

RETURNED TO

MAY 20 1991

BOOK 1413

RECORDED AT REQUEST OF

Carden Title

1991 MAY 20 AM 11:34

P7.0 9-050-0033
NW-10-4N-1W

EASEMENT AND RIGHT OF WAY

PAGE 291
EN PL AB

CAROL DEAN PAGE
DAVIS COUNTY RECORDER

DEPUTY *J.B.* FEE 10.50

KIER CORPORATION, A UTAH CORPORATION, organized and doing business under and by virtue of the laws of the State of Utah, of Ogden City, Weber County, State of Utah, hereinafter referred to as Grantor, hereby conveys to the Weber Basin Water Conservancy District, Grantee, a perpetual easement to construct, reconstruct, operate and maintain an underground pipeline or pipelines together with a right of way for ingress and egress over and across the following described property, situated within Davis County, State of Utah:

AS MORE FULLY DESCRIBED UPON SEPARATE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF.

FURTHERMORE, Grantor hereby grants a temporary Right of Way for ingress and egress over and across the following described property, situated within Davis County, State of Utah:

AS MORE FULLY DESCRIBED UPON SEPARATE SCHEDULE "B" ATTACHED HERETO AND MADE A PART HEREOF.

Said temporary right of way shall remain in force until such time Grantor records in the Davis County Recorders Office a Notice of Cancellation of Right of Way. The Grantor shall also deliver to the Grantee by registered mail, within 15 days of the recording, a true copy of said Notice. The temporary right of way shall cease upon recordation of the Notice of Cancellation signed by the Grantor only and by this document the Grantee acknowledges that said notice, as described, shall terminate said temporary right of way.

Upon termination of the temporary Right-of-Way the Grantee shall have full use of the Right-of-Way and Easement as mentioned above and described upon Schedule "A" attached hereto and made a part hereof

KIER CORPORATION

BY: *[Signature]*

WEBER BASIN WATER CONSERVANCY DISTRICT

BY: *[Signature]*

SCHEDULE "A"

A PART OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 193 WHICH IS SOUTH 0 DEG. 07' 20" WEST 487.92 FEET ALONG THE SECTION LINE AND SOUTH 80 DEG. 9' EAST 418.91 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE FROM THE NORTHWEST CORNER OF SAID SECTION 10, RUNNING THENCE SOUTH 80 DEG. 9' EAST 26.38 FEET; THENCE SOUTH 0 DEG. 7' 20" WEST 204.11 FEET; THENCE NORTH 89 DEG. 52' 40" WEST 26 FEET; THENCE NORTH 0 DEG. 7' 20" EAST 210.57 FEET TO THE POINT OF BEGINNING.

pt 09-050-0033

2:38PM 4/23/1991

SCHEDULE "B"

A PART OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE-BASE AND MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 193 WHICH IS SOUTH 0 DEG. 07' 20" WEST 487.92 FEET ALONG THE SECTION LINE AND SOUTH 80 DEG. 9' EAST 403.91 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE FROM THE NORTHWEST CORNER OF SAID SECTION 10, RUNNING THENCE SOUTH 80 DEG. 9' EAST 15 FEET; THENCE SOUTH 0 DEG. 7' 20" WEST 206.11 FEET; THENCE NORTH 89 DEG. 52' 40" WEST 14.785 FEET; THENCE NORTH 0 DEG. 7' 20" EAST 213.105 FEET TO THE POINT OF BEGINNING.

at 09-050-0033

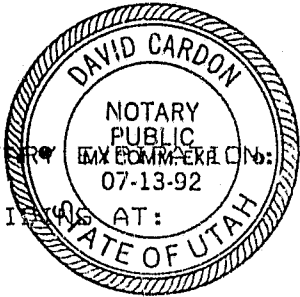
2:36PM 4/23/1991

STATE OF UTAH)
)
) :ss.
)
COUNTY OF WEBER)

On this 17TH day of MAY, 1991, personally appeared before me JAMES E. KIER who being duly sworn did say that he is the PRESIDENT of KIER CORPORATION, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said JAMES E. KIER duly acknowledged to me that said corporation executed the same.

[Handwritten Signature]

NOTARY PUBLIC



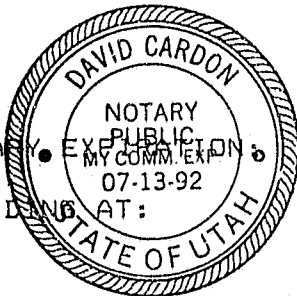
NOTARY PUBLIC
MY COMM. EXPIRES: 07-13-92
RESIDING AT:

STATE OF UTAH)
)
) :ss.
)
COUNTY OF DAVIS)

On this 17TH day of MAY, 1991, personally appeared before me IVAN W. FLINT who being duly sworn did say that he is the SECRETARY/MANAGER of WEBER BASIN WATER CONSERVANCY DISTRICT, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said IVAN W. FLINT duly acknowledged to me that said corporation executed the same.

[Handwritten Signature]

NOTARY PUBLIC



NOTARY PUBLIC
MY COMM. EXPIRES: 07-13-92
RESIDING AT: