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FILED AND RECORDED FOR  
Ogden City  
130 OCT 16 PM 262

RUTH EAMES OLSEN  
WEBER COUNTY RECORDER

DEPUTY *Beverly Boulay Evans*

### E A S E M E N T

GRAND VIEW ACRES MUTUAL OWNERSHIP CORPORATION, hereby grants to OGDEN CITY, a Municipal Corporation, an easement for the construction, operation, maintenance and repair of a walkway over and across the following described land located in Ogden, Weber County, Utah:

An easement to a strip 8 feet wide, commencing at the Northwest corner of that property owned by the President of the Church of Jesus Christ of Latter-Day Saints, being approximately 140.69 feet East of the East line of Jackson Avenue, and running in a Northwesterly direction along the pipe line, as installed, to a point approximately 2 feet South of the North property line of Grand View Acres Mutual Ownership Corporation property; thence along the said pipe line, as installed, west approximately 125 feet to the East line of Jackson Avenue, said right of way to be a total of 8 feet wide, being 4 feet on either side of the pipe line, excepting where the pipe line is closer to the North property line, then the easement may be more than 4 feet on the South side in order to give an 8 foot total easement along the full length of the pipe.

IN CONSIDERATION OF THIS EASEMENT, THE CITY AGREES:

1. To hard surface and maintain the walkway on an even grade at an elevation to prevent surface water from the south running over the walkway onto the abutting property owner to the north of the walkway.
2. To save Grand View Acres harmless for any claim by any pedestrian user of the walkway arising out of or connected with the grant of this Easement to the city.
3. The city acknowledges that Grand View has heretofore granted the Corporation of the President of the Church of Jesus Christ of Latter-Day Saints an easement across the same property for the construction, operation and maintenance of a pipe line. The city agrees that it will not interfere with the easement heretofore granted for the pipeline and this easement is conditioned upon the city receiving written authorization from the pipe line owners consenting to the walkway easement on the pipe line easement.
4. Construct curb and gutter along the south property line of this parcel of ground on 3850 South Street for a distance of approximately 150 feet where curb and gutter does not now exist.

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5. Pay to the Grand View Acres Mutual Ownership Corporation the sum of Seventy Five and No/100 Dollars (\$75.00) for expenses incurred by the corporation in processing this request for easement.

6. Establish the north property line adjacent to the walkway on this parcel of ground.

7. If the problem arises that a fence is required along the South side of the sidewalk so people will not ingress across Grand View Acres property, Ogden City will bear the expense of the installation of this fence.

The Grand View Acres Mutual Ownership Corporation reserves the right to terminate this easement in the event the walkway is not constructed within one year after the date hereof or in the event the walkway is abandoned by non-user for one year or more.

DATED this 15<sup>th</sup> day of October, 1969.

GRAND VIEW ACRES MUTUAL OWNERSHIP CORPORATION

By John Tortis  
President

ATTEST:

Simon E. Wadsworth  
Manager So.

OGDEN CITY, A Municipal Corporation

ATTEST:

By Charles R. Kelley  
Charles R. Kelley, City Manager

Mary E. Smith  
Mary E. Smith, City Recorder

Charles R. Kelley  
Director of Finance