#### 2785076 BK 5931 PG 534

E 2785076 B 5931 P 534-538 RICHARD T. MAUGHAN DAVIS COUNTY, UTAH RECORDER 1/9/2014 3:35:00 PM FEE \$18.00 Pgs: 5 DEP eCASH REC'D FOR FOUNDERS TITLE CO - L

WHEN RECORDED MAIL TO: TJ Wall PO Box 2000 Layton, UT 84041 (801) 499-5106

12-106-0048

#### **EASEMENT**

THIS EASEMENT is dated this \_\_\_\_\_\_ 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 <u>Exhibit A</u> 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 water in land drain within this Easement 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,

its Managing Member

## ACKNOWLEDGMENT

STATE OF CLAIM	<i>)</i>			
	) ss			
<b>COUNTY OF DAVIS</b>	)			
On this day of Janua	ary, 2014, before	me Jenny 1	Nall	, a Notary Public in
and for	County,	State of Utah, pe	ersonally appear	red Tirell Wall,
Managing Member of l	Brighton Benchn	nark Developers	s. LLC. a Ûtah	limited liability
company, and known to	me (or satisfacto	rily proved to me	e on the oath of	
				hat purpose by me duly
sworn), to be the person acknowledged to me that purposes therein mention	described in and the the	who executed the	e foregoing inst	rument and who duly
THE REAL PROPERTY AND THE PERCHASING STATE (1987)	NA 800 CAR 123 CH SON SON SON SON SON SON	( lenn	L Wall	
Not	ary Public		for the State of	f UT
	NY WALL 5	Residing in \		<u> </u>
THE PROPERTY SALE OF CALL	mission Expires g reh 28, 2015 g	My commissi		10/16
STORY STORY	ate of Utah		ou oubuop	1001

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#### **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

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#### LAND DRAIN 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 1530.18 FEET FROM THE SOUTH QUARTER OF SAID SECTION 22, AND RUNNING THENCE EAST 43.19 FEET ALONG SAID SOUTH LINE TO THE WESTERLY LINE OF THE LAYTON CANAL RECORDED AS BOOK 238, PAGE 371; THENCE SOUTH 46°00'00" EAST 38.30 FEET ALONG SAID WESTERLY LINE OF CANAL TO THE NORTHWEST CORNER OF THE JENSEN BROTHERS DAVIS COUNTY PROPERTIES LLC PARCEL AS PER ENTRY NO. 2184690, BOOK 4077, PAGE 102, THENCE SOUTH 00°12'25" WEST ALONG THE WEST LINE OF SAID JENSEN PROPERTY 41.56 FEET; AND THENCE NORTH 46°00'00" WEST PARRALEL WITH AND 30 FEET OFFSET WESTERLY FROM THE WESTERLY LINE OF SAID LAYTON CANAL 98.13 FEET TO THE POINT OF BEGINNING.

CONTAINING: 2,046 SQ.FT.

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

LandDrainEasementtoSyracuseCity.doc

# **EXHIBIT C**

