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2112374

BK 3887 PG 496

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

RETURNED

OCT 07 2005

E 2112374 B 3887 P 496-497

RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
10/07/2005 12:51 PM

FEE \$0.00 Pgs: 2
DEP RT REC'D FOR CENTERVILLE CITY

07-072-0151-pt

sw 31 31-1E

TEMPORARY EASEMENT

For other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantors, The Christopher A. Cutler Family Revocable Trust, dated September 3, 1997 and The Hermila A. Cutler Family Revocable Trust, dated September 3, 1997, hereby grant, convey, sell, and set over unto Centerville City, a municipal corporation of the State of Utah, as Grantee, its successors and assigns, a perpetual public easement, upon part of an entire tract of property, in the SW1/4 of Section 31, T.3.N., R.1.E., S.L.B.& M., in Davis County, Utah, for the purpose of constructing and maintaining thereon public street facilities and appurtenant parts thereof. The boundaries of said part of an entire tract of property are described as follows:

Beginning at a point which is North 89°39'16" West 119.46 feet from the Southwest Corner of Lot 4, Cutler Subdivision located in the Southwest Quarter of Section 31, Township 3 North, Range 1 East, Salt Lake Base and Meridian, Davis County, Utah and running thence South 0°20'44" West 60.00 feet to a point on a 42-foot radius curve to the right, thence along the arc of said curve for a distance of 180.18 feet, (central angle = 245°48'04", chord bearing and distance = North 31°21'46" West 70.53 feet); thence South 89°39'15" East 37.07 feet to the point of beginning.

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 offices, 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. 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 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.

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 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.

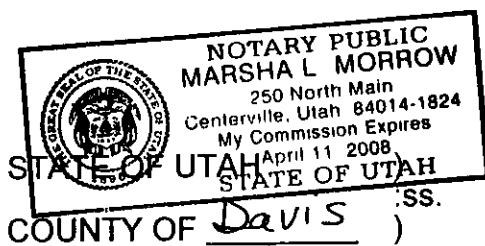
IN WITNESS WHEREOF, the Grantors have executed this right-of-way and Easement this 26 day of September, 2005.

Christopher A. Cutler
Christopher A. Cutler, Trustee

Hermila A. Cutler
Hermila A. Cutler, Trustee

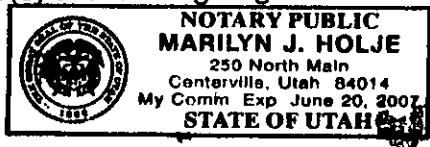
STATE OF UTAH)
:ss.
COUNTY OF Davis)

On the 26th day of September, 2005, personally appeared before me Christopher A. Cutler, Trustee of the Christopher A. Cutler Family Revocable Trust, dated September 3, 1997, and the Hermila A. Cutler Family Revocable Trust, dated September 3, 1997, the signer(s) of the foregoing instrument who duly acknowledged that he/she executed the same.



Marshe L. Morrow
NOTARY PUBLIC

On the 26th day of September, 2005, personally appeared before me Hermila A. Cutler, Trustee of the Hermila A. Cutler Family Revocable Trust, dated September 3, 1997, and the Christopher A. Cutler Family Revocable Trust, Dated September 3, 1997, the signer(s) of the foregoing instrument who duly acknowledged that he/she executed the same.



Marilyn J. Holje
NOTARY PUBLIC

Accepted for Recordation by Centerville City Corporation

Marilyn Holje
Steve H. Thacker, City Manager Recorder 9/26/05
Marilyn Holje Date

wordlesment-culter 9-23-05

