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 Compared  Entered

145362

DEED OF EASEMENT

381

SE 1/4 NE 1/4 22-2N-1W

WILLIAM R. SMITH and ELLA H. SMITH, Husband and wife, of Bountiful, County of Davis, State of Utah, hereinafter referred to as Grantor, hereby conveys to THE UNITED STATES OF AMERICA, acting pursuant to the provisions of the Act of June 17, 1902 (32 Stat., 388) and acts amendatory thereof or supplementary thereto, Grantee, for the sum of One Dollar (\$1.00), a perpetual easement to construct, reconstruct, operate and maintain a drain ditch or channel on, in, over, upon and across the following described property in Davis County, State of Utah:

A strip of land in the E 1/2 of Sec. 22, T. 2 N., R. 1 W., S. L. B. & M., being more particularly described as follows:

Beginning at a point on the South line of the Grantor's property from which the SE corner of Sec. 22, T. 2 N., R. 1 W., lies South 33 feet and East 1270 feet; thence West along said South property line 90 feet; thence North 3960 feet, more or less, to the Grantor's North property line; thence East 40 feet, more or less, to a corner of the Grantor's property; thence North along the Grantor's West property line 1320 feet, more or less to the Grantor's NW property corner which is the NW corner NE 1/4 NE 1/4 of said Sec. 22; thence East 40 feet along the North line of said Sec. 22 which is also the North line of the Grantor's property; thence South 2560 feet; thence East 1280 feet, more or less, to the Grantor's East property line which is also the East line of said Sec. 22; thence South along said East line 1013 feet; thence West 45 feet; thence North 868 feet; thence North 43°11' West 89.1 feet; thence West 1164 feet; thence South 2607 feet, more or less, to the point of beginning, containing 12.3 acres, more or less.

As a further consideration, the United States, without cost or expense to the Grantor, shall:

- (a) repair or replace, with materials of like kind or equal quality, any fences and gates destroyed by the construction of the drain; also, provide a gate of materials similar to the fence where the maintenance roadway crosses existing fence lines;
- (b) provide the following facilities of the standard design adopted and now being used on the Weber Basin Project:
  - (1) a farm road crossing of the drain at A-1 Stations 41+00 and 66+20 and A1-2 Station 12+70;
  - (2) a farm ditch crossing of the drain at A-1 Stations 53+68, 66+39 and 79+77 and A1-2 Station 12+60;
  - (3) drainage inlet to carry excess surface flows from irrigation and waste water at A-1 Stations 43+00, 53+68, 66+40, 74+55 and 79+80;
  - (4) drain inlet for farm drains at A-1 Stations 57+00, 62+00, 69+00 and 77+00; and

Fee Paid 1.00  
 Recorded APR 21 1955  
 3 30 P M EMILY T. ELDRIDGE  
 County Clerk  
 82  
 By *Emily T. Eldridge*

(c) permit Grantor to use any excess materials designated by the United States that have been excavated from the drain and deposited on the right-of-way.

After construction by the United States of facilities in (a) and (b) above, such facilities shall be operated and maintained by the Grantor.

WITNESS the hand of said Grantor this 20th day of January, 1955.

William R. Smith

Ella H. Smith

ACKNOWLEDGMENT

State of Utah )  
County of Davis ) ss

On the 20th day of January, 1955, personally appeared before me William R. Smith and Ella H. Smith, husband and wife, to me known to be the individual, or individuals, described in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

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

Stanley A. Rubin  
Notary Public in and for the  
State of Utah  
Residing at Salt Lake City  
My commission expires: Nov. 22, 1958

