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Recorded at request of

SDWI

Date DEC 30 1959

Fee Paid *None*

By *Jessie B. Knight*

M. EMILY T. DREDGE

Recorder Davis County

Deputy Book 178

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GRANT OF EASEMENT

*Irfred Park Block 6, Lot 25
Irfred Park Block 7, Lot 1
Irfred Park Block 2, Lot 13*

Irvin S. Noall and

his wife, Grantors, of Davis County, State of Utah, hereby grant and convey to the SOUTH DAVIS COUNTY WATER IMPROVEMENT DISTRICT, Grantee, its successors and assigns, a certain perpetual and temporary easement hereinafter described. The easement conveyed hereunder is granted by Grantors in consideration for installation by the Grantee of an irrigation system under pressure to serve certain land owned by Grantors, and for the further consideration of One (\$1.00) Dollar, and other good and valuable consideration, payment and receipt of which is hereby acknowledged.

The easement hereby granted consists of a perpetual easement to construct, reconstruct, operate, repair, replace and maintain the water line and appurtenant structures on, over, across and through a strip of land 10 feet wide, lying 5 feet on each side of and parallel and adjacent to the below described centerline; and a temporary initial construction easement to be on, over, across and through a strip of land 30 feet wide, lying 15 feet on each side and parallel and adjacent to the below described centerline.

The easement referred to above and granted hereby lies in those portions of Grantors' land situated in the Northeast and Quarters of Section 1, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and said easement traverses said land in the following manner:

CENTERLINE DESCRIPTION (4-5)

A part of the Northeast one-quarter and the Northwest one-quarter, Section 1 Township 1 North, Range 1 West, Salt Lake Base and Meridian:

Beginning at a point 5 feet East of the Southwest corner Lot 13, Block 7, Irfred Park Subdivision; thence North 0° 02' 20" West 191 feet to a point on the South right-of-way line of Wander Lane; thence North Easterly to a point 5 feet West of the Southeast corner of Lot 25, Block 7, said Subdivision; thence North Parallel to and 5 feet West of the East line of said Lot 25 to a point 5 feet South of the North line of said Lot 25; thence North 88° 57' 45" East 30 feet to a point 5 feet South and 5 feet West of the Southeast corner of Lot 24, Block 6; thence North parallel to and 5 feet West of the East line of said Lot 24 to a point on the North line Lot 24; thence Northeast to a point 5 feet West of the Southeast corner of Lot 8, Block 6; thence North parallel to and 5 feet West of the East line of Lots 8, 7 and 6, Block 6, to a point 5 feet West of the Northeast corner of said Lot 6; thence Northeast to a point 5 feet West of the Southeast corner Lot 13, Block 2; thence North parallel to and 5 feet West of the East line of said Lot 13 to the North line of Irfred Park Subdivision.

Also beginning at the Southeast corner of the Mary H. Sessions property which is also the Northeast corner of Lot 9, Block 2, Irfred Park Subdivision; thence South 89° 31' West 950 feet to a point 90 feet Easterly from the Southwest corner of the Leland Sessions property. Said point being also the Northwest corner Lot 18, Block 2, Irfred Park Sub.

Also beginning at a point 10 feet South of the Northwest corner of Lot 9, Block 5 Irfred Park Sub.; thence North 89° 13' 18" East to a point 10 feet North the Southeast corner said Lot 4; thence Northeast parallel to Lot line for a distance of 98 feet, more or less.

Also beginning at a point 5 feet South and 5 feet West of the Northeast corner of Lot 25, Block 7, Irfred Park Sub.; thence South 89° 57' 45" West 585.7 feet to a point 5 feet South of the Northwest corner said Lot 20, which point is also the Northeast corner of the Lydia A. Schulties property; thence West parallel to and 5 feet South of the North line of said Lydia A. Schulties property for a distance of 244 feet

Also beginning at a point 5 feet West of the Southeast corner of Brown Sub; thence North parallel to and 5 feet West of East line to the North line of said Brown Sub.; thence North to a point 5 feet North and 5 feet West of the Southeast corner Lot 30, Block 6, Irfred Park Sub.; thence West parallel to and 5 feet North of the South line of Lots 30 and 31, Block 6, Irfred Park Sub., to a point 5 feet North and the Southwest corner of said Lot 31.

Also beginning at a point 5 feet South of the Northeast corner of Brown Sub.; thence West 460 feet to a point 5 feet South of the Northwest corner Lot 7, said Brown Subdivision.

Also beginning at a point 5 feet West of the Southeast corner Lot 30, Block 6, Irfred Park Subdivision; thence North 0° 27' West for a distance of 110 feet.

Abstracted
Filed
Completed

Grantee, in accepting this grant, agrees to abide by the following terms and conditions:

1. Upon completion of the installation, the land disturbed by the installation will be graded and refilled as near as may be to its existing condition.
2. Any and all damage done to any fences will be fully repaired and the fences will be placed in their existing condition.
3. Any and all damage to crops, trees and shrubbery by reason of use of said easement will be reasonably adjusted or restored to their existing condition.
4. The Grantors shall have a limited right to occupy and use the surface of the perpetual easement. They shall not build thereon any permanent structure or building, nor plant trees or shrubs whose root zones would contact or interfere with the pipeline. The easement may, however, be crossed or covered with sidewalks, curb and gutter, roadways, driveways, fences or similar improvements.

Dated this 10th day of September, 1959.

Ervin S. Hoall
Grantor

Grantor's wife

The foregoing Grant of Easement and the conditions thereby imposed on the District as Grantee are hereby accepted by the District, and the District agrees to comply with said conditions.

SOUTH DAVIS COUNTY WATER IMPROVEMENT DISTRICT

By *P. Knute Peterson*
Chairman

STATE OF UTAH }
COUNTY OF DAVIS } ss.

On the 10th day of September, 1959, personally appeared before me *Ervin S. Hoall* and _____ (Grantor) and _____ (Grantor's wife)

the signers of the foregoing instrument who duly acknowledged to me that they executed the same.

R.A. Peterson
Notary Public

STATE OF UTAH }
COUNTY OF DAVIS } ss.

On the 10th day of Sept, 1959, personally appeared before me, P. KNUTE PETERSON, who duly acknowledged to me that he is the Chairman of the SOUTH DAVIS COUNTY WATER IMPROVEMENT DISTRICT, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and the said P. KNUTE PETERSON duly acknowledged to me that said corporation executed the same; and the seal affixed is the seal of said corporation.

Justice
Notary Public