BETURNED.

DEC 2 6 1991

E4 952632 BK 1459 PG 345. CAROL DEAN PAGE, DAVIS CNTY RECORDER 1991 DEC 26 11:12 AM FEE 9.00 DEP JB REC'D FOR HOOPER WATER IMPROVEMENT DIST

SW 5-4N-2W

When Recorded Return to Hooper Water Improvement District c/o 40 West 2950 South Salt Lake City, Utah 84115

D. & R. Montgomery Page 1 of 2

## EASEMENT

A portion of the Southwest Quarter of Section 5, Township 4 North, Mange 2 West, Salt Lake Base and Meridian, U.S. Survey. Waterline from 200 South Street to 300 North Street.

For the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned GRANTOR(R) hereby grant, convey, sell, and set over unto the Hooper Water Improvement District, a body politic of the State of Utah, hereinafter referred to as GRANTEE, its successors and assigns, a perpetual right-of-way and easement to lay, maintain, operate, repair, inspect, protect, install, remove and replace culinary water pipe lines, valves, service lines, and other culinary water distribution and transmission structures and facilities, hereinafter called Facilities, insofar as they lie within the property of the GRANTOR, said right-ofway and easement, being situate in Davis County, State of Utah, over and through a parcel of the GRANTOR'S land lying within a strip twenty (20) feet wide, said strip extending twenty (20) feet on the east side of and lying parallel and adjacent to a line of reference and projection thereof, more particularly described as follows:

Beginning at the West Quarter Corner of said Section 5 and northwest corner of GRANTOR'S property: and running thence Southerly, along the west line of GRANTOR's property, 1,315.50 feet, more or less, to the Contains: 0.604 acres (approx. 1,315.50 1.f.) southwest corner of GRANTOR's property.

TO HAVE AND TO HOLD the same unto the said GRANTEE, its successors and assigns, so long as such facilities shall be maintained, with the right of ingress and egress in said GRANTEE, its officers, employees, representatives, agents, and assigns to enter upon the above described property with such equipment as is necessary to install, maintain, operate, repair, inspect, protect, remove and replace said Facilities. During construction periods, GRANTEE and its agents may use such portions of GRANTOR'S property along and adjacent to said right-of-way as may be reasonably necessary in connection with the construction or repair of said Facilities. The contractor performing the work shall restore all property through which the work traverses, to as near its original condition as is reasonably possible.

> - RECORDER'S MEMO -LEGIBILITY OF TYPING OR PRINTING UNSATISFACTORY IN THE DOCUMENT. WHEN RECEIVED

— RECORDER'S MEMO —
LEGIBILITY OF TYPING OR PRINTING
UNSATISFACTORY IN THE DOCUMENT
WHEN RECEIVED

B 952632 BK 1459 PG 346

Page 2 of 2

GRANTOR(S) shall have the right to use said premises except for the purpose for which this right-of-way and easement is granted to the said GRANTEE, provided such use shall not interfere with the Facilities or with the distribution and conveyance of culinary water through said Facilities, or any other rights granted to the GRANTEE hereunder.

GRANTOR(S) shall not build or construct or permit to be built or constructed over or across said right-of-way, any building or other improvement nor change the contour thereof without the written consent of GRANTEE. This right-of-way and easement grant shall be binding upon and inure to the benefit of the successors and assigns of the GRANTOR(S) and the successors and assigns of the GRANTEE, and may be assigned in whole or in part by GRANTEE.

IN WITNESS WHEREOF, the GRANTOR(S) have executed their rightof-way and easement this 24 day of December, 1991.

County Serial No. Acreage GRANTOR(S)

(63)12-039-0016 0.604

(1315.5 l.f.)

By: Allel Montgomery

Ralene T. Montgomery

COUNTY OF WEBER )

On the 24 day of DECEMBER, 19 M, personally appeared before me, DENNIS TAMES + PAIENE T MONEPHER signer(s) of the above instrument, who duly acknowledged to me they executed the same.

My Commission Expires: 4-25-94Residing in: DAUES

Notary Public 5557 Ho My C

CHARLES T. FARLEY

GESS West 1500 South

Hooper, Utah 84515

My Commission Expiros

April 25, 1994

STATE OF UTAH

E 952632 BK 1459 PG

WIG COR SEC. 5 ~ P.O.B. 20 1315,50'± DENNIS JAMES & RALENET (SERIAL # (63)12-039-0016) MONTGOMERY SOTHERY 20' 20 WIDE PERPETUAL R/W AND EASEMENT

PORTION OF SW4 OF SECTION 5, T. 4 N., R. 2 W., S. L. B. & M.

FOR
HOOPER WATER
MPROVEMENT DISTRICT
WATERLINE EXTENSION

SCALE I I"= 200'
TEMPLETON, LINKE & ASSOCIATES
CONSULTING ENGINERS

Drawn JMcK

Poto: MAY 41

A