

Return to:  
LAYTON CITY PLANNING DEPT.  
437 WASATCH DRIVE  
LAYTON, UTAH 84041

RETURNED  
APR - 6 2000

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SHERYL L. WHITE, DAVIS CNTY RECORDER  
2000 APR 6 2:58 PM FEE .00 DEP DJW  
REC'D FOR LAYTON CITY CORP

**STORM DRAIN EASEMENT  
HAMILTON ESTATES SUBDIVISION Phase 1**

SE 16-4N-1W  
PT 10-023-0054

For the sum of Ten Dollar (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is here by 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 lay, maintain, operate, repair, inspect, protect, install, remove and replace storm drain pipelines, manholes, and other collection and transmission structures, and facilities, hereinafter called Facilities, said right-of-way and easement situated in Layton City, State of Utah, over and through the a parcel of the GRANTOR's land, more particularly described as follows:

Commencing at the Center of Section 16, Township 4 North, Range 1 West, Salt Lake Base and Meridian: thence South 00°00'30" West 1,063.97 feet along the quarter section line (Basis of Bearing); thence South 89°59'30" East 42.00 feet to the East line of Fort Lane Road, the true point of beginning:

- Thence South 89°55'00" East 684.04 feet to the West Line of Hamilton Estates Subdivision Phase 1;
- Thence South 41°51'29" West 26.82 feet along said West line;
- Thence North 89°55'00" West 666.15 feet to the East line of Fort Lane;
- Thence North 00°00'30" East 20.00 feet along said East line to the point of beginning.

Contains 13501 sf / 0.310 ac

ALSO: A temporary Storm drain easement more particularly described as follows:

Commencing at the Center of Section 16, Township 4 North, Range 1 West, Salt Lake Base and Meridian: thence South 00°00'30" West 1,040.40 feet along the quarter section line (Basis of Bearing); thence East 748.06 feet to the West line of Hamilton Estates Subdivision, the true point of beginning:

- Thence South 41°51'29" West 68.60 feet along said subdivision to a curve to the right;
- Thence ~~Northwesterly~~ <sup>\*Northwesterly</sup> 303.97 feet having a radius of 60.00 feet an included angle of 290°16'12" a short cord bearing North 41°51'29" East feet for 68.60 feet to the point of beginning.

Contains 10807 sf / 0.248 ac.

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 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. The contractor performing the work shall restore all property through which the work traverses, to as near its original condition as is reasonably possible. 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 such the collection and conveyance of storm drainage and water 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 significantly 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 GRANTOR has executed this right-of-way and easement this 13 day of December, 1999.

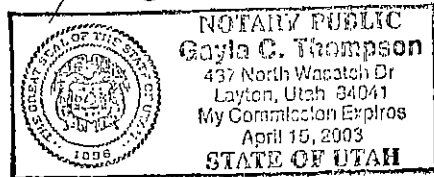
Donna F. Hamilton  
Donna F. Hamilton

STATE OF UTAH       )  
                                  ) SS  
COUNT OF DAVIS    )

On the 13 day of December, 1999, personally appeared before me, Donna Hamilton, the signer of the above instrument, who duly acknowledged to me that she executed the same.

Gayla C. Thompson  
Notary Public

My Commission Expires:  
Residing in:



LAYTON CITY ACCEPTANCE:

[Signature]  
City Manager

ATTEST:

[Signature]  
City Recorder

