

Return to:  
LAYTON CITY PLANNING DEPT.  
437 WASATCH DRIVE  
LAYTON, UTAH 84041

IMPROVEMENT AGREEMENT  
(LIEN FORM)

E# 855367 BK 1288 PG 440  
CAROL DEAN PAGE, DAVIS CNTY RECORDER  
1989 APR 21 4:32 PM FEE 8.00 DEP COP  
REC'D FOR ASSOCIATED TITLE COMPANY

UD101005

Robert W. Green

SE-15-4N-1W

1432 N Emerald St. of Layton City, County

of Davis, State of Utah hereinafter referred to as applicant, and LAYTON CITY CORPORATION, a municipal corporation of the State of Utah, hereinafter referred to as the City, hereby agree as follows:

1. Preliminary. Applicant has applied for a building permit for an addition to or for the remodeling of an existing structure on property located at 1432 N Emerald St. more particularly described in Paragraph 2 hereof. There is now in force an ordinance of Layton City, known as Ordinance No. 62, which requires the installation of off-site improvements, included but not limited to curb, gutter, and sidewalk, adjacent to any property, where the same have not previously been installed, said improvements to be installed at such time as application is made for a building permit for any other improvement of such property.

2. Legal Description. Following is the legal description of the property to which this agreement pertains, to wit: A part of the SE 1/4 of Section 15 T4N R1W, SLB&M: Beginning at a point which is S 88°52'50" West 1335.84 ft along the Section line; thence S 1°07'10" E 192.72 ft and South 88°52'50" W 115.40 ft from the East 1/4 corner of said Section 15; running thence S 0°08' W 213.50 ft; thence S 88°52'50" W 99.71 ft; thence N 1°07'10" W 213.45 ft.; thence N 88°52'50" W 104.38 ft.

3. Agreement for Postponed Installation. The parties agree that Applicant may postpone compliance with the said Ordinance No. 62 until such time as the City Council shall determine, in its considered discretion, that said improvements should be installed adjacent to Applicant's said property. The City Council shall not make such determination until at least seventy-five percent of the frontage between Cherry Lane and Oakridge on the west and Emerald C. and Oakridge on the shall have been developed for other than an agricultural use.

4. Postponed Installation. Upon receipt of notice that the City Council has made the determination referred to in Paragraph 3 hereof, Applicant or its successor in interest shall either proceed to install the said off-site improvements, or, at the option of the City, in the event a special improvement district is organized for the purpose of installing the said off-site improvements, will refrain from objecting either formally or otherwise to the creation or installing of said off-site improvements through such special improvement district.

5. Compliance with City Ordinances and Specifications. It is agreed that the installation of the said off-site improvements shall be done in accordance with all applicable Layton City ordinances, specifications, and standards, and with any

administrative rules or regulations pertinent there-to. All work shall be subject to the inspection of the Layton City Building Official or his agent, and any question as to conformity with City specifications or standards or as to the technical sufficiency of the work shall be decided by the said Building Official, and his decision shall be final and conclusive.

6. Lien to be Recorded. It is agreed that this Agreement shall be placed of record in the office of the Davis County Recorder, and shall be a lien against the property described in Paragraph 2 hereof. Upon satisfactory completion of the installation of said off-site improvements, the lien shall be discharged by the City. Applicant shall pay the expenses of recording and discharging the said lien.

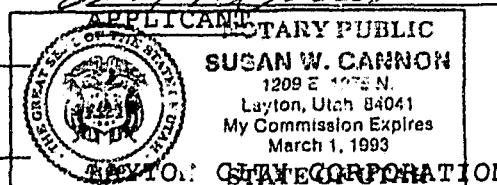
7. Successors, Enforcement. This agreement shall be binding on the parties hereto, their successors or assigns. Should the services of an attorney be required to enforce this Agreement, the defaulting party agrees to pay a reasonable attorney's fee.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement in duplicate, either of which may constitute an original, this 21<sup>st</sup> day of April, 1987.

THE FOREGOING INSTRUMENT WAS  
ACKNOWLEDGED BEFORE ME THIS 21<sup>st</sup>  
DAY OF April, 1987.

Susan W. Cannon,  
NOTARY PUBLIC

RESIDING IN Layton, Utah  
MY COMMISSION EXPIRES 3-1-93



ATTEST:

Steven M. Coffey  
CITY RECORDER

BY

