

E A S E M E N T

HOMER & KLOMP, INC., and EDGAR A. FORD and MABEL C. FORD, husband and wife, and DAMON R. FORD AND ELIZABETH B. FORD, husband and wife, GRANTORS, hereby CONVEY and GRANT unto OGDEN CITY, a municipal corporation of the State of Utah, GRANTEE, an easement and right-of-way for the construction, operation and maintenance of an underground storm drain across the grantors' lands situated in Ogden, Weber County, Utah, to-wit:

All of the following described easements within the bounds of the property owned by the Grantors:

A Perpetual Easement and right-of-way, 4.50 feet wide being 2.25 feet on each side of the following described center line.

A part of Lots 8 and 9, Block 25, Plat "A", Ogden City Survey: Beginning at a point on the West line of Merchant's Alley, South 89° 06' 12" East along the North line of said Lot 9, 91.75 feet and North 0° 37' East 4.42 feet and North 84° East 33.18 feet from the Northwest corner of said Lot 9, Running thence South 84° West 33.18 feet, thence South 0° 37' West 71.42 feet, thence South 64° 04' East 13.68 feet more or less to the West line of Merchants Alley.

This easement is executed for no monetary consideration and for the general improvement to the grantors' lands which will result from the installation of the storm drain.

It is expressly understood and agreed that Ogden City after laying the said storm drain, shall cause the excavation to be backfilled, remove from said premises and right-of-way, all excess dirt and overburden, leaving the said premises in as nearly the original condition as practicable, including restoring the surface of the easement.

And, it is further understood and agreed that the said Grantee, Ogden City, shall have the right of ingress and egress to and from said perpetual easement and right-of-way, at any and all times, for the purpose of inspecting, maintaining or repairing said storm drain.

The Grantee by the acceptance hereof agrees to relocate the storm drain herein described to another feasible location on grantors' lands should grantors or any of them require the same for their own use.

Each of the grantors hereby grant the easement above described on the land owned by said grantor and makes no attempt to grant an easement over any land other than that owned by said grantor.

Doc. of 100721009X

IN TESTIMONY WHEREOF, the Grantee has caused this easement contract to be executed in duplicate by its City Manager and the said Grantors have executed the same in duplicate this 22<sup>nd</sup> day of June, 1965.

OGDEN CITY, a Municipal Corporation

By Samuel B. Hood  
Samuel B. Hood, City Manager

ATTEST:

Mary E. Smith  
Mary E. Smith, City Recorder

HOMER & KLOMP, INC.

By William F. Homer  
WILLIAM F. HOMER, President

ATTEST:

Louie M. Homer  
LOUIE M. HOMER, Secretary

Edgar A. Ford  
EDGAR A. FORD

Mabel C. Ford  
MABEL C. FORD

Damon R. Ford  
DAMON R. FORD

Elizabeth B. Ford  
ELIZABETH B. FORD

STATE OF UTAH )  
(  
County of Weber)

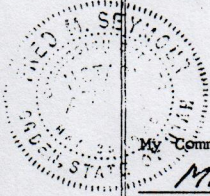
On this 26<sup>th</sup> day of May, 1965, personally appeared before me William F. Homer and Louie M. Homer, who being by me duly sworn, did say that William F. Homer is the President and Louie M. Homer is the Secretary of HOMER & KLOMP, INC., and that said instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and the said William F. Homer and Louie M. Homer acknowledged to me that said corporation executed the same.

Paul M. Seymour  
NOTARY PUBLIC  
Residing at Ogden, Utah

My Commission Expires: May 25, 1968

STATE OF UTAH )  
(  
County of Weber)

On the 22nd day of June, 1965, personally appeared  
before me EDGAR A. FORD and MABEL C. FORD, husband and wife and DAMON R.  
FORD and ELIZABETH B. FORD, husband and wife, four of the signers of the  
foregoing instrument, who duly acknowledged to me that they executed the same.



Paul M. Sorenson  
NOTARY PUBLIC  
Residing at Cedar, Utah

My Commission Expires:  
May 25, 1968

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FILED AND RECORDED FOR  
Cedar City  
1965 JUN 23 PM 2 49

ROSE JAMES OLSEN  
WEBER COUNTY RECORDER  
DEPUTY Edith L. Smith