

RETURNED

MAY 03 2012

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RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
05/04/2012 08:16 AM
FEE \$0.00 Pgs: 5
DEP RT REC'D FOR FARMINGTON CITY C
ORP

WHEN RECORDED MAIL TO:

Union Pacific Railroad Company
Attention: Greg Brigham
1400 Douglas Street, Suite 1690
Omaha, Nebraska 68179

SW 1/4 T 3 N 1 W
SE 1/4
Burke Lane
UPRR

EASEMENT

For the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Farmington City Corporation, a municipal corporation of the State of Utah ("Grantor") hereby grants, conveys, sells, warrants and sets over unto Union Pacific Railroad Company, a Delaware corporation, its successors and assigns ("Grantee"), a perpetual right of way and easement ("Easement"), in, to, over, along, upon and across the property in Davis County, State of Utah, described in **Exhibit A** attached hereto and by reference made a part of this Easement ("Access Easement Property"), for pedestrian and vehicular access to and from Grantee's adjacent property described or depicted in **Exhibit B** attached hereto and by reference made a part hereof ("Grantee's Adjacent Property") for repair, maintenance and other service-related purposes and for emergency response purposes.

TO HAVE AND HOLD the same unto the Grantee, its successors and assigns, with the right to ingress and egress in the Grantee, its officers, employees, agents and assigns to enter upon the Access Easement Property for repair, maintenance and other service-related purposes and for emergency response purposes. The Easement shall run with and be appurtenant to and for the benefit of Grantee's Adjacent Property (and each and every parcel into which it may be divided) as the dominant tenement and shall be a burden on the Access Easement Property as a servient tenement.

Grantee shall use reasonable efforts to keep the gate currently between the Access Easement Property and Grantee's Adjacent Property locked at all times, except when Grantee is using or accessing Grantee's Adjacent Property.

Grantor shall not build or construct, or permit to be built or constructed, any building or other improvement except roadways and fences over or across the Access Easement Property nor change the contour thereof without the written consent of Grantee.

April IN WITNESS WHEREOF, the Grantor has executed this Easement this 17 day of March, 2012.



FARMINGTON CITY CORPORATION

By: Scott C. Johnson
Title: Maya

STATE OF UTAH)
) ss.
COUNTY OF DAVIS)

My Commission Expires:

12/05/2015



HOLLY GADD
Notary Public State of Utah
My Commission Expires on:
December 5, 2015
Comm. Number: **650017**

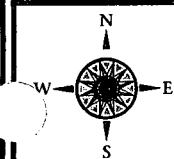
EXHIBIT A

A part of an entire tract of property situated in the Southwest Quarter of Section 13 and the Southeast Quarter of Section 14, Township 3 North, Range 1 West, Salt Lake Base & Meridian, U.S. Survey, more particularly described as follows:

Beginning at a point which is 1,440.16 feet North 00°00'26" East along the section line from the Southeast Corner of said Section 14; and running thence North 89°22'41" West 803.02 feet to a non tangent point on a curve on the northeasterly right of way line of Burke Lane; thence northwesterly along the arc of a 690.00 foot radius curve to the left a distance of 75.62 feet (central angle equals 06°16'47" and long chord bears North 65°59'37" West 75.59 feet) along said northeasterly right of way line; thence South 89°22'41" East 949.13 feet; thence South 51°41'29" East 62.10 feet; thence North 89°41'17" West 48.73 feet; thence North 51°41'29" West 13.44 feet; thence North 89°21'55" West 66.51 feet to the point of beginning. The above described part of an entire tract contains 28,360 square feet or 0.651 acres.

EXHIBIT B

(attached)



LOCATION OF EASEMENT



SERVICE/EMERGENCY ACCESS EASEMENT:

Easement extending from the end of Burke Lane (Red Barn Road) to the Railroad right of way allowing Union Pacific personnel access to the right of way for service and /or emergency purposes.

EXHIBIT "B"

UNION PACIFIC RAILROAD COMPANY

SALT LAKE SUBDIVISION
MILE POST 798.75
FARMINGTON, DAVIS COUNTY, UTAH.

Illustrative print showing location of easement with the
CITY OF FARMINGTON.

Date: March 12, 2012