

To: Mayor Taylor and the City Council
Fr: Ron Chandler
Dt: February 28, 2014
Re: A resolution approving entry into an easement agreement for a North Ogden trail.

Smith's has begun relocating the canal as part of the Smith's Marketplace development. The canal also includes a 12 foot trail easement that will be built by Smiths. The following is a summary of the agreement.

1. Easement: A 12' wide, non-exclusive right-of-way and easement over the piped canal.
2. Permitted uses: It is a public trail and easement for foot and non-motorized bicycles traffic. Motorized vehicles are not permitted except maintenance vehicles.
3. Trail Material and Construction: Smiths will construct the trail out of road base.
4. Maintenance: The City will maintain the trail.
5. Signage: The City may erect and maintain signs on the trail that serve trail purposes.
6. Duration: The easement is perpetual and runs with the land.