

RIGHT-OF-WAY EASEMENT (Condominium - Corporate)

2357686

R/W NUMBER

RECEIVED of grantee, The Mountain States Telephone and Telegraph Company, \$ 10.00, in consideration of which the undersigned grantor hereby grants, bargains, and conveys unto said Company, its associated and allied corporations, its and their respective successors, assigns, lessees, and agents, a right of way, easement, and the right to construct, operate, maintain, replace, enlarge, reconstruct, improve, repair, and remove such communication line facilities and appurtenances thereto, either above ground or underground, as said grantee may from time to time require in the following-described condominium project or development that is to consist of lands and buildings or structures, and appurtenances thereto, which the undersigned owns or in which the undersigned has any interest, to wit:

in and through the corridors, walls, ceilings, floors, and ducts in each of the individual condominium units in said project or development, as well as in the buildings or structures to be owned in common by all of the owners of the individual units; and upon, over, under and across those certain strips of land of various widths in said project or development as indicated, and lying along the center lines as shown, on the attached Plat, designated Exhibit A, and which is dated 5 day of April, A.D. 1970, and as said Plat and Exhibit may be amended or revised from time to time, said Plat and Exhibit by this reference being made a part hereof, representing that certain condominium project or development

known as Three Fountains East (Name of Condominium)

in the vicinity of 4975 South 9th East, Salt Lake City, (Street Intersection) (City)

situate in Section 8, Township 2 South, Range 1 East, in the County of Salt Lake, State of Utah

the Declaration for which was Recorded: Book No. Page No.

TOGETHER with the following rights: (a) of ingress and egress over and across the lands of the undersigned to and from the aforesaid strips for the purpose of exercising the rights herein granted; (b) to place location-markers on or beyond said strips; (c) to clear and keep cleared all trees, roots, brush, and other obstructions from the surface and subsurface of the said strips, without grantee being obligated to do so; and (d) to permit other corporations to attach wires and fixtures to the said Company's communication facilities or to use trenches jointly with the said Company.

UNDERSIGNED landowner for itself, successors and assigns, reserves the right to occupy, use, and cultivate said strips of land for all purposes not inconsistent with the rights herein granted to said Company; and does hereby covenant that no structures shall be erected or permitted on said strips and that the said strips shall not be used in any manner which will interfere with or damage the communication facilities installed pursuant to this grant, or interfere with the maintenance, repair and replacement of said facilities.

GRANTEE agrees that any underground communication facilities shall be originally placed at least Twenty-four (24) inches deep in order to reduce the possibility of interference with the ordinary and reasonable use of the said strips by the undersigned, and to pay for damages to landscaping arising from the construction and maintenance of the aforesaid facilities.

Signed and sealed this 10th day of April, A.D. 1970, by the undersigned representative(s) or agent(s) of Owner, Declarant, Managing Association or Attorney-in-Fact, as the case may be, as Grantor, having full power and authority to execute this instrument in behalf of all persons having any title or interest in the lands, buildings and structures, and appurtenances thereto, constituting said condominium.

ATTEST:

Richard S. Prouse, Inc. (Landowner) (Grantor)
Richard S. Prouse, Inc. (Official name of Company or Corporation)
By Richard S. Prouse, Pres. (Seal)
Robert W. Wood (Seal) Secretary Vice President

(Title of official authorized to execute this instrument)

NOTARY'S ACKNOWLEDGMENT: (When this document is prepared, insert below the company or corporate acknowledgment form as required by statute of the State in which the said project is located.) (See Appendix 1, Sect. 5 of I.M. 173.)

Recorded NOV 9 - 1970 at 2:16 P.M.
Request of M. S. T. & T. Co.
For FILING IN ESCROW CHASE
Recorder, Salt Lake County, Utah
\$ 2.00 By [Signature] Deputy
Ref. [Signature]

STATE OF UTAH } ss.
County of Salt Lake }

On the 10th day of April, A.D. 1970, personally appeared before me Richard S. Prouse, who, being by me duly sworn, did say that he is the president (or other officer) of President of Richard Prouse Inc., a corporation, and that said instrument was signed in behalf of said corporation by authority of its by-laws, and said Richard S. Prouse acknowledged to me that said corporation executed the same.

WITNESS my hand and official seal this 10th day of April, 1970
My commission expires Dec. 9, 1972
Allen Overholser Notary Public

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M.S.T. & T. Co.  
Right of Way No. 110-5646

110-5647

COUNTY RECORDER'S  
RECEPTION NUMBER:

RIGHT OF WAY

from

THE MOUNTAIN STATES TEL. & TEL. CO.

to

THE MOUNTAIN STATES TEL. & TEL. CO.

SPACE BELOW IS RESERVED  
FOR RECORDER'S CERTIFICATE.

Quarter-Section .....

Section .....

Township .....

Grant or Range .....

Job No. 110-5646 & 110-5647

Exchange or Toll MURRAY

Line & No. ....

Lead Code .....

Station or Pole Numbers .....

(Note: Mailing-information for return of this form to Telephone Company is to be filled out by Right-of-Way Agent before form is left with County Recorder for recording.)

Right of way approved and accepted on behalf of Telephone Company

By .....

(Title)

MAIL TO  
THE MOUNTAIN STATES TEL. & TEL. CO.

500 1st St (Room No. ....)

(Street Address)

Carroll City (city)

(State)

(Zip Code)

Attention R. D. Bell  
(Right-of-Way Agent)