



"W2163628"

EX 2163628 PG 1 OF 3 11-29
DOUG CROFTS, WEBER COUNTY RECORDER
01-MAR-06 1002 AM FEE \$0.00 DEP SGC
REC FOR: WEBER COUNTY CLERK
PLANNING

C2005-152

**FLOOD CONTROL AND RIVER
MAINTENANCE EASEMENT AGREEMENT**

WHEREAS, Emogene Berrett, DBA Pappas Brick and Stone, ("Grantor") is the owner of real property more particularly described in Exhibit "A" attached hereto and hereby incorporated into this agreement; and

WHEREAS, Weber County, a body politic, corporate and political subdivision of the State of Utah ("Grantee"), is willing to provide certain flood control and river maintenance services upon Grantors property; and

WHEREAS, Grantor is willing to grant the necessary easement along the river adjoining Grantor's property, and reasonable access across Grantor's property to said easement;

NOW THEREFORE, Grantor for good and valuable consideration hereby grants and conveys to the Grantee a perpetual 50 foot easement and right-of-way back from the high water line of the river for flood control and river maintenance upon and across the property described in Exhibit "A."

Grantee, its officers, agents and employees, shall have the right of ingress and egress over and across the Grantor Property via the south entrance and all rights reasonably necessary or incident to the grant of said easement.

Grantor and its successors and assigns 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 shall be placed on the easement granted herein, and Grantee shall not be liable for their removal if they are so placed.

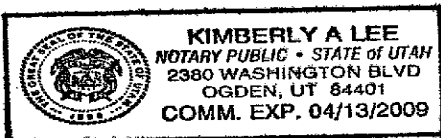
All rights, title and privileges herein granted shall run with the land and shall be binding upon and inure to the benefit of the parties, and their successors in interest.

Dated this 29 day of November, 2005.

GRANTOR:

By Emogene Berrett
Emogene Berrett

On the 29 day of November, 2005, personally appeared before me Emogene Berrett, the signer of the within instrument, duly acknowledged to me that they executed the same.



Kimberly A Lee
Notary Public

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GRANTEE:

Board of County Commissioners
of Weber County

By *Kenneth A. Bischoff*
Kenneth A. Bischoff, Chair

ATTEST:

Linda G. Lunceford
Linda G. Lunceford, CPO
Weber County Clerk/Auditor

EXHIBIT "A"

Description of total property

14-012-0060

Part of the Southwest Quarter of Section 19, and the Northwest Quarter of Section 30, Township 6 North, Range 1 West, S.L.B. and M. U.S. Survey: Beginning at a point South 89 degrees 53'15" East along the section line 395.0 feet from the North West corner of said Section 30, and running thence South 1 degree 05'00" West 696.00 feet, thence South 89 degrees 18' East 245.0 feet thence South 0 degrees 24'29" East 295.84 feet to a point under an existing fence referred to in trust deed (bk. 1448, pg. 1078 of records) thence South 89 degrees 18' East along said fence 321.34 feet to the West line of Const. Materials Corp. property, thence North 0 degrees 18'03" East 229.40 feet; thence South 85 degrees 09'01" East 203.91 feet to West bank of river; thence along the West and South bank of river North 19 degrees 53' East 226.97 feet, North 9 degrees 53' East 160.0 feet North 36 degrees 53' East 123 feet North 1 degree 24' East 168 feet; thence North 11 degrees 36' West 80 feet; thence North 38 degrees 40' West 100 feet; thence North 55 degrees West 118.4 feet; thence South 78 degrees 52' West 264.4 feet; South 70 degrees 23' West 80 feet, South 84 degrees 05' West 210 feet, North, 66 degrees 05' West 208 feet and North 44 degrees 35' 10" West 112.37 feet; thence South 1 degree 28'19" West 140 feet; thence South 89 degrees 53'15" East 52.0 feet to the point of beginning.