

142442

EASEMENT

DUANE CALL PROPERTY

Duane Call, as Trustee of the Thea D. Call under Trust Agreement dated August 30, 1984, and Duane Call and Beverly Call, individually ~~Duane Call~~, Grantor(s), hereby convey(s) and warrant(s) to North Davis Sewer District, its successors in interest and assigns, Grantee for the sum of One Dollar and other good and valuable consideration, a permanent easement and Right-of-Way for the construction, operation, maintenance, repair, alteration, enlargement, inspection, relocation, and replacement of an underground sewer and associated facilities related thereto, on, over, under and across real property located in Davis County, Utah and described as follows:

A Permanent Easement described as follows:

See description attached Exhibit A and,

A Temporary Easement described as follows:

See description attached Exhibit A.

| <u>County Serial No.</u> | <u>Square Footage</u> | <u>Easement</u> |
|--------------------------|-----------------------|--------------------|
| 12-110-0105, 0182, 0210 | 46,487 | Permanent |
| 12-110- 0105, 0182, 0210 | 77,510 | Temporary Easement |

Together with all necessary and reasonable rights of ingress and egress and the right to excavate and refill ditches and trenches for the location, installation and repair of the above-mentioned facilities and to remove trees, shrubbery, undergrowth or other obstructions interfering with the repair and maintenance of said underground facilities.

The Grantor(s) reserve(s) the right to occupy, use and cultivate said property for all purposes not inconsistent with the rights herein granted. Grantor(s) shall not build or construct over or across said permanent Right-of-Way, any building or other improvement, nor change the contour thereof without the written consent of the Grantee.

The temporary easement shall remain in force a maximum of one year beyond the Contract Time as specified within the Contract Documents as agreed to by the Contractor selected to construct said pipeline. Upon termination of said one-year guarantee period, the temporary easement shall be dissolved and all previous rights of the Grantor(s) shall be restored with respect to the temporary easement.

The Grantor(s) hereby covenant(s) with the North Davis Sewer District that Grantor(s) is/are lawfully seized and possessed of the real estate above described; that Grantor(s) has/have a good and lawful right to convey it, or any part thereof; that it is free from all encumbrances and that Grantor(s) will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

As part of the consideration for this grant, the Grantor(s) hereby release(s) any and all claims for damages from whatsoever cause incidental to the exercise of the rights herein granted.

The property over which said easement passes and the location thereof are depicted in Exhibit "A", attached hereto and by reference made a part hereof as though set forth fully herein.

In Witness Whereof, the Grantor(s) have executed this Right-of-Way and easement this _____, day of _____, 2011.

GRANTOR(S)

By: _____

By: _____

STATE OF UTAH)

)ss.

COUNTY OF DAVIS)

On the ____ day of _____, 2011, personally appeared before me, _____ the signer(s) of the above instrument who duly acknowledged to me he/she/they executed the same.

Notary Public

EASEMENT SIGNATURE PAGE ATTACHED

EASEMENT SIGNATURE PAGE

The Thea D. Call Trust under Trust Agreement dated August 30, 1984

Duane Call Trustee
Duane Call, Trustee

STATE OF UTAH)
 : ss
COUNTY OF DAVIS)

On the 11th day of April, 2011, personally appeared before me Duane Call, as Trustee of the Thea D. Call Trust under Trust Agreement dated August 30, 1984, did say that the foregoing instrument was signed and executed in behalf of said trust, by authority.

[Signature]
Notary Public



Duane Call
Duane Call

Beverly E. Call
Beverly E. Call

STATE OF UTAH)
 : ss
COUNTY OF DAVIS)

On the 11th day of April, 2011, personally appeared before me Duane Call and Beverly E. Call, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

[Signature]
Notary Public





PARCEL #
121100210

Sheet
2 of 2

EXHIBIT "A"

LEGAL DESCRIPTION OF: TCE 20

An appurtenant & Temporary Construction Easement, Located in the Southeast Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and meridian, Davis County, State of Utah and Being more particularly described as follows:

Commencing at a point which is 1383.50 feet South 00°11'33" West and 2135.36 feet North 89°59'58" West from the East Quarter Corner of said Section said point also being on the Northeast corner of property owned by Duane Call Book 2496 Page 1117 of the official records and running thence. South along the East line of said property for a distance of 36.48 feet; Thence N 89° 50' 06" W a distance of 174.17 feet; Thence, N 44° 50' 11" W for a distance of 50.74 feet to the North line of said property; Thence, East along said property line for a distance of 209.94 feet; to the **POINT OF BEGINNING**. Containing 6,953 square feet more or less

LEGAL DESCRIPTION OF: PE 20

An appurtenant & Permanent Utility Easement, Located in the Southeast Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and meridian, Davis County, State of Utah and Being more particularly described as follows:

Commencing at a point which is 1383.50 South 00°11'33" West and 2135.36 feet North 89°59'58" West from the East Quarter Corner of said Section said point also being on the Northeast corner of property owned by Duane Call Book 2496 Page 1117 of the official records and running Thence, South along the East line of said property for a distance of 16.48 feet; Thence N 89° 50' 06' W a distance of 165.82 feet; Thence, N 44° 50' 11' W for a distance of 22.56 feet to the North line of said property; Thence, East along said property line for a distance of 181.73 feet to the **POINT OF BEGINNING**. Containing 2,820 square feet more or less

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| CLIENT | MWH |
| | 10619 S. Jordan Gateway Suite 100 Salt Lake City, Utah |
| | PHONE 801-617-3200 |

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|-------------------------------------|-------------------|
| TCE (less PE) | 4,133 SQUARE FEET |
| DATE OF ORIGINAL DRAWING: 8-13-2009 | |
| 2 | |
| 1 | |
| NO | REVISION DATE DT |

| | |
|---------|--------|
| DWNG BY | ZFB |
| CHKD BY | RDF |
| PROJ # | 090407 |

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|-------------|--|
| PROJECT | South Outfall Sewer Pipe Easement |
| | Davis County, Utah |
| SHEET TITLE | Parcel #121100210 Duane Call |

FLINT

LAND SURVEYING & CONSULTING INC.

P.O. BOX 95029
SOUTH JORDAN, UT 84095
PHONE: (801) 446-1820
FAX: (801) 253-1466



EXHIBIT "A"

PARCEL #
121100182

Sheet
2 of 2

LEGAL DESCRIPTION OF: TCE 21

An appurtenant & Temporary Construction Easement, Located in the Southeast Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and meridian, Davis County, State of Utah and Being more particularly described as follows:

Commencing at a point which is 1383.50 feet South 00°11'33" West and 339.93 feet North 89°59'58" West from the East Quarter Corner of said Section said point also being on the North property line of property owned by Duane Call Book 2596 Page 298 of the official records and running Thence, South for a distance of 188.19 feet; Thence, S 88° 38' 19" E for a distance of 110.73 feet to the East line of said property; Thence, S 00° 11' 01" W along said property line for a distance of 60.01 feet; Thence, N 88° 38' 19" W for a distance of 184.46 feet; Thence, N 00° 06' 31" W for a distance of 205.05 feet; Thence, N 89° 50' 08" W for a distance of 546.07 feet; Thence, S 00° 09' 52" W for a distance of 90.00 feet; Thence, N 89° 50' 08" W for a distance of 145.00 feet; Thence, North for a distance of 90.00 feet; Thence N 89° 50' 07" W a distance of 1029.82 feet to a point on the West line of said property; Thence, North along said property line for a distance of 36.48 feet to the Northwest corner of said property; Thence, S 89° 59' 58" E along the North line of said property for a distance of 1795.43 feet to the **POINT OF BEGINNING**. Containing 105,061 square feet more or less

LEGAL DESCRIPTION OF: PE 21

An appurtenant & Permanent Utility Easement, Located in the Southeast Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and meridian, Davis County, State of Utah and Being more particularly described as follows:

Commencing at a point which is 1385.08 South 00°11'33" West and 354.28 feet true West from the East Quarter Corner of said Section and running Thence, S 00° 06' 31" E for a distance of 186.28 feet; Thence, S 88° 38' 19" E for a distance of 124.74 feet to the East property line of property owned by Duane Call Book 2596 Page 298 of the official record; Thence, S 00° 11' 01" W along said property for a distance of 20.00 feet; Thence, N 88° 38' 19" W for a distance of 144.65 feet; Thence, N 00° 06' 31" W for a distance of 185.87 feet; Thence, N 89° 50' 08" W for a distance of 1422.80 feet; Thence N 89° 50' 06" W a distance of 338.32 feet to the West line of said property; Thence, North along said property line for a distance of 16.48 feet to the Northwest corner of said property; Thence, S 89° 59' 58" E along the North line of said property for a distance of 1229.31 feet; Thence, S 89° 50' 08" E for a distance of 551.76 feet to the **POINT OF BEGINNING**. Containing 39,674 square feet more or less

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| CLIENT | MWH |
| 10619 S. Jordan Gateway Suite 100 Salt Lake City, Utah | |
| PHONE: 801-617-3200 | |

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|--------------------------------|--------------------|
| TCE (less PE) | 65,387 SQUARE FEET |
| PE (within existing easement) | 940 SQUARE FEET |
| TCE (within existing easement) | 1,036 SQUARE FEET |

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|-------------------------------------|---------------------------|---------|-----|
| DATE OF ORIGINAL DRAWING: 8-13-2008 | | | |
| 2 | | | |
| 1 | Adjustment on sqft tables | 11/3/09 | RDF |
| NO. | REVISION | DATE | BY |

| | |
|---------|--------|
| DNWG BY | ZFB |
| CHKD BY | RDF |
| PROJ.# | 090407 |

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|-------------|--|
| PROJECT | South Outfall Sewer Pipe Easement |
| | Davis County, Utah |
| SHEET TITLE | Parcel #121100182 Duane Call |

FLINT
LAND SURVEYING & CONSULTING INC.
P.O. BOX 8828
SOUTH JORDAN, UT 84086
PHONE: (801) 448-1828
FAX: (801) 263-1498



EXHIBIT "A"

PARCEL #
121100105

| |
|--------|
| Sheet |
| 2 of 2 |

LEGAL DESCRIPTION OF: TCE 22

An appurtenant & Temporary Construction Easement, Located in the Southeast Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and meridian, Davis County, State of Utah and Being more particularly described as follows:

Commencing at a point which is 1579.75 feet South 00°11'33" West and 28.99 feet North 88°38'19" West from the East Quarter Corner of said Section said point also being on the East property line of property owned by Duane Call Book 1013 Page 608 of the official records and running Thence, South along said property line for a distance of 60.02 feet; Thence N 88° 38' 19" W a distance of 199.83 feet to a point on the West line of said property; Thence, N 00° 11' 01" E along said property line for a distance of 60.01 feet; Thence, S 88° 38' 19" E for a distance of 199.64 feet to the **POINT OF BEGINNING**. Containing 11,983 square feet more or less

LEGAL DESCRIPTION OF: PE 22

An appurtenant & Permanent Utility Easement, Located in the Southeast Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and meridian, Davis County, State of Utah and Being more particularly described as follows:

Commencing at a point which is 1579.75 feet South 00°11'33" West and 28.99 feet North 88°38'19" West from the East Quarter Corner of said Section said point also being on the East property line of property owned by Duane Call Book 1013 Page 608 of the official records and running Thence, South along said property line for a distance of 20.01 feet; Thence N 88° 38' 19" W a distance of 199.70 feet to a point on the West line of said property; Thence, N 00° 11' 01" E along said property line for a distance of 20.00 feet; Thence, S 88° 38' 19" E for a distance of 199.64 feet to the **POINT OF BEGINNING**. Containing 3,993 square feet more or less

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| CLIENT |
| MWH |
| 10619 S. Jordan Gateway Suite 100 Salt Lake City, Utah |
| PHONE: 801-617-3200 |

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| TCE (less PE) | 7.990 SQUARE FEET |
|---------------|-------------------|

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|-------------------------------------|----------|------|----|
| DATE OF ORIGINAL DRAWING: 8-13-2009 | | | |
| 2 | | | |
| 1 | | | |
| NO | REVISION | DATE | BY |

FLINT

**LAND SURVEYING
& CONSULTING INC.**

P.O. BOX 95029,
SOUTH JORDAN, UT 84095
PHONE: (801) 446-1820
FAX: (801) 253-1466

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|---------|
| DWG BY |
| ZFB |
| CHKD BY |
| RDF |
| PROJ # |
| 090407 |

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|--|
| PROJECT |
| South Outfall Sewer Pipe Easement |
| Davis County, Utah |
| SHEET TITLE |
| Parcel #121100105 Duane Call |