



W3100223

When recorded, please return to:
Henderson Trust
% Kent Eskelsen, Co-Successor Trustee
4308 S 600 W
Riverdale, UT 84405

E# 3100223 PG 1 OF 4
Leann H. Kilts, WEBER COUNTY RECORDER
09-Nov-20 0324 PM FEE \$40.00 DEP TN
REC FOR: FIRST AMERICAN - FASHION POINTE
ELECTRONICALLY RECORDED

Weber County Tax Parcel Numbers: 22-023-0153

IRRIGATION EASEMENT

For the sum of one dollar, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **Sue Eleanor Henderson Bauter and Kent Arthur Eskelsen, Co-Successor Trustee's of the George and Carolynne Henderson Trust - Survivor's Trust, dated September 17, 2009 and Nan Elizabeth Henderson Hodge, Successor Trustee of The George and Carolynne Henderson Trust - Bypass Trust, dated September 17, 2009,** hereinafter referred to as GRANTOR, hereby grants, conveys, sells and sets forth unto **Pine Canyon Ditch Company**, hereinafter referred to as GRANTEE, its successors and assigns, a perpetual, non-exclusive fifteen foot (20') wide right-of-way and easement to: (1) construct (including the right to make such cuts and fills to the natural contour of the land within and outside of said twenty feet as may be reasonably necessary or desirable), maintain, repair, inspect, protect, and upgrade a private irrigation pipeline and reinforced concrete inlet diversion, junction box, outlet box, (hereinafter the "Access"), for the sole purposes of access, and ingress and egress an existing irrigation pipeline and outlet GRANTEE to real property owned by GRANTEE and shall inure to the benefit of and run with the title to the following land more particularly described on Schedule "A" attached hereto and made a part hereof, and adjacent real property owned by GRANTEE, and (2) lay, maintain, operate, repair, inspect, protect, install, remove, and replace utility facilities, including, but not limited to, water pipelines, outlets, power lines, communication lines, and other pipelines and cables as may be needed or desirable by GRANTEE (hereinafter collectively the "Facilities"), insofar as the Access and Facilities lie within the property of the GRANTOR, said right-of-way and easement being situate in Weber County, State of Utah, being more particularly described as follows:

A 20.00 foot wide irrigation easement being 10.00 feet Right and 10.0 feet Left of the following described alignment, Extended or shortened as needed at the property lines situated in the Southwest Quarter of Section 29, Township 7 North, Range 1 East, of the Salt Lake Base and Meridian. More particularly described as follows:

Beginning at a point on the West line of Carolynne Henderson Trust etal property, Tax ID No. 22-023-0153 located 1353.76 feet North 89°23'46" West along the North line of said Southwest Quarter and 74.84 feet South 05°33'46" West from a Cotton Spindle Accepted as the Northeast corner of the Southwest Quarter of said Section 29;

Running thence South 33°44'22" East 77.43 feet; thence South 59°28'07" East 177.16 feet; thence South 48°01'08" East 65.53 feet; thence South 54°04'19" East 117.54 feet; thence South 47°00'03" East 104.47 feet; thence South 47°50'49" East 112.13 feet; thence South 44°13'56" East 149.59 feet; thence South 43°31'17" East 139.37 feet; thence South 33°19'10" East 92.59 feet; thence South 17°51'07" East 76.72 feet; thence South 07°47'58" West 97.55 feet; thence South 11°38'42" West 67.03 feet; thence South 26°42'03" East 14.34 feet; thence South 28°37'58" East 379.41 feet to the South line of said Carolynne Henderson Trust etal property and the terminus of this Easement.

SAID EASEMENT, is being recorded to more correctly define the location of the irrigation pipeline as granted in that certain Easement, recorded October 13, 1960, Entry No. 344003, in book 659, at page 566, official records.

TO HAVE AND TO HOLD the same unto the said GRANTEE, its successors and assigns, with the right of ingress and egress in said GRANTEE, its officers, employees, representatives, agents and assigns, to enter upon the above described right-of-way and easement with such equipment as is necessary to install, maintain, operate, repair, inspect, protect, remove and replace the Access Road and the Facilities.

During construction and maintenance periods, GRANTEE shall restore all property through which its work traverses, to as near its original condition as is reasonably possible, provided the GRANTEE shall not be responsible for restoring large vegetation such as trees or mature shrubs or for restoration of any buildings or other improvements other than roadways, trail surfaces or other underground utilities.

GRANTOR shall have the right to use said premises subject to the purposes for which this right-of-way and easement is granted to the said GRANTEE, provided such use shall not interfere with the Access Road or Facilities, or any other rights granted to the GRANTEE hereunder.

GRANTOR shall not build or construct or permit to be constructed over and across said right-of-way and easement, any structure, nor change the contour thereof without the written consent of GRANTEE. This right-of-way and easement grant shall be binding upon and inure to the benefit of the successors and assigns of the GRANTOR and the successors and assigns of the GRANTEE, and may be assigned in whole or in part by GRANTEE.

IN WITNESS WHEREOF, the GRANTOR has executed this right-of-way and easement this 9th day of November, 2020.

The George and Carolynne Henderson Trust, dated September 17, 2009

By: Sue Eleanor Henderson Bauter and Kent Arthur Eskelsen, Co-Successor Trustees of The George and Carolynne Henderson Trust- **Survivor's Trust**, dated September 17, 2009

Sue Eleanor Henderson Bauter Co successor trustee

Sue Eleanor Henderson Bauter, Co-Successor Trustee of the Survivor's Trust

Kent Arthur Eskelsen Co Successor Trustee

Kent Arthur Eskelsen, Co-Successor Trustee of the Survivor's Trust

Nan Elizabeth Henderson Hodge, Successor Trustee of The George and Carolynne Henderson Trust-
Bypass Trust, dated September 17, 2009

Nan Elizabeth Henderson Hodge Successor Trustee

Nan Elizabeth Henderson Hodge, Successor Trustee of the **Bypass Trust**

STATE OF UTAH)
County of WEBER)SS.)

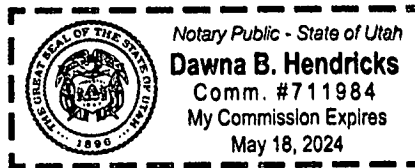
On 11-9-2020, before me, the undersigned Notary Public, personally appeared, Sue Eleanor Henderson Bauter and Kent Arthur Eskelsen, Co-Successor Trustees of The George and Carolynne Henderson Trust- **Survivor's Trust**, dated September 17, 2009, and Nan Elizabeth Henderson Hodge, Successor Trustee of The George and Carolynne Henderson Trust-**Bypass Trust**, dated September 17, 2009, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her/their authorized capacity and that by his/her signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires:

5-18-24

Dawna B. Hendricks
Notary Public



Schedule "A"

A PART OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 7 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF 3500 EAST STREET ALSO BEING THE SOUTHEAST CORNER OF HENDERSON FAMILY FARM LLC PROPERTY, TAX ID NO. 22-023-0154 AND ALSO BEING A POINT ON A BOUNDARY LINE AGREEMENT RECORDED AS ENTRY NO. 2435406 IN THE WEBER COUNTY RECORDER'S OFFICE LOCATED 57.20 FEET NORTH 89°23'46" WEST ALONG

THE NORTH LINE OF SAID SOUTHWEST QUARTER FROM A COTTON SPINDLE ACCEPTED AS THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 29; RUNNING THENCE SOUTH 00°18'27" WEST 263.44 FEET ALONG SAID WEST RIGHT-OF-WAY LINE; THENCE NORTH 89°41'33" WEST (WEST BY RECORD) 470.00 FEET; THENCE SOUTH 00°18'27" WEST (SOUTH BY RECORD) 560.00 FEET; THENCE SOUTH 89°41'33" EAST (EAST BY RECORD) 470.00 FEET TO SAID WEST RIGHT-OF-WAY LINE; THENCE SOUTH 00°18'27" WEST (SOUTH BY RECORD) 220.00 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE NORTHEAST CORNER OF LYLE SAVAGE PROPERTY, TAX ID NO. 22-096-0001 ALSO BEING THE NORTHEAST CORNER OF LOT 2, GEORGE HENDERSON SUBDIVISION, RECORDED AS ENTRY NO. 977682, ALSO BEING A POINT IN AN EXISTING FENCE LINE; THENCE ALONG THE BOUNDARY OF SAID LYLE SAVAGE PROPERTY AND SAID EXISTING FENCE LINE THE FOLLOWING TWO (2) COURSES: (1) NORTH 89°41'33" WEST (WEST BY RECORD) 290.40 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; AND (2) SOUTH 00°18'27" WEST 300.00 FEET TO A POINT ON THE NORTH LINE OF SKYLINE MOUNTAIN BASE LLC PROPERTY, TAX ID NO. 22-023-0086 ALSO BEING A POINT IN AN EXISTING FENCE LINE; THENCE NORTH 89°31'20" WEST 1124.87 FEET (WEST 1095.60 FEET BY RECORD) TO THE SOUTHERLY PROJECTION OF THE EASTERLY LINE OF PINE CANYON INVESTMENT PROPERTIES LLC PROPERTY, TAX ID NO. 22-023-0150; THENCE ALONG SAID PROJECTION AND THEN SAID PINE CANYON INVESTMENT PROPERTIES LLC PROPERTY BEING AN EXISTING FENCE LINE THE FOLLOWING FOUR (4) COURSES: (1) NORTH 04°33'50" EAST 568.22 FEET; (2) NORTH 06°26'47" EAST 276.31 FEET; (3) NORTH 05°49'02" EAST 116.30 FEET; AND (4) NORTH 05°33'46" EAST 391.30 FEET TO THE NORTH LINE OF SAID QUARTER SECTION ALSO BEING SAID BOUNDARY LINE AGREEMENT; THENCE SOUTH 89°23'46" EAST (EAST BY RECORD) 1296.56 FEET ALONG SAID NORTH LINE AND SAID BOUNDARY LINE AGREEMENT TO THE POINT OF BEGINNING.