

WHEN RECORDED MAIL TO:

TJ Wall
PO Box 2000
Layton, UT 84041
(801) 499-5106

12-106-0048

EASEMENT

THIS EASEMENT is dated this 9 day of January, 2014, by and between **BRIGHTON BENCHMARK DEVELOPERS, LLC**, a Utah limited liability company, hereinafter called **GRANTOR**; and **SYRACUSE CITY**, hereinafter called **GRANTEE**, whose address is 1979 W. 1900 S. Syracuse, Utah 84075.

RECITALS

WHEREAS, Grantor is the owner of certain real property located in Davis County, Utah, described more particularly on Exhibit A attached hereto ("The Property"), which Exhibit A is by this reference incorporated into and made a part of this agreement; and,

WHEREAS, Grantee wishes to control and maintain pipe and conveyance of the Secondary Water Discharge flow from City pump house to City Secondary Water system within this Easement as depicted on Exhibit C.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt, value and sufficiency of which is hereby acknowledged, the parties hereby covenant and agree as follows:

AGREEMENT

Grantor, for and in consideration of **ONE DOLLAR (\$1.00)** received by Grantor, does hereby grant and convey unto the Grantee a perpetual easement over and across the lands as described in Exhibit B, attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officer(s) and its corporate seal to be hereunto affixed on the day and year first above written.

Brighton Benchmark Developers, LLC
a Utah limited liability company,

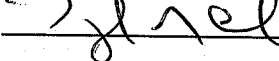
By: 

EXHIBIT A

The Property

Parcel 12-106-0048

BEG AT A PT ON THE N R/W LN OF GENTILE STR (3700 SOUTH STR) SD PT BEING N 00°12'25" E 33.00 FT ALG THE 1/4 SEC LN & S 89°58'46" E 99.99 FT FR THE S 1/4 COR OF SEC 22-T4N-R2W, SLM; TH N 00°12'25" E 1758.49 FT ALG THE E BNDRY LN OF THE DAVIS COUNTY PROP BK 1212 PG 717, TO THE SW COR OF SYRACUSE CITY PROP BK 3229 PG 1363; TH ALG THE S LN OF SD SYRACUSE CITY PROP E 1473.35 FT TO THE W'LY R/W LN OF THE LAYTON CANAL BK 238 PG 371; TH S 46°00'00" E 38.30 FT ALG SD W'LY R/W LN; TH S 00°12'25" W 1732.42 FT TO THE N R/W LN OF GENTILE STR (3700 SOUTH STR); TH N 89°58'46" W 1501.00 FT ALG SD N R/W LN TO TE POB. CONT 60.595 ACRES

EXHIBIT B

SECONDARY WATER EASEMENT

PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEGINNING AT A POINT ON THE SOUTH LINE OF THE SYRACUSE CITY PROPERTY RECORDED IN BOOK 3229 PAGE 1363 AT THE DAVIS COUNTY RECORDERS OFFICE, SAID POINT BEING LOCATED NORTH 00°12'25" EAST ALONG QUARTER SECTION LINE 1791.45 FEET AND EAST 1020.18 FEET FROM THE SOUTH QUARTER OF SAID SECTION 22, AND RUNNING THENCE EAST 21.00 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 48°37'05" WEST 26.97 FEET; THENCE WEST 21.00 FEET TO SAID SOUTH LINE; THENCE NORTH 48°37'05" EAST ALONG SAID SOUTH LINE 26.97 FEET TO THE POINT OF BEGINNING.

CONTAINING: 374 SQ.FT.

PREPARED BY: SPB CHECKED BY: SPB DATE: 1/7/14 FILE NAME:
SecondaryWaterEasementtoSyracuseCity.doc

EXHIBIT C

