

RETURNED

2120321

BK 3906 PG 491

NOV 04 2005

nw 10-4n-1w
Q 311 thru 313 Wyndom Highlands 3
09-050-0081 pt
09-304-0311 thru 0313 pts
WHEN RECORDED PLEASE RETURN TO:

E 2120321 B 3906 P 491-493
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
11/04/2005 09:33 AM
FEE \$17.00 Pgs: 3
DEF RTT REC'D FOR WYNDOM SQUARE

Wyndom Square, LLC
484 Hampton Court
Fruit Heights, Utah 84015
Attention: Gary M. Wright

PUBLIC UTILITY EASEMENT

For the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned GRANTOR hereby grants, conveys, sells, and sets over unto Utah Power, a GRANTEE and its successors and assigns, a perpetual right-of-way and public utility easement to lay, maintain, operate, repair, inspect, protect, install, remove and replace power line(s), said right-of-way and easement being situated in City of Layton, State of Utah, over and through a parcel of the GRANTOR'S land, more fully described as follows:

Buildings A, B and D

Beginning 5 feet on both sides of the following described line:

Beginning at a point which is South 0°07'30" West along the Quarter Section Line 1499.03 feet and North 89°04'18" West 468.52 feet and North 0°55'42" East 5.00 feet from the North Quarter Corner of Section 10, Township 4 North, Range 1 West, Salt Lake Base and Meridian and running thence North 89°04'18" West 158.74 feet; thence North 0°21'28" East 112.98 feet; thence North 44°38'32" West 8.49 feet; thence North 89°38'32" West 173.19 feet; thence North 44°38'32" West 80.56 feet; thence North 89°38'32" West 32.95 feet; thence North 0°21'28" East 291.82 feet; thence North 38°11'50" West 65.73 feet; thence North 89°05'07" West 257.58 feet; thence North 77°03'02" West 67.15 feet; thence North 89°05'07" West 40.46 feet; thence North 19°17'12" West 15.93 feet; thence North 0°21'28" East 113.80 feet.

Wendy's Building

Beginning 5 feet on both sides of the following described line:

Beginning at a point which is South 0°07'30" West along the Quarter Section Line 1499.03 feet and North 89°04'18" West 468.52 feet and North 0°55'42" East 5.00 feet and North 89°04'18" West 5.0 feet from the North Quarter Corner of Section 10, Township 4 North, Range I West, Salt Lake Base and Meridian and running thence North 0°55'42" East 170.00 feet; thence South 89°04'18" East 55.00 feet; thence North 0°55'42" East 251.90 feet.

TO HAVE AND TO HOLD the same unto GRANTOR, its successors and assigns, with the right of ingress and egress in GRANTEE, its officers, 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 power line(s). During construction periods, GRANTEE and its agents may use such portion of GRANTOR'S property along and adjacent to said right-of-way as may be reasonably necessary in connection with the construction or repair of said power line(s). 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 purposes for which this right-of-way and public utility easement is granted to GRANTEE, provided such use shall not interfere with the power line(s) or the collection and conveyance of utilities through said power line(s), or any other rights granted to GRANTEE hereunder.

GRANTOR warrants that it and no one else holds title to the above described property and that it has authority to grant said easement to GRANTEE.

GRANTOR shall not build or construct or permit to be built or constructed, any building over or across said right-of-way. This right-of-way and easement grant shall be binding upon and inure to the benefit of the successors and assigns of GRANTOR and the successors and assigns of GRANTEE.

IN WITNESS WHEREFORE, the GRANTOR has executed this right-of-way and easement this 2 day of November, 2005.

Wyndom Square, LLC



By: Gary M. Wright
Its: Member

ACKNOWLEDGMENT

State of Utah)
County of DAVIS)

On the 2 day of November, 2005, personally appeared before me, Gary M. Wright who being by me duly sworn did say that he is a Member of Wyndom Square, LLC and that said instrument was rightfully signed in behalf of said limited liability company pursuant to authorization vested in him.

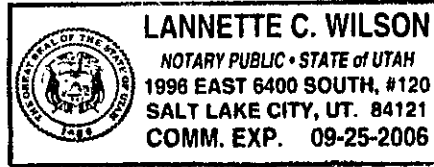
Residing at: DRAPER UTAH

Lannette C. Wilson
A Notary Public commissioned in Utah

Commission Expires: 09-25-06

LANNETTE C. WILSON
Print Name

STATE OF UTAH)
: SS.
COUNTY OF DAVIS)



The foregoing instrument was acknowledged before me this _____ day of November, 2005, by Gary M. Wright, Member of Wyndom Square, LLC, a limited liability company.

Notary Public
Residing at: _____

My Commission Expires:
