

Account No. 77066

PLATTED VERIFIED
ENTERED MICROFILMED

\$30.00 Fee
Paid _____

ASSIGNMENT # 1214812 BE1654 PG2059
DOUG GROFIS, WEBER COUNTY RECORDER
04-MAR-93 915 AM FEE \$0.00 DEP MH
REC FOR: WEBER_BASIN_WATER_CONSERV_DIST

THIS ASSIGNMENT, made this 14 day of December, 1992,
by and between JOHN U. WEBBER, as First Party, and _____
WADMAN INVESTMENTS, as Second Party,

WITNESSETH

1. WHEREAS, under date of July 27, 1971, Pineview Heights, Inc., A Utah Corporation, as Purchaser, entered into a contract with Weber Basin Water Conservancy District for the purchase of 150.0 acre-feet of water for replacement purposes, which contract was thereafter recorded in the office of the County Recorder of Weber County, Utah, in Book 984 of Records, Pages 365-373, and

2. WHEREAS, under date of September 20, 1978, the said Pineview Heights, Inc., assigned and transferred to John U. Webber, all of the right, title interest in and to 150.0 acre-feet of water referred to in paragraph 1 above,

3. WHEREAS, John U. Webber, as First Party now desires to assign and transfer to Second Party hereunder, 150.0 acre-feet of First Party's entitlement to water under the contract referred to in Paragraphs 1 and 2 above,

NOW, THEREFORE, it is hereby agreed between First Party and Second Party as follows:

4. FIRST PARTY hereby assigns and transfers to Second Party, all of First Party's right, title and interest in and to 150.0 acre-feet of water referred to in Paragraphs 1, 2 and 3 above

5. SECOND PARTY, in consideration of such assignment, hereby agrees with First Party, and with Weber Basin Water Conservancy District, to pay to Weber Basin Water Conservancy District, promptly upon receipt of billings from Weber Basin Water Conservancy District, an annual amount to consist of the total of the following items:

(a) \$15.00 per acre-foot of water, being a total annual amount of \$2,250 to apply on the District's obligation under the repayment contract No. 14-06-400-33 between the United States and the District, as it has been or may be amended and supplemented.

(b) An amount not to exceed \$5.00 annually as determined by the District to pay the District's special costs and expenses in administering this allotment.

(c) An amount equal to the assessments imposed by the State Engineer for the distribution of the water replaced hereunder.

(d) A fair proportionate amount of estimated operating and maintenance charges of the District for the then calendar year. Such fair proportionate amount shall be determined each year by the Board of Directors of the District and the determination shall be final and conclusive. If such estimate is more or less than the actual cost thereof, an appropriate adjustment will be made in the annual amount for the year following the year for which the estimate was made.

6. The first annual payment under items (a), (b), (c) and (d) above shall be made to Weber Basin Water Conservancy District upon such District's initial billing to Second Party therefor. Subsequent annual payments shall be paid as billed, whether or not any part of the water is called for or used.

7. SECOND PARTY further agrees to comply strictly with all of the terms and conditions of the contract referred to in Paragraph 1 above, and proposes to use the water referred to in said contract, and herein, on the following described lands in Weber County, Utah:

See Attached Exhibit "A"

8. All parties agree that this agreement shall become operative only upon its approval by Weber Basin Water Conservancy District.

9. Weber Basin Water Conservancy District may, as a condition of this Assignment, require security to be pledged and committed by the Second Party in addition to that so required in the contract referred to in paragraph 1 above in order to insure payments so required in said contract. The sufficiency and form of security shall be determined by the Weber Basin Water Conservancy District.

10. Second Party (assignee) hereby agrees to commit to Weber Basin Water Conservancy District sufficient security as determined by the Weber Basin Water Conservancy District and to supply

whatever documentation is so required by Weber Basin Water Conservancy District prior to this Assignment becoming effective wherein such commitment and documentation shall be a condition precedent to this Assignment.

FIRST PARTY: John H. Webber

ADDRESS: 1756 Greenwood Parkmo
2737 Pierce
Ogden, UT 84403

SECOND PARTY: V. Jay Wadman

ADDRESS: P.O. Box 1458
Ogden, UT 84402

ATTESTATIONS

FIRST PARTY

STATE OF UTAH)
: ss
COUNTY OF Davis)

On the 14 day of December, 1992, personally appeared before me John H. Webber, the signer of the above instrument, who duly acknowledged to me that he executed the same.

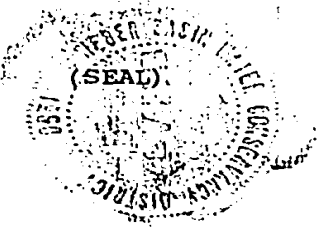


Sherrice A. Mobley
Notary Public
Residing at _____
My Com. Exp. : NOTARY PUBLIC
SHERRICE A. MOBLEY
2836 E. Highway 163
Payson, Utah 84641
My Commission Expires
December 4, 1993
STATE OF UTAH

SECOND PARTY

STATE OF UTAH)
: ss
COUNTY OF Davis)

On the 14 day of December, 1992, personally appeared before me V. Jay Wadman, the signer of the above instrument, who duly acknowledged to me that he executed the same.



Sherrice A. Mobley
Notary Public
Residing at _____
My Com. Exp. : NOTARY PUBLIC
SHERRICE A. MOBLEY
2836 E. Highway 163
Payson, Utah 84641
My Commission Expires
December 4, 1993
STATE OF UTAH

APPROVED January 22, 1993

WEBER BASIN WATER CONSERVANCY DISTRICT

President Charles F. Black Jr.
Charles F. Black Jr.

ATTEST:

Ivan W. Flint Secretary
Ivan W. Flint

(SEAL)



Part of the Southeast Quarter of Section 23, Township 6 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point which is South 89D36'25" West 904.56 Feet along the quarter Section line from the East quarter corner of Said Section 23; Running thence South 44D45'51" East 127.95 Feet to the North line of the Snow Basin Road; Thence 3 Courses along Said North Line as follows: South 45D14'09" West 402.07 Feet Westerly along the arc of a 2617.29 Foot Radius curve to the Right 238.03 Feet and Westerly along the arc of a 140.57 Foot radius curve to the Right 109.08 Feet; Thence North 6D59'51" West 565.86 Feet to the quarter Section Line; Thence North 89D36'25" East 542.25 Feet to the point of beginning.

20-035-0028 X

ALSO

Part of the East 1/2 of Section 23, Township 6 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey" Beginning at a point 1680.00 Feet South 89D56'25" West from the Northeast corner of the Southeast Quarter of Said Section 23, Running Thence North 107.03 Feet: Thence North 75D55'20" West 375.33 Feet; Thence South 601.05 Feet to North Line of Snow Basin Road; Thence Easterly along the arc of a 229.85 Foot Radius Curve 202.45 Feet; Thence South 52D34'09" East 45.29 Feet; Thence along the arc of a 322.23 Foot radius curve 182.91 Feet; Thence South 85D05'33" East 271.38 Feet; Thence North 6D59'51" West 565.86 Feet; Thence South 89D56'25" West 233.19 Feet to point of beginning.

20-035-0044 X

ALSO

Part of Section 22, Township 6 North, Range 1 East, Salt Lake Meridian, U.S. Survey: Beginning at the Northeast Corner of Section 22, Thence West 2061.61 Feet, Thence South 1278.47 Feet, Thence South 37D20' East to the East Line of Section 22, thence North to place of beginning.

20-034-0003 X

ALSO

Part of the West 1/2 of the Southwest Quarter and a part of the Southwest Quarter of the Northwest Quarter of Section 14, Township 6 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey: Beginning 1281.25 Feet East of the Southwest Quarter of Section 14, Said Corner being common to section 14, 15, 22 and 23, Township 6 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey and running thence North 0D04'06" West to the Southerly right-of-way line of Pineview Huntsville Highway: Thence Southeasterly along said right-of-way 80 Feet, more or less, to the East line of the West 1/2 of Said Southwest Quarter; Thence South 2290 Feet, more or less; Thence West 48.75 Feet to beginning.

20-015-0009 X

ALSO

20-015-0009X

Part of Section 23, Township 6 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point 1680.00 Feet South 89D36'25" West and 107.03 Feet North of the East Quarter Corner of Said Section 23, Running thence North 75D55'20 West 375.33 Feet, thence South 77D00' West 360.00 Feet, Thence South 85D00' West 847 Feet, Thence South 53D25'05" West 552.92 Feet, Thence South 33D00' West 536.54 Feet, thence North 78D30'59" West 428.09 Feet, thence North 5D28' West 135.79 Feet, thence North 14D05' East 37.37 Feet, thence North 54D31'45" West 305.00 Feet, thence South 57D03'37 West 433.64 Feet, thence South 29D56' East 475.00 Feet, thence North 61D52'30" West 116.30 Feet, thence South 87D50' West 88.40 Feet, thence South 60D30' West 153.79 Feet, Thence South 23D57' East 171.40 Feet, thence South 4D25' West 69.65 Feet, thence South 53D28' West 93.51 Feet to the Northerly Line of Snow Basin Road, thence Southwesterly along the arc of a 133.00 Foot Radius Curve to the Left 205.95 Feet, thence North 37D20' West to the West Line of the Section, thence North to the Northwest Corner of Section 23, Thence East 3600 Feet, thence South 2544.50 Feet to the point of beginning.

Together with a 50 Foot Right of Way in Township 6 North, Range 1 East, Salt Lake Base and Meridian, being 25 Feet on either side of the following described road centerline: Beginning at a point which is West 4619:08 Feet and South 334.07 Feet from the East Quarter Corner of Said Section 23, and running thence South 54D31'45" East 305.00 Feet, thence South 14D05' West 37.37 Feet, thence South 5D28' East 135.79 Feet, thence South 68D07' West 195.80 Feet, thence South 11D15'30" West 234.44 Feet, thence North 88D32' West 151.73 Feet thence North 61D52'30" West 116.30 Feet, thence South 87D50' West 88.40 Feet, thence South 60D30' West 153.79 Feet, thence South 23D57' East 171.40 Feet, thence South 4D25' West 69.65 Feet, thence South 53D28' West 105 Feet to the existing Snow Basin Road.

Subject to common use by any other existing owners therein (Book 1605 Page 585).

20-035-0046X

ALSO

A part of the South half of Section 23, T6N, R1E, S1B & M, U.S. Survey: Beginning at a point which is South 89° 36' 25" West 1680.00 feet, North 107.04 feet, North 75° 55' 20" West 375.33 feet, South 77° 00' West 360.00 feet, South 85° 00' West 847.02 feet, South 16° 55' 30" East 743.99 feet and South 65° 39' 54" West 66.00 feet from the East quarter corner of said Section 23, running thence three courses along the South line of Snow Basin Road as follows: South 24° 20' 06" East 79.62 feet Easterly along the arc of a 204.89 foot radius curve to the left 392.98 feet and North 45° 46' 20" East 52.40 feet, thence South 44° 13' 40" East 19.24 feet, thence South 0° 05' 42" East 267.00 feet to the Northerly line of the Snow Basin Road, thence six (6) courses along said road as follows: Westerly along the arc of a 227.41 foot radius curve to the left 118.30 feet, Westerly along the arc of a 3854.00 foot radius curve to the left 174.91 feet, South 57° 30' West 15.54 feet, Northwesterly along the arc of a 223.00 foot radius curve to the right 477.75 feet, North 0° 15' 05" East 275.94 feet, Easterly along the arc of a 106.46 foot radius curve to the right 288.78 feet to the point of beginning.

Subject to restrictive covenants of record.