

Recorded at Request of

4400 M Fee paid \$ 1.90

Hazel Taggart Chase, Recorder Salt Lake County Utah

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AGREEMENT CREATING RIGHT OF WAY

THIS AGREEMENT made this 8th day of February, 1947 by and between FLORENCE M. BURTON, Party of the first part, and EDWARD L. BURTON, Party of the second part, witnesseth:

WHEREAS, the party of the first part is the owner of the following described property situated in Salt Lake County, State of Utah, to-wit:

All of Lot 5, Block 12, Plat "A", Salt Lake City Survey.

over which a spur track of the Union Pacific Railroad Company is located which leads into the property of the party of the second part, and

WHEREAS, the party of the second part is the owner of the following described property situated in Salt Lake County, State of Utah, to-wit:

The West half of Lot 6, Block 12, Plat "A", Salt Lake City Survey.

which is served by the spur track above referred to which crosses the property of the party of the first part, and

WHEREAS, said parties are desirous of establishing the right of way for said spur track of record, now therefore, this agreement witnesseth:

That in consideration of the sum of Ten and no/100 (\$10.00) and other good and valuable considerations paid by the said party of the second part to the said party of the first part, the receipt of which is hereby acknowledged, said party of the first part hereby grants and conveys to said party of the second part a right of way over the real property above described of said party of the first part for a perpetual right of way of a spur track crossing said property of the said party of the first part to serve and for the use and benefit of the above described real property of the party of the second part.

It is further understood and agreed, however, that the party of the first part has the right and privilege of changing the location of the right of way for said spur track or other spur tracks to meet her convenience providing that said right of way as changed will continue to permit the spur track to continue to serve the property of the party of the second part and to permit said spur track to enter the property of the party of the second part at the same place as said spur track now enters the property of the said party of the second part.

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It is further understood and agreed however that said right of way for said spur track is granted for the exclusive use of the real property of said party of the second part and cannot be extended for the use of any other real property adjacent to the said West half of Lot 6, Block 12, Plat "A", Salt Lake City Survey.

WITNESS THE HANDS of said parties this day and year first above written.

Florence M. Burton
Party of the First Part
Edward L. Burton
Party of the Second Part.

State of Utah,
County of Salt Lake S.S.

On the 16th day of June, A.D. 1947 personally appeared before me Florence M. Burton and Edward L. Burton, the signers of the within instrument, who duly acknowledged to me that they executed the same.

A. C. Bannock
Notary Public



My commission expires Jan 30 1948 Residing in Salt Lake City, Utah.