

Com Area Pheasantbrook S

WHEN RECORDED, RETURN TO:  
CENTERVILLE CITY CORPORATION  
250 NORTH MAIN  
CENTERVILLE, UT 84014-1824

E 1844582 B 3251 P 595  
RICHARD T. MAUGHAN, DAVIS CNTY RECORDER  
2003 MAR 20 11:50 AM FEE .00 DEP CLK  
REC'D FOR CENTERVILLE CITY CORPORATION

02-036-0125 thru 0144

### CULINARY WATERLINE EASEMENT

For the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantor, **PHEASANTBROOK HOME OWNERS ASSOCIATION**, a Utah non-profit corporation, hereby grants, conveys, sells, and sets over unto **CENTERVILLE CITY**, a municipal corporation of the State of Utah, as Grantee, its successors and assigns, a perpetual easement, upon part of an entire tract of property in Pheasantbrook Part VIII, a Planned Unit Development recorded in the office of the Davis County Recorder, in the NW 1/4 of Section 7, T.2 N., R.1 E., S.L.B.& M., in Davis County, Utah, for the purpose of constructing and maintaining thereon a culinary water facility and appurtenant parts thereof. The boundaries of said part of an entire tract are described as follows:

Beginning at a point on the East line of Pheasantbrook Part VIII and on the West line of Steeplechase Farms PUD, said point being South 89°52'36" West 1,125.79 feet along the south line of Chase Lane from the Northeast Corner of Lot 4, Block "B", Big Creek Plat, Centerville Townsite Survey, (note: said Northeast Corner of Lot 4 being South 89°52'36" West 33.00 feet and South 0°11'17" West 33.00 feet from a Centerville City Survey Monument in the intersection of Chase Lane and Main Street) and South 0°04'44" East 158.00 feet along the East line of Pheasantbrook Part VIII and the West line of Steeplechase Farms PUD,

and running thence South 0°04'44" East 20.00 feet along the East line of Pheasantbrook Part VIII and the West line of Steeplechase Farms PUD, thence West 45.00 feet, thence North 0°04'44" West 20.00 feet, thence East 45.00 feet to the point of beginning.

Contains 900 Square Feet, .021 acres

TO HAVE AND HOLD the same unto said Grantee, its successors and assigns, so long as such Facilities shall be maintained, with right of ingress and egress in said Grantee, its officers, employees, agents, contractors 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 contractors may use such portions of the property along and adjacent to said right-of-way as may be reasonably necessary in connection with the construction or repair of the 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. Grantor shall have the right to use said premises except for the purpose for which this right-of-way and easement is granted to the Grantee, provided such use shall not interfere with the Facilities, or with Grantee's use thereof, or any other rights provided to the Grantee hereunder.

Grantor shall not build or construct, or permit to be built or constructed, any building or other improvement over or across said right-of-way and easement, 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 any heirs, representatives, successors and assigns of the Grantor and the successors and assigns of the Grantee, and may be assigned in whole or in part by Grantee.

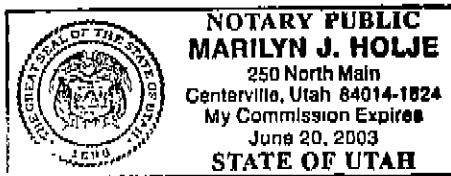
IN WITNESS WHEREOF, the Grantor has executed this right-of-way and Easement this 5 day of March, 2003.

**PHEASANTBROOK HOME OWNERS ASSOCIATION**

*Sharon S. Carver*  
 Sharon S. Carver, President

STATE OF UTAH )  
   ) :ss.  
 COUNTY OF             )

On the 5<sup>th</sup> day of March, 2003, personally appeared before me Sharon S. Carver, who being by me duly sworn, did say that she is the President of **PHEASANTBROOK HOME OWNERS ASSOCIATION**, a Utah non-profit corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors; and acknowledged to me that said corporation executed the same.



*Marilyn J. Holje*  
 NOTARY PUBLIC

Accepted for Recordation by Centerville City Corporation

*Steve Thacker*  
 Steve Thacker, City Manager

3/20/03  
 Date

