

**PERMANENT EASEMENT
and
TEMPORARY CONSTRUCTION EASEMENT**

Diamond Ranches, L.L.C., a Utah limited liability company, Grantor, hereby conveys and warrants to North Davis Sewer District, a Utah local district, its successors in interest and assigns, Grantee, for the sum of Ten Thousand Dollars (\$10,000.00) and other good and valuable consideration, a Permanent Easement and Right-of-Way and a Temporary Construction Easement for the construction, operation, maintenance, repair, and inspection of one (1) sixty three inch (63) underground sewer pipeline on, over, under and across real property located in Davis County, Utah, and described as follows:

A Permanent Easement described as follows:

See description as attached Exhibit A; and,

A Temporary Construction Easement described as follows:

See description as attached Exhibit B County Serial Numbers:

~~12-046-088~~⁰⁰⁸⁸ pt

12-046-0089 pt

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
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DEP RTT REC'D FOR NORTH DAVIS SEWE
R DISTRICT

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. During the Temporary Construction Easement period and upon Grantee removing the permanent livestock fence on Grantor's property, Grantee shall acquire, purchase, erect, install, construct, and maintain a temporary livestock fence on the boundary between the Temporary Construction Easement and Grantor's remaining property, such that the temporary livestock fence shall tie into Grantor's other perimeter livestock fences to entirely enclose Grantor's remaining property for Grantor's continuing uninterrupted use as a pasture and livestock containment area. After conducting work within easement, Grantee will restore all fences, gates, approaches, access roads and grasses to the original condition.

The Grantor reserves the right to occupy, use and cultivate said property for all purposes not inconsistent with the rights herein granted. Grantor shall not build or construct over or across said Permanent Easement, any building or other improvement, nor change the contour thereof without the written consent of the Grantee.

The Temporary Construction Easement shall remain in force a maximum of two years from the date of this easement. Upon termination of said two-year guarantee period, the Temporary Construction Easement shall be dissolved and all previous rights of the Grantor shall be restored with respect to the Temporary Construction Easement.

The Grantor hereby covenants with the North Davis Sewer District that Grantor is lawfully seized

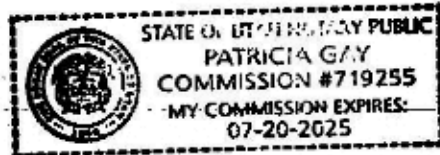
and possessed of the real estate above described; that Grantor has a good and lawful right to convey it, or any part thereof; that it is free from all encumbrances and that Grantor will forever warrant and defend the title thereto against the lawful claims of Grantee.

In Witness Whereof, the Grantor has executed this Easement and Right-of-Way this 14 day of ~~September~~, 2021.
OCTOBER

DIAMOND RANCHES, L.L.C., Grantor

By: John W. Diamond III
JOHN W. DIAMOND III,
Managing Member

ACCEPTED
By: [Signature]
KEVIN R. COWAN, District Manager
North Davis Sewer District

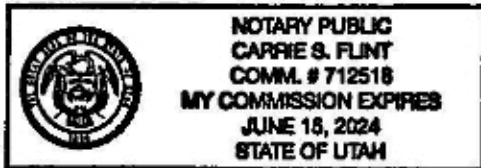


Patricia Gay

STATE OF UTAH)
 :§
COUNTY OF DAVIS)

On the 14 day of ~~September~~ ^{October}, 2021, personally appeared before me, JOHN W. DIAMOND, III, the signer of the above instrument who duly acknowledged to me that he executed the same for and on behalf of DIAMOND RANCHES, L.L.C.

[Signature]
NOTARY PUBLIC



PERMANENT CONSTRUCTION EASEMENT DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF ANTELOPE ISLAND ROAD, SAID POINT BEING LOCATED NORTH 89°29'56" WEST 1,899.02 FEET ALONG THE SOUTH LINE OF SAID SECTION 7, AND NORTH 00°30'04" EAST 33.00 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 7 (BASIS OF BEARINGS IS NORTH 89°29'56" WEST (NORTH 89°50'18" WEST D.C.C.S.) 2,651.91 FEET BETWEEN THE FOUND BRASS CAP MONUMENTS MARKING THE SOUTHEAST CORNER AND SOUTH QUARTER CORNER OF SAID SECTION 7); RUNNING THENCE NORTH 89°29'56" WEST 194.02 FEET ALONG THE NORTH RIGHT OF WAY LINE OF SAID ANTELOPE ISLAND ROAD TO A POINT ON THE WEST LINE OF PARCEL 12-046-0089 AS RECORDED IN ENTRY NUMBER 2405783 IN BOOK 4660 AT PAGE 545 AS SHOWN IN THE DAVIS COUNTY RECORDER'S OFFICE; THENCE NORTH 15°39'38" WEST 34.36 FEET ALONG SAID WEST LINE; THENCE SOUTH 89°29'56" EAST 203.59 FEET; THENCE SOUTH 00°30'04" WEST 33.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 6,560 SQUARE FEET OR 0.151 ACRES, MORE OR LESS.

EXHIBIT A

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF ANTELOPE ISLAND ROAD, SAID POINT BEING LOCATED NORTH 89°29'56" WEST 1,899.02 FEET ALONG THE SOUTH LINE OF SAID SECTION 7, AND NORTH 00°30'04" EAST 33.00 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 7 (BASIS OF BEARINGS IS NORTH 89°29'56" WEST (NORTH 89°50'18" WEST D.C.C.S.) 2,651.91 FEET BETWEEN THE FOUND BRASS CAP MONUMENTS MARKING THE SOUTHEAST CORNER AND SOUTH QUARTER CORNER OF SAID SECTION 7); RUNNING THENCE NORTH 00°30'04" EAST 33.00 FEET; THENCE NORTH 89°29'56" WEST 203.59 FEET TO A POINT ON THE WEST LINE OF PARCEL 12-046-0089 AS RECORDED IN ENTRY NUMBER 2405783 IN BOOK 4660 AT PAGE 545 AS SHOWN IN THE DAVIS COUNTY RECORDER'S OFFICE; THENCE NORTH 15°39'38" WEST 34.36 FEET ALONG SAID WEST LINE; THENCE SOUTH 89°29'56" EAST 900.79 FEET; THENCE SOUTH 00°30'04" WEST 66.00 FEET TO A POINT ON THE NORTH LINE OF SAID ANTELOPE ISLAND ROAD, WHICH POINT IS ALSO ON THE SOUTH LINE OF PARCEL 12-046-0088 AS RECORDED IN SAID ENTRY NUMBER 2405783; THENCE NORTH 89°29'56" WEST 687.64 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

CONTAINS 52,260 SQUARE FEET OR 1.200 ACRES, MORE OR LESS.

EXHIBIT B