

After Recording Return to
Strawberry High Line Canal Company
1608 South American Way
Payson UT 84651



ENT 31829:2022 PG 1 of 2
ANDREA ALLEN
UTAH COUNTY RECORDER
2022 Mar 14 11:32 am FEE 40.00 BY IP
RECORDED FOR WHITE HORSE DEVELOPERS

PARTIAL RELEASE OF RIGHT-OF-WAY

1. Strawberry High Line Canal Company (“High Line”), a Utah nonprofit corporation, is the grantee of that certain Quit Claim Deed dated May 17, 1919, Entry No. 7366 at the Utah County Recorder (“Quit Claim”).
2. In the Quit Claim, among other rights and interests, High Line received “rights of way for ditches, canals, flumes, pipe lines, telegraph and telephone transmission lines” (“Infrastructure Rights-of-Way”).
3. High Line hereby releases its interest in and rights to the Infrastructure Rights-of-Way, and only those interests and rights, concerning only the following described real property, referred to hereafter as the “Property”:

Beginning at the Northwest corner of the Southeast quarter of Section 13, Township 9 South, Range 1 East, Salt Lake base and Meridian; thence South 11.621 chains; then South 89 Deg.25’ East, 23.62 chains; thence South 1.50 chains; thence South 47 Deg.51’ East, 4.41 chains more or less to the North side of the gate in the right-of-way fence of the S.P, L.A. & S.L. Rail Road; thence North 36¼ Deg. East along said right of way, 7.42 chains; thence North 10.30 chains; thence West 31.18 chains to the place of beginning. Area 38.2 acres.

4. High Line retains all other interests and rights in the Property of every kind or nature, corporeal and incorporeal, fixed or contingent, appurtenant or not.
5. Nothing in this Partial Release of Right-of-Way is intended to waive or release any water, water rights, existing infrastructure (including but not limited to existing canals, ditches, pipes, valves, vents, and lines); other real or personal property rights or interests, or any other rights or interests owned or controlled by High Line anywhere.
6. Nothing in this Partial Release of Right-of-Way affects, waives, or releases any interests or rights in Spring Creek or return flow of any water used on any land, and specifically High Line’s interests and rights described in that certain Findings of Fact and Conclusions of Law and that certain Decree in the action styled *Strawberry High Line Canal Company v. Payson City, et al.*, both dated January 12, 1923.
7. Nothing in this Partial Release of Right-of-Way affects, waives, or releases any interests or rights in that certain Proposed Determination and Recommendation of the Rights to the Use of Return Flow From Water Imported From the Uinta Basin to Utah Valley by the Strawberry Valley Project, Utah County Division, Area No. 51, entered in Case No. 360057298 (51-1-1).

