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## A G R E E M E N T

This Agreement made the 30<sup>th</sup> day of May, 1974,  
by and between Weber County  
whose address is Municipal Building, Ogden, Utah 84401

(hereinafter with its successors and assigns called the "Grantee,")  
and the ECONOMIC DEVELOPMENT ADMINISTRATION, UNITED STATES OF AMERICA,  
whose address is Main Commerce Building, Washington, D.C. 20230 (here-  
inafter with its successors and assigns called "EDA"):

WHEREAS, pursuant to application designated as EDA Project No.  
05-1-01388, a request was made by the Grantee for financial  
assistance pursuant to the Public Works and Economic Development Act  
of 1965 (P.L. 89-136; 42 U.S.C. 3121, et seq.); and

WHEREAS, by Offer of Grant dated March 5, 1973, EDA  
offered a grant in the amount of \$ 423,000.00 to the Grantee to  
assist in financing the construction of development of industrial  
park, including streets, grading, drainage, and water and  
sewer facilities

(hereinafter called the "Project Facilities") in the County of  
Weber, State of Utah

the location of which is more particularly described in Exhibit "A"  
which is attached hereto and made a part hereof, all or part of which  
Project Facilities will be to the use and benefit of the real property  
described in said Exhibit "A"; and

WHEREAS, on March 13, 1973, the Grantee accepted  
the Offer of Grant subject to the "Standard Terms and Conditions" in-  
corporated therein by reference; and

WHEREAS, pursuant to the aforesaid "Standard Terms and Conditions"  
and by virtue of its acceptance of the Offer of Grant, the Grantee  
covenanted and agreed that it, or a successor satisfactory to EDA, will  
retain title to the Project Facilities for their useful life and that  
the Project Facilities will be devoted to public purposes; and

WHEREAS, it is desirable that the Grantee's covenant be recorded  
in the appropriate public records affecting real property in   
Weber County, and thereby constitute notice to all persons  
of restrictions on title to and use of the Project Facilities;

NOW THEREFORE, in consideration of financial assistance rendered  
and/or to be rendered by EDA and to assure that the benefits of the  
Project Facilities will accrue to the public as intended by both EDA  
and the Grantee, the Grantee hereby covenants and agrees as follows:

1. That, for the term specified in 2, below, the Grantee  
will retain its title to the Project Facilities and its title to the  
real property upon which said Project Facilities are located, which  
real property is described in Exhibit "A" attached hereto, and made a  
part hereof;
2. That the term for which the Grantee agrees to retain its  
title to the Project Facilities and its title to the real property upon  
which the Project Facilities are located shall be for the useful life  
of the Project Facilities; provided, however, this Agreement shall not  
preclude the lease or conveyance of any acreage to a tenant or transferee  
for commercial or industrial purposes; and provided further that the  
foregoing proviso shall not apply to streets, rights-of-way and easements  
for utilities, which public facilities shall be retained by the Grantee.
3. That during the term specified in 2, above, the Project  
Facilities will be held for and be devoted to public purposes only; and
4. That the covenants and restrictions herein contained shall  
be real covenants and shall run with the land described in Exhibit "A"  
hereto; provided, however, that the Grantee may, at its sole option,  
terminate the aforesaid covenants and restrictions at any time after the

expiration of the term set forth in 2, above; provided further, however, that prior to the expiration of said term the covenants and restrictions may be terminated only with the prior written consent of EDA.

IN WITNESS WHEREOF, the Undersigned has hereunto set its hand as of the day and year first above written by its duly authorized officer.



ATTEST:

Suzanne Veitch  
Title: Deputy County Clerk

Weber County  
Grantee  
By: [Signature]  
Title: Chairman, Weber County Commission

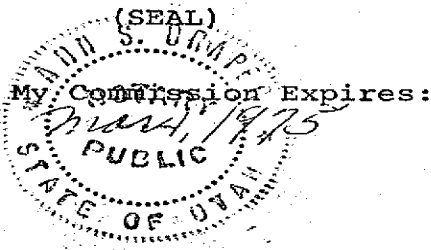
WITNESS:

STATE OF UTAH

COUNTY OF WEBER

On this 29 day of July, 1974, before me, a Notary Public, personally appeared [Signature], Weber County, Utah, known to me to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained, and that he is duly authorized in the premises.

GIVEN UNDER MY HAND AND SEAL THIS 29 day of July, 1974.



[Signature]  
Notary Public

ECONOMIC DEVELOPMENT ADMINISTRATION  
UNITED STATES OF AMERICA

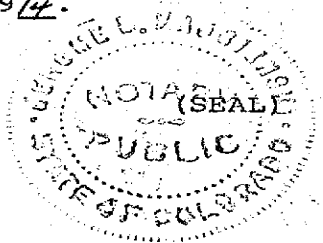
By: [Signature]  
Regional Director

STATE OF COLORADO

COUNTY OF DENVER

On this 30<sup>th</sup> day of May, 1974, before me, a Notary Public, personally appeared Craig M. Smith, Regional Director, Rocky Mountain Regional Office, Economic Development Administration, United States of America, known to me to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained, and that he is duly authorized in the premises.

1974. GIVEN UNDER MY HAND AND SEAL this 30<sup>th</sup> day of May



[Signature]  
Notary Public in and for the City and County of Denver, Colorado

My Commission expires July 30, 1977

EXHIBIT A

19-041-0015, 0054, 0055  
 19-041-0034, 0057, 0036, 0052  
 19-041-0056, 0019

Part of Lot 2, in Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian, Local Survey: Beginning at the Northwest corner of said Lot 2, and running thence East 523.5 feet, thence South  $26^{\circ}12'$  East 722.3 feet, more or less, thence South  $89^{\circ}23'$  West 753.4 feet, thence North  $7^{\circ}42'$  West 641.75 feet to beginning. Except .62 acres in County Road (433-161).

A part of Lot 3, Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian, U. S. Survey: Beginning North  $89^{\circ}52'$  West 1268 feet and South  $26^{\circ}12'$  East 1223.5 feet from the Northeast corner of said Section 36, and running thence South  $63^{\circ}48'$  West 261.1 feet, thence North  $26^{\circ}12'$  West 629.7 feet; thence South  $89^{\circ}23'$  West 148.4 feet, thence South  $7^{\circ}42'$  East 1600.7 feet, more or less to the South line of Lot 3 in said Section 36, thence North  $85^{\circ}04'$  East 963 feet, more or less, to the Southeast Corner of said Lot 3, said point being on the West side of the right of way of the Oregon Short Line Railway, thence North  $26^{\circ}12'$  West 1178.7 feet to the place of beginning.

Part of Lot 2, Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian, U. S. Survey: Beginning at the Southwest corner of said Lot 2, and running thence North  $7^{\circ}42'$  West 186.65 feet, thence North  $89^{\circ}23'$  East 308 feet, thence South  $7^{\circ}42'$  East 186.65 feet, thence South  $89^{\circ}23'$  West 308 feet to beginning. Containing 33.38 acres.

All of Lot 4, Section 36, Township 7 North, Range 2 West, Salt Lake Meridian, Local Survey, Weber County, State of Utah, containing 26.26 acres, more or less. Excepting therefrom County Road on the North.

19-041-0003

Beginning at a point from which the North quarter corner of Section 36 Township 7 North, Range 2 West, Salt Lake Meridian, bears North  $6^{\circ}20'06''$  West a distance of 212.31 feet and running thence North  $88^{\circ}35'49''$  East 1048.77 feet to a curve to the left whose radius is 30 feet; thence along said curve 46.32 feet; thence North  $0^{\circ}08'$  East a distance of 30.80 feet; thence South  $89^{\circ}52'$  East a distance of 340.42 feet; thence South  $26^{\circ}12'$  East a distance of 771 feet; thence South  $88^{\circ}35'49''$  West a distance of 1712.68 feet to a curve to the right whose radius is 30 feet; thence along said curve 45.57 feet; thence North  $4^{\circ}22'29''$  West a distance of 589.83 feet to a curve to the right whose radius is 30 feet; thence along said curve a distance of 48.68 feet to the point of beginning. Containing 24.39 acres.

Lot 24, Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian, more particularly as follows: Beginning at the Southeast corner of said quarter section and running thence North  $0^{\circ}33'$  East 981.8 feet; thence South  $81^{\circ}02'$  West 2339.9 feet; thence South  $19^{\circ}$  East 628.1 feet; thence South  $89^{\circ}25'$  East 2102.9 feet to place of beginning, containing 41.9 acres, more or less.

A part of the Southwest quarter of Section 31, Township 7 North, Range 1 West, Salt Lake Base and Meridian. Beginning at the Southwest corner of said Section 31, thence North along the section

line 1146.84 feet, thence East 886.03 feet to the O.S.L. R.R. right of way, thence South 26°46' East 541.40 feet along the O.S.L.R.R. Co. right of way, thence South 0°43' West 663.50 feet to the section line, thence west 1121.55 feet along the section line to the point of beginning.

Also beginning at a point on the South section line that is East 1121.55 feet from the Southwest corner of Section 31, Township 7 North, Range 1 West, Salt Lake Base and Meridian, thence North 0°43' East 625.80 feet to the additional O.S.L.R.R. right of way property, thence South 26°46' East 700.85 feet along the O.S.L. R.R. Co. right of way to the South section line of said section thence west 323.46 feet along the section line to the point of beginning, containing 28.330 acres in the large tract and 2.323 acres in the small, a total of 30.653 acres.

All of Lot 13, in Section 36, Township 7 North, Range 2 West, Salt Lake Meridian, local survey, containing 8.90 acres. Also: Part of Lot 3 in said Section 36, described as follows: Beginning at a point 641.75 feet South 7°42' East of the Northeast corner of said Lot 3, thence South 7°42' East 186.65 feet, thence North 89°23' East 308.0 feet to the West line of Lot 13, thence South 7°42' East 1161.5 feet, thence North 84°59' East 295.1 feet to the Southeast corner of said Lot 13, thence South 7°42' East 299.75 feet to the South line of said Lot 3, thence South 85°03' West along the South line of said Lot 3, 1994.0 feet to the East line of the right of way of the old Central Pacific Railroad, thence North 18°28' West 734.1 feet along said right of way line, thence North 84°59' East 1175.9 feet along the lines between Lots 3 and 4 of said Section, thence North 8°14' West 987.72 feet to the point West of beginning, thence East to beginning.

Part of Lot 3 in Section 36, Township 7 North, Range 2 West Salt Lake Base and Meridian, U. S. Survey: Beginning at the Northwest corner of said Lot 3, and running thence East 372.6 feet along Section line, thence South 7°42' East 641.75 feet, thence West to a point South 8°14' East from beginning, thence North 8°14' West 642.58 feet to beginning.

A part of Lot 23, Section 36, Township 7 North, Range 2 West Salt Lake Meridian, U. S. Survey: Beginning at a point from which the Southeast corner of said Section 36 bears 2341.5 feet South 41°38' East and running thence South 81°21' West 1072.2 feet to the West line of said Lot 23; thence North 18°13' West 896.8 feet, more or less to the Northwest corner of said Lot 23; thence North 85°52' East along the North line of said Lot 1178 feet to a point North 12°02' West of beginning; thence South 12°02' East 793 feet, more or less, to the point of beginning.

Also a part of Lots 15 and 23, in said Section 36, beginning at a point from which the Southeast corner of said Section 36 bears 2341.5 feet South 41°38' East and running thence North 81°21' East 1601 feet, more or less to the East line of said Lot 15; thence South 0°44' West 1011.8 feet along the East line of said Lot 15 to the Southeast corner thereof; thence South 81°21' West along the South lines of said Lots 15 and 23, to a point South 12°02' East from beginning; thence North 12°02' West 1000 feet, more or less, to the place of beginning. Subject to existing rights of way.

17-065-0011  
-0012-

19-041-0075

19-041-0006, 0061  
19-041-0002-

All of Lot 8, Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian, excepting therefrom that portion conveyed to State Road Commission for Interstate Highway No. 15 as described in Final Order of Condemnation recorded in Book 866 of Records, Page 15.

All of Lot 9, Section 36, Township 7 North, Range 2 west, Salt Lake Meridian, U. S. Survey.

A part of the Northeast Quarter of Section 35, Township 7 North, Range 2 West, Salt Lake Meridian, U. S. Survey: Beginning at a point 8.13 chains North of the Southeast corner of said quarter section, and running thence North along said Section line to the Easterly line of Interstate Highway No. 15, thence Southwesterly and Southerly along East line of said Highway to a point West of beginning; thence East to the place of beginning.

An undivided one-half interest in and to the following: A part of the Southwest Quarter of Section 31, Township 7 North, Range 1 West of the Salt Lake Meridian, U. S. Survey: Beginning at a point 160 rods West and 70 and 10/17 rods North of the Southeast corner of said quarter section, and running thence South 20 feet; thence East 53 rods to the West line of the right of way for the track of the Oregon Short Line Railroad Company, thence Northwesterly along the right of way of said railroad track to a point East of the place of beginning; thence West to the place of beginning.

A part of the Northwest Quarter of Section 6, Township 6 North, Range 1 West, Salt Lake Base and Meridian, United States Survey: Beginning at the Northwest corner of said Northwest quarter, and running thence North 89°24' East 1407.55 feet, to the West right of way fence of the O.S.L. Railroad; thence South 26°41' East 750.55 feet, to the North bank of the Western Canal; thence Southwesterly along said Canal to a point which is South 696.00 feet from the point of beginning; thence North 696.00 feet to the point of beginning. Containing 24.83 acres.

Part of the Southwest Quarter of Section 31, Township 7 North, Range 1 West, Salt Lake Meridian, U. S. Survey: Beginning at the Northwest corner of said quarter section and running thence South 20 chains 9 and 9/17 rods, thence East to the Westerly right of way line of the O.S.L. Railroad; thence Northwesterly along said right of way to the North line of said quarter section; thence West 1.48 chains, more or less to beginning.

A part of the Northeast quarter of Section 1, Township 6 North, Range 2 West, Salt Lake Meridian, United States Survey: Beginning on the North Bank of canal 712.1 feet South and westerly along said Canal 219.7 feet and North 72°10' West along canal 525.2 feet and North 66° West 182.8 feet from the Northeast corner of said Section 1, thence North 66° West along canal 103.7 feet; thence North 79°09' West along Canal 1067 feet to the Southern Pacific Railroad right of way, thence North 18°53' West along right of way to the North line of Section 1, thence East 2100.3 feet to Northeast corner of Section 1, thence South 265 feet, thence West to a point North of beginning, thence South to beginning.

A part of Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian U. S. Survey: Beginning at a point from which the Southeast corner of Section 36 bears South 43°19' East 2255.16 feet; running thence North 12°08' West 891.50 feet; thence South 85°43' West 1200.48 feet; thence North 18°28' West 644.68 feet; thence North

19-041-0042, 0043  
19-039-0067

17-065-0017

11-020-0028

17-065-0018

15-002-0036

85°04' East 2973.32 feet; thence South 26°12' East 419.25 feet; thence South 0°34' West 1030.50 feet; thence South 81°09' West 1567.69 feet to the point of beginning. Cont: 75.42 acres.

A part of the Southeast Quarter of Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian U.S. Survey: Beginning at a point from which the Southeast Corner of Section 36 bears South 43°19' East 2255.16 feet, running thence South 11°45' East 898.33 feet; thence South 81°03' West 974.33 feet; thence North 18°28' West 911.68 feet; thence North 81°09' 1081.15 feet to the point of beginning. Containing 21.18 acres.

A part of Lot 10 in Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian, Local Survey: Beginning at the Southeast corner of said Lot 10 in Section 36, said point of beginning being South 871.0 feet, and East 1381.3 feet and South 0°50' East 2663.3 feet from the Northwest corner of Section 36, and running thence South 89°52' West 325.5 feet; thence North 0°11' East 1344.0 feet; thence North 89°37' East 340.78 feet; thence South 0°50' West 1345.65 feet to the point of beginning. Containing 10.28 acres.

All of Lot 11 in Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian, Local Survey: Beginning at the Northwest corner of Lot 11 in said Section 36, said point of beginning being South 871.0 feet and East 1381.3 feet from the Northwest corner of said Section 36, and running thence East 220.96 feet; thence South 18°28' East 332.60 feet; thence South 0°45' West 1887.15 feet; thence South 73°50' West 348.8 feet; thence North 0°50' East 2290.62 feet to the point of beginning. Containing 16.76 acres.

A part of Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian, Local Survey: Beginning at a point which is 871.0 feet South and 1602.0 feet East and South 18°28' East 332.60 feet from the Northwest corner of said Section 36, Thence South 0°45' West 1668.7 feet; thence North 89°40' East 577.9 feet to Central Pacific Railroad right of way; thence North 18°28' West along said right of way 1755.60 feet to the point of beginning. Containing 11.067 acres.

A part of Lot Number 21, Section 36, Township 7 North, Range 2 West, Salt Lake Base and Meridian, Local Survey: Beginning at a point which is North 0°14' West 1008.5 feet, and North 89°52' East 325.5 feet from the Southwest corner of Lot 21 in said Section 36, running thence North 89°52' East 334.51 feet; thence North 0°45' East 450.9 feet; thence South 73°52' West 348.4 feet; thence South 0°57' West 453.91 feet to the point of beginning. Containing 3.087 acres.

A part of the Northeast Quarter of Section 1, Township 6 North, Range 2 West, Salt Lake Base and Meridian, beginning at a point 265 feet South of the Northeast corner of said Section 1 and running thence South along the East line of said Section 447.1 feet to the North bank of a canal; thence Westerly along the North bank of said canal 219.7 feet, thence North 72°10' West along the North Bank of said canal 525.2 feet; thence North 66°0' West 182.8 feet to the West line of the property now owned by the Grantee; thence North to a point 265 feet South of the North line of said Section 1, thence East to the place of beginning.

19-041-0001, 0060  
19-041-0049, 0059  
19-041-0005

19-041-0031, 0032, 0058  
19-041-0062, 0045,  
234 19-042-0016

15-002-0037

A strip of land 66 feet wide, lying 33 feet on each side of adjacent and parallel to the following described centerline:

Beginning at a point on the North line of Harrisville Road, said point being South 88°45' West 33 feet from the East line of Grantor's property, which point is further described as being South 2,134.4 feet more or less and South 88°45' West along the North line of Harrisville Road 550.4 feet more or less from the Northeast corner of Section 1, Township 6 North, Range 2 West, Salt Lake Base and Meridian, and running thence North 3° East, parallel to and 33 feet from the East boundary of the Grantor's property 914.7 feet more or less, thence North 24° West parallel to and 33 feet from the East boundary of Grantor's property 865.9 feet more or less to the South line of the Clifford H. Dabb property.

15-002-0040  
-0041

A part of the Northwest Quarter of Section 6, Township 6 North, Range 1 West, Salt Lake Base and Meridian, United States Survey: Beginning at a point which is South 711.20 feet, and South 89°30' East 94.77 feet from the Northwest corner of the Northwest Quarter of Section 6; thence South 89°31' East 647.20 feet; thence South 00°08' East 267.25 feet; thence North 87°39' East 250.50 feet; thence South 00°32' West 789.00 feet; thence South 88°45' West 347.15 feet; thence South 00°12' West 67.16 feet; thence South 88°45' West 364.26 feet; thence South 88°40' West 179.35 feet; thence North 1138.50 feet to the point of beginning. Containing 21.25 acres.

11-020-0006  
-0017 (R.S.)

Beginning at a point located North 89°52' West, 1268.0 feet from the Northeast corner of Section 36, Township 7 North, Range 2 West of the Salt Lake Meridian and which point is the intersection between the West right of way boundary of the Oregon Short Line Railway and the North boundary of Section 36; running thence South 26°12' East along said West right of way boundary 718.8 feet; thence South 89°23' West 289.5 feet; thence North 26°12' West 722.3 feet more or less to point of intersection with the North boundary of Section 36; thence East along said North boundary 291.0 feet more or less to point of beginning. Said parcel lies within Lot 2 of Section 36, Township 7 North, Range 2 West of the Salt Lake Meridian in County of Weber, State of Utah.

19-041-0014  
-0033

Beginning at a point located North 89°52' West 1268.0 feet and South 26°12' East 718.8 feet, which point is the intersection of the North boundary of Lot 3 with the West boundary of the Oregon Short Line Railway right of way; running thence South 26°12' East along said West right of way boundary 504.7 feet; thence South 63°48' West and perpendicular to said right of way boundary 261.1 feet; thence North 26°12' West and parallel to said railway boundary 629.7 feet; thence North 89°23' East 289.5 feet more or less to point of beginning. Said parcel lies within Lot 3 of Section 36, Township 7 North, Range 2 West of the Salt Lake Meridian, in the County of Weber, State of Utah.

620001

FILED AND RECORDED FOR  
*Weber County*  
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Abstracted    
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5.

RUTH EAMES OLSEN  
WEBER COUNTY RECORDER  
*Diane H. Clark*

*No Fee*