

13-020-0006  
13-018-0084

**AGREEMENT FOR  
A FUTURE  
CROSS-ACCESS EASEMENT**

This Agreement is entered into this 15 day of May, 2019 between the Utah Department of Transportation (UDOT) and Petersen Farms LLC (Property Owner).

**RECITALS**

WHEREAS, Property Owner has received access approval to improve its property located in the City of South Weber, County of Davis, State of Utah, and legally described as follows:

BEG AT THE SW COR OF NW 1/4 SD SEC 28-T5N-R1W, SLB&M, N 87.48 FT TO THE NLY LINE OF COUNTRY LANE AT SOUTH WEBER SUB & THE TRUE POB; RUN TH N 0^36'39" E 379.99 FT; TH S 89^14'23" E 7.88 FT; TH N 0^45'37" E 116.30 FT TO A PT WH IS THE NE COR OF GRUBB MEADOW; TH SELY TO A PT OF A RAILROAD FENCE COR POST AT THE SW COR OF PARCEL OWNED BY SOUTH WEBER CITY; TH E 365.00 FT, M/L, TO THE WLY LINE OF CANYON MEADOWS PUD; TH ALG SD LINE S 0^26'57" W 21.87 FT; TH S 2^05'28" W 486.96 FT, M/L; TH N 88^13'30" W 99.60 FT; TH S 89^33' W 200.00 FT; TH S 1^46'30" W 209.58 FT TO THE N LINE OF SOUTH WEBER DR; TH N 83^06'41" W 137.10 FT, M/L, TO SEC LINE; TH ALG SD LINE N 0^17'48" W 18.78 FT TO THE SELY LINE OF COUNTRY LANE AT SOUTH WEBER SUB; TH N 35^22'05" E 200.18 FT; TH N 54^37'55" W 141.46 FT TO THE POB. CONT. 10.23 ACRES (NOTE: THIS REMAINING LEGAL WAS WRITTEN IN THE DAVIS COUNTY RECORDER'S OFFICE FOR I.D. PURPOSES. IT DOES NOT REFLECT A SURVEY OF THE PROPERTY.)

WHEREAS, as a condition of this access approval, Property Owner is required to enter into an agreement to create a future cross-access easement on its property to allow for ingress and egress between its property and the adjacent property located at 530 East South Weber Drive; and

WHEREAS, the purpose of the easement is to allow traffic flow between the properties in one access and onto South Weber Drive so as to relieve congestion and to create less traffic hazards; and

WHEREAS, it is anticipated that when the adjacent property is improved so as to require access approval, UDOT shall require that a cross-access easement be created to connect the two (2) properties. As required by UDOT, Property Owner agrees to grant an easement as set forth in this Agreement; and

WHEREAS, Exhibit B shall include a site plan showing the approximate location of the future easement.

## AGREEMENT

Now therefore it is hereby agreed as follows:

1. In fulfillment of the requirements imposed as a condition of access approval, Property Owner agrees, in the future and upon demand by UDOT, to grant a cross-access easement provided that the adjacent property owner located at 530 East South Weber Drive and as shown in attached Exhibit A, likewise grants a similar cross-access easement over its property.
2. At such time as the adjacent property owner desires access, Property Owner agrees to grant the cross-access agreement and to execute all necessary documents to create the cross-access easement.
3. The easements to be created shall burden and benefit the parcels. The easements shall run with the land and shall be binding on and shall insure to the benefit of the property owners, their respective heirs, successors or assigns.
4. The easements to be created shall continue until expressly terminated by written agreement between the parties, their successors, or their assigns. Any agreement to terminate or modify the easements to be created shall be approved in writing by UDOT.
5. Property Owner agrees to make the necessary improvements to its property to allow the ingress and egress as set forth herein within a reasonable time after the creation of the cross-access easements.
6. Property Owner agrees to maintain the easement area that will be located in its property in a reasonable manner and at its sole expense.
7. Any violation or breach of this Agreement shall be considered a breach of the access permit, and UDOT shall have the authority to enforce this Agreement in any manner permitted by law.
8. This Agreement to create a cross access agreement shall be recorded with the Davis County Recorder's office.

**REQUIRED EXHIBITS:** Exhibit A is the required legal description of the subject adjacent property. Exhibit B shall include a site plan showing the approximate location of the future easement. Both referenced exhibits are required to be attached to this agreement prior to recording.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on their behalf by the following duly authorized representatives as of the date appearing opposite their signature below.

By: Val J. Petersen  
Name (Print): VAL J. PETERSEN, Member  
PETERSEN FARMS, LLC, a Utah limited  
Date 5-15-19

By: Carrie P. Grubb  
Name (Print): CARRIE P. GRUBB, member  
PETERSEN FARMS, LLC, a Utah limited  
Date 5-15-19

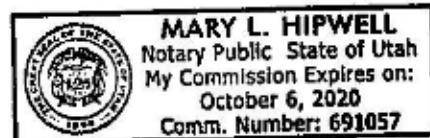
STATE OF UTAH )  
 )  
COUNTY OF Davis )  
 )  
ss.

On this 15 day of MAY, 2019, before me, a Notary Public in and for the County of DAVIS, personally appeared VAL J. Petersen on behalf of Petersen Farms, LLC, to me known to be the same person who signed and is described in the above instrument and acknowledged the same to be his/her free act and deed.

\* Carrie P. Grubb

\*\* Petersen Farms, LLC, a Utah limited liability co.

MARY L. HIPWELL  
Notary Public State of Utah  
My Commission expires: 10/16/20



**EXHIBIT A**

That certain real property located in DAVIS County, Utah, specifically described as follows:

BEG AT A PT N 89<sup>0</sup>33' E 145.07 FT ALG 1/4 SEC LINE FR W 1/4 COR OF SEC 28-T5N-R1W, SLM; & RUN TH N 89<sup>0</sup>33' E 100 FT ALG SD LINE; TH S 1<sup>0</sup>46'30" E 222.50 FT TO CENTER SOUTH WEBER DR; TH N 83<sup>0</sup>06'41" W 101.13 FT ALG CENTER OF SOUTH WEBER DR; TH N 1<sup>0</sup>46'30" W 209.58 FT TO POB. CONT. 0.50 ACRES

COUNTRY LANE AT  
SOUTH WEBER SUBDIVISION

Lot 1  
13-352-0001

N 89°25'34" E

144.28'

245.09'

2603.56'

189.41'

221.03'

N 35°22'05" E  
9.98'

Petersen Farms, LLC  
13-018-0084

(222.50')

N 146°30" W  
Dead Line

Rex & Rita Feustel  
13-020-0006  
530 East South Weber Dr.

S 146°30" W  
Dead Line

L = 103.67'

N 35°22'05" E  
9.98'

L = (C1)  
82.25'

18.35'

(137.10')

N 0°17'48" W

South Weber Drive

MAINTENANCE LINE

S 78°23'00" E  
57.12'

Shared  
Access  
Easement L

L = 7.86'

(C2) P.O.B.

L = 56.49'

(C3)

L = 101.86'

138.60'

178.38'

146°30" W N 146°30" W  
Dead Line

S 1°46'30" W  
2.17'

146°30" W N 146°30" E  
30.51'

S 1°46'30" W  
24.52'

101.13'

P.O.B. Parcel No. 2

Southwest Corner of Sec. 28,  
T. 5 N., R. 1 W., SLB&W  
Davis Co. Brass Cap Monument

Scale: 1" = 40'

0 40 80  
Scale in Feet  
(Data in Parentheses is Record)



EXHIBIT B