

710-10-471-10
21-09-050-0040
When Recorded Mail To:

Business Development
Division of Business and Economic Development
324 South State Street, 5th Floor
Salt Lake City, Utah 84114

Attention: Mr. Richard Bradford

State No. 91 SL Escrow No. 301652CP
County No. 03D-71856

E 1177741 B 1871 P 353
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1995 MAY 4 2:51 PM FEE 2.00 DEF JB
REC'D FOR FIRST AMERICAN TITLE CO OF UTA

**LAND USE EASEMENT
(75 LdN)**

GLEN J. LOVE and his wife ADA W. LOVE, Grantors, City of Layton, County of Davis, State of Utah hereby grant and convey to the STATE OF UTAH, Grantee, its successors and assigns for the sum of Ten and no/100 Dollars, a perpetual Land Use Easement for the purpose of protecting the health and safety of the citizens of Utah and assuring the continued operation of Hill Air Force Base as an active military base, as recited by the, Section 63-49a-1 et seq. Utah Code Annotated, 1953, as amended. Said easement regulates the use of the land hereinafter described and makes it subject to the following restrictions.

1. The grantor shall not use or permit any use of the land hereinafter described or any of the air space above said tract of the for any purpose other than following:

- A. ONLY RESIDENTIAL TRANSIENT LODGING WITH NOISE LEVEL REDUCTION (but not in areas above 80 LdN) (see paragraph 2 below).
- B. ALL INDUSTRIAL - MANUFACTURING
- C. TRANSPORTATION - COMMUNICATION & UTILITIES except for noise sensitive communication services
- D. ALL COMMERCIAL - RETAIL TRADE ESTABLISHMENTS
- E. ALL PUBLIC AND QUASI PUBLIC SERVICES except for hospitals, nursing homes, other medical facilities and educational services
- F. OUTDOOR RECREATION ACTIVITIES, including Golf Courses, Riding Stables and Water Recreation
- G. ALL RESOURCES PRODUCTION, EXTRACTION AND OPEN SPACE

2. No residential dwellings shall be allowed under any of the above mentioned uses other than transient lodging with noise level reduction of 30 db.

- 3. Measures to achieve Noise Level Reductions (NLR) of 30 db must be incorporated into the design and construction of occupied portions of all facilities constructed in the 75-80 areas.
- 4. Improvements located on the property subject to this easement at the time said easement is executed shall not be required to be removed. Single family dwellings in existence at the time this document is executed shall not be converted into multiple family dwellings.
- 5. The uses allowed under this easement shall not affect restrictions places on the property by zoning ordinances and uses which may be permitted in this easement may be prohibited by zoning ordinances. The restrictions of this shall not apply to use existing at the time the easement is executed.
- 6. The Grantor, his successors or assigns, shall not construct or place, or cause to be constructed or placed, any improvement upon the property subject to this easement which will exceed a height of 65 feet.
- 7. Any use made of the property subject to this easement by the Grantor, his successors, or assigns, shall be such that no smoke, dust, steam or other substances is related into the airspace which would interfere with pilot vision.
- 8. The Grantor shall not put said property to a use which shall produce light emissions, either direct or indirect (reflections), which would interfere with pilot vision or a use which would produce electrical or other emissions which would interfere with aircraft communication systems or navigational equipment.

The boundaries of the tract of land for said perpetual easement any right of way are described as follows:

Parcel A, GLEN LOVE, 91, 78-80 Decible Zone

Beginning at a point 660.00 feet South and 1320.00 feet West and 660.00 feet South and West 1294.69 feet from the Northeast Corner of the Northwest Quarter of Section 10, Township 4 North, Range 1 West, Salt Lake Base and Meridian; thence West 235.68 feet; thence South 297.45 feet thence South 27°09'51" East 94.23 feet; thence North 26°48'27" East 427.20 feet to the point of beginning.

09-050-0040

Containing 1.18 Acres

The above described tract of land contains _____ acres, more or less.

WITNESS, the hand of said Grantor, this 3rd day of May, A.D. 1995.

Signed in the presence of:

Glen J. Love

GLEN J. LOVE

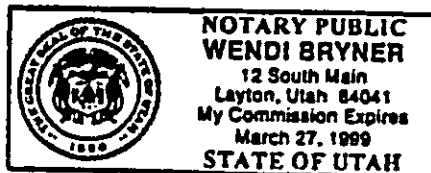
Ada W. Love

ADA W. LOVE

STATE OF UTAH

COUNTY OF Davis

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On the 2nd day of May, A.D. 1995, personally appeared before me Glen J. Love and Ada W. Love, the signers of the within instrument, who duly acknowledged to me that they executed the same.

My Commission expires: 3-27-99

Wendi Bryner

Notary Public