

3012893

DOCUMENT
SLR NO. 341
AUDIT NO. _____

CANAL CROSSING AGREEMENT

#10 SO Main
PX101

WHEREAS, Union Pacific Land Resources Corporation, a corporation of the State of Nebraska (hereinafter referred to as "Corporation"), is the owner of record of certain real property in Section 17, Township 1 South, Range 1 West of the Salt Lake Base and Meridian, described as follows:

Recorded OCT 25 1977 at 1977
Request of Upland Industries
KATELYN LYON, Treasurer
Salt Lake County Utah
8/850
Deputy
Patricia R. Brown
Patricia R. Brown

Beginning at the Southeast corner of CENTENNIAL INDUSTRIAL PARK PHASE I, being a point on the North right of way line of the State Road Commission, said point is North 89°44'20" East 1472.04 feet and North 0°09'56" East 498.49 feet from the South Quarter Corner of Section 17, Township 1 South, Range 1 West, Salt Lake Base and Meridian; thence North 0°09'56" East along the East line of said Centennial Industrial Park Phase 1, 1332.387 feet; thence South 89°50'04" East 20.00 feet; thence North 0°09'56" East 60.00 feet; thence North 89°50'04" West 20.00 feet; thence North 0°09'56" East 920.30 feet, to the Northeast corner of said Phase 1; thence North 89°59' East 1298.57 feet; thence South 0°09'38" West 1910.71 feet to said North right of way line; thence along said North line the following courses and distances: South 89°44'20" West 362.844 feet to the beginning of a 507.47 foot radius curve to the left, (radius point is South 0°15'40" East 507.47 feet); thence Southwesterly along the arc of said curve, 309.26 feet; thence South 54°49'20" West 304.14 feet to the beginning of a 686.20 foot radius curve to the right; (radius point is North 35°10'40" West 686.20 feet); thence Southwesterly along the arc of said curve 323.44 feet; thence South 81°49'42" West 101.65 feet to the point of beginning; and,

WHEREAS, Brighton and North Point Irrigation Canal Company, a corporation of the State of Utah (hereinafter referred to as "Irrigation Co."), is the owner of the Brighton and North Point Irrigation Canal, which traverses the said property owned by Corporation, the centerline of which is described as follows:

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DUPLICATE ORIGINAL ~~Corporation~~ COPY

Beginning at a point on the west line of Centennial Industrial Park, Phase II, from which point the northwest corner of said subdivision bears N. 0° 09' 56" E., a distance of 390.0 feet;

thence S. 61° 28' 04" E., a distance of 1475.87 feet, more or less, to the east line of said subdivision; and,

WHEREAS, Corporation has filed with Salt Lake City Corporation a Subdivision Plat Dedication for Centennial Industrial Park, Phase II street and utility development, a copy of which is attached herewith as Exhibit "A", and by this reference made a part hereof; and,

WHEREAS, Corporation desires the consent of Irrigation Co. to build a private road and utility crossing across the Brighton and North Point Irrigation Canal in said Phase II, as surveyed and platted on Exhibit "A"; and,

WHEREAS, Irrigation Co. is willing to give such consent subject to certain conditions;

NOW THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

1. Corporation hereby agrees that any crossing of the Brighton and North Point Irrigation Canal in said Phase II, shall be confined to one private crossing and said crossing shall be established only in accordance with the following conditions:
 - (a) Said private road crossing will be not greater than 50 feet wide;
 - (b) Said crossing will be constructed as a bridge

which spans said irrigation canal in such a manner that the profile and section of the said canal, existing as of the time of construction of said bridge, will be undisturbed and that said bridge will have a minimum of five feet clearance above the flow line of said canal at the lowest point of clearance;

(c) As an alternate to (b), said crossing may be constructed by installing a 12-foot-wide clear span reinforced concrete box-type structure, the bottom, side walls and deck of which will consist of concrete with the bottom installed to the elevation required by Irrigation Co. properly related to the flow line of said irrigation canal existing as of the time of construction of said structure and a minimum clear height of five feet from the flow line of said canal.

2. In doing any construction as contemplated hereunder, Corporation agrees to carry out such construction in a manner and at times which will cause no interruption in the flow of irrigation water in the canal and to indemnify and hold harmless the Irrigation Co. from any damages or claims which might arise as a result of said construction work. Corporation also agrees that said private road and utility crossing will not

limit the Irrigation Co's right of access along the said canal banks which access is for operation, maintenance and repair of said canal and that the Irrigation Co. shall have such right of access around the approaches to said crossing as well as the right to cross said canal via said crossing.

3. Nothing herein contained shall be construed to abrogate any right of the Irrigation Co. to review and approve detail drawings of said road crossing structures and/or lateral side drains; Provided, however, that such approval shall not be unreasonably withheld.

4. In consideration of the covenants and agreements made herein by Corporation, the Irrigation Co. does hereby grant to Corporation a perpetual right to construct and thereafter operate and maintain the private road and utility crossing described herein.



This agreement shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the parties have executed this agreement in duplicate this 23rd day of September, 1977.

Attest

J. J. Musbeck
Assistant Secretary

UNION PACIFIC LAND RESOURCES CORPORATION

By A. J. Hansen
Vice President

Attest

Gerrit E. Bond
Its Witness

BRIGHTON AND NORTH POINT IRRIGATION COMPANY

By Carl R. Child
Its President

BOOK 4568 PAGE 904

STATE OF NEBRASKA)
: ss
COUNTY OF DOUGLAS)

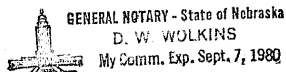
On this 23rd day of September, 1977,
before me, a Notary Public in and for said County, personally
appeared H. F. Hansen, to me personally known to
be Vice President of UNION PACIFIC LAND RESOURCES CORPORATION,
who being duly sworn did say that the seal affixed to the foregoing
instrument is the corporate seal of said corporation, and that
said instrument was signed, sealed, and executed in behalf of
said corporation by authority duly conferred by its By-Laws,
and acknowledged to me said instrument to be the free act and
deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first in this, my
certificate, written.

D. W. Wolkins
Notary Public

Residing at Douglas County, Nebraska

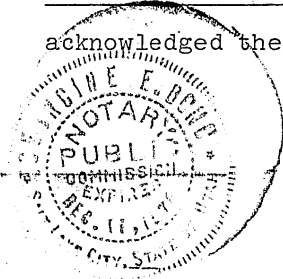
My Commission Expires:
September 7, 1980



BOOK 4568 PAGE 905

STATE OF UTAH)
 : ss.
County of Salt Lake)

On the 23rd day of September, 1977, personally appeared
before me Carl R. Child, who being
duly sworn, did say that he is the President of the Brighton &
North Point Irrigation Company and that the attached Canal Crossing
Agreement was signed on behalf of said corporation by authority
of its Board of Directors and said Carl R. Child
_____ acknowledged to me that said corporation
acknowledged the same.

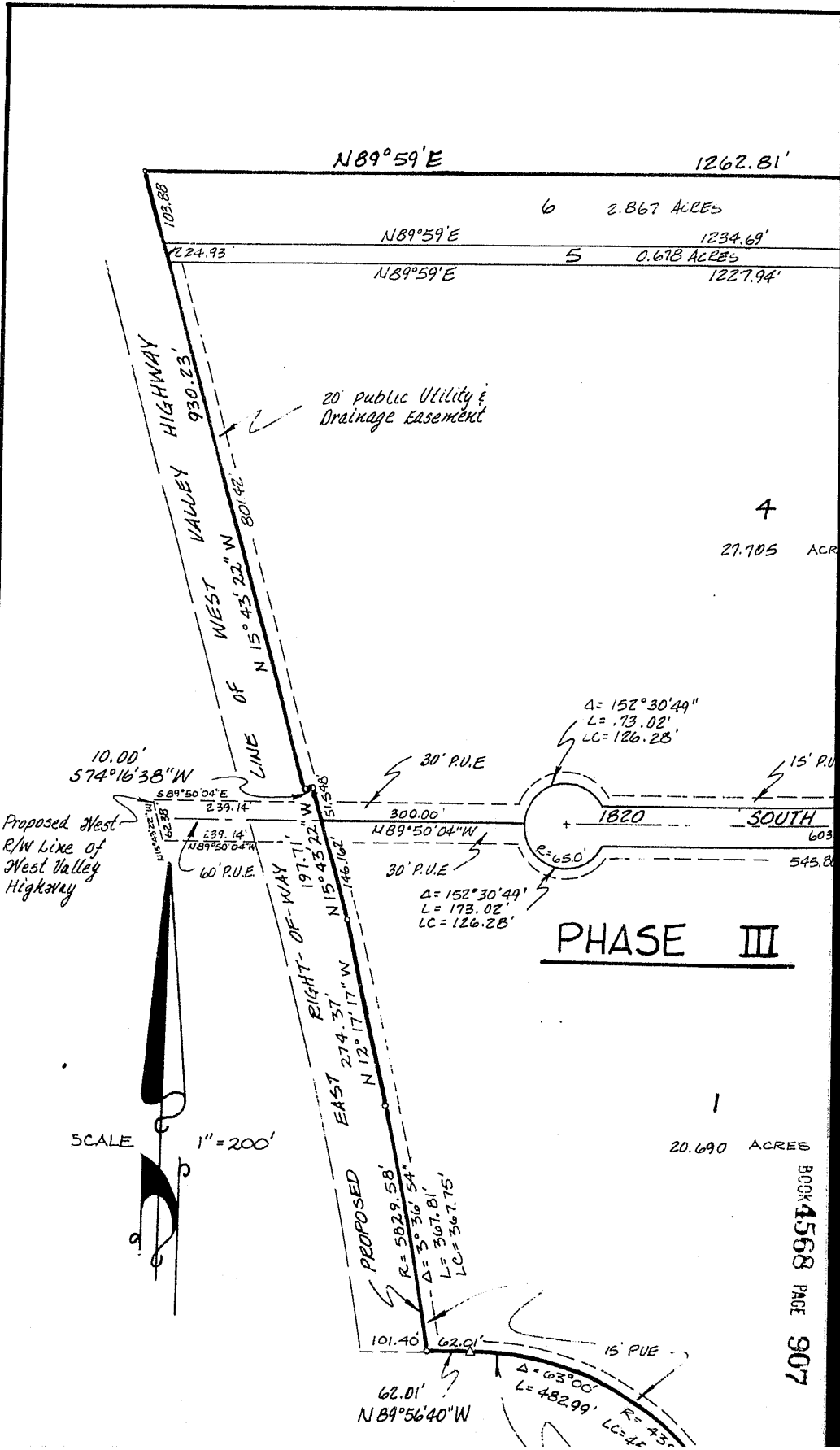


George E. Bond
Notary Public

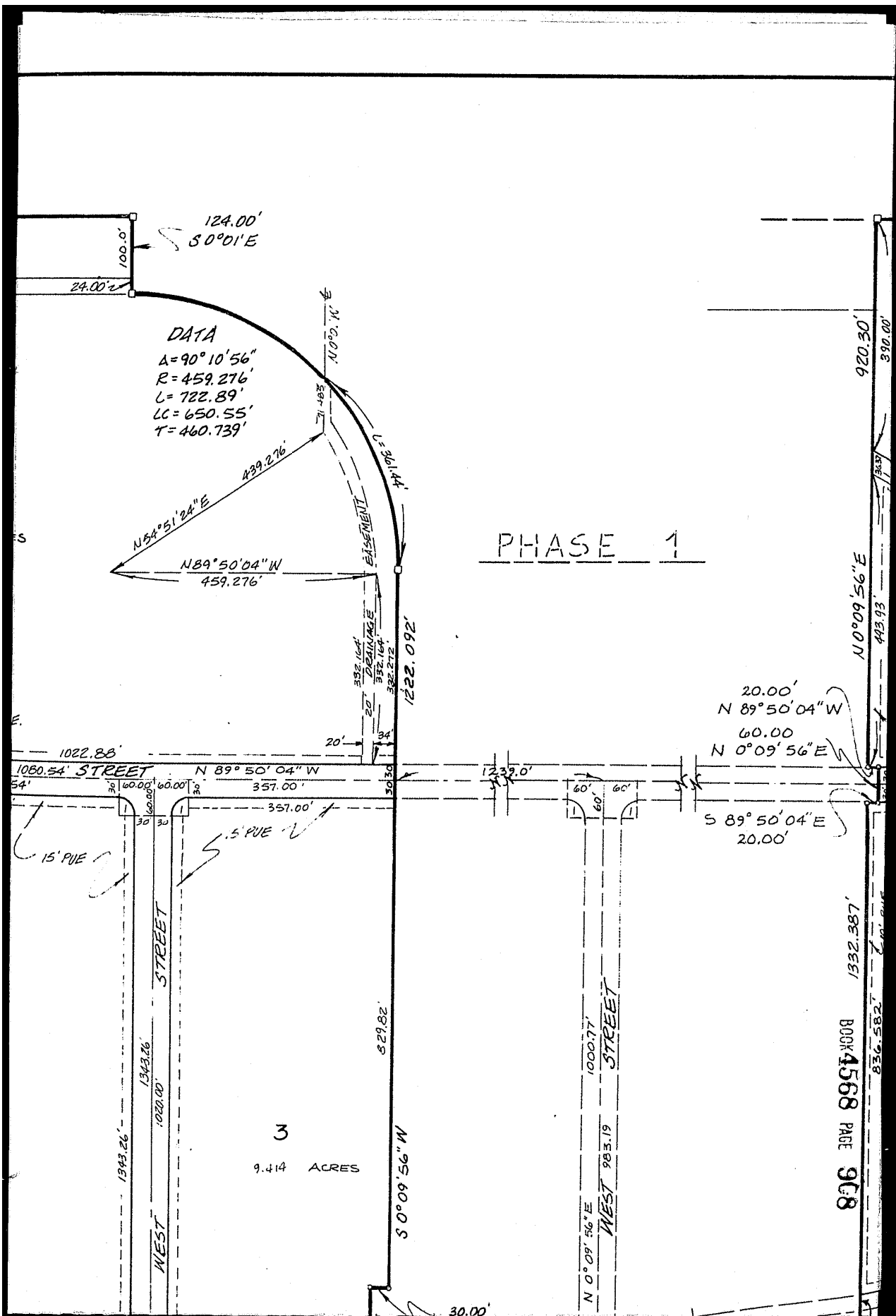
Residing at Salt Lake County, Utah

My Commission Expires:

Dec. 11, 1978



BOOK 4568 PAGE 907



DATA
 $\Delta = 90^\circ 10' 56''$
 $R = 459.276'$
 $L = 722.89'$
 $LC = 650.55'$
 $T = 460.739'$

PHASE 1

3
 9.414 ACRES

BOOK 4568 PAGE 908
 1332.387'
 836.582'

124.00'
 $S 0^\circ 01' E$
 100.0'
 24.00'

$N 54^\circ 51' 24'' E$
 439.276'

$N 89^\circ 50' 04'' W$
 459.276'

$N 0^\circ 09' 56'' E$
 122.092'

1080.54 STREET
 1022.88'

15' PUE
 5' PUE

WEST STREET
 1343.26'
 1343.26'
 1020.00'

WEST STREET
 1000.77'

WEST STREET
 983.19'

$S 0^\circ 09' 56'' W$
 287.82'

$S 89^\circ 50' 04'' E$
 20.00'

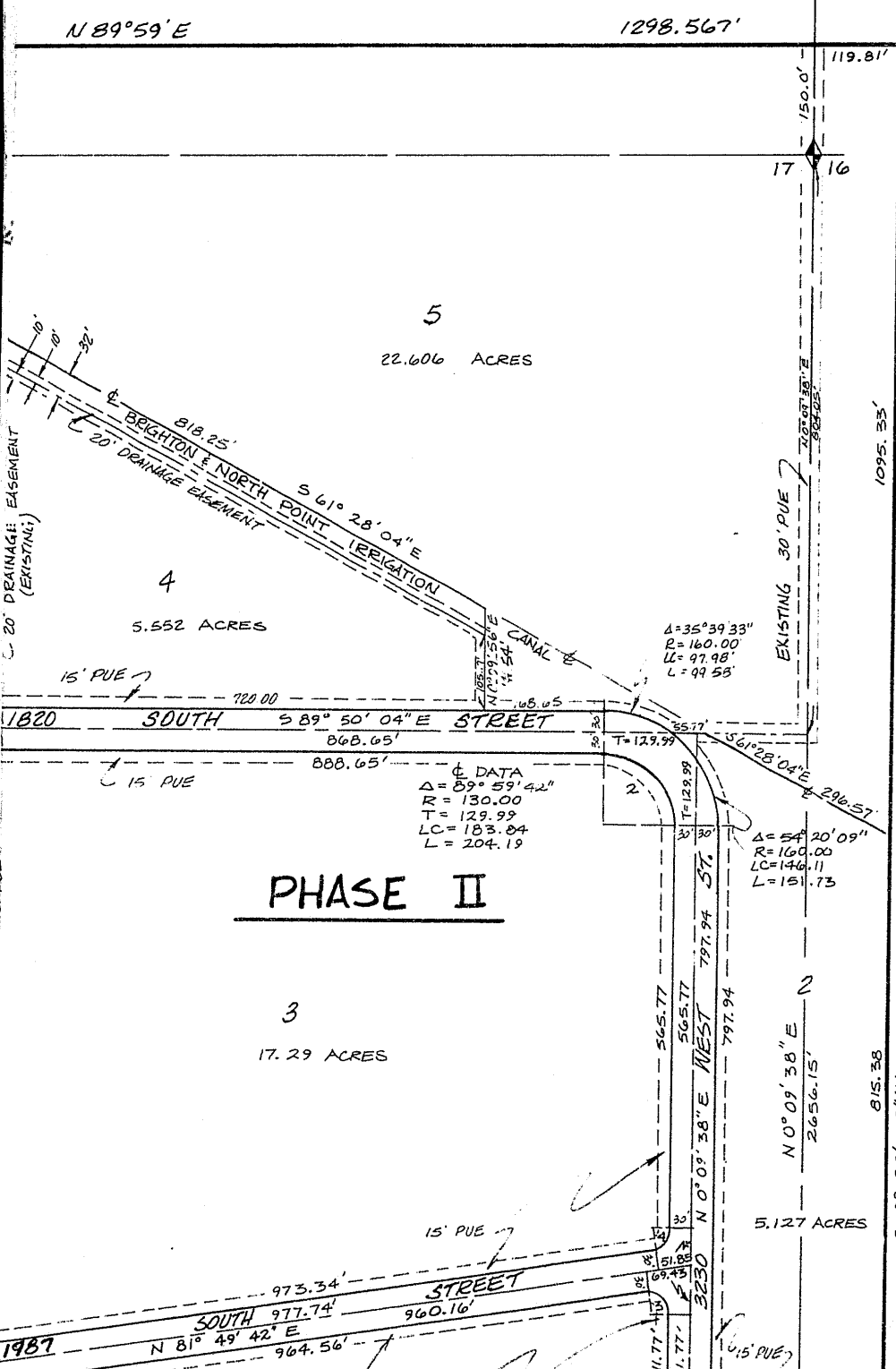
$N 0^\circ 09' 56'' E$
 20.00'

$N 89^\circ 50' 04'' W$
 60.00'

$N 0^\circ 09' 56'' E$
 443.93'

920.30'
 390.00'

30.00'



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CENTENNIAL INDUSTRIAL PARK

SURVEYOR'S CERTIFICATE

B. Jones do hereby certify that I am a Registered Utah Land Surveyor, and hold Certificate No. 1525 as prescribed under the laws of the State of Utah, and further certify that by authority of the owners, I have made a survey of that part of land shown on this plat and described below, and have subdivided said land into lots and streets to be known hereafter as Centennial Industrial Park (Phase II and Phase III) and that same has been correctly surveyed and marked on the ground as shown on this plat.

PHASE II

Beginning at a point on the North Right-of-way line of the State Road Commission, said point is N 89° 44' 20" E 1472.041 feet and N 0° 09' 56" E 498.494 feet from the 1/4 Corner of Section 17, Township 1 South, Range 1 West, Salt Lake Base and 1st Meridian. Running thence N 0° 09' 56" E along the East side of Centennial Industrial Park Phase I 1332.387 feet;

S 89° 50' 04" E 20.00 feet; thence N 0° 09' 56" E 60.00 feet; thence S 89° 50' 04" W 20.00 feet; thence N 0° 09' 56" E 920.30 feet; thence leaving said point N 89° 59' E 1298.567 feet; thence S 0° 09' 38" W 40.00 feet to the North Right-of-Way line; thence along said North line five courses as follows: S 89° 44' 20" W 362.844 feet to a point of a 507.47 foot curve to the left, radius point is S 0° 15' 40" E 507.47 feet; thence easterly along said arc 309.26 feet; thence S 54° 49' 20" W 304.14 feet to a point of a 686.20 foot radius curve to the right, radius point is N 35° 0' 40" W 686.20 feet; thence Southwesterly along said arc 323.44 feet; thence S 42" W 101.65 feet to the point of beginning. Contains 61.434 Acres

PHASE III

Beginning at a point on the North Right-of-way line of the State Road Commission, said point is S 89° 44' 20" W 1239.029 feet and N 0° 09' 56" E 251.379 feet from the 1/4 Corner of Section 17, Township 1 South, Range 1 West, Salt Lake Base and 1st Meridian, running thence Westerly along said North line five courses as follows: S 89° 44' 20" W 80.61 feet to a point of a 686.20 foot radius curve to the right,

radius point is N 00° 03' 20" E 686.20 feet; thence Northwesterly along said arc 309.26 feet; thence N 26° 56' 40" W 279.03 feet to a point of a 439.26 foot radius curve to the left, radius point is S 63° 03' 20" W 439.26 feet; thence Northwesterly along said arc 482.99 feet; thence N 89° 56' 40" W 42.01 feet to a point on the East Right-of-way line of the Proposed West Valley Highway, said point is a 5829.58 foot radius curve to the left, radius point is S 80° 35' 05" W 5829.58 feet; thence Northerly along the east line of said Proposed West Valley Highway five courses as follows: Northerly along said arc 367.81 feet; thence N 12° 11' W 274.37 feet; thence N 15° 43' 22" W 197.71 feet; thence S 74° 16' 38" W 10.00 feet; thence N 15° 43' 22" W 124.00 feet to a point of a 459.276 foot radius curve to the right, radius point is S 00° 01' E 459.276 feet; thence Southeasterly along said arc 722.89 feet; thence S 0° 09' 56" W 1222.092 feet; thence N 89° 50' 04" W 30.00 feet; thence S 0° 09' 56" W 519.69 feet; thence S 89° 50' 04" E 30.00 feet; thence S 0° 09' 56" W 519.69 feet to the Point of Beginning. Contains 69.686 Acres

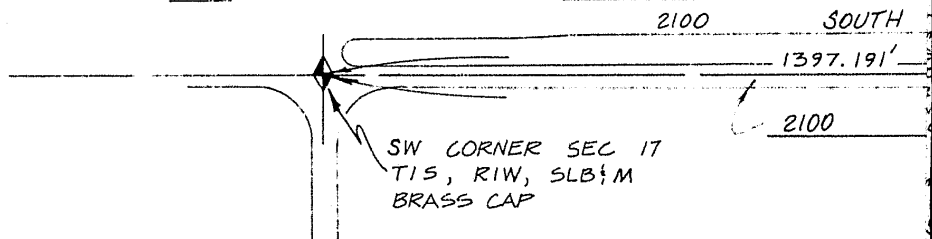
June 29, 1977
DATE

B. Jones
SURVEYOR

NO.	CURVE DATA
1	$\Delta = 90^{\circ} 00'$ R = 30.0 L = 47.12 LC = 42.43
2	$\Delta = 89^{\circ} 59' 42''$ R = 100.00 L = 157.07 LC = 141.42
3	$\Delta = 98^{\circ} 19' 56''$ R = 30.0 L = 51.49 LC = 45.40
4	$\Delta = 81^{\circ} 40' 09''$ R = 30.0 L = 42.76 LC = 39.23
5	$\Delta = 89^{\circ} 34' 42''$ R = 30.0 L = 46.90 LC = 42.27
6	$\Delta = 90^{\circ} 25' 18''$ R = 30.0 L = 47.34 LC = 42.58
7	$\Delta = 95^{\circ} 14' 46''$ R = 30.00 L = 49.87 LC = 44.32

NOTE:

Access to 2100 South Street provided pursuant to a judgement on stipulation Civil No. 211116 entered April 9, 1981 by Judge Marcellus L. Snow, Salt Lake County third district court.



NOTE:

All lots have Utilities Easements. Lot lines (3) otherwise noted.

NO.	REVISION
3	9-7-77 M.B. Adding Notes
2	9-2-77 M.B. Adding Cul-de-sac
1	8-2-77 M.B. Adding Notes

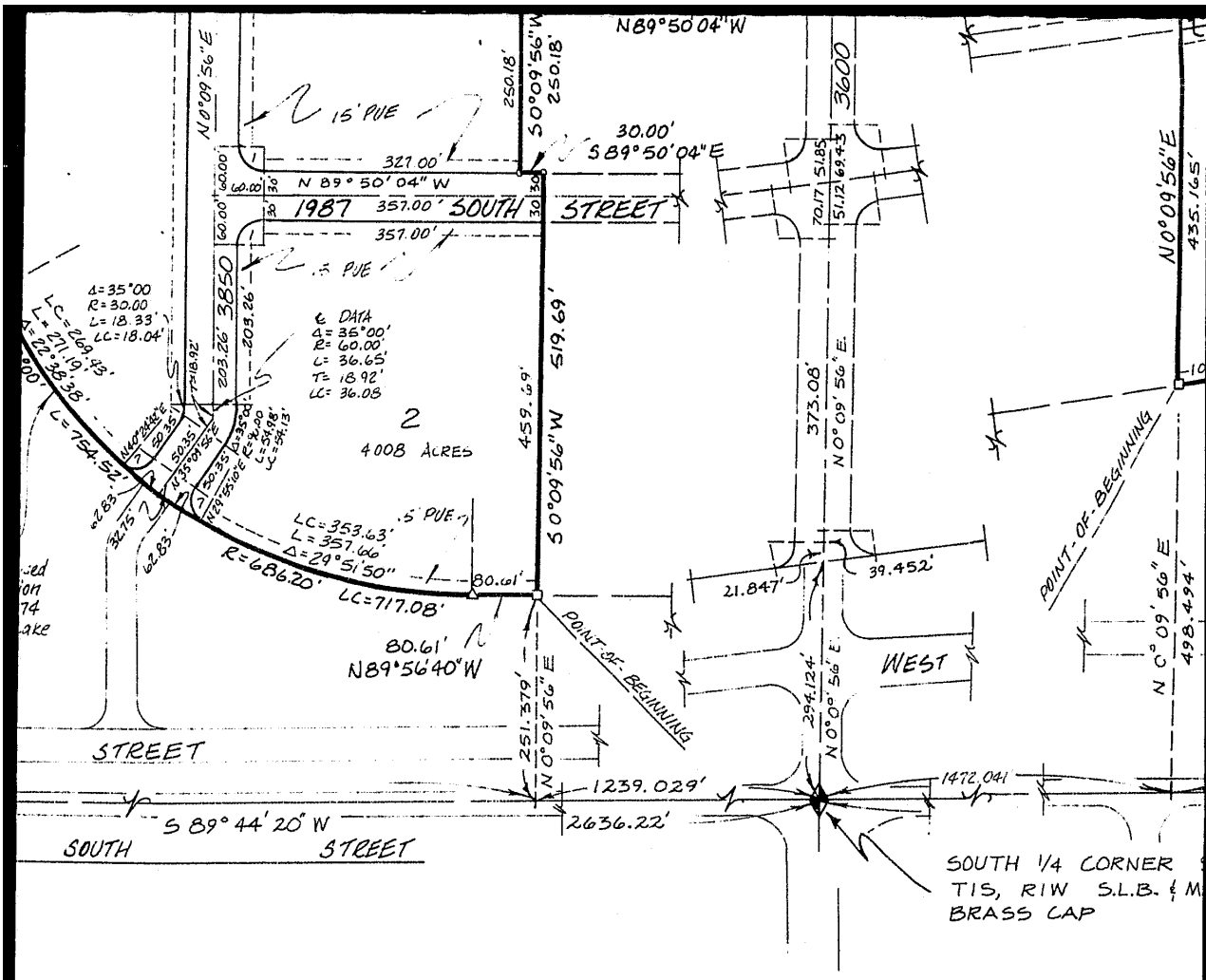
BUSH & GUDGELL INC.
ENGINEERS - SURVEYORS

555 SOUTH 3RD EAST ST.
SALT LAKE CITY, UTAH
84111 364-7775

B & G 29525

RBA

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There is a 15.00 foot Public
 Utility Easement (PUE) on front
 street lines), unless
 noted.

NOTE:
 □ Phase I Boundary Brass Caps
 △ Found Highway Right-of-Way Marker

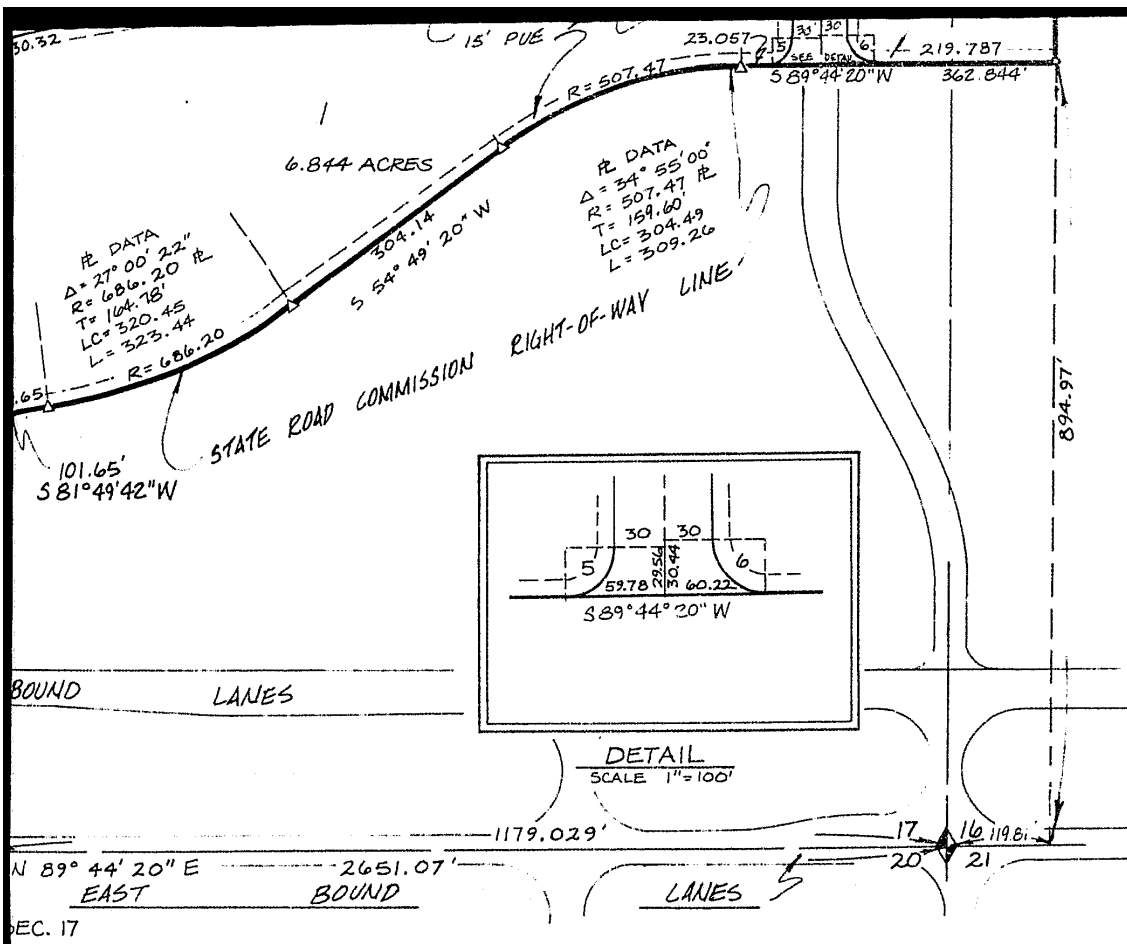
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PLANNING DIRECTOR
 APPROVED THIS _____ DAY OF _____
 197____ BY THE
 SALT LAKE CITY PLANNING
 COMMISSION

 PLANNING DIRECTOR

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS _____
 DAY OF _____ 197____

 SALT LAKE CITY ATTORNEY



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913

CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT AND SAID TRACT AS STAKED EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE

SALT LAKE CITY ENGINEER

CITY COM

PRESENTED TO
COMMISSIONER
IS AUTHORIZED

RECORDER

OWNER'S DEDICATION

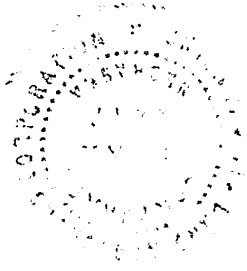
By all men by these presents; that the undersigned owners of the herein described tract of land, having caused the same to be subdivided into lots and blocks to be hereafter known as Centennial Industrial Park (Phase 2 & Phase 3) as shown by the plat and certificate of survey hereunto attached, do hereby dedicate to the use of the public forever all streets, alleys, and public easements as shown thereon.

Witness my hand and seal this 31st day of August 1977

UNION PACIFIC LAND RESOURCES CORPORATION

J. J. Weisbeck
ASSISTANT SECRETARY

H. F. Hansen
VICE - PRESIDENT



ACKNOWLEDGEMENT

OF NEBRASKA
OF DOUGLAS } 55

On this 31st day of August 1977 before me, a NOTARY PUBLIC for said County, personally appeared H. F. Hansen personally known to be Vice-President of the Union Pacific Land Resources Corporation, who being duly sworn did say that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed, and executed in behalf of said corporation by authority conferred by its by-laws, and acknowledged to me said instrument to be the act and deed of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal this day and year first in this, my certificate, written.

My commission expires: September 7, 1980
at: Bellevue, Nebraska

D. W. Wolkins
NOTARY PUBLIC

**CENTENNIAL INDUSTRIAL PARK
PHASE II & PHASE III** SALT LAKE CITY

DIVISION LOCATED IN SECTION 16, SECTION 17, & SECTION 18,
RANGE 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN
SALT LAKE CITY, UTAH

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COMMISSION APPROVAL

APPROVED BY THE BOARD OF SALT LAKE CITY
AND THE CITY ENGINEER WHO
TO APPROVE THIS _____ DAY OF
1977

MAYOR

NUMBER _____
ACCOUNT _____
DRAWING _____

EXHIBIT "A"

11/12/11 1:50 PM DRAINAGE RECORD 11/11