

771

L&T 9067

C. D. No. 27400-7

Recorded at request of U.P. Railroad Co. Fee Paid 7.00
Date DEC 2 1976 at 12⁰⁵ P.M. MARGUERITE S. BOURNE Recorder Davis County
BY Grace Van Sweden Deputy Book 626 Page 771

SW 1-47-2W

448575

RIGHT OF WAY GRANT AND EASEMENT

THIS INDENTURE, made this 8th day of October, 1975.

Between WOODS CROSS CANNING COMPANY, a corporation of the State of Utah, Grantor, OREGON SHORT LINE RAILROAD COMPANY, a corporation of the State of Utah, Grantee, and UNION PACIFIC RAILROAD COMPANY, a corporation of the State of Utah, WITNESSETH:

THAT, in consideration for the sum of FIFTY DOLLARS (\$50.00) per annum, payable to Grantor annually in advance during the term hereof by Union Pacific Railroad Company, Grantor hereby grants and conveys unto said Grantee and to its lessees, successors and assigns, the following described land in Davis County, Utah, so long as used for a right of way for a signal and communications pole line, said land being more particularly described as follows, to-wit:

- Abstracted
- Indexed
- Entered
- Platted
- On Meridian
- Compared

A tract of land situate in the NW-1/4 of the SW-1/4, Section 1, Township 4 North, Range 2 West, Salt Lake Meridian, more particularly described as follows:

Beginning at a point on the Northeasterly right of way line of the Oregon Short Line Railroad Company that is South 0°14' West, 273.51 feet and South 89°46' East, 162.44 feet from the Northwest corner of the SW-1/4 of said Section 1, said point also being 50.0 feet perpendicularly distant measured at right angles to the centerline of the double main line track of said Oregon Short Line Railroad Company;

thence North 76°33'47" East along said railroad right of way line a distance of 8.35 feet;

thence leaving said railroad right of way line South 29°57' East, along a line that is 58.0 feet perpendicularly distant and parallel with centerline of said double main line track, a distance of 91.66 feet;

thence South 60°03' West, 2.0 feet; thence South 29°57' East, 50.0 feet; thence North 60°03' East, 2.0 feet; thence South 29°57' East, a distance of 407.53 feet to a point on the right of way line of said Oregon Short Line Railroad Company;

thence South 89°46' West along said railroad right of way line, a distance of 9.21 feet to a point that is 50.0 feet perpendicularly distant, measured at right angles to the centerline of said double main line track;

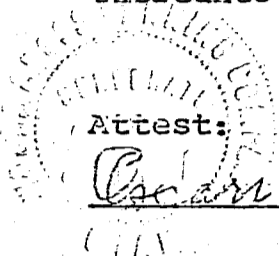
thence North 29°57' West along said Northeasterly railroad right of way line 547.0 feet to the point of beginning.

Containing 0.10 of an acre, more or less, (4285.0 square feet).

This conveyance is given to provide an easement for the construction and maintenance of a signal and communications pole line two feet from the northeasterly line of the easement herein granted, and further grants to the Grantee the right to overhang approximately four feet the cross arms of said pole line above the property of the Grantor; if at any time the said pole line shall be removed from the above-described land, or if the above-described land, currently under lease by Grantor to Clearfield City for a roadway, ceases to be used for that purpose, then, in either of those events, this conveyance shall cease and determine and be of no further effect between the parties hereto, or their lessees, successors or assigns, and said land shall revert to the Grantor, its successors or assigns.

IN WITNESS WHEREOF, the parties hereto have caused this document to be executed in duplicate by their proper officers

thereunto duly authorized, the day and year first above written.



Attest:

Charles W. Doyle
Secretary

WOODS CROSS CANNING COMPANY,

By [Signature]
Its PRESIDENT

Witness:

[Signature]

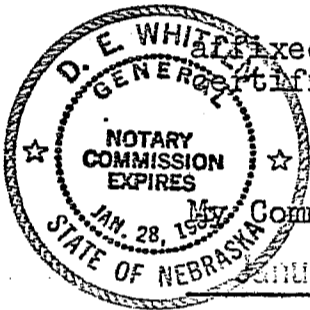
OREGON SHORT LINE RAILROAD COMPANY,
UNION PACIFIC RAILROAD COMPANY,

By [Signature]
Assistant Vice President

STATE OF NEBRASKA)
County of Douglas) ss

On the 22nd day of October, 1976, before me, a Notary Public in and for said County, personally appeared R. L. Richmond, to me personally known to be the Assistant VicePresident of OREGON SHORT LINE RAILROAD COMPANY and UNION PACIFIC RAILROAD COMPANY, who, being duly sworn, did say that the seals affixed to the foregoing instrument are the corporate seals of said corporations and that said instrument was signed, sealed and executed in behalf of said corporations by authority duly conferred by their By-Laws, and acknowledged to me said instrument to be the free act and deed of said corporations.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first in this, my certificate, written.



D. E. White
Notary Public

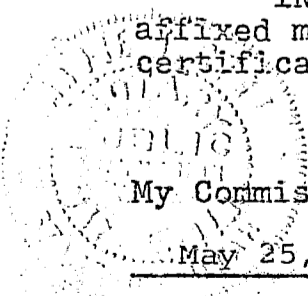
Residing at Omaha, Nebraska

My Commission Expires:
January 28, 1980

STATE OF UTAH)
County of Salt Lake) ss

On the 25th day of November, 1975, before me, a Notary Public, personally appeared R. A. Moss to me personally known to be the President of WOODS CROSS CANNING COMPANY, who, being duly sworn, did say that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and executed in behalf of said corporation by authority duly conferred according to law, and acknowledged to me said instrument to be the free act and deed of said corporation.

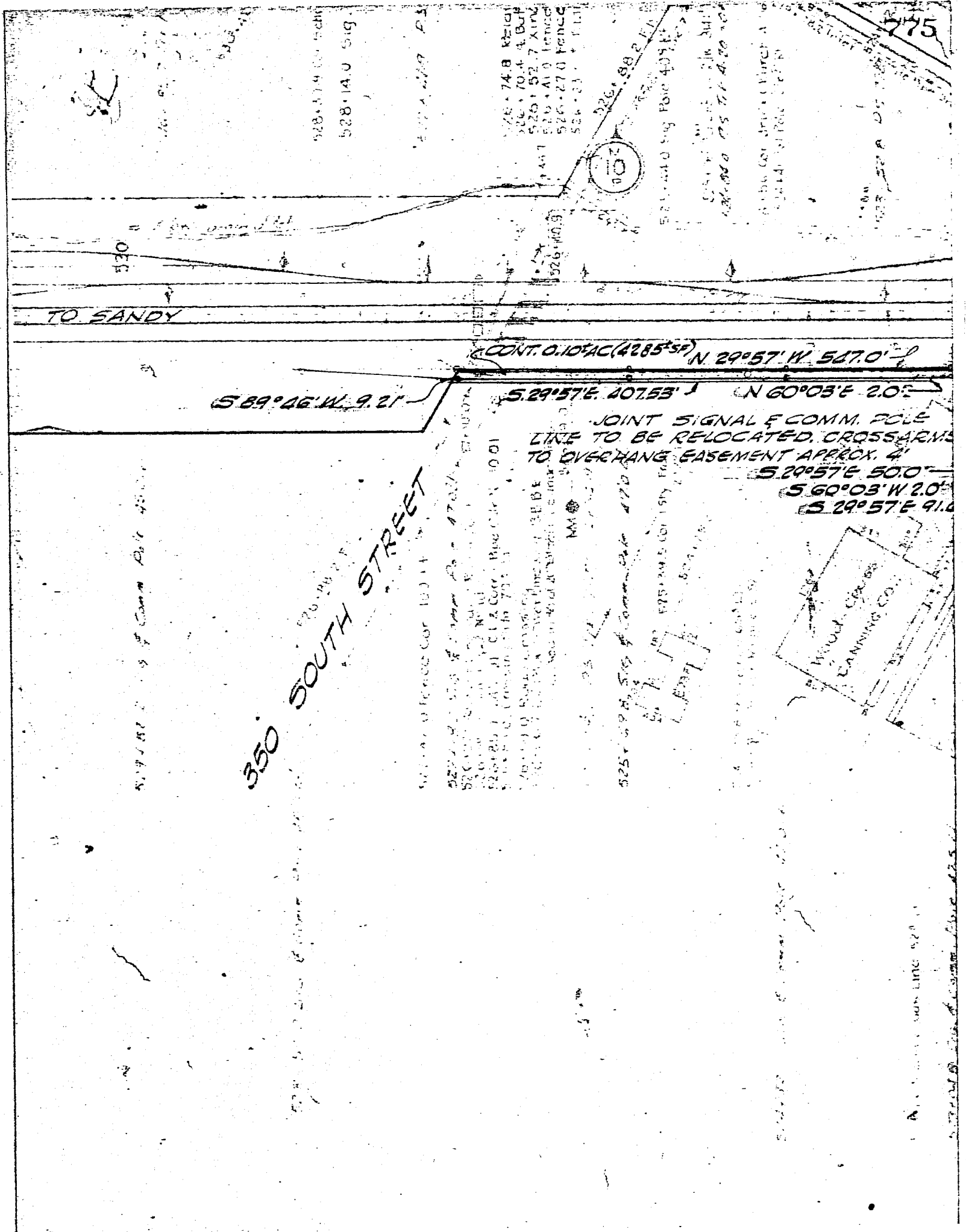
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first in this, my certificate, written.



Margaret Lewis
Notary Public

Residing at Salt Lake City, Utah

My Commission Expires:
May 25, 1978



TO SANDY

S 89° 46' W 9.21'

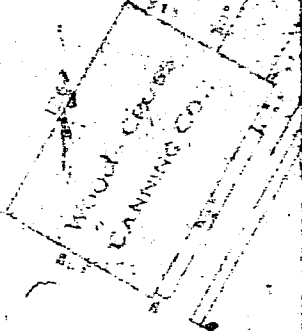
S 29° 57' E 407.53'

N 60° 03' E 2.0'

JOINT SIGNAL & COMM. POLE LINE TO BE RELOCATED. CROSS ARMS TO OVERHANG EASEMENT APPROX. 4'

S 29° 57' E 500'
S 60° 03' W 2.0'
S 29° 57' E 91.0'

350 SOUTH STREET



775

107

530

528.174
528.140 SIG

526.74.8 REICH
526.70.4 4 BUT
526.52.7 XIM
526.41.0 FENCE
526.27.0 FENCE
526.23.1 1.111

526.98.2
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526.98.2

530

CONT. 0.10 FAC (4285' SE) N 29° 57' W 527.0'

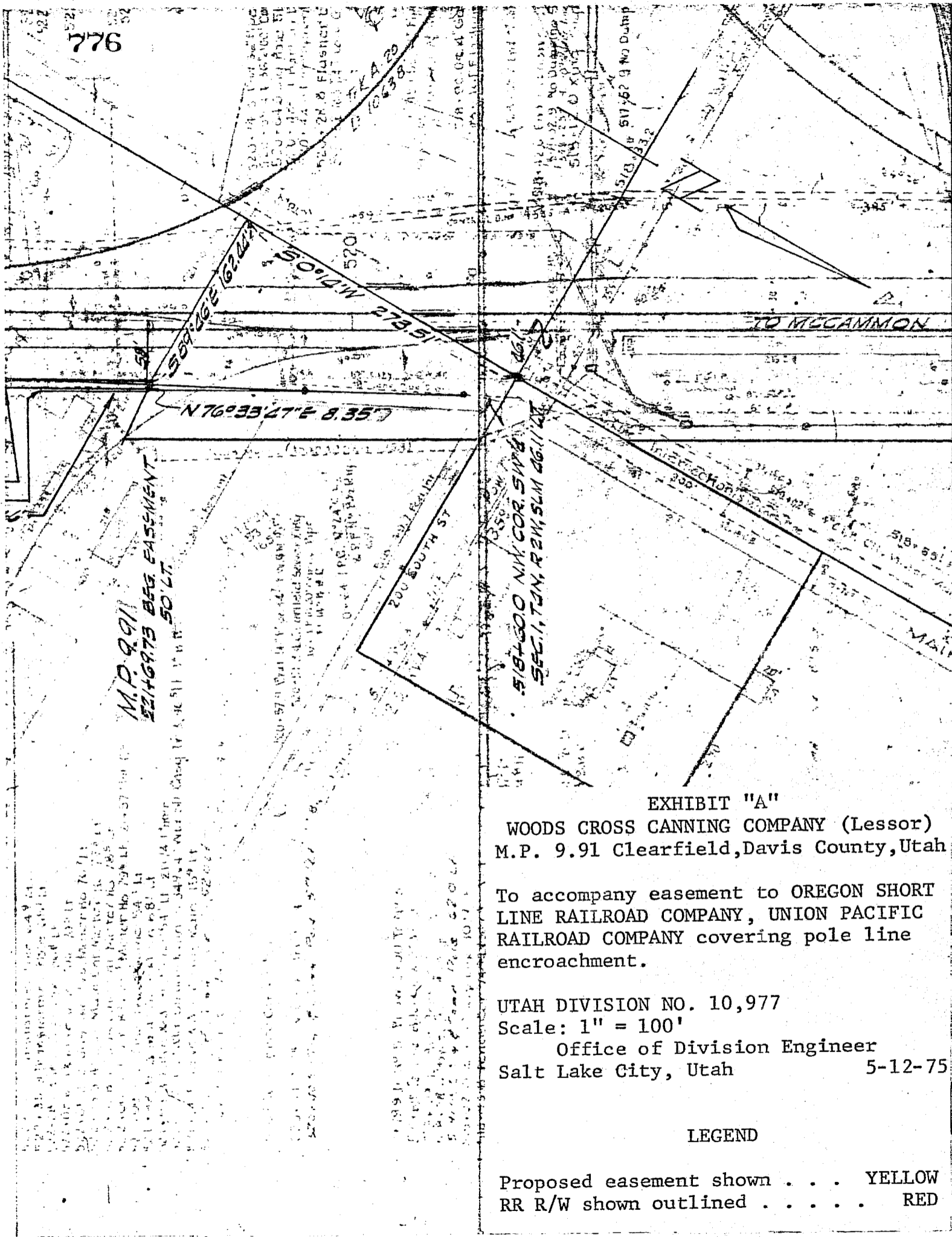
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776

M.P. 9.91
 5214973 BEG. EASEMENT
 50' LT

5184600 NW COR. SW 1/4
 SEC. 1, T. 1N, R. 21W, S. 10N

EXHIBIT "A"

WOODS CROSS CANNING COMPANY (Lessor)
 M.P. 9.91 Clearfield, Davis County, Utah

To accompany easement to OREGON SHORT
 LINE RAILROAD COMPANY, UNION PACIFIC
 RAILROAD COMPANY covering pole line
 encroachment.

UTAH DIVISION NO. 10,977
 Scale: 1" = 100'

Office of Division Engineer
 Salt Lake City, Utah 5-12-75

LEGEND

Proposed easement shown . . . YELLOW
 RR R/W shown outlined RED