

CACHE TITLE  
12704

447711

STATE OF UTAH ) SS  
COUNTY OF CACHE )  
FILED AND RECORDED FOR )  
CASH TITLE )  
Loc. BUY # 1501  
Time 1:24  
FE \$24.00  
MICHAEL L. CLEGG  
CLERK BY RECORDER  
DEPUTY 24

**WARRANTY DEED**

FOR VALUE RECEIVED, HOGGAN ENTERPRISES, a Utah Corporation, SANDAROSA ENTERPRISES, a partnership, J. REID HOGGAN and DEVONE A. HOGGAN, husband and wife, PATRICK R. HOGGAN and SANDRA C. HOGGAN, husband and wife, KENT A. HOGGAN and DIANE H. HOGGAN, husband and wife, the Grantors do hereby convey and warrant unto FIRST SECURITY BANK OF IDAHO, N.A., the Grantee, whose current address is Post Office Box 7069 Boise, Idaho, <sup>73730</sup> the tracts of land in Cache County, Utah, particularly described on Schedule "A" hereto attached and by reference incorporated herein, together with all wells, water and water rights appurtenant thereto, including seven shares of water in the Spring Creek Water Company and all other appurtenances and improvements appurtenant thereto including the rents, issues and profits thereof;

**SUBJECT TO:**

- (a) Real property taxes and assessments levied or assessed for prior years and all subsequent years;
- (b) Real Estate Contract dated July 31, 1973, by Anna H. Bankhead and George E. Bankhead, as Sellers, and J. Reid Hoggan, Patrick R. Hoggan and Kent A. Hoggan, dba Sandarosa Enterprises, as Buyers;
- (c) Real Estate Contract and Escrow Agreement dated May 27, 1976, executed by Don J. Wilson and Patricia Ann Wilson, as Sellers, and J. Reid Hoggan, Devone A. Hoggan, Kent A. Hoggan, Diane H. Hoggan, Patrick R. Hoggan and Sandra C. Hoggan, as Buyers;
- (d) Agreement dated October 11, 1976, executed by Hoggan Enterprises, a Utah Corporation as Seller, and Dallas Elder as Buyer, and recorded September 26, 1977, as filing No. 412263 in Book 228 at page 629 records of Cache County, Utah;
- (e) Easements, rights-of-way, reservations and restrictions whether or not recorded.

This deed is an absolute conveyance of title in effect, as well as in form, and is not intended as a mortgage, trust deed or security of any kind. The consideration therefor is full release and satisfaction of all obligations, liabilities, costs and charges heretofore existing under the terms of a Deed of Trust Note dated September 30, 1977, secured by a Trust Deed of the same date, covering lands herein conveyed, and which Trust Deed was recorded October 8, 1977, as entry No. 486851 in Book 218 at page 251, records of Cache County, Utah, and by recording this Deed, Grantee herein acknowledges that Grantors are hereby released from their covenants to pay said debt and are further released from all other claims or demands arising under said Trust Deed.

JONES and CHRISTENSEN, Chartered  
P.O. BOX 811 - 600 WEST WYOMING  
POCAHELLO, IDAHO 83251

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IN WITNESS WHEREOF, the Grantors have executed these presents this

16<sup>th</sup> day of July, 1981.

ATTEST: Patrick R. Hoggan  
Secretary

HOGGAN ENTERPRISES  
By Kent A. Hoggan  
President

SANDANOSA ENTERPRISES / a partnership  
By J. Reid Hoggan  
J. Reid Hoggan, Partner

Patrick R. Hoggan  
Patrick R. Hoggan, Partner

Kent A. Hoggan  
Kent A. Hoggan, Partner

J. Reid Hoggan  
J. Reid Hoggan

Devone A. Hoggan  
Devone A. Hoggan

Patrick R. Hoggan  
Patrick R. Hoggan

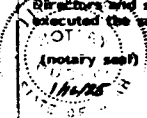
Sandra C. Hoggan  
Sandra C. Hoggan

Kent A. Hoggan  
Kent A. Hoggan

Diane H. Hoggan  
Diane H. Hoggan

STATE OF UTAH )  
County of Cache ) ss

On this 16 day of JULY, 1981, before me the undersigned notary public, personally appeared KENT A. HOGGAN, who being by me duly sworn, did say that he is the President of Hoggan Enterprises and that said instrument was signed in behalf of said corporation by resolution of its Board of Directors and said Kent A. Hoggan acknowledged to me that said corporation executed the same.



Mal Rhoad  
Notary Public  
Residing at: SALT LAKE CITY, UTAH

JONES and CHRISTENSEN, Chartered  
1000 East 1000 North  
PO BOX 887 - 48 WEST MOUNTAIN  
POCATELLO, IDAHO 83401

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STATE OF UTAH )  
 )ss  
County of Cache )

On this 16 day of July, 1981, before me the undersigned notary public, personally appeared J. REID HOGGAN, PATRICK R. HOGGAN, and KENT A. HOGGAN, who being duly sworn, did say that they are the general partners of Senderose Enterprises and that said instrument was signed by them on behalf of said partnership and they duly acknowledged to me that they executed the same.

(notary seal)



J. B. L...  
Notary Public  
Residing at: SOUTHFIELD UTAH

STATE OF UTAH )  
 )ss  
County of Cache )

On the 16 day of July, 1981, before me the undersigned notary public, personally appeared J. REID HOGGAN, DEVONE A. HOGGAN, KENT A. HOGGAN, DIANE H. HOGGAN, PATRICK R. HOGGAN and SANDRA C. HOGGAN, the signers of the within instrument, who duly acknowledged to me that they executed the same.

(notary seal)



J. B. L...  
Notary Public  
Residing at: SOUTHFIELD UTAH

JONES and CHRISTENSEN, Chartered  
Notary Public  
POCAHELLO, UTAH 84301

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**SCHEME "A"**

Beginning at the East Quarter Corner of the Northeast Quarter of Section 14, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, and running thence South 660 feet; thence West 660 feet; thence North 160 feet; thence West 859.11 feet, more or less, the West right-of-way line of the Providence Canyon Road, and running thence Northwesterly along the said West right-of-way line 50 feet, more or less, thence Northeasterly 93.20 feet to the East bank of Spring Creek; thence North along said East bank 20 feet, more or less, to the South boundary line of the Artwell V. Checketts property which point is also described as being 205 feet West of a point 400 feet South of a point 76.5 rods West of the East Quarter Corner of the Northeast Quarter of said Section 14, and running thence East 205 feet; thence North 400 feet to the North line of the South Half of the Northeast Quarter; thence East 76.5 rods along said North line or the point of beginning. (02-114-0006) p1

Beginning at the East Quarter Corner of Section 14, Township 11 North Range 1 East of the Salt Lake Base and Meridian; thence South 165 feet; thence North 79° West 120 feet; thence South 19°50' West 110 feet; thence East 150 feet; thence South 2,390 feet, more or less, to the Southeast Corner of Section 14, thence West 552 feet to the established deer fence; thence Northeasterly along said fence 585 feet; thence North 4°36' East 1536.7 feet; thence North 16°47' East 411.5 feet; thence North 7°49' East 74.3 feet; North 72°00' West along the South boundary line of the Providence Canyon Road 290 feet, more or less, to a point in the South line of the Northeast Quarter of Section 14; thence South 89°37' East in the South line of Northeast Quarter of said Section 14, 505 feet, more or less, to the place of beginning. Less that certain land deeded to Providence City. (02-114-0006 the South Part) p1

Beginning at the South Quarter Corner of Section 14, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, and running thence North 0°25' West 1240 feet; thence East to the Southeast Corner of Lot 34, GRAND VIEW HILLS SUBDIVISION, recorded 31 May 1961, as filing No. 308805, in the office of the Recorder of Cache County, Utah; thence North 32 feet; thence East to a point North 0°03' West 1272 feet from a point North 89°41' East 301.05 feet from the South Quarter Corner of said Section 14, thence South 0°03' East 322 feet; thence North 89°41' East 480 feet to the projected East line of said subdivision; thence South 0°03' East 950 feet, more or less, to the South line of said Section 14, thence South 89°41' West 781.5 feet to the place of beginning. (02-116-0003)✓

All of the Northeast Quarter of Section 23, Township 11 North, Range 1 East of the Salt Lake Base and Meridian. (03-036-0011)

Subject to a right-of-way described as follows: Beginning at a point which lies along the South line of the Northeast Quarter and is South 88°52'12" West, 291.70 feet (West by record) from the Southeast Corner of the Southeast Quarter of the Northeast Quarter, Section 14, Township 11 North, Range 1 East, of the Salt Lake Base and Meridian, and running thence South 17°14'23" West, 31.61 feet, to an existing fence along the North line of Canyon Road; thence North 72°45'37" West along said fence line, 30.00 feet; thence North 17°14'23" East, 21.65 feet to the said South line of the Northeast Quarter; thence North 88°52'12" East, along said South line of the Northeast Quarter, 31.61 feet to the point of beginning.

Beginning at the Northwest Corner of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 14, Township 11 North, Range 1 East, Salt Lake Base and Meridian, and running thence South 256.19 feet; thence West 359.59 feet; thence South 209.73 feet to a point on the South boundary line of Providence Canyon Road; thence along said South line of said road following 3 courses: Northwest 98 feet, more or less, to a point 1389.60 feet East and 1046.6 feet South of the West Quarter Corner of the Northeast Quarter of said Section 14; North 32°25' West, 226 feet; and North 26°31' West, 397.66 feet; more or less, to a point which lies due West of a point lying 160 feet North of the point of beginning; thence East leaving said South line of said road, 859.11 feet, more or less, to a point 160 feet North of beginning; thence South 160 feet to the point of beginning, less a 2 rod strip along the Southwest boundary being used as roadway. (02-114-0022 and 02-114-0026) ✓

EXCEPTING therefrom the following: Beginning at a point 403.81 feet North of a point 960 feet West of the East Quarter Corner of Section 14, Township 11 North, Range 1 East, of the Salt Lake Base and Meridian, and running thence West 59.59 feet; thence South to the South line of Providence Canyon Road and running thence Southeasterly along said South line of Providence Canyon Road to a point South of the point of beginning and running thence North, to the point of beginning. (02-114-0027) ✓  
Beginning at a point that is North, 820.0 feet of a point West, 960.0 feet of a point South 416.19 feet of the East Quarter Corner of Section 14, (said point being the true point of beginning); thence East, 300.0 feet; thence South, 358.81 feet, more or less, to the South boundary line of Canyon Road; thence Northwest along the South line of said road to a point due South of the true point of beginning; thence North, to the true point. (02-114-0017) ✓

The Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 14, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, excepting therefrom the following described property: Beginning at a point on the deer fence which is 212.0 feet West of the Southeast Corner of the said Southeast Quarter of the Northeast Quarter of Section 14, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, and running thence West in existing fence line which is also described as a Quarter Section line 180 feet; thence North 73°21' West along the North fence line of Providence Canyon Road 77.5 feet; thence North 12°50' East 420.0 feet; thence South 73°21' East 36.5 feet to said deer fence; thence following said deer fence South 43°28' East 260.0 feet; thence along said deer fence South 12°50' West 238.40 feet to the place of beginning.  
ALSO EXCEPTING THEREFROM all that portion of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of said Section 14, lying Southeast of the County Road running through said tract of land.  
ALSO EXCEPTING THEREFROM Providence Canyon Road. (02-114-0014) ✓

Beginning at a point in the presently established deer fence 552 feet West from the Southeast Corner of Section 14, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, and running thence West along the South line of Section 14, 1157 feet; thence in a Northerly direction, following the East bank of ditch in the following courses and distances: North 5°36' East 291 feet; North 3°26' West 485 feet; North 6°52' East 246 feet; North 1°23' West 414 feet; North 5°45' West 100 feet; North 2°11' East 433 feet; North 5°40' West 90 feet; North 2°20' East 380 feet to the South line of a field road; thence North 59°40' West 10 feet to the West bank of a ditch; thence following the South and West line of field road in the following courses and distances: North 25°44' West 379 feet; North 2°33' East 258 feet; North 19°05' East 368.6 feet; thence South 71°13' East 197.6 feet to an established fence corner; thence South 86°55' East 198 feet to a fence corner on the West line of the Providence Canyon Road; thence South 26°31' East along said road 204.7 feet to the property corner of J. N. REAM; thence South 52°32' West 80.8 feet; thence South 31°45' East 339.3 feet; thence South 62°45' East 394.1 feet; thence South 32° East 403.3 feet; thence South 77°15' East 310 feet to the presently established deer fence, which point is 74.3 feet from the South line of Canyon Road; thence South 16°47' West along said deer fence 411.5 feet; thence South 4°36' West along said fence 1536.7 feet; thence following said fence in the Southwesterly direction 585 feet, more or less, to the place of beginning. (02-116-0004)✓

EXCEPTING THEREFROM: Any portion of the above that might lie West of the East line of the GRAND VIEW HILLS SUBDIVISION, as shown by the official plat thereof filed 31 May, 1961, as filing No. 308865, in the office of the Recorder of Cache County, Utah. This exception, however, does not include grantors rights in the GRAND VIEW DRIVE on said subdivision.

Together with a 50-foot right-of-way over the following described tract: Beginning at the extreme Northwest Corner of the above described property and continuing North 19°05' East 460 feet, more or less, to the West line of the Providence Canyon Road; thence Southwesterly 70.5 feet; thence South 19°05' West 440 feet, more or less, to a point South 71°13' East 50 feet from the place of beginning; thence North 71°13' West 50 feet to the place of beginning.

Subject to a right-of-way over the following described tract: Beginning at the extreme Northwest Corner of the above described property, and running thence South 19°05' West 368.6 feet; thence South 2°33' West 253 feet; thence South 25°44' East 249 feet; thence North 54°16' East 50 feet; thence North 25°44' West 249 feet; thence North 2°33' East 258 feet; thence North 19°05' East 268.6 feet, more or less, to a point 59 feet South 71°13' East from the place of beginning; thence North 71°13' West 59 feet to beginning.

Together with a right-of-way for travel over the land described as follows: Beginning at a point which is South 16°47' West 411.5 feet from the Northeast Corner of the above described property, and running in a Northerly direction over the existing right-of-way to the Providence Canyon Road as now situated.

EXCEPTING THEREFROM the following described tract of land: Part of the Northeast Quarter of Section 14, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, further described as: Beginning at a point

3369.83 feet North and 800.98 feet East of the South Quarter Corner of Section 14, of said Township and Range, and running thence South 70°20' East 106.13 feet, thence South 7°43' West 622.81 feet along an existing power and telephone pole line; thence right along a curve having a radius of 50.00 feet for a distance of 127.79 feet to the East right-of-way line of Grand View Drive; thence Northerly along the East right-of-way of said Grand View Drive in five courses to-wit: North 25°50' West 23.07 feet, right along a curve having a radius of 338.1 feet for a distance of 166.40 feet North 2°22' East 137.90 feet, right along a curve having a radius of 283.4 feet for a distance of 81.90 feet, North 18°56' East 315.05 feet to the point of beginning. (02-114-0012 and 02-114-0021)

Also subject to the following described two rights-of-way: The right to travel a right-of-way 20.0 feet wide, the North and West side of said right-of-way being described as follows: Beginning at a point in the East line of Grand View Drive of Grand View Hills Subdivision, said point being North 2711.87 feet and East 722.80 feet from the South Quarter Corner of said Section 14, and running thence left 127.79 feet along a curve having a radius of 50.0 feet; thence North 7°43' East 417.76 feet.

The right to travel a right-of-way 20.0 feet wide, the North and West sides of said right-of-way described as follows: Beginning at a point in the East line of Grand View Drive of Grand View Hills Subdivision, said point being North 2711.87 feet and East 722.80 feet from the South Quarter Corner of said Section 14, and running thence left 127.79 feet along a curve having a radius of 50.0 feet; thence North 7°43' East 417.76 feet, more or less, to join the South side of the following described tract of land to-wit: Beginning at a point 1004.10 feet East of a point 739.20 feet South of the West Quarter Corner of the Northeast Quarter of said Section 14, thence North 73°27' West 23 feet; thence South 39°10' West 63 feet; thence South 9°00' East 65 feet; thence South 54°00' East 55 feet, be it more or less, to a point in right low waters edge of an irrigation ditch; thence up the said low right edge in a general Northeasterly direction for a distance of 120 feet, more or less, to the place of beginning.

EXCEPTING also the following: Beginning at a point which lies East 999.36 feet (East 1004.10 feet by record) and South 730.40 feet (South 739.20 feet by record) of the West Quarter Corner of the Northeast Quarter of Section 14, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, and running thence North 73°27' West 23.00 feet; thence South 39°10' West 63.00 feet; thence South 9°00'00" East 65.00 feet; thence South 54°00'00" East 55.00 feet to a point on the West Bank of an Irrigation Ditch; thence North 61°40'43" East along said West Bank 120.63 feet (120.00 feet by record); thence North 17°00'00" West 60.00 feet; thence North 73°27' West 85.00 feet to the point of beginning. (02-114-0012)

SUBJECT TO: A 10.00 foot Utility Easement along the South, North and East line of the above described parcel.

ALSO TOGETHER WITH: A 20.00 foot Ingress and Egress Right-of-way described as follows: Commencing at the West Quarter Corner of the Northeast Quarter of Section 14, Township 11 North, Range 1 East of the Salt Lake Base and Meridian and running thence East 999 feet (East, 1004.10 feet by record); thence South 730.40 feet (South 739.20 feet by record); thence North 73°27' West, 23.00 feet; thence South 39°10' West, 63.00 feet; thence South 9°00'00" East, 65.00 feet; thence South 54°00'00" East 10.12 feet to the true point of beginning, being the center line of said 20.00 foot Right-of-way and running thence along said center line of a 20.00 foot Right-of-way the following courses: South 27°13'44" West, 115.88 feet; South 29°12'00" West, 78.33 feet; South 69°53'00" West, 40.16 feet; South 69°57'50" West 48.61 feet; South 82°08'30" West, 64.83 feet to the East Right-of-way line of Grand View Drive as recorded and the point of termination.