



"W2095937"

E# 2095937 PG 1 OF 3
DOUG CROFTS, WEBER COUNTY RECORDER
08-APR-05 353 PM FEE \$17.00 DEP SGC
REC FOR: MICHAEL DICKSON

PUBLIC UTILITY EASEMENT

The undersigned Grantor, for good and valuable consideration hereby grants and conveys to Ogden City, a Utah Municipal Corporation, Grantee, a perpetual public utility easement to be used for the installation, maintenance and operation of public utility service lines and facilities (culinary water, secondary water, sanitary sewer, storm drainage, electrical, gas, telephone, cable) as may be authorized by the Grantee, over, across and under the real property of Grantors and described as follows:

PART OF THE SE QUARTER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, OGDEN CITY, WEBER COUNTY, UTAH, AND DESCRIBED AS FOLLOWS:

*PT. 13-218-0026 to 0046, 0049
13-039-0006 PT.*

MAIN PUBLIC UTILITY EASEMENT

COMMENCING AT THE NW CORNER OF GRANTOR'S PROPERTY, WHICH POINT LIES N89 08'00"W, 1156.24 FEET AND N00 52'00"E, 992.35 FEET FROM THE SE CORNER OF SAID SECTION 21 THENCE S90 00'00"E, 392.44 FEET; THENCE S05 25'47"W, 20.09 FEET; THENCE N90 00'00"W, 71.80 FEET; THENCE S05 15'00"W, 167.79 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE SOUTHWESTERLY 90.63 FEET ALONG THE CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 54.50 FEET AND A CENTRAL ANGLE OF 95 16'50"; THENCE N79 28'10"W TANGENT TO SAID CURVE, 147.77 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE NORTHWESTERLY 76.50 FEET ALONG THE CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 54.50 FEET AND A CENTRAL ANGLE OF 80 25'25"; THENCE N00 57'15"E TANGENT TO SAID CURVE, 102.22 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE NORTHWESTERLY 31.79 FEET ALONG THE CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 20.50 FEET AND A CENTRAL ANGLE OF 88 50'34"; THENCE N87 53'19"W TANGENT TO SAID CURVE, 31.83 FEET; THENCE N00 58'00"E, 29.97 FEET TO THE POINT OF BEGINNING.

LESS THE FOLLOWING AREA:

COMMENCING AT POINT WHICH LIES N89 08'00"W, 888.94 FEET AND N00 52'00"E, 812.86 FEET FROM THE SE CORNER OF SAID SECTION 21; THENCE FROM THE BEGINNING OF RIGHT CURVE FROM WHICH THE RADIUS POINT BEARS N84 45'00"W, SOUTHWESTERLY 25.78 FEET ALONG THE CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 15.50 FEET AND A CENTRAL ANGLE OF 95 16'50"; THENCE N79 28'10"W TANGENT TO SAID CURVE, 147.77 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE NORTHWESTERLY 21.76 FEET ALONG THE CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 15.50 FEET AND A CENTRAL ANGLE OF 80 26'10"; THENCE N00 58'00"E TANGENT TO SAID CURVE, 102.10 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE NORTHEASTERLY 24.09 FEET ALONG THE CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 15.50 FEET AND A CENTRAL ANGLE OF 89 02'00"; THENCE S90 00'00"E TANGENT TO SAID CURVE, 155.42 FEET TO THE BEGINNING OF A CURVE TANGENT TO SAID LINE; THENCE SOUTHEASTERLY 25.77 FEET ALONG THE CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 15.50 FEET AND A CENTRAL ANGLE OF 95 15'00"; THENCE S05 15'00"W TANGENT TO SAID CURVE, 129.64 FEET TO THE POINT OF BEGINNING.

Ogden City

2005 - 156

Dept Code: _____
Retention: _____

NET AREA OF EASEMENT 0.7706 ACRES.

WEST PUBLIC UTILITY EASEMENT

PT. 13-039-0006

A 7 FOOT EASEMENT COMMENCING AT A POINT OF THE WEST LINE OF GRANTOR'S PROPERTY, WHICH POINT LIES N89 08'00"W, 1156.29 FEET AND N00 52'00"E, 962.37 FEET FROM THE SE CORNER OF SAID SECTION 21; THENCE S87 53'19"E, 7.00 FEET; THENCE S00 58'00"W, 184.44 FEET; THENCE N89 02'00"W, 7.00 FEET; THENCE N00 58'00"E, 184.58 FEET TO THE POINT OF BEGINNING. CONTAINING 0.0297 ACRES.

EAST PUBLIC UTILITY EASEMENT

PT. 13-039-0006

A 7 FOOT EASEMENT COMMENCING AT POINT ON THE EAST LINE OF GRANTOR'S PROPERTY, WHICH POINT LIES THENCE N89 08'00"W, 765.44 FEET AND N00 52'00"E, 978.26 FEET FROM THE SE CORNER OF SAID SECTION; THENCE S05 14'04"W, 230.35 FEET; THENCE N84 45'00"W, 7.00 FEET; THENCE N05 15'00"E, 229.71 FEET; THENCE S90 00'00"E, 6.97 FEET TO THE POINT OF BEGINNING. CONTAINING 0.0368 ACRES.

Grantee, its officers, agents and employees, shall have the right of ingress and egress over and across the land of the Grantor to and from the above described permanent easement and all rights reasonably necessary or incident to the grant of said easement.

Grantor shall, subject to Grantee's rights contained herein, have the right to fully enjoy and use the premises for all purposes not inconsistent with this grant and not unreasonably interfering with exercise of the rights hereby granted.

No permanent buildings or trees shall be placed on the property granted herein as easement and Grantor shall not be liable for their removal if they are so placed.

In the event of any repair, replacement, inspection or maintenance work, Grantee or its authorized utilities, shall restore the surface of the ground to the same condition in which it was before the start of such work, as near as such restoration can be made.

The easements granted herein shall terminate upon the recording of the plat for Phase II of Canyon Woods Condominiums, with the intention that all necessary public utility easements shall be dedicated on such plat. It is understood that the City's acceptance of these easements is intended merely to facilitate Grantor's installation of utilities prior to the recording of such plat and that Grantee is assuming no responsibility or liability for the initial installation thereof.

All rights, title and privileges herein granted shall run with the land and shall be binding upon and inure to the benefit of the parties, and their successors in interest.

DATED this 31 day of March, 2005.

GRANTOR:

DRD Property Development, L.L.C., a Utah
limited liability company

By: 

Name/Title: Michael F. Dickson / Manager

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ACCEPTED by GRANTEE, this 5th day of April, 2005.

GRANTEE:

OGDEN CITY CORPORATION, A UTAH MUNICIPAL CORPORATION

By: Matthew R. Godfrey MS
Matthew R. Godfrey, Mayor MS

ATTEST:

Gloria J. Berrett
Gloria J. Berrett, City Recorder - Acting

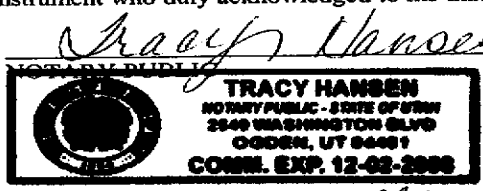
APPROVED AS TO FORM:
Andrea Galad
City Attorney



STATE OF UTAH)
 :SS
COUNTY OF WEBER)

On this 5th day of April, 2005, personally appeared before me, Matthew R. Godfrey and Gloria J. Berrett, who by me being duly sworn, on oath, did dispose and say that they are respectively the mayor and city recorder of Ogden City, the signer of the foregoing instrument who duly acknowledged to me that they executed the same on behalf of Ogden City..

STATE OF Utah)
 :SS
COUNTY OF Webster)



On this 31 day of March, 2005, personally appeared before me, Michael J. Dixon, who being by me duly sworn did say that he/she is the Registered Agent of DRD Property Development, L.L.C., a Utah limited liability company, and that the foregoing instrument was signed on behalf of said entity, and he/she acknowledged to me that said entity executed the same.

Michael J. Dixon
NOTARY PUBLIC

