND UTILITY EASEMENT OVER 2260 EAST, A PRIVATE ROADWAY, AND A UTILITY EASEMENT OVER THOSE PRIVATE EASEMENTS AS DEPICTED ON THE HOTH SUBDIVISION PLAT, A SUBDIVISION PLAT RECORDED AT THE DAVIS COUNTY RECORDERS OFFICE.

TO HAVE AND TO HOLD the same unto the said GRANTORS, its successors and assigns, with the right of ingress and egress in said GRANTEE, agents and assigns to enter upon the above described property with such equipment as is necessary to construct, lay, maintain, operate, repair, inspect, protect, install, remove and replace said Facilities. GRANTEE shall restore all property through which the work traverses, to as near its original condition as is reasonably possible. GRANTORS shall have the right to use said premises except for the purpose for which this UTILITY AND ACCESS EASEMENT is granted to the said GRANTEE, provided such use shall not interfere with the use of the same, or any other rights granted to the GRANTEE hereunder.

GRANTORS warrant that they and no one else holds title to the above described property and that they have authority to convey said easement to GRANTEES.

GRANTORS shall not build or construct or permit to be built or constructed, any building or other improvement over or across said right-of-way nor change the contour thereof that would interfere with GRANTEE'S UTILITY AND ACCESS EASEMENT without the written consent of GRANTEE. This right-of-way and easement grant shall be binding upon and inure to the benefit of the successors and assigns of the GRANTORS and the successors and assigns of the GRANTEE.

