

44-30SP

4437

NARRATIVE:

This Survey and Subdivision plat was requested by Mr. Dave Guetig for purposes of platting four (4) commercial lots. Brass Cap Monument was found at the South Quarter Corner and a nail and washer monumenting the Center of Section 20, T4N, R1W, SLB&M, U.S. Survey. A line between these two monuments was assigned the Davis County Survey bearing of N 0°10'20" E as the basis of bearings.

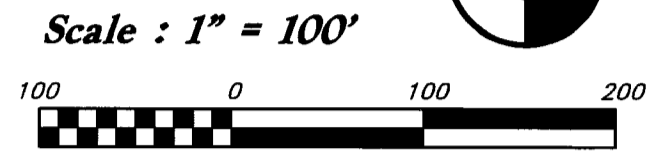
NOTES:

- 1. Contemporaneous with the recording of this Plat, the owners of Lots 1 through 4, inclusive (collectively, the "Lots" and individually, a "Lot"), will execute and record a Restriction Agreement and Grant of Easements ("RAGE") that provides for (i) nonexclusive easements for ingress and egress by vehicular and pedestrian traffic across the common area of the Lots; (ii) nonexclusive easements for the installation, operation, maintenance and repair of utility lines, subject to the written approval of the burdened lot owner as to the location of such utility lines; (iii) nonexclusive rights and easements to drain storm water runoff onto and across the Lots, subject to the written approval of the burdened lot owner as to the location of the storm drain lines, and the right to use and impound storm water in the storm water detention facility located on Lot 2; and (iv) the maintenance, repair and replacement, when necessary, of utility lines (with the exception of sewer, water and storm water on 500 North Street and 650 West Street) by each of the Lot owners for their respective Lot. The RAGE shall govern and control the installation, maintenance, repair, operation and replacement and use of all utility facilities on, over, across and through the Lots.
2. Layton City shall have the right of ingress and egress by vehicular and pedestrian traffic across the common area of the Lots for the purpose of reading and maintaining on-site water meters.
3. Contemporaneous with the recording of this Plat, Layton City will, by separate instrument, vacate its rights in and to that certain Access & Utility Easement dated May 30, 2002 and recorded on June 4, 2002 as Entry No. 1759186 in Book 3057 at Page 511 in the official records of Davis County, Utah ("Official Records"), the rights of which were assigned to Layton City by that certain Assignment of Access & Utility Easement dated September 24, 2002 and recorded on October 4, 2002 as Entry No. 1791960 in Book 3140 at Page 37 in the Official Records.
4. Contemporaneous with the recording of this Plat, the owners of Lots 1 and 4 will, by separate instrument, vacate that certain seventeen (17) foot right of way created by Warranty Deed dated January 20, 1978 and recorded on even date as Entry No. 484491 in Book 688 at Page 165 in the Official Records.

Barlow Retail Subdivision
A part of the East 1/2 of Section 20, T4N, R1W, SLB&M, U.S. Survey
Layton City, Davis County, Utah

NORTH DAVIS SEWER DISTRICT
Approved by NDSO on the 9th day of Feb. 2006.

Signature of North Davis Sewer District representative

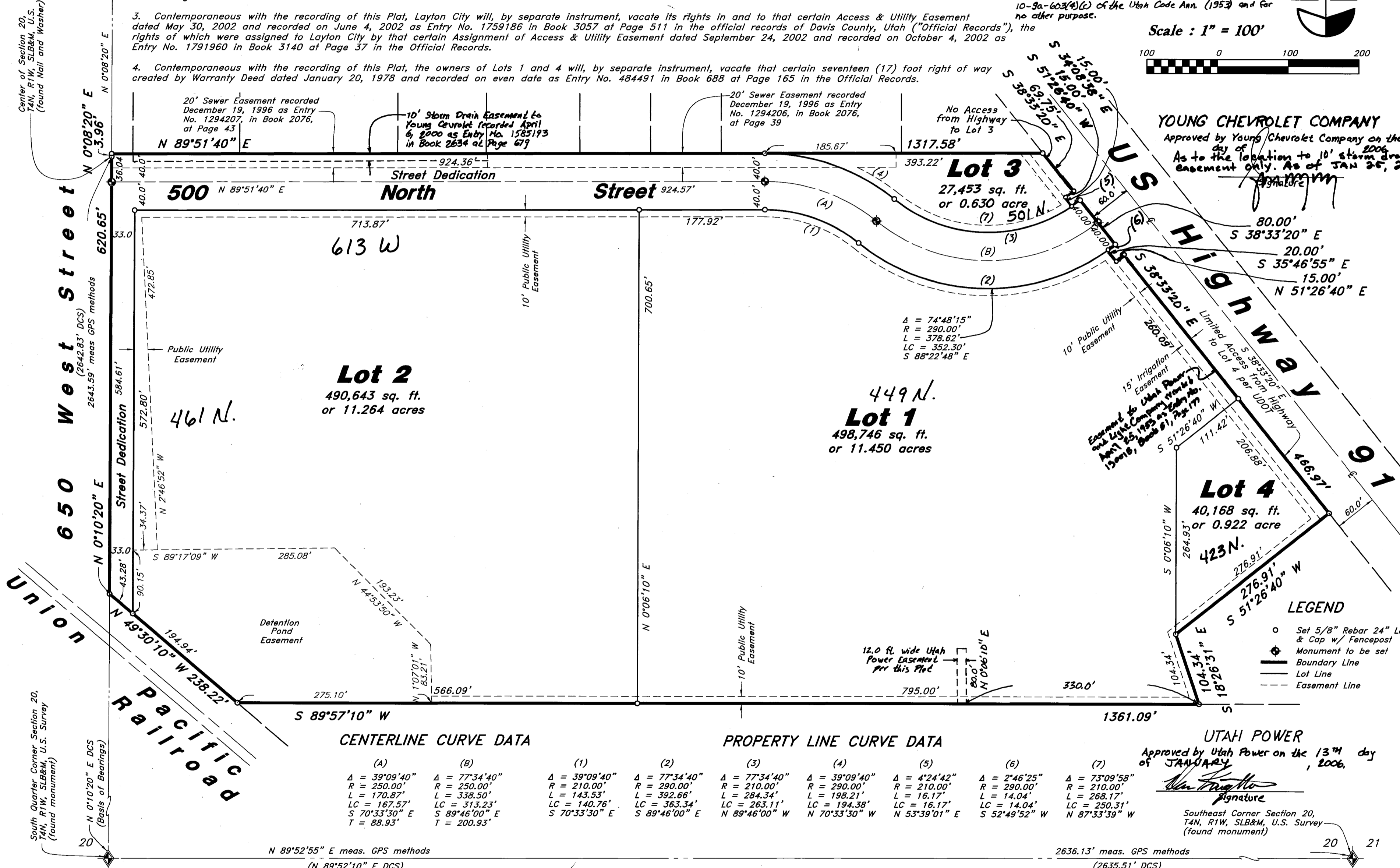


SURVEYOR'S CERTIFICATE
I, Bruce D. Pimper, a Registered Professional Land Surveyor in the State of Utah, do hereby certify that this plat of Barlow Retail Subdivision in Layton City, Davis County, Utah has been correctly drawn to the designated scale and is a true and correct representation of the herein described lands in said subdivision based on data compiled from records and field observations. Signed this 2nd day of November, 2004.

OWNER'S DEDICATION
The undersigned, constituting all of the owners of the land described on this Plat, hereby subdivide the land into the lots and streets shown on this Plat, hereafter to be known as the "Barlow Retail Subdivision". Further, the undersigned hereby (i) dedicate, grant and convey to Layton City, Davis County, Utah, that portion of the land designated on the Plat as "500 North Street" and "650 West Street" to be used as public right-of-way; (ii) dedicate to Layton City, and grant to public utility companies and to the owners of each lot within the Barlow Retail Subdivision, a non-exclusive utility easement on, over, across and through that portion of the land designated on this Plat as "Public Utility Easements", solely for the installation, maintenance, repair, operation and replacement of public utility facilities, including, without limitation, storm water drainage systems, for the use and benefit of the land shown on this Plat; and (iii) dedicate to Layton City and to the owners of each lot within the Barlow Retail Subdivision a non-exclusive easement on, over, across and through that portion of the land designated on this Plat as a "Detention Pond Easement", for the installation, maintenance, repair, operation and replacement of drainage lines and a detention pond for the use and benefit of the land shown on this Plat. Signed this 2nd day of November, 2004.

Barlow Corporation, a Utah corporation
Home Depot U.S.A., Inc., a Delaware corporation
Mortgage Service Corporation, a Utah corporation aka Service Mortgage Corporation

ACKNOWLEDGMENT
State of Utah County of Davis
On the 11th day of January, 2005, personally appeared before me, Notary Public Robyn Stevens, the undersigned and that said instrument was signed in behalf of said Company by a resolution of its Members and that said instrument was signed in behalf of said Company by a resolution of its Board of Directors and acknowledged to me that said Company executed the same.



LAYTON CITY ATTORNEY: Approved by the Layton City Attorney this 8th day of February, 2006.
LAYTON CITY ENGINEER: I hereby certify that I have carefully investigated the survey of the foregoing plat and legal descriptions of the land embraced therein and find them to be correct and to conform to the lines and monuments on record in this office. Signed this 27th day of February, 2006.
LAYTON CITY PLANNING COMMISSION: Approved by the Layton City Planning Commission on the 29th day of June, 2004.

BOUNDARY DESCRIPTION
A part of the East half of Section 20, Township 4 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey in Layton, Davis County, Utah:
Beginning at the Center of said Section 20; and running thence North 0°08'20" East 3.96 feet along the Quarter Section Line; thence North 89°51'40" East 1317.58 feet along a common boundary line to the Southwestly Line of U.S. Highway 91 as it exists at 60.00 foot half width; thence along said Southwestly Line the following nine courses: South 38°33'20" East 69.75 feet; South 51°26'40" West 15.00 feet; South 34°08'38" East 15.00 feet; Northeastly along the arc of a 210.00 foot radius curve to the left a distance of 16.17 feet (Central Angle equals 4°24'42" and Long Chord bears North 53°39'01" East 16.17 feet); South 38°33'20" East 80.00 feet; Southwestly along the arc of a 290.00 foot radius curve to the right a distance of 14.04 feet (Central Angle equals 2°46'25" and Long Chord bears South 52°49'52" West 14.04 feet); South 35°46'55" East 20.00 feet; North 51°26'40" East 15.00 feet; and South 38°33'20" East 466.97 feet; thence South 51°26'40" West 276.91 feet; thence North 18°26'31" East 104.34 feet; thence South 89°57'10" West 1361.09 feet to the Northeastly Line of the Railroad Right-of-way as it exists at 100 foot wide Right-of-way; thence North 49°30'10" West 238.22 feet along said Northeastly Line to the Quarter Section Line; thence North 0°10'20" East 620.65 feet along said Quarter Section Line to the point of beginning.

DAVIS COUNTY RECORDER
ENTRY NO. 2160459
FILED FOR RECORD AND RECORDED APRIL 14, 2006 AT 10:47 AM IN BOOK 4013 OF OFFICIAL RECORDS, PAGE 419. RECORDED FOR LAYTON CITY
Alicia Lara, Notary Public Commissioned in Utah, My Comm. Expires Sep 15, 2006.

FEPP

FEPP 11-2-04