

RETURNED

JAN 24 2012

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BK 5443 PG 722

E 2639510 B 5443 P 722-723
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
01/24/2012 01:51 PM
FEE \$0.00 Pgs: 2
DEP RTT REC'D FOR CENTERVILLE CITY

2

WHEN RECORDED, RETURN TO:

Centerville City Corporation
250 North Main
Centerville, UT 84014-1824

pt 07-072-0028

50' STORM DRAIN/FLOOD CONTROL EASEMENT

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantors, **R. ABRAHAM MILLET** and **EMILY L. MILLET**, husband and wife and joint tenants, hereby grant, convey, sell, and set over unto Centerville City, a municipal corporation of the State of Utah, as Grantee, its successors and assigns, a perpetual right-of-way and easement to lay, maintain, operate, repair, inspect, protect, install, remove and replaced storm drains and flood control improvements, hereinafter called the "Facilities," said right-of-way and easement being situated in Davis County, State of Utah, over and through a parcel of Grantors' land, which easement is more particularly described as follows:

BEGINNING AT A POINT 24 RODS, 12.5 FEET SOUTH AND 111 RODS WEST FROM THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 31; TOWNSHIP 3 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN; ACCORDING TITLE REPORT (MERIDIAN TITLE COMPANY FILE NO. 207563, SCHEDULE A, NO.4) POINT ALSO BEGINNING 1342.81 FEET SOUTH 0°11'30" WEST ALONG THE CENTER LINE OF FRONTAGE ROAD AND 468.50 FEET SOUTH 89°48'30" EAST FROM A FOUND CENTER LINE MONUMENT AT SAID FRONTAGE ROAD AND 378.50 FEET NORTH 89°48'30" WEST ALONG PROPERTY LINE; THENCE GOING SOUTH 0°11'30" WEST 94.00 FEET; THENCE SOUTH 89°48'30" WEST 50.00 FEET; THENCE NORTH 0°11'30" EAST 94.00 FEET; THENCE SOUTH 89°48'30" EAST 50.00 FEET TO THE POINT OF BEGINNING.

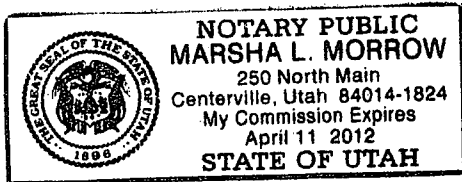
TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns, so long as such Facilities shall be maintained, with right of ingress and egress in said Grantee, its officers, employees, agents, contractors and assigns to enter upon the above described property with such equipment as is necessary to install, maintain, operate, repair, inspect, protect, remove and replace said Facilities. During construction periods, Grantee and its contractors may use such portions of the property along and adjacent to said right-of-way as may be reasonably necessary in connection with the construction or repair of the Facilities. The contractor performing the work 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 right-of-way and easement is granted to the Grantee, provided

such use shall not interfere with the Facilities, or with Grantee's use thereof, or any other rights provided to the Grantee hereunder. Grantors shall maintain the detention swale areas except for the public pathway which shall be maintained by the Grantee.

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, without the written consent of Grantee. This right of way and easement grant shall be binding upon and inure to the benefits of heirs, representatives, successors and assigns of the Grantors and the successors and assigns of the Grantee, and may be assigned in whole or in part by Grantee.

IN WITNESS WHEREOF, the Grantors have executed this right-of-way and easement this 20th day of January, 2012.

"GRANTORS"



By: [Signature]
R. Abraham Millet
By: [Signature]
Emily L. Millet

MILLET ACKNOWLEDGEMENT

STATE OF UTAH)
 :SS
COUNTY OF DAVIS)

On the 20th day of January, 2012, personally appeared before me **R. Abraham Millet and Emily L. Millet**, who did acknowledge to me that they executed the foregoing instrument.

[Signature]
Notary Public

Accepted for Recordation by Centerville City

[Signature]
Marilyn Holje, City Recorder

