

at 1235 S. 3200 W.
Link Trucking

RECORDED

MAR 10 1992

CITY RECORDER

STANDARD FORM AGREEMENT
FOR
WAIVER OF INSTALLATION OF PUBLIC WAY IMPROVEMENT

SIDEWALK, CURB AND GUTTER (TYPE)
505 West 500 South (ADDRESS)

5214082

THIS AGREEMENT is made and executed by and between SALT LAKE CITY, a municipal corporation of the State of Utah, hereinafter called "City", and SALT LAKE NUT COMPANY, INC. hereinafter called "Petitioner".

W I T N E S S E T H:

WHEREAS, City ordinance requires the installation of improvements in the public way when no curb, gutter or sidewalk exists in front of property and when any new construction occurs on the property; and

WHEREAS, Petitioner desires to commence new construction on property in Salt Lake City Corporation city limits; and

WHEREAS, City has determined that the installation of certain public way improvements is not desirable at this time;

NOW, THEREFORE, in consideration of the mutual premises contained herein, the parties agree as follows:

1. Description of Petitioner's Real Property:

The Petitioner is the owner of certain real property approximately located at 505 West 500 South in Salt Lake City, Salt Lake County, State of Utah, described as follows:

SEE ATTACHMENT

2. Public Way Improvements Defined:

The public way improvements to be made by Petitioner include curb and gutter, sidewalk, drive approaches, landscaping, road base courses and paving, street lighting, sewer and water main extension and other improvements required by City ordinances, regulation, State law or otherwise:

ORIGINAL DOCUMENT
PROPERTY OF SALT LAKE
CITY RECORDER'S OFFICE
431 SO. STATE, RM. 415
SALT LAKE CITY, UTAH 84111

BK 6423 PG 1501

Updared
11-97

None

3. Public Way Improvements Waived:

City agrees to waive the immediate installation of all of the above improvements except the following (if any):

None

4. Install Improvements:

Petitioner agrees to install above public way improvements at such time as City directs Petitioner to do so at Petitioner's own expense or if Petitioner so decides, the Petitioner may join with other property owners and the City in installing said improvements in the manner proposed by the City. City and Petitioner agree that if at the time City directs the administrators, assigns, etc., of the property described in Article 1 upon the filing of an affidavit by the City Engineer referring to this agreement and setting forth the actual costs of the improvements Petitioner, the heirs, executors, administrators, assigns, etc., agree to pay all costs of collection, including attorney's fees and costs of sale of the property.

5. Dedication of Right-Of-Way:

City and Petitioner agree that if contemporaneous with the execution of this document, the Petitioner deeds certain lands to the City necessary for expansion of the public way, such deed shall not and does not abrogate any of the provisions of this agreement.

6. Covenant Running with the Petitioner's Real Property:

City and Petitioner agree that this agreement shall run with the land and shall be binding upon the heirs, executors, administrators, assigns, etc., of said Petitioner and upon the successors and assigns to the said City, as much so as if each and all of them had been specifically mentioned and cannot be altered except in writing signed by both parties.

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REC-100
2-15-83

BK 6423 Ps 1502

7. Release of Encumbrance:

Petitioner and City agree that on the installation and payment for the public improvements, the City shall file a release of encumbrance with the County Recorder.

8. Execution:

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the _____ day of MAR 10 1992, 19__.

SALT LAKE CITY CORPORATION

RECORDED

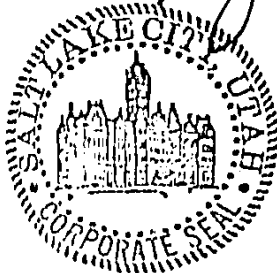
MAR 10 1992

By Timothy P. Hudspet
ACTING PUBLIC WORKS DIRECTOR

CITY RECORDER

ATTEST:

[Signature]
CITY RECORDER



(PETITIONER)

By [Signature]
Title:

President
Salt Lake Nut Company

ATTEST:

[Signature]
Gen Mgr.
Title:

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FINANCE APPROVAL

Funds Not Needed [Signature]

Funds Available

Contract # 03-C92200

ATTORNEY APPROVAL


APPROVED AS TO FORM

3-8-92 [Signature]

CITY ACKNOWLEDGMENT

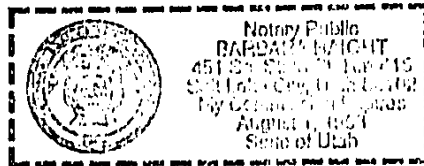
STATE OF UTAH)
) ss.
County of Salt Lake)

On the _____ day of MAR 10 1992, 1991, personally appeared before me TIMOTHY P. HARPST and KATHRYN MARSHALL, who being by me duly sworn, did say that they are the ACTING PUBLIC WORKS DIRECTOR and CITY RECORDER, respectively, of SALT LAKE CITY CORPORATION, a municipal corporation of the State of Utah, and said persons acknowledged to me that said corporation executed the same.


NOTARY PUBLIC, residing
in Salt Lake County, Utah

My Commission Expires:

Aug 1, 1993



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CITY ACKNOWLEDGMENT

STATE OF UTAH)
) ss.
County of Salt Lake)

On the _____ day of _____, 19____, personally appeared before me PALMER A. DEPAULIS, and KATHRYN MARSHALL, who, being by me duly sworn, did say that they are the Mayor and City Recorder, respectively, of SALT LAKE CITY CORPORATION, a municipal corporation of the State of Utah, and said persons acknowledged to me that said corporation executed the same.

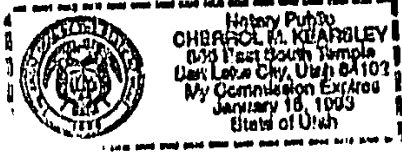
NOTARY PUBLIC, residing in
Salt Lake County, Utah

My Commission Expires:

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
) ss.
County of Salt Lake)

On the 7th day of November, 1990, personally appeared before me Lloyd Hard and _____ who, being by me duly sworn, did say that they are the Cloner and President of Salt Lake Auto Company and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors; and said persons acknowledged to me that said corporation executed the same.



Charles M. Kuarsley
NOTARY PUBLIC, residing in
Salt Lake County, Utah

My Commission Expires:
January 15, 1993

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PARTNERSHIP ACKNOWLEDGMENT

STATE OF UTAH)
) ss.
County of Salt Lake)

On the _____ day of _____, 19____, personally
appeared before me _____, who, being
by me duly sworn, did say that he is a partner of the firm of
_____, a partnership existing
under the laws of the State of Utah; and that said instrument
was signed by him in behalf of said partnership and said
_____ acknowledged to me that said
partnership executed the same.

NOTARY PUBLIC, residing in
Salt Lake County, Utah

My Commission Expires:

INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH)
) ss.
County of Salt Lake)

On the _____ day of _____, 19____, personally
appeared before me _____, the signer of
the foregoing instrument, who duly acknowledged to me that
he/she executed the same.

NOTARY PUBLIC, residing in
Salt Lake County, Utah

My Commission Expires:

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BK6423Pg1506

TWO PERSONS ACKNOWLEDGMENT

STATE OF UTAH)
) ss.
County of Salt Lake)

On the _____ day of _____, 19___, personally
appeared before me _____ and _____
the signers of the foregoing instrument, who duly acknowledged
to me that they executed the same.

NOTARY PUBLIC, residing in
Salt Lake City, Utah.

My Commission Expires:

BRB:rc

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8K6423F61507

County,

PARCEL 1:
BEGINNING at the Northeast corner of Lot 8, Block 28, Plat "A", Salt Lake City Survey, and running thence South 2 1/2 rods; thence West 10 rods; thence North 2 1/2 rods; thence East 10 rods to the place of BEGINNING.

PARCEL 2:
COMMENCING 2 1/2 rods South of the Northeast corner of Lot 8, Block 28, Plat "A", Salt Lake City Survey, and running thence South 2 1/2 rods; thence West 10 rods; thence North 2 1/2 rods; thence East 10 rods to the point of BEGINNING.

PARCEL 3:
COMMENCING 5 rods South from the Northeast corner of Lot 8, Block 28, Plat "A", Salt Lake City Survey, and running thence South 5 rods; thence West 10 rods; thence North 3 rods; thence East 10 rods to the point of BEGINNING.

+

SALT LAKE CITY
RECORDERS OFFICE

NO FEE

5214082
12 MARCH 92 09:31 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SL CITY RECORDER
REC BY: VALERIE ASHBY , DEPUTY

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