

Parcel 200 A

13-021-0004

E 2980483 B 6639 P 657-659  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
11/08/2016 12:12 PM  
FEE \$0.00 Pgs: 3  
DEP RT REC'D FOR SOUTH WEBER WATER  
IMPROVEMENT

EASEMENT CONTRACT

THIS AGREEMENT, made and entered into this 3<sup>rd</sup> day  
of December, 19   , by and between RALPH G. and MARY ARLENE  
POLL, GRANTORS

which expression shall include his, her, heirs, executors,  
administrators, agents, or assigns where the context so  
requires or admits, and the SOUTH WEBER WATER IMPROVEMENT  
DISTRICT of Davis County, State of Utah, GRANTEE:

W I T N E S S E T H:

WHEREAS, GRANTOR owns and has title to that real  
estate and real property located in South Weber City, County  
of Davis, State of Utah, which is referred to below; and

WHEREAS, GRANTEE desires a perpetual easement and  
right-of-way for a pressure irrigation pipeline and a tem-  
porary easement and right-of-way for construction use only  
over property of GRANTOR, as is herein more fully set out;

NOW, THEREFORE, it is hereby agreed as follows:

GRANTOR, grants and conveys to GRANTEE a perpetual  
easement and right-of-way TEN (10) feet wide, known as the  
"permanent easement," and an additional strip of land TEN  
(10) feet wide, in width, adjacent to said permanent  
easement, as a temporary easement for construction use only,  
described as follows:

Permanent Easement

A Portion of the Southeast  $\frac{1}{4}$  of Section 28, Township 5  
North, Range 1 West.

A strip of land 10 feet in width being 5.0 feet on each  
side of the following described centerline.

Beginning at a point West, 709.50 feet; North, 345.53 feet;  
N83°52'30"W, 161.18 feet and S0°33'30"E, 5.0 feet from the  
Southeast Corner of said Section 28; thence N83°52'30"W,  
156.18 feet; thence S0°33'30"E, 190.0 feet to end of same.

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Temporary Easement

A portion of the Southeast  $\frac{1}{4}$  of Section 28, Township 5 North, Range 1 West.

A strip of land 10 feet in width being 5 feet on each side of the following described centerline and also being adjacent to the permanent easement.

Beginning at a point West, 709.50 feet; North, 345.53 feet; N83°52'30"W, 161.18 feet and S0°33'30"E, 15.0 feet from the Southeast corner of said Section 28; thence N83°52'30"W, 146.18 feet; thence S0°33'30"E, 175.0 feet to end of same.

This includes the right to enter upon said real estate at any time it, the said GRANTEE, sees fit, and to construct, maintain, and repair underground pipeline and/or main for purposes of conveying irrigation water under pressure over, across, through, and under the said land, together with the right to excavate and refill ditches and/or trenches for the location of said pipeline.

It is expressly understood and agreed that the SOUTH WEBER WATER IMPROVEMENT DISTRICT, after the laying of the irrigation pipeline, shall cause the excavation to be backfilled, the pipeline covered, and excess dirt and overburden removed from the premises, and to restore said premises to as nearly their original condition as practicable; and it is further understood and agreed that the said, GRANTEE, SOUTH WEBER WATER IMPROVEMENT DISTRICT, shall have the right of ingress and egress to and from said TEN (10) foot wide perpetual easement and right-of-way at any and all times for purposes of inspecting, maintaining, or repairing said pipeline.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the date first above written, the GRANTEE signing by its Chairman of Board of Trustees and attested by its Secretary-Treasurer, pursuant to a resolution duly and regularly passed and adopted by said Board of Trustees of said WATER DISTRICT, and the GRANTOR signing the same in person.

GRANTORS

GRANTEE

SOUTH WEBER WATER IMPROVEMENT  
DISTRICT

Ralph G. Poll  
RALPH G. POLL

By \_\_\_\_\_

Mary Arlene Poll  
MARY ARLENE POLL

ATTEST:

\_\_\_\_\_  
Secretary-Treasurer

\* \* \* \* \*

STATE OF UTAH )  
                  ) ss.  
COUNTY OF DAVIS )

On the 3<sup>rd</sup> day of December, 1979, personally  
appeared before me RALPH G. POLL and MARY ARLENE POLL  
\_\_\_\_\_, the signer of the above instrument,  
who duly acknowledged to me that they executed the same.

Elaine Mason  
NOTARY PUBLIC

Residing at: So. Weber, Utah

My Commission Expires: 6-6-83

