

RETURN TO:

Layton City Corporation
437 North Wasatch Dr
Layton, Utah 84041

RETURNED
JUN 25 1997

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JAMES ASHAUER, DAVIS CNTY RECORDER
1997 JUN 25 7:57 AM FEE .00 DEP NT
REC'D FOR LAYTON CITY

STORM DRAIN
EASEMENT

NW 17 4N 1W
pt. 10-027-0087

For the sum of Ten Dollars (\$10.00) and other good and valuable-0077 consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned GRANTORS hereby grant, convey, sell, and set over unto Layton City Corporation a body politic of the State of Utah, hereinafter referred to as GRANTEE, its successors and assigns, a perpetual right-of-way and easement to construct, maintain, operate, repair, inspect, protect, install, remove and replace storm drain pipelines, manholes, and a storm drainage retention basin, hereinafter called Facilities, said right-of-way and easement being situated in Layton City, State of Utah, over and through a parcel of the GRANTOR's land, more fully described as follows:

BEGINNING AT A POINT WHICH IS N 0D 9' 50" E, 598.46 FT. ALONG THE SECTION LINE, AND WEST 860.803 FT. FROM THE CENTER OF SECTION 17, T4N, R1W, SLB&M; SAID POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF A SIXTY FOOT WIDE STREET; RUNNING THENCE N 23D 59' 4" E, 131.00 FT., THENCE SOUTHEASTERLY ALONG THE ARC OF A 1214.47 FT. RADIUS CURVE TO THE RIGHT A DISTANCE OF 43.622 FT. (CENTRAL ANGLE 2D 3' 29" AND LONG CHORD BEARS S 64D 59' 11" E, 43.62 FT.); THENCE S 63D 57' 27" E, 49.24 FT., THENCE EASTERLY ALONG THE ARC OF A 869.0 FT. RADIUS CURVE TO THE LEFT A DISTANCE OF 199.717 FT. (CENTRAL ANGLE 13D 10' 5" AND LONG CHORD BEARS S 70D 32' 29" E, 199.28 FT.); THENCE S 12D 52' 28" W, 131.0 FT., TO THE NORTH RIGHT OF WAY LINE OF SAID SIXTY FOOT WIDE STREET; THENCE ALONG SAID STREET RIGHT OF WAY THE FOLLOWING THREE COURSES; NORTHWESTERLY ALONG THE ARC OF A 1000.0 FT. RADIUS CURVE TO THE RIGHT A DISTANCE OF 229.824 FT. (CENTRAL ANGLE 13D 10' 5" AND LONG CHORD BEARS N 70D 32' 29" W, 229.32 FT.); THENCE N 63D 57' 27" W, 49.24 FT.; THENCE NORTHWESTERLY ALONG THE ARC OF A 1083.47 FT. RADIUS CURVE TO THE LEFT A DISTANCE OF 38.917 FT. (CENTRAL ANGLE 2D 3' 29" AND LONG CHORD BEARS N 64D 59' 11" W, 38.915 FT.), TO THE POINT OF BEGINNING. CONTAINS .918 ACRES

TO HAVE AND TO HOLD the same unto the said GRANTOR, its successors and assigns, with the right of ingress and egress in said GRANTEE, its officers, employees, representatives, agents 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 agents may use such portion of GRANTORS property along and adjacent to said right-of-way as may be reasonably necessary in connection with the construction or repair of said Facilities. 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 said GRANTEE, provided such use shall not interfere with the Facilities or which the collection and conveyance and storage of storm drainage through said Facilities, or any other rights granted to the GRANTEE hereunder.

GRANTORS warrant that they and no one else holds title to the above described property and that they have authority to sell said easement to the city.

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 benefit of the successors and assigns of the GRANTORS and the successors and assigns of the GRANTEE.

IN WITNESS WHEREOF, the GRANTORS have executed this right-of-way and easement this 19 day of May, 1996

Homco Investment Co
by Layton P. Ott - Mgr. Partner

STATE OF UTAH)
):S
COUNTY OF DAVIS)
) Washington

On the 19th day of May, 1996, personally appeared me, LAYTON P. OTT, General Partner of HOMCO INVESTMENT COMPANY, the signer(s) of the above instrument, who duly acknowledged to me they executed the same.

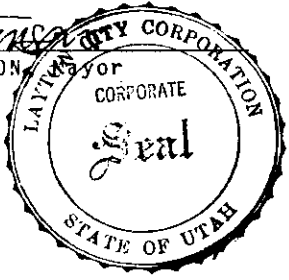
Kathy Hayes
Notary Public

My Commission Expires: 3/24/98
Residing In: St. George, UT



LAYTON CITY ACCEPTANCE:

Jerry Stevenson
JERRY STEVENSON, Mayor



ATTEST:
Steven M. Ashby
Steven M. Ashby, City Recorder