

142440

**EASEMENT**

THE UNDERSIGNED  
Owner, Grantor(s), hereby convey(s) and warrant(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>
12-110-0159 & 0158	<del>5,129</del> 5,151	Permanent
12-110-0159 & 0158	<del>37,391</del> 37,209	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.

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) is/are lawfully seized and possessed of the real estate above described; that Grantor(s) has/have a good and lawful right to convey it, or any part thereof; that it is free from all encumbrances and that Grantor(s) will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

As part of the consideration for this grant, the Grantor(s) hereby release(s) any and all claims for damages from whatsoever cause incidental to the exercise of the rights herein granted.

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 9<sup>th</sup>, day of February, 2011, 2011.

GRANTOR(S)

~~By: \_\_\_\_\_  
By: \_\_\_\_\_~~

~~STATE OF UTAH )~~

~~)ss.~~

~~COUNTY OF DAVIS )~~

~~On the \_\_\_\_\_ day of \_\_\_\_\_, 2010, personally appeared before me, \_\_\_\_\_ the  
signer(s) of the above instrument who duly acknowledged to me he/she/they executed the same.~~

~~\_\_\_\_\_  
\_\_\_\_\_  
Notary Public~~

SEE SIGNATURE PAGE ATTACHED

EASEMENT SIGNATURE PAGE

The Motta Family Trust, dated the 26<sup>th</sup> day of April, 1990

Ambrose D. Motta  
Ambrose D. Motta, Trustee

Georgia A. Motta  
Georgia A. Motta, Trustee

STATE OF UTAH            )  
                                      : SS  
COUNTY OF DAVIS        )

On the 9<sup>th</sup> day of February, 2011, personally appeared before me Ambrose D. Motta and Georgia A. Motta, Trustees of The Motta Family Trust, dated the 26<sup>th</sup> day of April, 1990, did say that the foregoing instrument was signed and executed in behalf of said trust, by authority.



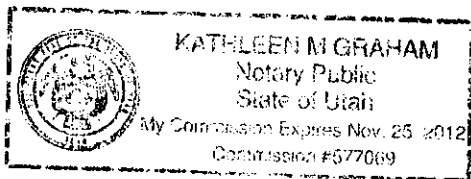
[Signature]  
Notary Public  
Residing at:  
My commission expires:

The Marital Trust portion of the Motta Family Trust, dated the 19<sup>th</sup> day of January, 1990

Dominick R. Motta  
Dominick R. Motta, Trustee

STATE OF UTAH            )  
                                      : SS  
COUNTY OF DAVIS        )

On the 9<sup>th</sup> day of February, 2011, personally appeared before me Dominick R. Motta, Trustee of the Marital Trust portion of the Motta Family Trust, dated the 19<sup>th</sup> day of January, 1990, did say that the foregoing instrument was signed and executed in behalf of said trust, by authority.



[Signature]  
Notary Public  
Residing at: Layton, Ut  
My commission expires: Nov. 25, 2012

EASEMENT SIGNATURE PAGE

The Family Trust portion of the Motta Family Trust, dated the 19<sup>th</sup> day of January, 1990

Julie Ann Motta Knighton  
Julie Ann Motta Knighton, Trustee

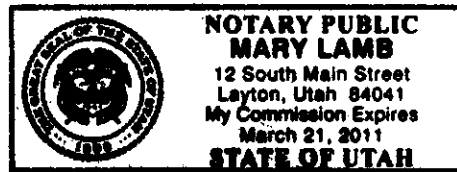
Laurie Beth Motta Eccleston  
Laurie Beth Motta Eccleston, Trustee

STATE OF UTAH            )  
                                      : ss  
COUNTY OF DAVIS        )

On the 9 day of February, 2011, personally appeared before me Julie Ann Motta Knighton and Laurie Beth Motta Eccleston, Trustees of The Family Trust portion of the Motta Family Trust, dated the 19<sup>th</sup> day of January, 1990, did say that the foregoing instrument was signed and executed in behalf of said trust, by authority.

Mary Lamb  
Notary Public

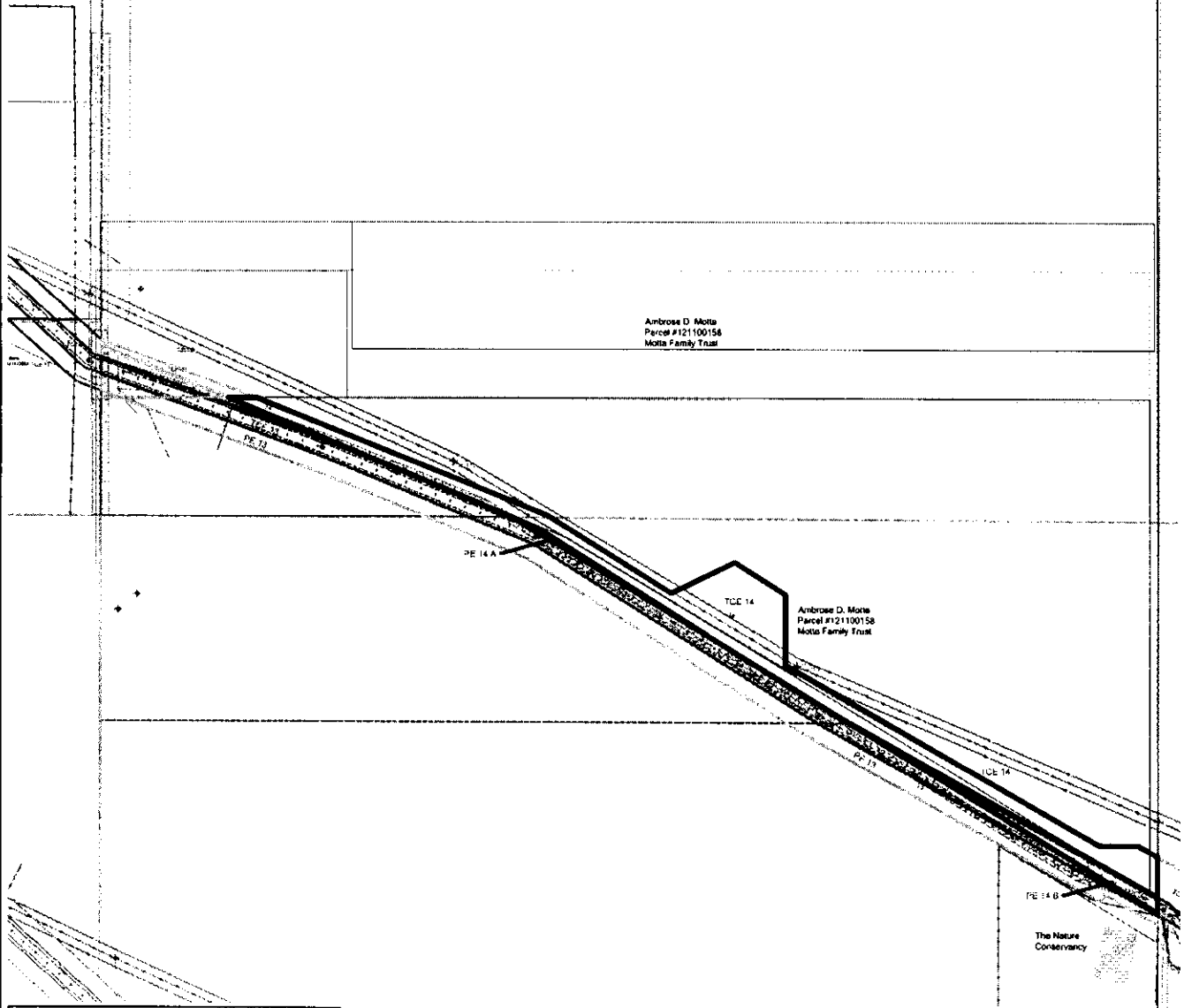
Residing at: Layton, UT  
My commission expires: 3-21-11





PARCEL #  
121100158

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 95029,  
SOUTH JORDAN, UT 84095  
PHONE: (801) 448-1820  
FAX: (801) 253-1488

DWNG BY  
ZFB  
CHKD BY  
RDF  
PROJ. #  
090407

PROJECT  
**South Outfall Sewer Pipe Easement**  
Davis County, Utah

SHEET TITLE  
**Parcel #121100158 Ambrose Motta**



PARCEL #  
121100158

Sheet
2 of 2

**LEGAL DESCRIPTION OF: TCE 14**

An appurtenant & Temporary Construction Easement, Located in the Southwest quarter and the North west 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 149.12 feet, true North and 156.99 feet true East from the West Quarter Corner of said section said point also being on the Northwest corner of a property owned by Ambrose D. Motta Book 1398 Page 60 of the official record and running thence, S 89° 49' 53" E for a distance of 38.17 feet; thence, S 68° 00' 49" E for a distance of 392.83 feet; thence, S 57° 56' 44" E for a distance of 183.16 feet; thence, N 64° 06' 32" E for a distance of 88.49 feet; thence, S 57° 56' 44" E for a distance of 75.00 feet; thence, SOUTH for a distance of 88.49 feet; thence, S 57° 56' 44" E for a distance of 66.72 feet; thence, S 60° 50' 29" E for a distance of 384.75 feet; thence, EAST for a distance of 49.33 feet; thence, S 60° 50' 29" E for a distance of 28.12 feet; thence, S 00° 00' 17" E for a distance of 50.43 feet; thence, N 60° 50' 29" W for a distance of 465.74 feet; thence, N 58° 38' 04" W for a distance of 64.25 feet; thence, N 57° 56' 43" W for a distance of 368.66 feet; thence, N 67° 29' 56" W for a distance of 28.77 feet; thence N 58° 38' 04" W a distance of 5.45 feet; thence, N 67° 20' 04" W for a distance of 392.30 feet to the POINT OF BEGINNING; Containing 35,272 sqft more or less.

**LEGAL DESCRIPTION OF: PE 14 A**

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 4.892 feet, true South and 523.659 feet true East from the West Quarter Corner of said section and running thence, S 67° 29' 56" E for a distance of 28.77 feet; thence S 57° 56' 43" E a distance of 368.66 feet; thence, N 58° 38' 04" W for a distance of 397.06 feet to the POINT OF BEGINNING; Containing 880 sqft more or less.

**LEGAL DESCRIPTION OF: PE 14 B**

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, N 58° 38' 04" W for a distance of 476.29 feet; thence S 60° 50' 29" E a distance of 465.74 feet; thence, S 00° 04' 13" W for a distance of 20.99 feet to the POINT OF BEGINNING; Containing 4,271 sqft more or less.

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

TCE (within existing easement)	5,661 SQUARE FEET
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DATE OF ORIGINAL DRAWING: 8-13-2009		
2	change easement location based on B.L.A.	2/1/2011 RDF
1	Adjustment on sqft tables	11/3/09 RDF
NO	REVISION	DATE BY

DWNG BY	ZFB
CHCKD BY	RDF
PROJ. #	090407

PROJECT	<b>South Outfall Sewer Pipe Easement</b>
	Davis County, Utah
SHEET TITLE	<b>Parcel #121100158 Ambrose Motta</b>

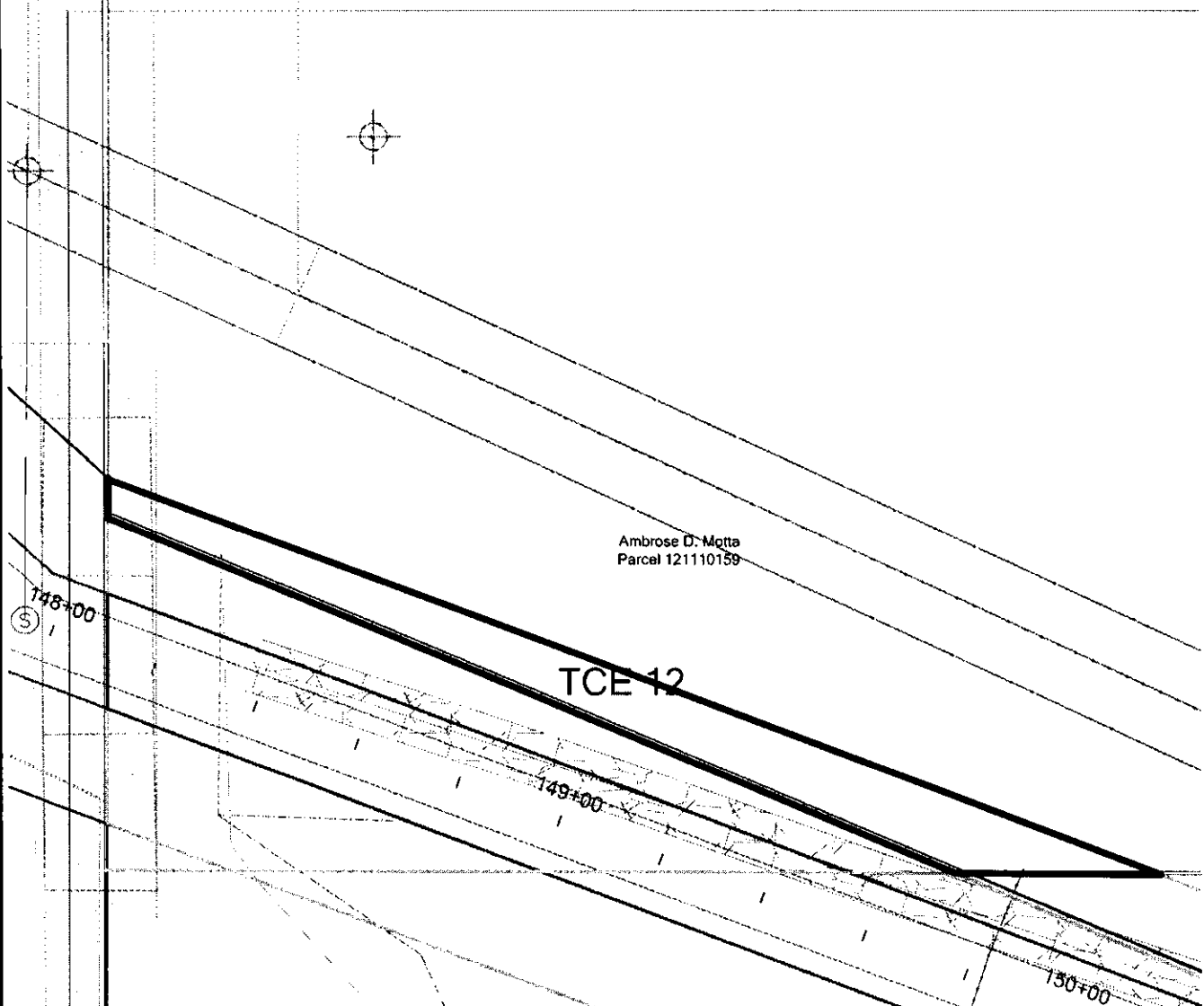
**FLINT**

LAND SURVEYING  
& CONSULTING INC.

P.O. BOX 95029,  
SOUTH JORDAN, UT 84095  
PHONE: (801) 448-1820  
FAX: (801) 253-1466

PARCEL #  
121100159

Sheet  
**1 of 2**



Ambrose D. Motta  
Parcel 121100159

**TCE-12**

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 95029  
SOUTH JORDAN, UT 84095  
PHONE: (801) 448-1820  
FAX: (801) 253-1488

DWNG BY  
ZFB  
CHCKD BY  
RDF  
PROJ. #  
090407

PROJECT  
**South Outfall Sewer Pipe Easement**  
Davis County, Utah  
SHEET TITLE  
**Parcel #121100159 Ambrose Motta**



PARCEL #  
121100159

Sheet
2 of 2

**LEGAL DESCRIPTION OF: TCE 12**

An appurtenant & Temporary Construction Easement, Located in the Northwest 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 214.42 feet, North 00°09' 47" East along section line from the West Quarter Corner of said section and running thence, N 00° 11' 50" E for a distance of 7.46 feet; thence, S 48° 00' 46" E for a distance of 0.73 feet; thence, S 69° 32' 07" E for a distance of 207.06 feet; thence N 89° 49' 53" W a distance of 38.17 feet; thence, N 67° 20' 04" W for a distance of 169.48 feet to the POINT OF BEGINNING; Containing 1937 sqft more or less.

CLIENT
<b>MWH</b>
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

DWNG BY
ZFB
CHCKD BY
RDF
PROJ. #
090407

PROJECT
<b>South Outfall Sewer Pipe Easement</b>
Davis County, Utah
SHEET TITLE
<b>Parcel # 121100159 Ambrose Motta</b>

FLINT



LAND SURVEYING  
& CONSULTING INC.

P.O. BOX 95029  
SOUTH JORDAN, UT 84096  
PHONE: (801) 446-1820  
FAX: (801) 255-1468