

When Recorded Mail To:

Business Development
Division of Business & Economic Development
324 South State Street, 5th Floor
Salt Lake City, Utah 84114
Attention: Mr. Richard Bradford

State No. 611 S.L. Escrow No. 301777CP
County No. 03W-72276

LAND USE EASEMENT
(APZ 2)

Nora B. Howes his wife, as joint tenants, Grantors, City of ^{Roy} ~~Layton~~, County of Weber, 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 land for any purpose other than following:

- A. RESIDENTIAL - Single Detached Units, subject to density restrictions in paragraph 3 below*
- B. INDUSTRIAL-MANUFACTURING
 - (1) Lumber and Wood Products
 - (2) Furniture and Fixtures
 - (3) Paper and Allied Products
 - (4) Printing, Publishing
 - (5) Chemical and Allied Products, subject to density restrictions in paragraph 3 below*
 - (6) Rubber and Miscellaneous Plastic Goods, subject to density restrictions on paragraph 3 below*
 - (7) Stone, Clay and Glass Products
 - (8) Primary Metal Industries
 - (9) Fabricated Metal Products
 - (10) Food and Kindred Products
 - (11) Textile Mill Products
 - (12) Miscellaneous Manufacturing, including Primary Metal Industry, Professional, Scientific and Controlling Instruments, Petroleum Refining; Apparel Manufacturing, subject to density restrictions in paragraph 3 below*

E# 1357688 BK1767 PG84
DOUG CROFTS, WEBER COUNTY RECORDER
09-AUG-95 436 PM FEE \$16.00 DEP MH
REC FOR: FIRST.AMERICAN.TITLE

C. TRANSPORTATION-COMMUNICATIONS & UTILITIES

- (1) Railroad, Rapid Rail Transit
- (2) Highway and Street Right of Way
- (3) Auto Parking
- (4) Communications
- (5) Utilities
- (6) Other Transportation, Communications and Utilities

D. COMMERCIAL-RETAIL TRADE

- (1) Wholesale Trade
- (2) Building Materials - Retail
- (3) Retail Trade - Automotive, Marine subject to density restrictions in paragraph 3 below*
- (4) Retail Trade - Furniture, Home Furnishings, Retail
- (5) Retail Trade - General Merchandise, subject to density restrictions in paragraph 3 below*
- (6) Retail Trade - Food, subject to density restrictions in paragraph 3 below*
- (7) Retail Trade - Apparel, subject to density restrictions in paragraph 3 below*
- (8) Retail Trade - Other retailing trade, except for eating and drinking establishments subject to density restrictions in paragraph 3 below*
- (9) Storage Units

E. PUBLIC AND QUASI PUBLIC SERVICES

- (1) Cemeteries, except for chapels
- (2) Business Services, subject to density restrictions in paragraph 3 below*
- (3) Repair Services
- (4) Contract Construction Services
- (5) Financial, Insurance and Real Estate Services, subject to density restrictions in paragraph 3 below*
- (6) Personal Services, subject to density restrictions in paragraph 3 below*
- (7) Professional Services, subject to density restrictions in paragraph 3 below*
- (8) Government Services, subject to density restrictions in paragraph 3 below*
- (9) Miscellaneous Services except for Hospitals and Nursing Homes, other Medical Facilities, and Educational Services, subject to density restrictions in paragraph 3 below*

F. OUTDOOR RECREATION

- (1) Golf Course, Riding Stables
- (2) Water Based Recreational
- (3) Nature Exhibition
- (4) Parks, subject to density restrictions in paragraph 3 below*
- (5) Low density Cultural Activities, including Churches, subject to density restrictions in paragraph 3 below*
- (6) Amusement, subject to density restrictions in paragraph 3 below*

G. RESOURCE PRODUCTION, EXTRACTION AND OPEN SPACE

- (1) Agricultural
- (2) Livestock Farming, Animal Breeding
- (3) Forestry Activities
- (4) Fishing Activities & Related Services
- (5) Mining Activities
- (6) Permanent Open Spaces
- (7) Water Areas
- (8) Other Resource Extraction and Production

2. No more than two (2) residential dwellings per acre shall be allowed under any of the above mentioned uses.

3. For those marked with an astrict (*), the following shall apply: In no case shall any identified use be made of any of the above property which shall result in any of the following: The congregation of more than one person per 300 square feet. The congregation of more than 10 persons per acre. The congregation of more than 25 persons in any indoor or outdoor facility.

4. Measures to achieve Noise Level Reduction of 30 bdo or 35 db must be incorporated into the design and construction of occupied portions of all facilities constructed in the 75-80 or 90+ LdN areas respectively.

5. 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.

6. 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 easement shall not apply to the use existing at the time the easement is executed.

7. The Grantor, his successors or assigns, shall not construct or place, or cause to be constructed or placed, any improvements upon the property subject to this easement which will exceed a height of 581 feet.

8. 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 released into the airspace which would interfere with pilot vision.

9. The Grantor shall not put said property to a use which will 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 communications systems or navigational equipment.

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

BEGINNING at a point North 719.40 feet and South 78 deg 45'00" East 751.82 feet South 13 deg 28'00" West 169.94 feet and Southwesterly along a spiraled curve to the left 910.06 feet and West 567.73 feet from the Southwest Corner of the Northeast Quarter of Section 18, Township 5 North, Range 1 West, Salt Lake Base and Meridian; thence South 27 deg 09'51" East 807.90 feet; thence South 87 deg 26'22" West 463.07 feet; thence North 570.00 feet; thence North 1 deg 57'00" East 169.57 feet; thence East 88.00 feet to the point of BEGINNING.

07-073-0007

The above described tract of land contains 4.69 acres, more or less.

WITNESS, the hand of said Grantor, this 25 day of July, A.D. 1995.

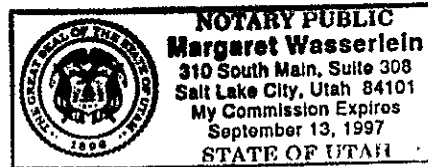
Signed in the presence of:

Nora B. Howes
Nora B. Howes

STATE OF UTAH

} SS

COUNTY OF



On the 25 day of July, A.D. 1995, personally appeared before me Nora B. Howes, the signers of the within instrument, who duly acknowledged to me that they executed the same.

My Commission expires: 9/13/97

Margaret Wasserlein