

RIGHT OF WAY AGREEMENT

This Indenture made this 22<sup>nd</sup> day of September, 1945, between Elizabeth H. Todd, party of the first part, Frank M. Browning and Eugenia H. Browning, his wife, parties of the second part, George G. Williams and Marion T. Williams, his wife, parties of the third part, and J. E. Browning Co., a corporation, party of the fourth part,

## WITNESSETH:

WHEREAS, first party is the owner in fee of the following described parcel of land in Weber County, Utah:

A part of Lot 8, Block 12, Plat "A", Ogden City Survey: Beginning at a point 187 feet South from the Northeast corner of said Lot 8, running thence South 143 feet, thence West 62 feet, thence North 143 feet, thence East 62 feet, to the place of beginning.

and second parties are the owners in fee of the following described parcels of land in Weber County, Utah:

A part of Lot Eight (8), in Block Twelve (12), Plat "A", of Ogden City Survey: Beginning at the Northeast corner of said Lot Eight (8) and running thence South one hundred sixty nine (169) feet, thence West sixty-two (62) feet, thence North one hundred sixty nine (169) feet; thence East sixty two (62) feet to the place of beginning.

Together with and subject to a right-of-way over the land lying within six feet on either side of the Eastern Boundary line of the above described land and right-of-way.

A part of Lot Eight (8) in Block Twelve (12) Plat "A" of Ogden City Survey: Beginning 62 feet West and 169 feet South of the Northeast corner of said Lot Eight (8) and running 20 feet east, thence 18 feet South, thence 20 feet West, thence 18 feet North to the place of beginning. Also: Beginning 169 feet South of the Northeast corner of said lot Eight (8) running thence South 18 feet, thence West 42 feet, thence North 18 feet, thence East 42 feet to point of beginning.

Part of Lot 8, Block 12, Plat "A" of Ogden City Survey, beginning 169 feet South from Northwest corner Lot 8; thence South 91 feet; thence East 70 feet; thence North 91 feet; thence West 70 feet to beginning.

and third parties are the owners in fee of the following described parcel of land in Weber County, Utah:

A part of Lot 9, Block 12, Plat "A", of Ogden City Survey, particularly described as follows:  
Beginning at the Northwest corner of said Lot 9 and running thence East 51 feet; thence South 158.5 feet; thence East 8 feet; thence South 171.5 feet; thence West 59 feet; thence North 20 rods to the place of beginning.

and,

WHEREAS fourth party is the owner in fee of the following parcel of

land in Weber County, Utah:

Part of Lots 6 and 7 Block 12 Plat "A" Ogden City Survey, Beginning 66 feet North of Southwest corner of Lot 6; thence East 150.25 feet; thence North 4 feet; thence East 113.75 feet; thence North 91 feet; thence West 132 feet; thence South 14 feet; 8 inches; thence West 132 feet to West line of Lot 6; thence South 80 feet to beginning.

Whereas, second parties aforesaid land adjoins first party's said land on the south, and the east boundary of first and second parties said lands constitute the west boundary of third parties' said lands, and, fourth party's said land adjoins second parties' said lands on the west, and

Whereas, the parties hereto desire hereby to create and establish a general right of way over a portion of said lands for the several use and enjoyment of each of the parties hereto, which said right of way is hereinafter described,

Now, therefore, in consideration of the premises, the agreements herein contained, and the sum of One (\$1.00) Dollar paid by each of the parties hereto to each of the others, the receipt whereof is hereby acknowledged, the parties to these presents have agreed, and by these presents do confirm the same, that the following described tract of land, to-wit,

A part of Lots 8 and 9, Block 12, Plat "A" of Ogden City Survey: Beginning at a point 6 feet east of the northwest corner of said Lot 9, and running thence South 330 feet to the South line of said Lot 9, thence West 12 feet, thence North 330 feet to the North line of said Lot 8, thence East 12 feet to place of beginning.

shall be and forever remain a general right of way for the use and benefit of each and all of the parties hereto, their heirs and assigns forever, and be appurtenant to the respective parcels of land of the parties hereto as above described.

And the parties hereto do by these presents, each for himself and his heirs and assigns covenant with and confirm unto each of the others, his heirs, successors and assigns, forever the said described right of way, to have and to hold the same according to the terms and conditions hereof.

IN WITNESS whereof the parties hereto have hereunto set their hands

this 22 day of September, 1945.

Elizabeth H. Todd.  
First Party

Frank M. Browning  
Eugenia H. Browning  
Second Parties

George G. Williams  
Marion T. Williams  
Third Parties

J. E. BROWNING CO.

By Frank M. Browning  
President

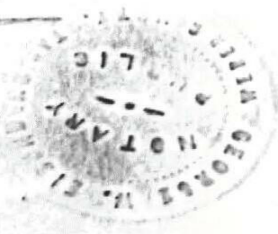
Frank M. Browning  
Secretary  
Fourth Party

STATE OF UTAH )  
                  : ss  
COUNTY OF WEBER )

On this 22 day of September, 1945, personally appeared before me, Elizabeth H. Todd, Frank M. Browning and Eugenia H. Browning, his wife, George G. Williams and Marion T. Williams, his wife, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

Geoff Casenberg  
Notary Public  
Residing at Ogden, Utah

My commission expires:  
Nov 17-77



STATE OF UTAH )  
                  : ss  
COUNTY OF WEBER )

On this 22<sup>nd</sup> day of September, 1945, personally appeared before me,

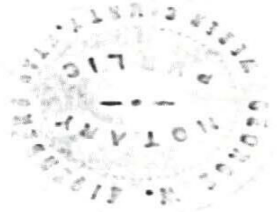


Archibald Browning and Frank M. Browning who being by me duly sworn, did say that they are respectively the President and Secretary of J. E. Browning Co. Inc., that said instrument was signed in behalf of said Corporation by authority of a resolution of its Board of Directors, and said Archibald Browning and Frank M. Browning acknowledged to me that said Corporation executed the same.

*Geoff Eisenberg*  
Notary Public  
Residing at Ogden, Utah

My commission expires:

Nov 17 - 47



96254

STATE OF UTAH ) ss  
COUNTY OF WEBER )  
FILED AND RECORDED FOR  
*Thomas F. Welch*  
SEP 25 3 24 PM '45  
IN BOOK 215 of Leases  
PAGE 531  
*Dorothy Campbell*  
COUNTY RECORDER  
BY DEPUTY  
*Oliver Hollands*

200

*George Eisenberg*

PLATTED  ABSTRACTED   
RECORDED  INDEXED   
COMPARED  PAGED