

142432

EASEMENT

The Nature Conservancy, Grantor (s), hereby convey(s) and warrant(s) against all claiming by, through or under Grantor(s) to North Davis Sewer District, its successors in interest and assigns, Grantee for the sum of One Dollar and other good and valuable consideration, a permanent easement and Right-of-Way for the construction, operation, maintenance, repair, alteration, enlargement, inspection, relocation, and replacement of an underground sewer and associated facilities related thereto, on, over, under and across real property located in Davis County, Utah and described as follows:

A Permanent Easement described as follows:

See description attached Exhibit A and,

A Temporary Easement described as follows:

See description attached Exhibit A.

<u>County Serial No.</u>	<u>Square Footage</u>	<u>Easement</u>
12-110-0209, 0031, & 0196	60,541	Permanent
12-110-0209, 0031, & 0196	86,586	Temporary Easement

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;

SUBJECT TO all easements, restrictions, rights-of-way, and other matters of record or that would be disclosed by a survey or physical inspection of the property.

The Grantor(s) reserve(s) the right to occupy, use and cultivate said property for all purposes not inconsistent with the rights herein granted. Grantor(s) shall not build or construct over or across said permanent Right-of-Way, any building or other improvement, nor change the contour thereof without the written consent of the Grantee.

The temporary easement shall remain in force a maximum of one year beyond the Contract Time as specified within the Contract Documents as agreed to by the Contractor selected to construct said pipeline. Upon termination of said one-year guarantee period, the temporary easement shall be dissolved and all previous rights of the Grantor(s) shall be restored with respect to the temporary easement.

The Grantor(s) hereby covenant(s) with the North Davis Sewer District that Grantor(s) shall warrant and defend the title against only the acts of Grantor(s) and those claiming by, through or under Grantor(s) and none other, subject to the matters set forth above.

North Davis Sewer District shall hold harmless, indemnify and defend Grantor(s) from and against any and all losses, damages, causes of action, claims, liabilities, costs and expenses (including, without limitation, reasonable attorneys' fees) incurred by Grantor(s) arising from or relating to North Davis Sewer District's, or its contractors' or other authorized representatives', negligent use or occupancy of the easements granted herein, including, but not limited to, liability for hazardous or toxic waste and materials.

The property over which said easement passes and the location thereof are depicted in Exhibit "A", attached hereto and by reference made a part hereof as though set forth fully herein.

In Witness Whereof, the Grantor(s) have executed this Right-of-Way and easement this _____, day of _____, 2011.

GRANTOR(S)

By: _____

~~Nature Conservancy~~

STATE OF UTAH)

)ss.

COUNTY OF DAVIS)

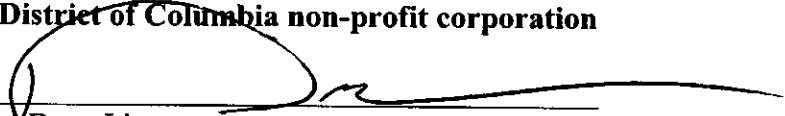
On the ____ day of _____, 2011, personally appeared before me, _____ the signer(s) of the above instrument who duly acknowledged to me he/she/they executed the same.

Notary Public

Easement Signature Page Attached

Easement Signature Page

The Nature Conservancy,
a District of Columbia non-profit corporation


By: Dave Livermore
Its: Utah State Director

STATE OF UTAH

: ss

COUNTY OF Salt Lake

On the 5th day of April, 2011, personally appeared before me Dave Livermore, who being by me duly sworn, did say that he is the Utah State Director of The Nature Conservancy, a District of Columbia non-profit corporation and the foregoing instrument was signed in behalf of said non-profit corporation and the said Dave Livermore acknowledged to me that said non-profit corporation, executed the same.



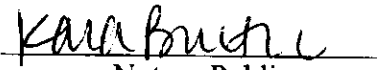
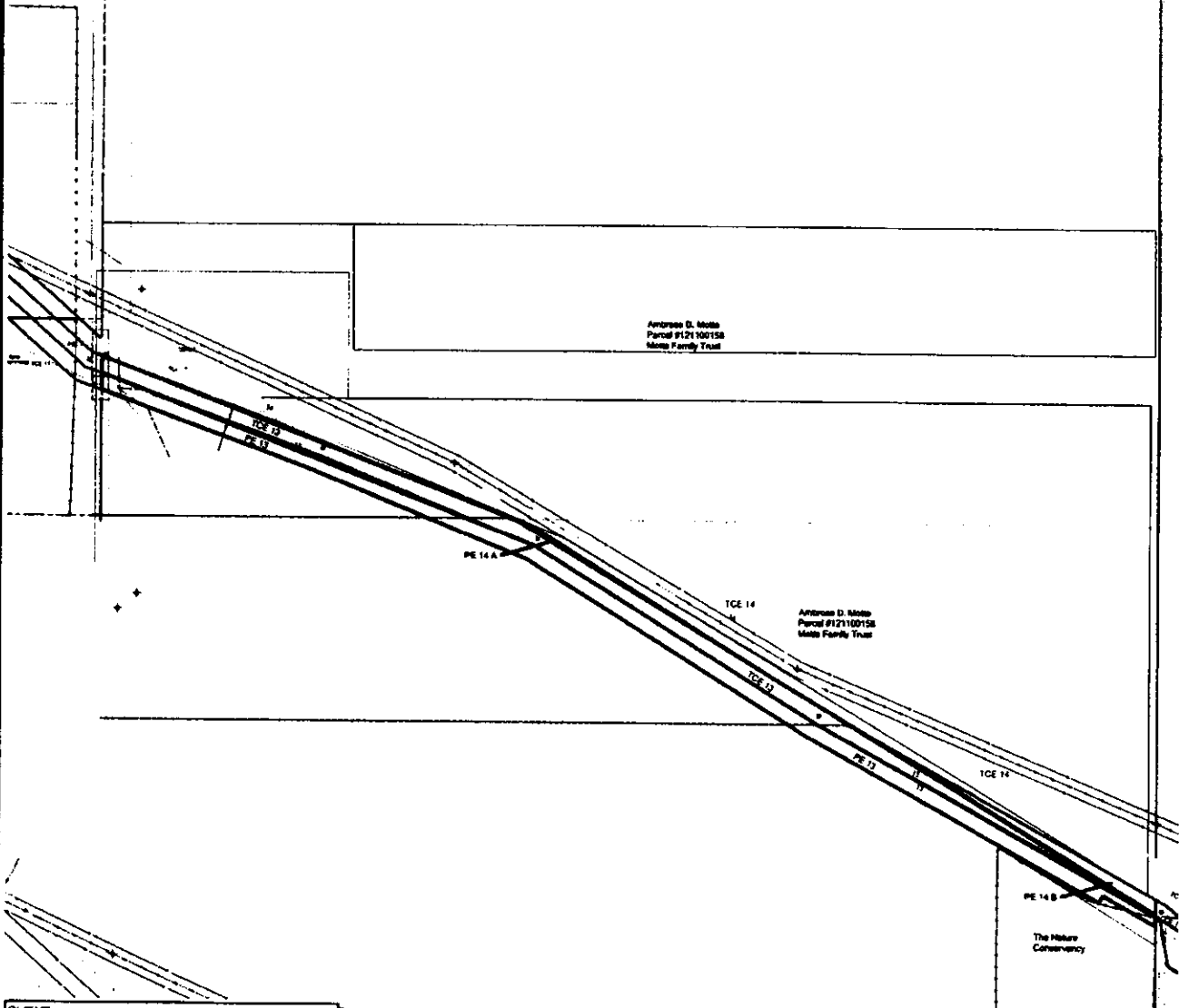

Notary Public
Residing at: Sandy, UT
My commission expires: 2-2-2013



EXHIBIT "A"

PARCEL #
121100209

Sheet
1 of 2



CLIENT
MWH
10619 S. Jordan Gateway Suite 100
Salt Lake City, Utah
PHONE: 801-617-3200

DATE OF ORIGINAL DRAWING: 8-13-2009			
2			
1	change easement location based on B.L.A.	2/1/2011	RDF
NO	REVISION	DATE	BY

FLINT

LAND SURVEYING & CONSULTING INC.
P.O. BOX 85029
SOUTH JORDAN, UT 84096
PHONE: (801) 448-1820
FAX: (801) 253-1486

DWNG BY
ZFB
CHKD BY
RDF
PROJ #
090407

PROJECT
South Outfall Sewer Pipe Easement
Davis County, Utah
SHEET TITLE
Parcel #121100209 The Nature Conservancy



EXHIBIT "A"

PARCEL #
121100209

Sheet
2 of 2

LEGAL DESCRIPTION OF: TCE 13 (LESS PE 13)

An appurtenant & Temporary Construction Easement, Located in the West half of Section 25, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Davis County, State of Utah and being more particularly described as follows:

Commencing at a point which is 214.42 feet, North 00°09' 47" East along section line from the West Quarter Corner of said section and running thence, S 67° 20' 04" E for a distance of 561.77 feet; thence, S 58° 38' 04" E for a distance of 943.06 feet; thence, S 00° 10' 33" W for a distance of 13.58 feet; thence, N 60° 40' 23" W for a distance of 76.71 feet; thence, S 29° 09' 31" W for a distance of 10.00 feet; thence, N 60° 50' 29" W for a distance of 422.11 feet; thence, N 57° 56' 44" W for a distance of 415.31 feet; thence, N 67° 29' 56" W for a distance of 287.51 feet; thence N 69° 32' 08" W a distance of 283.70 feet; thence, N 00° 11' 52" E for a distance of 56.78 feet to the POINT OF BEGINNING; Containing 56,225 sqft more or less

LEGAL DESCRIPTION OF: PE 13

An appurtenant & permanent utility Easement, Located in the West half of Section 25, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Davis County, State of Utah and being more particularly described as follows:

Commencing at a point which is 200.28 feet, North 00°09' 47" East along section line from the West Quarter Corner of said section and running thence, S 69° 32' 04" E for a distance of 299.36 feet; thence, S 67° 29' 56" E for a distance of 262.61 feet; thence, S 58° 38' 04" E for a distance of 397.06 feet; thence, S 58° 38' 04" E for a distance of 64.25 feet; thence, S 58° 38' 04" E for a distance of 476.29 feet; thence, S 00° 11' 25" W for a distance of 1.89 feet; thence, N 60° 50' 29" W for a distance of 492.65 feet; thence, N 57° 56' 46" W for a distance of 416.47 feet; thence, N 67° 29' 54" W for a distance of 289.71 feet; thence N 69° 32' 12" W a distance of 291.27 feet; thence, N 00° 11' 52" E for a distance of 21.32 feet to the POINT OF BEGINNING; Containing 24,661 sqft more or less.

CLIENT

MWH

10619 S. Jordan Gateway Suite 100
Salt Lake City, Utah

PHONE: 801-617-3200

TCE (less PE)	31,564 SQUARE FEET
---------------	--------------------

DATE OF ORIGINAL DRAWING: 8-13-2009			
2			
1	change easement location based on B.L.A.	2/1/2011	RDF
NO	REVISION	DATE	BY

DWNG BY	ZFB
CHKD BY	RDF
PROJ #	090407

PROJECT

South Outfall Sewer Pipe Easement

Davis County, Utah

SHEET TITLE

Parcel #121100209 The Nature Conservancy

FLINT

LAND SURVEYING & CONSULTING INC.

P.O. BOX 86228
SOUTH JORDAN, UT 84006
PHONE: (801) 444-1820
FAX: (801) 253-1488



PARCEL #
121100031

Sheet
2 of 2

EXHIBIT "A"

LEGAL DESCRIPTION OF: TCE 16 (LESS PE 16)

An appurtenant & Temporary Construction Easement, Located in the Southwest Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and meridian, Davis County, State of Utah and Being more particularly described as follows:

Commencing at a point which is 492.917 feet, S 00°11'56" W along the section line and 1325.946 feet East from the West Quarter Corner of Said section and running thence, S 58° 33' 27" E for a distance of 295.30 feet; thence, S 51° 00' 20" E for a distance of 16.00 feet; thence, S 58° 58' 39" E for a distance of 32.16 feet; thence, SOUTH for a distance of 23.34 feet; thence, S 59° 00' 43" E for a distance of 103.61 feet; thence, N 62° 04' 22" E for a distance of 23.27 feet; thence, S 58° 48' 26" E for a distance of 214.65 feet; thence, SOUTH for a distance of 69.27 feet; thence, N 58° 58' 37" W for a distance of 201.52 feet; thence, S 62° 02' 47" W for a distance of 34.56 feet; thence, N 58° 58' 42" W for a distance of 173.00 feet; thence, N 00° 00' 29" W for a distance of 34.57 feet; thence, N 55° 23' 20" W for a distance of 275.38 feet; thence, N 00° 11' 36" E for a distance of 41.19 feet; thence N 58° 11' 27" W a distance of 8.22 feet; thence, N 00° 10' 33" E for a distance of 13.58 feet to the POINT OF BEGINNING;

Containing 42,514 sqft more or less.

LEGAL DESCRIPTION OF: PE 16

An appurtenant & Permanent Utility Easement, Located in the Southwest Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and meridian, Davis County, State of Utah and Being more particularly described as follows:

Commencing at a point which is 492.917 feet, S 00°11'56" W along the section line and 1325.946 feet East from the West Quarter Corner of Said section and running thence, S 58° 33' 27" E for a distance of 143.02 feet; thence, S 51° 00' 27" E for a distance of 168.31 feet; thence, S 58° 58' 48" E for a distance of 45.62 feet; thence, S 59° 00' 43" E for a distance of 103.62 feet; thence, S 58° 57' 48" E for a distance of 238.30 feet; thence, S 00° 00' 40" W for a distance of 23.34 feet; thence, N 58° 58' 37" W for a distance of 400.91 feet; thence, N 58° 58' 40" W for a distance of 263.32 feet; thence, N 10° 05' 41" W for a distance of 55.75 feet; thence N 53° 08' 19" W a distance of 7.43 feet; thence, N 00° 11' 25" E for a distance of 1.89 feet to the POINT OF BEGINNING; Containing 18,308 sqft more or less.

CLIENT	MWH
	10619 S. Jordan Gateway Suite 100 Salt Lake City, Utah
	PHONE: 801-617-3200

TCE (less PE)	24,206 SQUARE FEET
---------------	--------------------

DATE OF ORIGINAL DRAWING: 8-13-2009			
2			
1	change easement location based on B.L.A.	2/1/2011	RDF
NO	REVISION	DATE	BY

FLINT

LAND SURVEYING & CONSULTING INC.

P.O. BOX 86023
SOUTH JORDAN, UT 84095
PHONE: (801) 448-1820
FAX: (801) 263-1406

DWNG BY	ZFB
CHKD BY	RDF
PROJ. #	090407

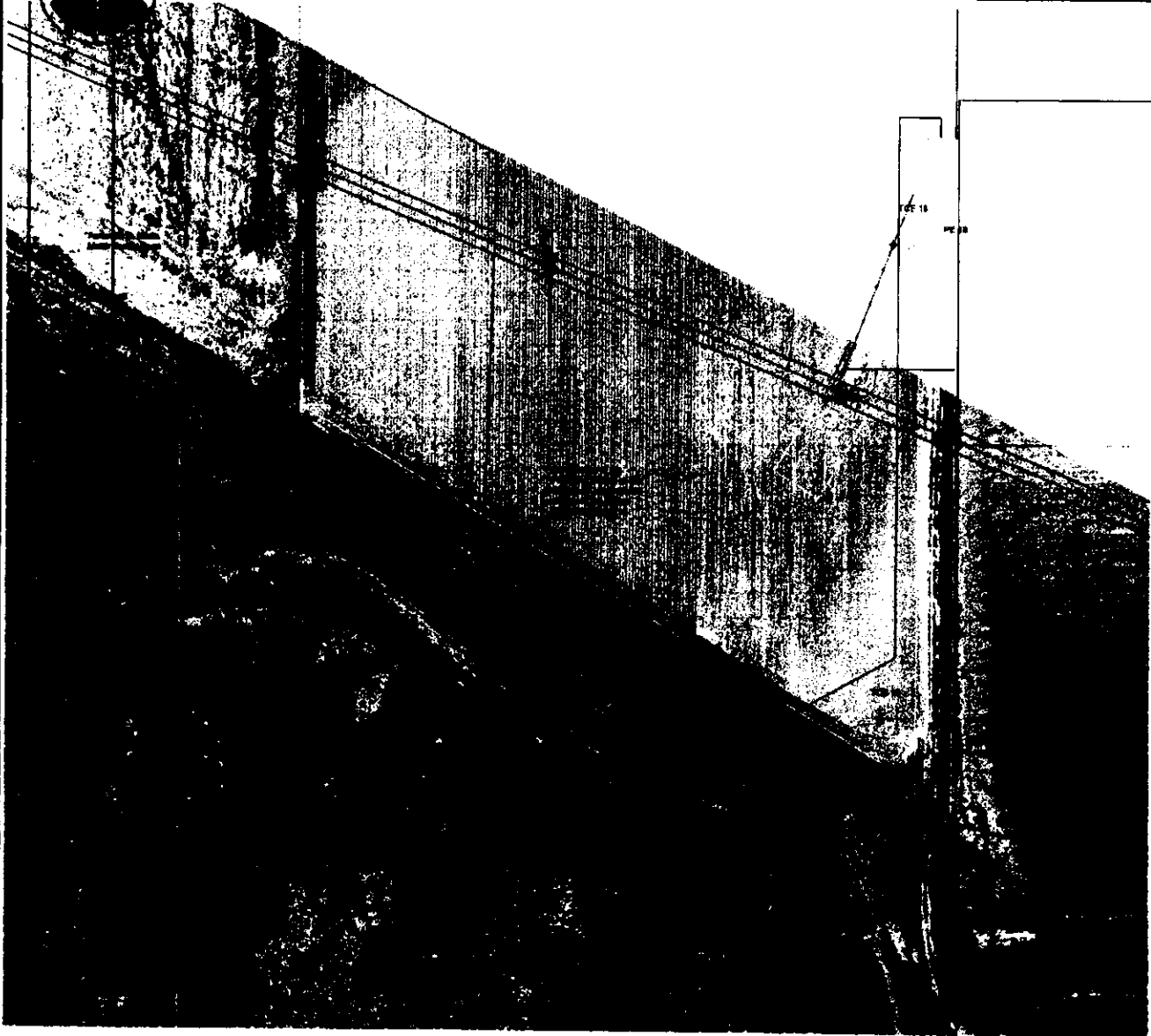
PROJECT	South Outfall Sewer Pipe Easement
	Davis County, Utah
SHEET TITLE	Parcel # 121100031 The Nature Conservancy



EXHIBIT "A"

PARCEL #
121100196

Sheet
1 of 2



CLIENT
MWH
10619 S. Jordan Gateway Suite 100
Salt Lake City, Utah
PHONE: 801-617-3200

TCE	48,388 SQUARE FEET
TCE (less PE)	30,816 SQUARE FEET
PE	17,572 SQUARE FEET

DATE OF ORIGINAL DRAWING: 8-13-2009			
2			
1	Adjusted North tee location of the PE	9/15/10	RDF
NO	REVISION	DATE	BY

DWNG BY	ZFB
CHKD BY	RDF
PROJ. #	090407

PROJECT
South Outfall Sewer Pipe Easement #17
Davis County, Utah
SHEET TITLE
Parcel #121100196 The Nature Conservancy

FLINT

LAND SURVEYING & CONSULTING INC.
P.O. BOX 85629
SOUTH JORDAN, UT 84095
PHONE: (801) 448-1830
FAX: (801) 263-1486



EXHIBIT "A"

PARCEL #
121100196

Sheet
2 of 2

LEGAL DESCRIPTION OF: TCE 17

An appurtenant & Temporary Construction Easement, Located in the Southwest Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and meridian, Davis County, State of Utah and Being more particularly described as follows:

Commencing at a point which is 1918.33 feet true East and 1719.16 feet true North from the Southwest corner of said Section said point also being on the West property line owned by The Nature Conservancy Book 2725 Page 110 of the official record and running thence; North along said property line for a distance of 69.60 feet; Thence S 58° 39' 58" E for a distance of 339.18 feet; Thence N 43° 33' 13" E for a distance of 1.72 feet to the north line of said property; Thence S 58° 36' 00" E and said property line for a distance of 229.39 feet; Thence South for a distance of 1.98 feet; Thence S 58° 35' 54" E for a distance of 294.05 feet; Thence South for a distance of 0.87 feet to the e East line of said property; Thence S 00° 10' 55" W along said property line for a distance of 63.56 feet; Thence N 58° 58' 37" W for a distance of 346.82 feet; Thence North for a distance of 23.34 feet; Thence N 58° 58' 37" W for a distance of 48.40 feet; Thence S 62° 02' 47" W for a distance of 23.34 feet; thence N 58° 58' 37" W a distance of 442.28 feet to the POINT OF BEGINNING. Containing 48,388 square feet

LEGAL DESCRIPTION OF: PE 17

An Appurtenant & Permanent Utility Easement, Located in the Northeast Quarter of the Southwest Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and meridian, Davis County, State of Utah and Being more particularly described as follows:

Commencing at a point which is 1918.33 feet true East and 1742.50 feet true North from the Southwest corner of said Section said point also being on the West property line owned by The Nature Conservancy Book 2725 Page 110 of the official record and running thence; Thence North along said property line for a distance of 23.34 feet; Thence S 58° 58' 37" E for a distance of 820.21 feet; Thence N 00° 14' 56" E for a distance of 17.00 feet to North line of said property; Thence S 58° 36' 00" E along said property line for a distance of 23.37 feet; Thence S 00° 14' 56" W for a distance of 16.82 feet; Thence S 58° 58' 37" E for a distance of 18.24 feet to the East line of said property; Thence S 00° 10' 55" W along said property line for a distance of 23.29 feet; Thence N 58° 58' 37" W for a distance of 861.64 feet to the POINT OF BEGINNING. Containing 17,572 sqft more or less.

CLIENT
MWH
10619 S. Jordan Gateway Suite 100
Salt Lake City, Utah
PHONE: 801-617-3200

TCE	48,388 SQUARE FEET
TCE (less PE)	30,816 SQUARE FEET
PE	17,572 SQUARE FEET

DATE OF ORIGINAL DRAWING: 8-13-2009			
2			
1	Adjusted North tee location of the PE	9/15/10	RDF
NO	REVISION	DATE	BY

DWG BY
ZFB
CHKD BY
RDF
PROJ. #
090407

PROJECT
South Outfall Sewer Pipe Easement #17
Davis County, Utah
SHEET TITLE
Parcel #121100196 The Nature Conservancy

FLINT

LAND SURVEYING & CONSULTING INC.
P.O. BOX 96022
SOUTH JORDAN, UT 84096
PHONE: (801) 440-1820
FAX: (801) 263-1406