

APPLICATION AND AGREEMENT FOR NORTH DAVIS
COUNTY SEWER DISTRICT TO
ACCEPT OWNERSHIP OF SEWER
LINE AND CONNECTION THERETO
BY APPLICANTS

REURNED

NW-25-4N-2W
NE-26

SEP 13 1988

TO: North Davis County Sewer District
4252 West 2200 South
P. O. Box 704
Layton, Utah 84041

836288 BK 1255 PG 175
CAROL DEAN PAGE, DAVIS CNTY RECORDER
1988 SEP 13 2:40 PM FEE .00 DER SWW
REC'D FOR NORTH DAVIS CO SEWER DIST

The undersigned, all of whom reside on and own property contiguous and adjacent to 3200 West Street, south of Gentile Street in Layton, Utah, at the addresses indicated below, hereby petition the North Davis County Sewer District to accept ownership of a certain sewer line hereinafter described upon and subject to the terms and provisions of the Agreement stated herein.

PERTINENT INFORMATION

1. The undersigned are owners of a private sewer line which originates on or near the Wayne R. Bone property at 62 South 3200 West, Layton, Davis County, State of Utah, and which line runs from that point in a southerly direction along 3200 West Street where it intersects with and empties into a trunk line owned by the North Davis County Sewer District. The centerline of said sewer line is more particularly described as follows:

A part of the Northwest Quarter of Section 25 and Northeast Quarter of Section 26, Township 4 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey; Beginning at a point South 01° 22' 49" East 699.08 feet from the Northwest corner of Section 25 which Northwest corner lies North 89° 50' 58" West 2651.00 feet from the North Quarter Corner of Section 25; running thence South 00° 19' 20" West 409.15 feet; thence South 01° 03' 19" West 409.40 feet; thence South 00° 37' 42" West 382.97 feet; thence South 50° 47' 46" West 30.60 feet; thence South 00° 00' 07" 15' 36" West 440.74 feet. 12-110-0080, 0081, 0075, 0017, 0073, 0015, 008
12-111-0002, 0028 to 0031, 0051, 0052, 0047

2. That said line is an 8" PVC line and was installed privately without participation by the North Davis County Sewer District.

3. That the northerly portion of said line lying upon or running adjacent to the Wayne R. Bone and Virgie M. Shuman properties does not have manholes for maintenance. This section of line will be considered laterals to said properties.

4. The undersigned request that the North Davis County Sewer District accept ownership of that portion of the said sewer line running from a point beginning at a manhole located at the southwest corner of the Robert Wayne Kruger property and running thence south within the 3200 West Street right-of-way a distance of approximately 1672.86 feet to said line's point of intersection with a North Davis County Sewer District trunk line as more particularly shown on a schematic diagram marked Exhibit A, attached hereto and by reference made a part hereof.

A G R E E M E N T

In consideration of the granting of this Application, and other good and valuable consideration, the undersigned agree:

1. To accept and abide by all provisions of rules and regulations established and to be established by the North Davis County Sewer District and all the pertinent ordinances and regulations applicable to the use of sewer service.

2. That all of the undersigned's right, title and ownership interest in and to the said sewer line is hereby transferred and conveyed to the North Davis County Sewer District.

3. That the undersigned waive any claim for damages of any nature arising out of or in any way connected with the design, planning, construction and maintenance of the said sewer line up to and including the date of acceptance of the sewer line by the North Davis County Sewer District.

4. That the undersigned have been, are and shall be responsible for the installation, design, construction and maintenance of their individual lateral lines connecting with the aforescribed sewer line and the North Davis County Sewer District does not have and shall never have any responsibility or obligation in connection with said laterals.

5. That the undersigned shall cause any additional signatures, if any, which may be required in connection with this matter to be affixed hereto as a further condition of acceptance by the North Davis County Sewer District.

6. That acceptance of this Application shall be in the discretion of the Board of Trustees of the North Davis County Sewer District and such acceptance must be executed in writing on behalf of the Board of Trustees by the President and Secretary thereof.

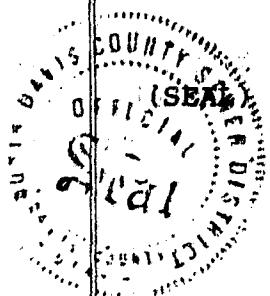
DATED this 8th day of September, 1988.

| | |
|---|---|
| <u>Clyde Morgan</u> CLYDE MORGAN | <u>Wayne Bone</u> WAYNE BONE |
| <u>Greg Caldwell</u> GREG CALDWELL | <u>Preston Cox</u> PRESTON COX |
| <u>Bruce May</u> BRUCE MAY | <u>Dean Foxley</u> DEAN FOXLEY |
| <u>George Stevenson</u> GEORGE STEVENSON | <u>Robert Kruger</u> ROBERT W. KRUGER |
| <u>Leland Bone</u> LELAND BONE | <u>Legrande Simmons</u> LEGRAНDE SIMMONS |
| <u>Virgie M. Shuman</u> VIRGIE M. SHUMAN | <u>Daren H. Allred</u> DAREN H. ALLRED |
| <u>Barry E. Foxley</u> BARRY E. FOXLEY | <u>Hugh B. Allred</u> HUGH B. ALLRED |

ACCEPTANCE BY DISTRICT

The above and foregoing Application is approved upon the conditions stated therein this 8th day of September, 1988.

NORTH DAVIS COUNTY SEWER DISTRICT



By: Golden C. Sill
GOLDEN C. SILL, Chairman

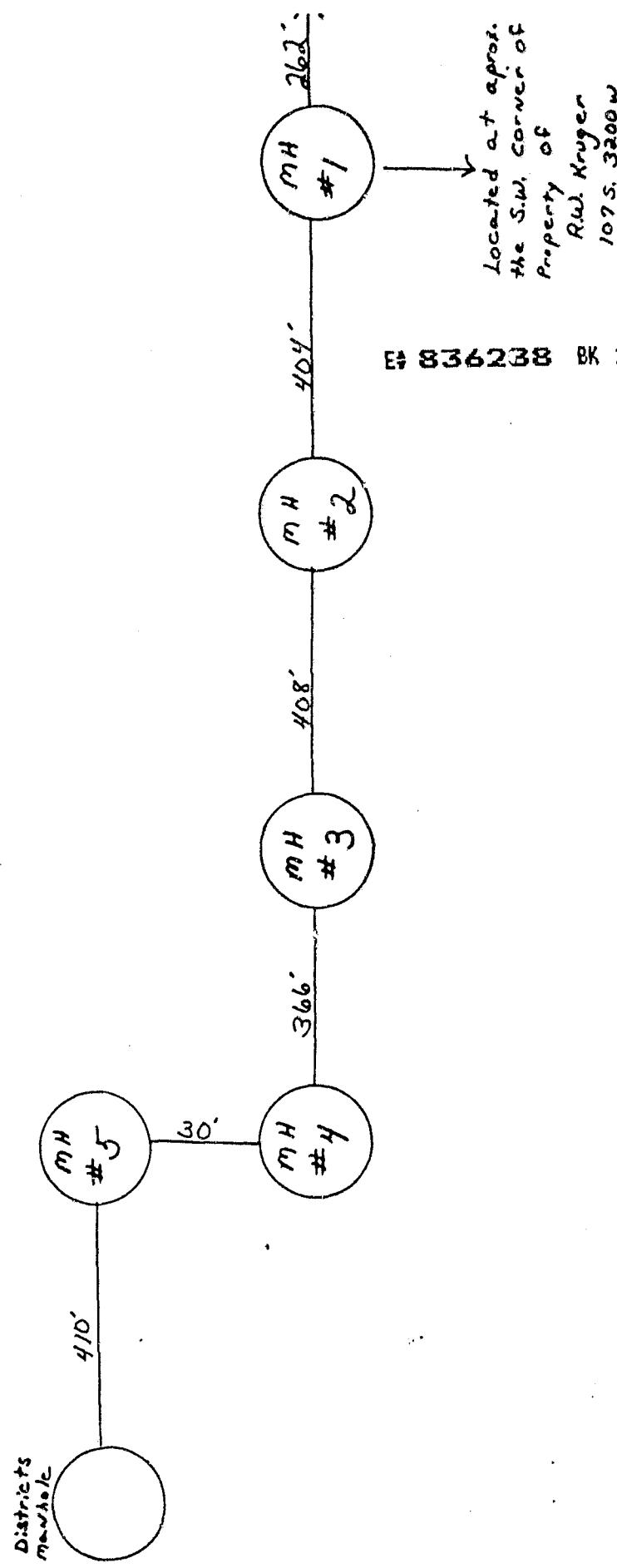
ATTEST:

Richard S. Stevenson
RICHARD S. STEVENSON, Clerk

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RECORDER'S MEMO: NORTH DAVIS COUNTY SEWER DISTRICT REQUESTED THIS DOCUMENT TO BE RECORDED, EVEN THOUGH THERE WERE NO ACKNOWLEDGEMENTS.

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Caldwell line - 3200 west

EXHIBIT A