

 **COPY**



\*W2539178\*

WHEN RECORDED RETURN TO:

City Recorder  
North Ogden City  
505 E 2600 N  
North Ogden, Utah 84414

EW 2539178 PG 1 OF 5  
ERNEST D ROWLEY, WEBER COUNTY RECORDER  
26-AUG-11 2:22 PM FEE \$1.00 DEP JKC  
REC FOR: NORTH OGDEN CITY

**GRANT OF EASEMENT FOR RIGHT OF WAY**

HILL & MARRIOTT PROPERTIES L C, a limited liability company organized under the laws of the state of Utah, Grantor, hereby grants and conveys to North Ogden City, a municipal corporation organized and existing under the laws of the state of Utah, Grantee, its successors and assigns, in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, a certain floating or roving easement for the purpose of constructing and maintaining a perpetual public right of way over and upon two parcels of real property owned by Grantor, situated in Weber County, State of Utah, more particularly described as follows:

The first burdened parcel is:

BEGINNING AT A POINT ON THE EAST LINE OF INDIAN TRAILSSUBDIVISION, SAID POINT BEING 1965.02 FEET NORTH AND 922.62FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN (BASIS OFBEARING NORTH 00D26'05" EAST FROM SAID CORNER TO THE WESTQUARTER CORNER OF SAID SECTION 20); THENCE AS FOLLOWS: ALONGSAID INDIAN TRAILS SUBDIVISION THE FOLLOWING 8 COURSES: NORTH24D44'20" EAST 67.38 FEET TO A POINT ON A NON TANGENT CURVETO THE LEFT; THENCE EASTERLY 51.20 FEET ALONG SAID CURVE TO ANON TANGENT LINE (R=280.00 FEET, D=10D28'40", T=25.67 FEET,CH=51.13 FEET, CHB=SOUTH 73D23'37" EAST); THENCE NORTH11D22'02" EAST 60.00 FEET; THENCE NORTH 32D32'40" EAST 240.00FEET; THENCE NORTH 64D06'19" WEST 239.72 FEET; THENCE NORTH08D13'13" EAST 518.03 FEET; THENCE SOUTH 65D43'42" EAST 265.83FEET TO A POINT ON MAJESTIC HEIGHTS SUBDIVISION #8; THENCESOUTH 09D53'02" WEST 56.13 FEET ALONG SAID MAJESTIC HEIGHTSSUBDIVISION #8 TO A POINT ON GRAND LEGACY SUBDIVISION; THENCEALONG SAID GRAND LEGACY SUBDIVISION THE FOLLOWING 15 COURSES:SOUTH 78D55'51" EAST 205.96 FEET; THENCE NORTH 09D53'04" EAST286.24 FEET; THENCE SOUTH 78D55'51" EAST 150.03 FEET; THENCENORTH 89D45'10" EAST 60.95 FEET; THENCE SOUTH 78D55'51" EAST150.22 FEET; THENCE SOUTH 11D04'09" WEST 68.06 FEET; THENCESOUTH 78D55'51" EAST 335.90 FEET; THENCE NORTH 60D24'38" EAST66.17 FEET; THENCE NORTH 74D48'43" EAST 146.09 FEET; THENCENORTH 18D15'58" EAST 157.47 FEET; THENCE SOUTH 89D45'02" EAST161.64 FEET; THENCE NORTH 00D14'58" EAST 107.89 FEET TO ATANGENT CURVE TO THE LEFT WITH A RADIUS OF 267.34 FEET; THENCENORTHERLY 9.83 FEET ALONG SAID CURVE TO A NON TANGENT LINE;THENCE SOUTH 89D45'02" EAST 149.77 FEET TO AN EXISTING FENCELINE BETWEEN THE FLOYD J WOODFIELD AND CLARA W WOODFIELDFAMILY TRUST PROPERTY AND THE KAMI F MARRIOTT PROPERTY; THENCESOUTH 00D14'44" WEST 524.60 FEET ALONG SAID FENCE LINE; THENCEALONG SAID FENCE LINE SOUTH 88D59'18" EAST 72.14 FEET TO ANEXISTING FENCE LINE BETWEEN THE FLOYD J WOODFIELD AND CLARA WWOODFIELD FAMILY TRUST PROPERTY AND THE H DEE HUTZLEY ANDBEVERLY E HUTZLEY PROPERTY; THENCE ALONG SAID FENCE LINE

SOUTH00D13'01" WEST 625.30 FEET; THENCE NORTH 90D00'00" WEST1859.84 FEET TO THE POINT OF BEGINNING.

Tax parcel identification no. 160370091

And, the second burdened parcel is:

BEGINNING AT A POINT ON THE EAST LINE OF INDIAN TRAILSSUBDIVISION, SAID POINT BEING 1965.02 FEET NORTH AND922.62 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 7 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN(BASIS OF BEARING NORTH 00D26'05" EAST FROM SAID CORNER TOTHE WEST QUARTER CORNER OF SAID SECTION 20); THENCE ASFOLLOWS: SOUTH 90D00'00" EAST 1859.84 FEET TO AN EXISTINGFENCE LINE BETWEEN THE FLOYD J WOODFIELD AND CLARA WWOODFIELD FAMILY TRUST PROPERTY AND THE H DEE HUTZLEY ANDAND BEVERLY E HUTZLEY PROPERTY; THENCE SOUTH 00D13'01" EAST682.83 FEET ALONG SAID FENCE LINE TO ANOTHER FENCE LINEBETWEEN THE FLOYD J WOODFIELD AND CLARA W WOODFIELD FAMILYTRUST PROPERTY AND THE GARY FLOYD TAYLOR AND HELEN REEVETAYLOR PROPERTY; THENCE NORTH 89D03'57" WEST 1195.71 FEETALONG SAID FENCE LINE TO A POINT ON THE EASTERLY RIGHT OFWAY OF THE OGDEN-BRIGHAM CANAL, SAID POINT IS ON A NON-TANGENTCURVE TO THE RIGHT; THENCE ALONG SAID CANAL THE FOLLOWING 16COURSES: NORTHWESTERLY 10.11 FEET TO A TANGENT LINE (R=70.00FEET, D=8D16'17", T=5.06 FEET, CH=10.10 FEET, CHB=NORTH32D54'42" WEST), THENCE NORTH 28D44'30" WEST 40.65 FEET TOA TANGENT CURVE TO THE LEFT; THENCE NORTHWESTERLY 77.69FEET TO A TANGENT LINE (R=90.00 FEET, D=49D27'41" T=41.45FEET CH=75.30 FEET, CHB=NORTH 53D27'30" WEST); THENCE NORTHNORTH78D10'30" WEST 70.97 FEET TO A TANGENT CURVE TO THE LEFT;THENCE SOUTH 11D49'30" WEST 10.00 FEET; THENCE NORTH 78D10'30"WEST 30.39 FEET; THENCE WESTERLY 29.84 FEET TO A TANGENT LINE(R=120.00 FEET, D=14D14'58", T=15.00 FEET, CH=29.77 FEET,CHB=NORTH 85D17'45" WEST); THENCE SOUTH 87D35'00" WEST 34.91FEET TO A TANGENT CURVE TO THE RIGHT; THENCE WESTERLY 38.57FEET TO A TANGENT LINE (R=80.00 FEET, D=27D37'29", T=19.67FEET, CH=38.20 FEET, CHB=NORTH 78D36'00" WEST); THENCE NORTH64D47'00" WEST 184.09 FEET TO A TANGENT CURVE TO THE LEFT,THENCE NORTHWESTERLY 51.65 FEET TO A TANGENT LINE (R=1020.00FEET, D=2D54'05", T=25.83 FEET, CH=51.65 FEET, CHB=NORTH66D14'00" WEST); THENCE NORTH 67D41'00" WEST 147.18 FEET TOA TANGENT CURVE TO THE LEFT; THENCE WESTERLY 49.05 FEET TO ATANGENT LINE (R=220.00 FEET; D=12D46'29", T=24.63 FEET,CH=48.95 FEET, CHB=NORTH 74D03'30" WEST); THENCE NORTH80D26'00" WEST 70.21 FEET TO A TANGENT CURVE TO THE LEFT,THENCE WESTERLY 47.32 FEET TO A TANGENT LINE (R=1020.00FEET, D=2D39'29", T=23.66 FEET, CH=47.31 FEET, CHB=NORTH81D45'30" WEST); THENCE NORTH 83D05'00" WEST 27.89 FEET TOA POINT ON THE EAST LINE OF INDIAN TRAILS SUBDIVISION;THENCE NORTH 24D44'20" EAST 401.10 FEET TO THE POINT OFBEGINNING.

Tax parcel identification no. 160370046

The easement granted consists of a perpetual right of ingress and egress together with a perpetual easement to construct, reconstruct, operate, repair, replace and maintain a public roadway, together with appurtenant structures and public utilities, on, over, under, across and through the two parcels of land as herein described; together with all rights of ingress and egress necessary or convenient for the full and complete use,

occupation and enjoyment of the easement granted and all rights and privileges incident thereto with Grantee's use, occupation or enjoyment.

The easement granted consists of a floating or roving sixty (60) foot wide public road right of way which shall connect to 3475 North Street, North Ogden, Utah on the east, run through the burdened parcels on a course that shall be determined by Grantor at the time the roadway is constructed, and shall connect to 3950 North Street, Pleasant View, Utah on the west. The beginning and ending points of the floating or roving easement are depicted in the drawing attached hereto as Exhibit A and incorporated by reference as a part of this easement.

Construction of the road shall occur upon the issuance of the thirtieth (30<sup>th</sup>) building permit to build upon a lot in the Stoneridge Subdivision, North Ogden, Utah or upon Grantor, or its successor, receiving local government approval for the development of the burdened parcel or parcels, whichever shall occur first.

Once the public road and appurtenances are constructed, the land so occupied, extending to the width of sixty (60) feet, shall become the permanent location of the right of way easement described and granted herein.

Grantee agrees to hold and save the Grantor harmless from any and all damages arising from its use of the right, easement, and right-of-way herein granted and agrees to repair any damage or pay the reasonable value of said damages, at Grantee's option, which may arise to the premises through Grantee's use, occupation and possession of the rights herein granted.

This easement shall run with the land and be binding upon the heirs, assigns or successors in interest to Grantor and Grantee. This document contains the entire agreement of the parties.

STATE OF UTAH :  
 : SS  
 WEBER COUNTY :

DATED this \_\_\_\_ day of July, 2011.

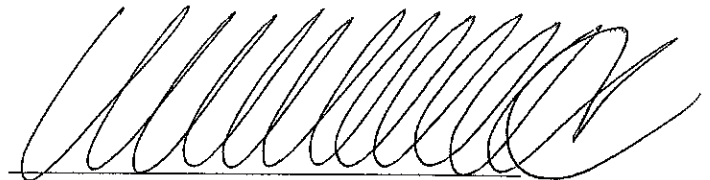
HILL & MARRIOTT PROPERTIES L C, Grantor

By: *Randy E. Marriott*  
 Randy E. Marriott, Manager

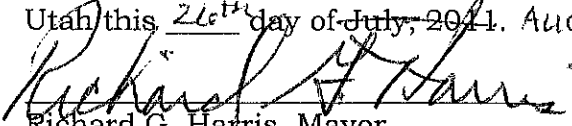
NOTARIAL CERTIFICATE

I *Melinda Ann Conlin*, a notary public, certify that on the date set forth above, Randy E. Marriott, whose identity was known by or proven to me, appeared before me and executed the foregoing "Grant of Easement for Right of Way" document and, in so doing, indicated that he did so in his official capacity as Manager of HILL & MARRIOTT PROPERTIES L C having its full authority to do so and intending for the company to be bound.



  
Notary Public

THIS "GRANT OF EASEMENT FOR RIGHT OF WAY" is accepted by North Ogden City, Utah this 21<sup>st</sup> day of ~~July~~, 2011. August, 2011.

  
Richard G. Harris, Mayor

Attest:

  
S. Annette Spendlove, City Recorder



SEAL

# EXHIBIT A

Pleasant View City and  
North Ogden City Boundary

