

Recorded at request of State Road Commission of Utah Fee Paid No fee
Date AUG 6 1959 9:00 A.M. EMILY T. ELDREDGE Recorder Davis County
By Grace R. Ryher Deputy Book 168 Page 685

192340

SPECIAL WARRANTY DEED

SW 1/4-4-47-1W 7 1/2 SE 1/4-1-47-2W
NE 1/4 SE 1/4-7-47-1W (3/4) 7W 1/4-17-47-1W
NE 1/4 SE 1/4-28-47-1W 01-7:14347 NE 1/4-18-47-1W
7W 1/4 SW 1/4-36-57-2W 7E 1/4 SE 1/4-20-47-1W
SW 1/4-21-47-1W

BAMBERGER RAILROAD COMPANY, a corporation organized and existing under

the laws of the State of Utah, having its principal office at Salt Lake City, Salt Lake County, State of Utah, Grantor, for TEN DOLLARS (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby bargains, sells, conveys and quitclaims to UTAH STATE ROAD COMMISSION, Grantee, all its right, title and interest now held or hereafter acquired in and to the following described real property located in Davis County, State of Utah, to-wit:

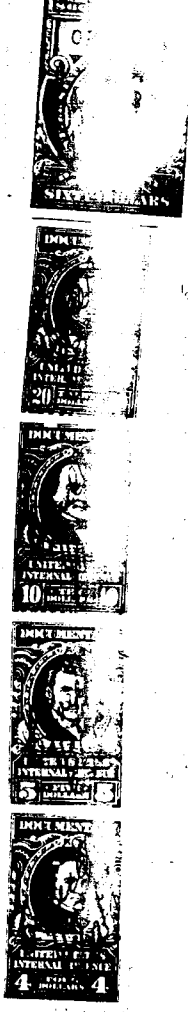
Rosewood Lane to Old Fort Lane

A 66 foot wide right-of-way in the East one-half of Section 28, T. 4 N. R. 1 W., S.L.M., beginning at the intersection of the Salt Lake and Ogden (now Bamberger Railroad) survey line with the North line of Rosewood Lane in Layton, Davis County, Utah, which point is approximately 946.5 feet West and 124 feet South of the East quarter corner of said Section 28 and designated as Station 1137+00.5 on said Railroad survey line, running thence North 33° East 40.6 feet; thence North 43°14' West 1574.1 feet parallel to and 40 feet distant at right angle to said survey line; thence South 59° West 67.5 feet crossing said Railroad survey line at Station 1152+90.5; thence South 43°14' East parallel to and 26 feet distant from said Railroad survey line 1600.3 feet to said Rosewood Lane; thence North 33° East 26.4 feet to point of beginning. Also a triangular tract of land adjoining the northerly end of the above described property beginning at Railroad survey Station 1152+90.5 and running thence North 59° East 40.9 feet; thence North 43°14' West 247.8 feet parallel to and 40 feet distant at right angle to said Railroad survey line to the East line of Old Fort Lane Road; thence South 0°14' West 282.4 feet along the East line of said road; thence North 59° East 156.6 feet to the point of beginning.

Old Fort Lane to Gentile Street

A right-of-way in the North one-half of Section 28, T. 4 N., R. 1 W., S.L.M. described as beginning at Station 1174+41.1 on the survey line of the Salt Lake and Ogden Railway (now Bamberger Railroad) which point is on the South line of Gentile Street, Layton, Davis County, Utah, 33 feet South and 878.2 feet, more or less, West of North quarter corner of said Section 28, running thence North 88° 15' West 106.8 feet along the South line of said street; thence South 43° 14' East 330 feet parallel to and 75.5 feet distant at right angle to said Railroad survey line; thence South 88°15' East 58.6 feet; thence South 43°14' East 1146.75 feet, parallel to and 34 feet distant at right angle to said Railroad survey line; thence East 11.3 feet; thence South 43°14' East 478.6 feet parallel to and 26 feet distant at right angle to said Railroad survey line, to the West line of Old Fort Lane; thence North 0°14' East 96 feet along said West line of lane crossing said Railroad survey line at Station 1155+69.5; thence North 43°14' West 1789.4 feet, more or less, parallel to and 40 feet distant at right angle to said Railroad survey line to the South line of said Gentile Street; thence North 88°15' West 50.6 feet to the point of beginning.

Abstracted
 Indexed
 Entered
 Plotted
 on Margin
 Prepared



Between Gentile and Church Street

A 66 foot wide right-of-way being 40 feet northeasterly and 26 feet southwesterly except as hereafter noted, beginning at the intersection of the Easterly line of Church Street which bears North $23^{\circ}15'$ East in Layton, Davis County, Utah, and the survey line of the Salt Lake and Ogden Railway (now Bamberger Railroad Co.) at Station 1192/87 which point is 340 feet, more or less, East of the Northwest corner of the Southwest quarter of the Southwest quarter of Section 21, T. 4 N., R. 1 W., S.L.M., running thence South $34^{\circ}59'$ East 152 feet to the P.T. of a 1° curve to the left at Station 1191/35; thence southeasterly on said curve 825 feet to the P.C. of said curve at Station 1183/10; thence South $43^{\circ}14'$ East 775.5 feet more or less, to Station 1175/34.5 on said survey line where it intersects with the North line of Gentile Street which bears South $88^{\circ}15'$ East, the right-of-way width widening to 50 feet northeasterly and 40 feet southwesterly at right angle to said Railroad survey line from Station 1177/50 to 1179/50. Also a triangular shaped plat adjoining the Southwesterly side of the above described right-of-way described as beginning at the intersection of the Southwesterly right-of-way line with the north line of Gentile Street and running North $88^{\circ}15'$ West 162 feet along said North St. line; thence North $22^{\circ}45'$ East 111.3 feet; thence North $46^{\circ}15'$ East 14 feet; thence South $43^{\circ}5'$ East 159.5 feet along said Southwesterly Railroad right-of-way line to the point of beginning with granting of right to lay and maintain a pipe line over the adjacent land on the north side to Kays Creek, also an irregular shaped plat of ground between said Gentile Street and the West right-of-way line of Bamberger Railroad in the Southwest quarter of Section 21, T. 4 N., R. 1 W., more fully described as beginning at a point on the North side of said Gentile Street which is South $89^{\circ}15'$ East 1100.9 feet and North $35^{\circ}35'$ East 40.26 feet from the Southwest corner of said Section 21 and running thence North $88^{\circ}15'$ West 41.58 feet along the north line of said street; thence North $27^{\circ}35'$ West 240.8 feet; thence North $35^{\circ}35'$ East 132.66 feet; thence North 301 feet, more or less, along the Southeasterly line of Melvin M. Adams property to the Southwesterly Railroad right-of-way line; thence South $43^{\circ}14'$ East 514 feet more or less, along the said Southwesterly Railroad right-of-way line to the Green property; thence South $46^{\circ}46'$ West 14 feet; thence Southwesterly 180 feet to the Northwest corner of the David Cook lot; thence North 80° West 20 feet, more or less, to a point North $35^{\circ}35'$ East of the place of beginning; thence South $35^{\circ}35'$ West 161.34 feet to the point of beginning, with a perpetual right to use as a roadway to the above described land a 16 foot roadway heretofore reserved by the grantor, lying between the Cook lot and the Bamberger Railroad lot and running North $35^{\circ}35'$ East 164.3 feet from Gentile Street to the land herein conveyed. Also the land conveyed is subject to, for the joint use of the grantor to Bamberger Railroad Company and the Bamberger Railroad Company a 15 foot driveway extending from the North end of the above described roadway, about North 47° East 190 feet to the Bamberger Railroad right-of-way, also the small irrigation ditch thereon along the easterly and southerly sides thereof.

From Church Street to Mile Pole 28-10

A 66 foot wide right-of-way having a width of 40 feet Northeasterly and 26 feet Southwesterly from the survey line of the Salt Lake and Ogden Railway (now Bamberger Railroad Co.) except as hereinafter noted and beginning at Station 1193/37 on said survey line where it intersects with the Westerly line of Church Street in Layton, Davis County, which bears North $23^{\circ}15'$ East and which point is South 520 feet and South $34^{\circ}59'$ East 927 feet from the Northwest corner of the Southwest quarter of Section 21, T. 4 N., R. 1 W.,

to the right of station 1461 plus 72.2; thence northeasterly on said 2° curve

S.L.M. running thence North 34°59' West 26835.2 feet to the P.C. of a 2° curve 258.8 feet, more or less, to the Southerly line of right-of-way previously conveyed to the Union Pacific Railroad Company at Station 1464/31 which point is approximately 785.3 feet East and 158 feet South of the West quarter corner of Section 36, T. 5 N., R. 2 W., Also included in the above 66 foot wide right-of-way of said Bamberger Railroad Company is a triangular plat at Station 1240/71 in the Northwest quarter of the Northeast quarter of Section 20, T. 4 N., R. 1 W., extending East 150 feet, more or less, along the South line of an East-West road from the Easterly right-of-way line of said Railroad; thence South 217 feet, more or less, to said Easterly right-of-way line; thence North 34°59' West 256 feet, more or less, parallel to and 40 feet distant at right angle to said Railroad survey line to the point of beginning.

Also at Station 1305/41 on said Railroad survey line in the Northeast quarter of the Northeast quarter of Section 18, T. 4 N., R. 1 W., beginning at the intersection of the South line of an East-West road and the Northeasterly right-of-way line of said Railroad and running East along said South line of Road 132.2 feet; thence South 147.2 feet; thence South 34°59' East 372.5 feet, parallel to and 16.5 feet distant at right angle to said Northeasterly Railroad right-of-way line; thence South 41°01' East 214.3 feet; thence East 75 feet to the West line of a North-South road; thence South 176 feet along said West line of road to the Northeasterly line of said Railroad right-of-way; thence North 34°59' West 979 feet, more or less, to the point of beginning.

Also a triangular plat in the Southwest quarter of the Northeast quarter of Section 7, T. 4 N., R. 1 W. beginning at the Southwest corner of said Southwest quarter of the Northeast quarter West of Station 1337/69 and running East 102 feet, more or less, to the Westerly Railroad right-of-way line; thence North 34°59' West 177.8 feet, more or less, along said Westerly Railroad right-of-way line to the West line of said quarter section; thence South 145.7 feet, more or less, to the point of beginning.

Also the following described plat of ground in the Northeast Quarter of the Southeast quarter of Section 1, T. 4 N., R. 2 W., lying between the Southwestly Railroad right-of-way line heretofore described and the Northeasterly right-of-way line of the Davis and Weber Counties Canal, beginning at the intersection of the North line of a 4 Rod road, 450 South Street, Clearfield, and the centerline of which is 1320 feet North of the Southeast corner of said Section 1 and 12 feet, more or less, West on the West line of a 4 rod road, 1000 East Street and running North 34°59' West 1588.2 feet, more or less, along said Southwestly line of the heretofore described 66 foot wide Railroad right-of-way to the North line of the Southeast quarter of said Section 1 which point is West of Station 1401/73; thence North 89°50' West 377.3 feet along said North quarter Section line to the said northeasterly canal right-of-way line; thence South 34°23' East 161.2 feet; thence South 39°30' East 548.2 feet; thence South 46°24' East 419.8 feet; thence South 44° East 612 feet to the said North line of 450 South Street; thence East 106.6 feet, more or less, to the point of beginning.

Also an additional 66 foot width along the Northeasterly side of the heretofore described 66 foot wide right-of-way commencing at the South line of the Southeast quarter of the Northeast quarter of Section 1, T. 4 N., R. 2 W., East of Station 1401/73 and continuing North 34°59' West parallel to said Northeasterly right-of-way line 66 feet at right angle thereto through said Section 1 and the West one-half of Section 36, T. 5 N., R. 2 W., to the East-West line at Station 1464/31.

Also a triangular piece of one-half acre in the Southeast quarter of the Southwest quarter of said Section 36, on which is located a water pressure booster tank for Clearfield City, and which piece of property is

described as beginning at the intersection of the North line of an East-West Street and the heretofore described Southwesterly Railroad right-of-way line West of Station 1434⁴/₂ on said Railroad survey line, said Station being West 156 feet and North 33 feet from the South quarter corner of said Section 36, running West along the North line of said street 175.6 feet; thence North 249.5 feet to said Southwesterly Railroad right-of-way line; thence South 34°59' East 304.5 feet to the point of beginning

The above conveyance is made subject to the following:

1. Underground Cable Agreement, dated January 11, 1957, with Mountain States Telephone & Telegraph Co., cable located on West side of right-of-way, from Crestwood Road, Kaysville, Utah, to Gentile Street, Layton, Utah.
2. Drawing #U A 20295, dated July 22, 1936, covered under a Blanket Agreement with Utah Power & Light Company dated June 1, 1940, for a 44 KV line North of Old Fort Lane, near Layton, Utah.
3. Drawing #102, dated February 11, 1929, covered under a Blanket Agreement with Mountain Fuel Supply Co., dated April 2, 1946, for a 10 inch gas main south of Layton, Utah station.
4. Private Road Crossing, dated April 7, 1945, to George E. Briggs, between poles 22-35 and 22-36, South of Layton, Utah station.
5. Private Agreement, dated October 31, 1941, with Kays Creek Irrigation Company for a corrugated metal pipe on East side of right-of-way between poles 22-41 to 22-44, North of Gentile Street, Layton, Utah.
6. Private Road Crossing, dated November 22, 1944, to town of Layton, Utah, near pole 22-46.
7. Sewer Pipe Line Agreement, dated June 18, 1957, with Mountain Investments, North of pole 22-49, near Layton, Utah.
8. Warehouse Lease, dated October 1, 1944, with Hines & Co., Layton, Utah, for the Layton Warehouse, now on a month-to-month basis.
9. Drawing #U A 21896, dated October 21, 1941, covered under a Blanket Agreement, with Utah Power & Light Company, dated June 1, 1940, for a 120/240 V service line to Potato Warehouse, Layton, Utah.
10. Drawing #3127-U-0-5117, for an Underground Cable Agreement, dated April 14, 1950, covered under a Blanket Agreement with Mountain States Telephone & Telegraph Co., dated March 10, 1942, south of Easy Street, Layton, Utah.
11. Pipe Line Crossing Agreement, dated May 11, 1954, for a 6 inch sewer line with Layton City Corporation, near pole 23-36, South of Easy Street, Layton, Utah.
12. Pipe Line Crossing Agreement, dated May 11, 1954, for a water line with Layton City Corporation, near pole 23-36, South of Easy Street, Layton, Utah.
13. Pipe Line Crossing Agreement, dated December 13, 1944, for an 18 inch drain, with Utah State Road Commission, near pole 23-29, North of Easy Street, Layton, Utah.

14. Pipe Line Crossing Agreement, dated June 5, 1957, for an 8 inch cast iron water line, with Simmons & Wiberg Construction Company, 28 feet North of pole 24-14.
15. Underground Cable Agreement, covered under a Blanket Agreement, dated March 10, 1942, with Mountain States Telephone & Telegraph Co., between poles 26-22 and 26-23, Clearfield, Utah underpass.
16. Pipe Line Crossing Agreement, dated November 23, 1942, with Clearfield City, for an 8 inch water line, North of pole 26-22, Clearfield, Utah underpass.
17. Pipe Line Crossing Agreement dated May 17, 1951, with Clearfield City, for an 18 inch water line, North of pole 26-22 Clearfield, Utah underpass.
18. Drawing #21420, dated February 16, 1940, covered under a Blanket Agreement, with Utah Power & Light Co., dated June 1, 1940, for a 110 V service line to Clearfield, Utah station.
19. Drawing #4771, dated September 25, 1957, with Mountain Fuel Supply Co., for an 8 foot by 11½ foot block valve concrete housing, North of Clearfield, Utah station.
20. Cable Crossing Agreement dated March 24, 1954, for an underground cable, with Mountain States Telephone & Telegraph Co., 10 feet across the North end of Clearfield, Utah property.
21. Drawing #U-3-0546, covered under a Blanket Agreement, with Mountain States Telephone & Telegraph Co., dated March 10, 1942, for an underground cable crossing, 36 feet South of pole 26-58, South line of Hill Field, Utah.
22. Drawing #U-3-0546, covered under a Blanket Agreement, with Mountain States Telephone & Telegraph Co., dated March 10, 1942, for an underground cable crossing, 34 feet South of pole 27-34, Old Hilltop Road, Layton, Utah.
23. Pipe Line Crossing Agreement, dated October 19, 1956, with U. S. Government, for a 12 inch corrugated metal pipe through cattle pass, pole 27-55.
24. Pipe Line Crossing Agreement, dated May 26, 1958, with U. S. Government, for a 12 inch corrugated metal pipe through cattle pass, pole 27-55.
25. Right-of-Way Agreement, dated April 24, 1957, and January 14, 1958, with Mountain Fuel Supply Co., for a 20 inch gas main, from Layton, Utah, to Cozydale, Utah.
26. Taxes for the year 1959 now accruing as a lien.
27. Weber Basin Water Conservancy District, Davis County Zoning Ordinance, North Davis Sewer District, Davis County Mosquito Abatement District, and Davis County Service Area.
28. Subject to a right-of-way over all public streets or private streets or that acquired by use or by deed, and subject to the encroachment of Davis County Canal Company, if any, and subject to the use of adjacent to the canal right-of-way by the canal company for their equipment, if any.
29. Subject to a deed of easement dated August 31, 1956, by Bamberger Railroad Company, a corporation, in favor of Weber Basin Water Conservancy District, recorded in Book 122 of Records, Page 425, Records of Davis County, Utah, which easement conveys an easement for construction and maintenance of pipe line.
30. Subject to a reservation contained in deed recorded in Book 'Q' of Records, Page 120, Records of Davis County, Utah, in which it is specified

that the Grantee the Railroad Company will put in all necessary and convenient crossings and water ways and maintain the same in good condition as applied to property in the East half of the Northwest Quarter of Section 7 conveyed by Joseph E. Flint, a widower.

31. Agreement establishing a water distribution system district between Straight Ditch Company and Utah Water & Power Board. It would appear that this agreement makes it possible for the owners of the land to join the district and benefit from the water distribution system.

32. Subject to an easement in favor of the United States of America for construction and maintenance of sewer line across the right-of-way for the railroad for a distance of approximately 72 feet at or near railroad mile post 23-40 in the Northeast Quarter of Section 20, Township 4 North, Range 1 West, as recorded in Book "O" of Leases, Page 252, Records of Davis County, Utah.

33. An easement in favor of Wasatch Gas Company for construction and maintenance of pipe line in the Northeast Quarter of the Northwest Quarter of Section 28, Township 4 North, Range 1 West, as conveyed in deed recorded in Book "H" of Leases, Page 573, Records of Davis County, Utah.

34. An agreement and easement between Utah Water and Power Board and the Layton Kaysville Irrigation Ditch Co. It would appear that this agreement sets up a water distribution district which would benefit certain property owners in Section 28, Township 4 North, Range 1 West, and which conveys necessary easements to the water and power Board for construction of distribution pipe lines.

Grantor warrants the right, title and interest hereby bargained, sold, conveyed and quitclaimed against the claim of every person claiming by, through or under it, but not otherwise.

The officers who sign this Deed hereby certify that this Deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the Board of Directors of the Grantor at a lawful meeting duly held and attended by a quorum.

IN WITNESS WHEREOF, Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 23rd day of July, 1959.

BAMBERGER RAILROAD COMPANY

ATTEST:

Howard B. Olsen
Secretary

By *Clair G. Andersen*
Executive Vice President and General Manager

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

On the 23rd day of July, 1959, personally appeared before me, Clair G. Andersen and Howard B. Olsen, who being by me duly sworn did say, each for himself, that he, the said Clair G. Andersen, is the Executive Vice President

and General Manager, and that he, the said Howard B. Olsen is the ~~Assistant~~ Secretary of the Bamberger Railroad Company, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its Board of Directors, and said Clair G. Andersen and Howard B. Olsen each duly acknowledged to me that said corporation executed the same and that the seal affixed hereto is the seal of the said corporation.

Clair G. Andersen

Notary Public
Residing at Salt Lake City, Utah

My Commission Expires:

Feb 17- 1963

