

RETURNED
APR 06 2010

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
04/06/2010 01:59 PM
FEE \$0.00 Pgs: 4
DEP RT REC'D FOR CENTERVILLE CITY

02-024-0020,0024

WHEN RECORDED MAIL TO:
Centerville City
250 North Main
Centerville, UT 84014

**MCDONALD'S
PUBLIC UTILITY EASEMENT**

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantor, **MCDONALD'S REAL ESTATE COMPANY**, a Delaware Corporation, hereby grants, conveys, sells, and sets over unto **CENTERVILLE CITY**, a municipal corporation of the State of Utah, as Grantee, its successors, assigns, licensees and franchisees, a perpetual right-of-way and easement to lay, maintain, operate, repair, inspect, protect, install, remove and replace culinary water, fire hydrants and other public utility facilities, hereinafter called the "Facilities," said right-of-way and easement being situated in Davis County, State of Utah, over and through a parcel of Grantors= land, which easement is more particularly described below:

A permanent, non-exclusive easement located in the Northwest Quarter of Section 7, Township 2 North, Range 1 East, Salt Lake Base and Meridian, Davis County, Utah, described as follows:

Beginning at the southwest corner of property in that certain Warranty Deed recorded April 03, 1985 as Entry No. 698479 in Book 1029 at Page 323 of the Davis County records, said corner being South 00°05'33" E 2,288.91 feet along the west line of Section 7, Township 2 North, Range 1 East, Salt Lake Base & Meridian and N89°56'49" E 455.19 feet from the Northwest Corner of said Section 7, and thence along the west line of said property N 13°53'46" W 7.21 feet to a point 7.00 feet perpendicularly distant northerly of the south line of said property; thence parallel to said south line N 89°56'49" E 230.21 feet to a point 10.00 feet perpendicularly distant westerly from the west right-of-way line of 700 West Street; thence parallel to said west line the following three courses: 1) N 29°14'50" W 138.86 feet, 2) N 32°39'46" W 354.41 feet to a point of tangency of a 868.51 foot radius curve to the right and northwesterly 71.50 feet along said curve through a central angle of 04°43'00" and a long chord of N 30°18'16" W 71.48 feet to a point 7.00 feet perpendicularly distant southerly of the north line of property described in that certain Warranty Deed recorded April 01, 1985 as Entry No. 698245 in Book 1028 at Page 1127 of said records; thence parallel to said north line S 85°47'16" W 45.02 feet to the west line of

said property; thence along said west line N 07°32'45" W 7.01 feet to the northwest corner of said property; thence along the north line of said property N 85°47'16" E 53.28 feet to said west line of 700 West Street and a point on the arc of a 858.51 foot radius non-tangent curve to the left, the center of which bears N 62°16'14" E; thence along said west line the following three courses: 1) Southeasterly 73.92 feet along said curve through a central angle of 04°56'00" and a long chord of S 30°11'46" E 73.90 feet, 2) S 32°39'46" E 354.71 feet and S 29°14'50" E 152.76 feet to the southeast corner of said property described in Book 1029 at Page 323; thence S 89°56'49" W 243.86 feet to the Point of Beginning. Said easement encompasses 7,733 square feet or 0.18 acres, more or less.

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns, perpetually 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, construct, 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 the 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. All utility companies, including the City, will be bound to restore fully any and all impacts that may occur within the easement, including the existing building located in the southwest corner of the property if and when they enter the easement area to work or install utilities.

This right-of-way and easement grant shall be binding upon and inure to the benefits of heirs, representatives, successors and assigns of the Grantors 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 30th day of March, 2010.

GRANTOR

McDONALD'S REAL ESTATE COMPANY
A DELAWARE CORPORATION

By:

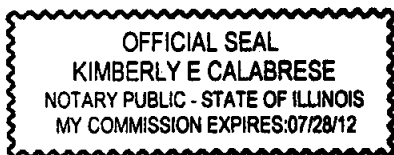
Its:

[Signature]
Vice President *MVP*

ACKNOWLEDGMENT

STATE OF Illinois)
COUNTY OF DuPage)
:ss.

On the 30th day of March, 20 10, personally appeared before me
Catherine A Griffin, who being by me duly sworn, did say that he/she is the
Vice President of McDonald's USA, LLC, a Delaware Corporation and that
the foregoing instrument was duly authorized by the corporation and signed in behalf of said
corporation.



[Signature]
Notary Public

Accepted for Recordation by Centerville City

[Signature]
Marilyn Holje, City Recorder

4-1-10
Date

esmtpueMcDonalds3-30-10

* McDonald's Real Estate Company



Northwest Corner Section 7
T. 2 N., R. 1 E. S.L.B.&M.

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	BEARING
C1	4°56'00"	858.51'	73.92'	36.98'	73.90'	S 30°11'46" E
C2	4°43'00"	868.51'	71.50'	35.77'	71.48'	N 30°18'16" W

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 13°53'46" W	7.21'
L2	N 7°32'45" W	7.01'
L3	S 85°47'16" W	45.02'

Basis of Bearing
S 00°05'33" E 2650.72'
2288.91'



0 60
Scale in Feet

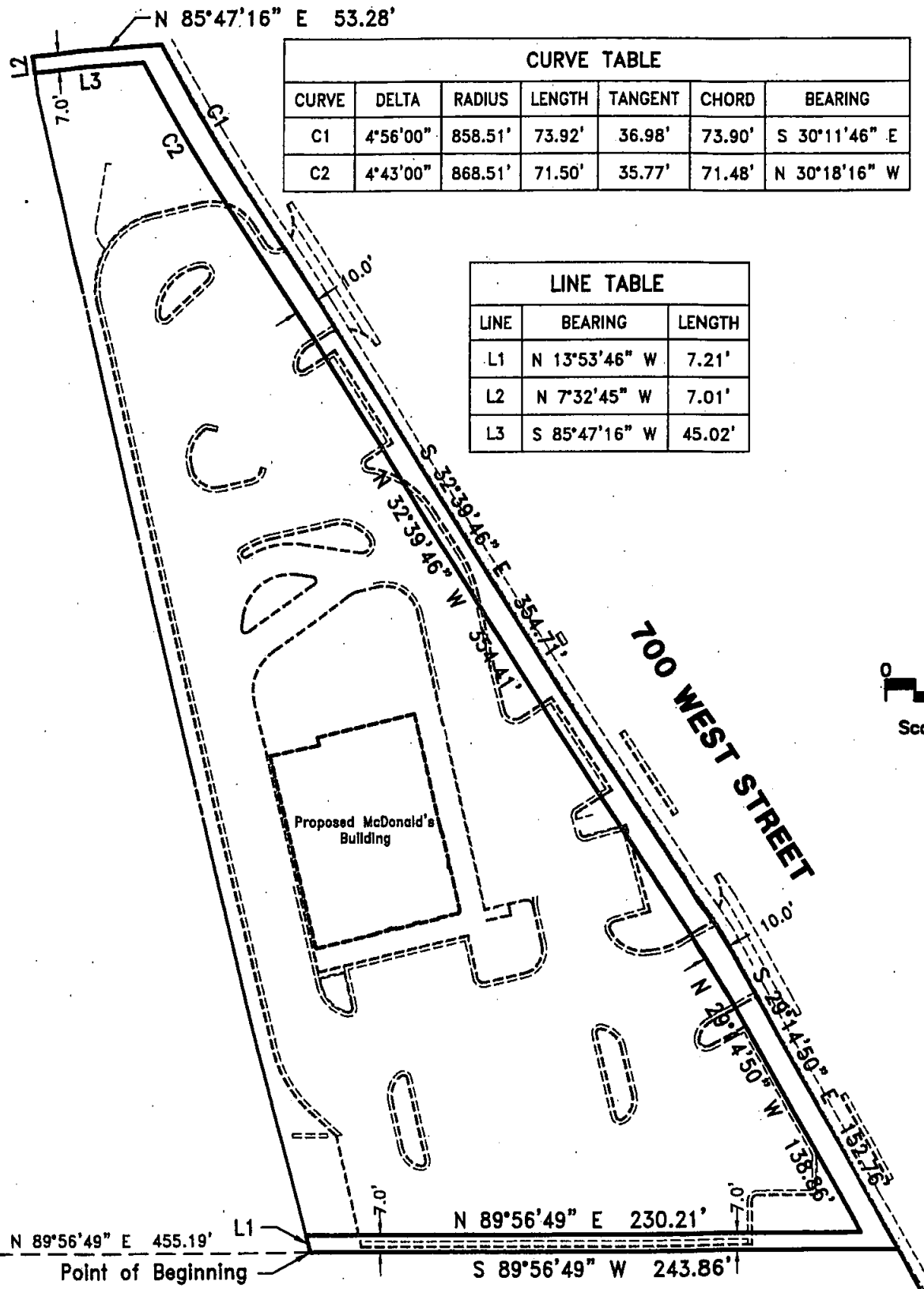


EXHIBIT A

Public Utility Easement
529 North 700 West
Centerville, Utah

NW 1/4 of Section 7, T2N, R1E,
S.L.B.&M.

West 1/4 Corner Section 7
T. 2 N., R. 1 E. S.L.B.&M.