

227

227 priority of the water right, and the same in volume of capacity in the Provo Bench Canal as ~~five~~ <sup>Five</sup> shares of the capital stock of the Provo Bench Canal and Irrigation Company

The basis of this deed is the rights of the Provo Bench Canal and Irrigation Company in and to the natural flow of Provo River as set out and contained in that certain decree of the Fourth Judicial Court of the State of Utah; Civil action No. 2888, made under date of May 2, 1921, and does not include any storage water now had or hereafter acquired by said company.

WITNESS THE HANDS of said Grantors this 11th day of October A. D. 1943

Signed in the presence of Maurice Harding

Esthma Tanner  
Caleb Tanner

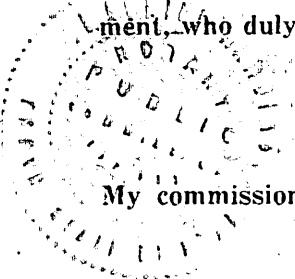
STATE OF UTAH, }  
COUNTY OF UTAH, } ss.

On the 11th day of October A. D. 1943, personally

appeared before me, Caleb Tanner and Esthma Tanner, his wife, the signors of the above instrument, who duly acknowledged to me that they executed the same.

Maurice Harding

Notary Public.



My commission expires Feb. 23, 1945.

Entry No. 12078  
Recorded at the request of Harold S. Allen  
NOV 23 1943 11:40 A.M.  
Book Pages  
ELOISE F. TIPTON Recorder Utah County  
Shebina West Deputy  
Compared Sec.  
Indexed Tp.  
Fee 907  
Mail P. B. Box 332  
Provo 41.

7-42 500

12098

(UTAH INDIVIDUAL)

TRANSMISSION LINE EASEMENT

79. Anna Mae Wherry and Earl Wherry (single), ~~Grantors~~ Grantors, of Cooke County, Texas, do hereby convey and warrant to UTAH POWER & LIGHT COMPANY, a corporation, its successors in interest and assigns, Grantee, for the sum of One (\$1.00) Dollar and other valuable consideration, a perpetual easement and right of way for the erection and continued maintenance, repair, alteration, inspection, relocation and replacement of the electric transmission, distribution, telephone and telegraph circuits of the Grantee, and one two pole towers and no guy anchors with the necessary guys, stubs, cross arms, braces and other attachments affixed thereto, for the support of said circuits, on, under, over, through, and across a tract of land fifty (50) feet in width, located in Utah County, Utah, and being twenty-five (25) feet on each side of the following described center line:

Beginning at fence on north boundary line of grantor's land at a point 1880 feet south and 850 feet west, more or less, from the northeast corner of Section 2, T. 5 S., R. 1 W., S.L.B. & M., thence running S. 18°33' E. 730 feet to fence on south boundary line of said land and being in the SE 1/4 of the NE 1/4 of said Section 2.

228 Together with all rights of ingress and egress necessary or convenient for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right to cut and remove timber, trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement.

WITNESS the hand of the Grantors., this 22<sup>nd</sup> day of September A. D. 1943.

Witness: *Martin I. Davis* *Anna Mae Wherry*  
*Earl J. Wherry*

STATE OF ~~UTAH~~ TEXAS,  
County of Cooke. } ss.

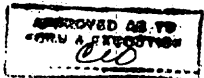
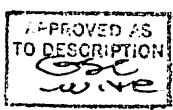
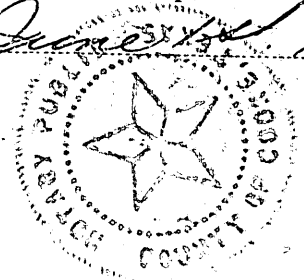
On the 22<sup>nd</sup> day of September, A. D. 43, personally appeared before me Anna Mae Wherry

the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

My commission expires: *June 1st 1945*  
Residing at *313 Lindsey Street*

*Martin I. Davis*  
Notary Public.

File No. 3876 PHC



On this 25<sup>th</sup> day of September, 1943, before me *John P. Johnson*, the undersigned officer, personally appeared *Earl Wherry*, known to me to be serving in or with the armed forces of the United States and to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained. And the undersigned does further certify that he is at the date of this Certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

*John P. Johnson*  
Officer

*1st Lt. Co C 816<sup>th</sup> T.D. Bn.*  
Rank of Officer and Command to which Attached.

Entry No. 12098  
Recorded at the request of *John P. Johnson*  
NOV 24 1943  
Book \_\_\_\_\_ Pages \_\_\_\_\_  
ELOISE F. TIPTON Recorder  
*Helmer Lat* Utah County Deputy  
Compared \_\_\_\_\_ Sec. \_\_\_\_\_  
Indexed \_\_\_\_\_ Tp. \_\_\_\_\_  
Fee \$1.10 R. \_\_\_\_\_  
Mail \_\_\_\_\_  
*John P. Johnson*  
*W. V. E.*

12137

AFFIDAVIT OF ASSUMED NAME OR BUSINESS DESIGNATION.

State of Utah, )  
County of Utah, ) ss.

Virgil J. Smith, being first duly sworn, according to law, on oath, deposes and says: that he is transacting business under