

Recorded at request of HOME ABSTRACT CO. Fee Paid \$ 20 FEE 10.00
Date JUL 1 1981 at CAROL DEAN PAGE Recorder
By [Signature] Deputy Book 875 Page 750

A G R E E M E N T

1874-471-120

THIS AGREEMENT made and entered into this 27 day of ^{July} June, A.D., 1981, by and between GLEN J. LOVE and ADA W. LOVE, his wife, hereinafter collectively referred to as "Love", and SCOTT B. SMEDLEY and JULIET SMEDLEY, his wife, TERRY D. SMEDLEY and SUSANNE S. SMEDLEY, his wife, DALE T. SMEDLEY and HELEN B. SMEDLEY, his wife, and GLAUSER CONSTRUCTION COMPANY, INC., hereinafter collectively referred to as "Smedley and Glauser".

WHEREAS, Love is the owner of certain real property located in Davis County, and more particularly described in Exhibit "A" attached hereto, incorporated herein and made a part hereof; and

WHEREAS, Smedley and Glauser are owners of certain real property located in Davis County, State of Utah, over which Love must pass in order to gain access to the property of Love; and

WHEREAS, for a period in excess of twenty (20) years Love has gained access to his property by an undeeded way of access which has ripened into a prescriptive right-of-way; and

WHEREAS, Love is desirous of abandoning any claim to the prescriptive right-of-way in exchange for a deeded right-of-way over and across the property of Smedley and Glauser and Smedley and Glauser are desirous of granting a deeded right-of-way to Love in exchange for the abandonment of the old prescriptive right-of-way.

NOW THEREFORE, in consideration of the mutual covenants and promises contained hereafter, the parties hereto agree as follows:

1. Love does hereby abandon any claim or interest Love may have in and to a prescriptive right-of-way over and across any property owned by Smedley and Glauser.

2. Smedley and Glauser hereby grant unto Love a right-of-way for ingress and egress over the following described real property:

A part of the Southeast Quarter of Section 4, Township 4 North, Range 1 West, Salt Lake Meridian, U. S. Survey;

Glen J. Love
2499 W. Fairfield
Lepton 84010 \$10.00

RECORDER'S MEMO
LEGIBILITY OF WRITING, TYING OF
PRINTING UNSATISFACTORY IN THE
DOCUMENT WHEN RECEIVED.

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Beginning at a point North 0°08'30" East 1266.57 feet and North 89°34'30" West 1368.86 feet parallel to South line of Section 4 from the Southeast corner of said Section 4, running thence South 0°08'30" West 20.0 feet; thence South 89°34'30" East 98.0 feet; thence South 0°08'30" West 1372.7 feet, more or less, to North line of Highway; thence South 79°58' East 30.78 feet along said Highway; thence North 0°08'30" East 1448.6 feet, more or less, to North line of South half of Southeast Quarter said Section 4; thence North 89°34'30" West 100 feet, more or less, to West line of Layton City as annexed August 23, 1979; thence North 30 feet, more or less, along said line of Layton City to South line of the Glen Love property; thence West 30 feet, more or less, to a point North of beginning; thence South to point of beginning.

3. The right-of-way for ingress and egress shall be for ~~the purpose of ingress and egress~~ to and from the property benefit and run with the property described on Exhibit "A" attached hereto, incorporated herein and made a part hereof.

WHEREFORE, the parties hereto have signed this Agreement the day and year first above written.

Glen J. Love
GLEN J. LOVE

Ada W. Love
ADA W. LOVE

Scott B. Smedley
SCOTT B. SMEDLEY

Juliet Smedley
JULIET SMEDLEY

Terry B. Smedley
TERRY B. SMEDLEY

Susanne S. Smedley
SUSANNE S. SMEDLEY

Dale T. Smedley
DALE T. SMEDLEY

Helen B. Smedley
HELEN B. SMEDLEY

GLAUSER CONSTRUCTION COMPANY, INC.

BY: M. D. Glaser

ATTEST:
STATE OF UTAH)
: ss.
County of Davis)

On the 27 day of July, A.D., 1981, personally appeared before me GLEN J. LOVE, ADA W. LOVE, his wife, SCOTT

B. SMEDLEY, JULIET SMEDLEY, his wife, TERRY D. SMEDLEY, SUSANNE
S. SMEDLEY, his wife, DALE T. SMEDLEY, HELEN B. SMEDLEY, his wife,
and M. D. Glauser of GLAUSER CONSTRUCTION COMPANY, INC.,
who signed the above and foregoing instrument in my presence.

Geneal S. McReird
NOTARY PUBLIC

Residing at: Clearfield Twp

My Commission Expires:

4-16-85

Doc. No. D. 73220

Section 4, Township 4
13 feet, more or less, to
along each side 38'00"
10 feet, along East 40 feet
the South corner of the
North, 1/4 mile
line of said
parallel
United States
said East line to

04-013-0005

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April 1971

SCHEDULE "A" DESCRIPTION

Beginning at a point 40 rods East from the center of Section 4, Township 4 North, Range 1 West, Salt Lake Meridian; thence South 768.33 feet, more or less, to the North line of property conveyed in Book 602, Page 590; thence South 27 deg. 38' 00" East 624.15 feet; thence East 370.12 feet; thence North 100 rods; thence West 40 rods; thence South 20 rods to the point of beginning.

EXCEPTING THEREFROM THE FOLLOWING: Beginning at the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 4, Township 4 North, Range 1 West, Salt Lake Meridian, and running thence North 30.0 feet along the East line of said Quarter Quarter; thence North 89 deg. 43' 13" West 386 feet, more or less, parallel to the South line of said Section to the East line of the property of the United States of America; thence South 27 deg. 38' 00" East 624.15 feet along said East line to the South line of said Quarter Quarter; thence South 89 deg. 43' 13" East 370.12 feet, more or less, to the point of beginning.

09-013-0008

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