

10-89

No. 69772

RIGHT OF WAY DEED

NRS Project No. 160-39

David A. Johnston and Ivy M. Johnston, his wife grantors of Clinton, County of Davis, State of Utah, hereby grants, bargains and sells to the STATE ROAD COMMISSION OF UTAH, Grantee, for the sum of One (\$1.00) DOLLARS, the following described right of way across the grantors' land in Davis County, State of Utah, as follows:

Right of way for highway known as N. R. S. Project No. 160 across the grantors' land in the SE 1/4 of Section 28, T. 5 N., R. 2 W., S.L.B. & M. Said right of way is a strip of land 33 ft. wide, 33 ft. on the south side of the center line of survey of said highway. Said center line is more particularly described as follows:

Beginning at the intersection of the east boundary line extended of said grantors' land and said center line of survey at Engineer's Station 106+06 which point is 1.1 ft. north and 23.5 ft. west along the center line of said survey from the east 1/4 corner of said Section 28; thence west along the approximate center of the present road a distance of 1312.0 ft. to the intersection of said center line of survey and the west boundary line extended of said grantors' land at Engineer's Station 119+18, which point is 1.1 ft north and 1335.5 ft. west along the center line of said survey, from the east 1/4 corner of said Section 28, as shown on the official map of said project on file in the office of the State Road Commission of Utah. Above described tract of land contains 0.994 acre, of which 0.691 acre is now occupied by the existing highway. Balance 0.303 acre.

As part of the consideration for the above described highway right of way, the grantors hereby give to the State Road Commission of Utah permission to relocate and reconstruct, within the grantors' land and outside the limits of above described right of way, all irrigation ditches existing within said limits of above described right of way. This permission granted provided any ditches constructed within the grantor's land be not less than eighteen in. tile and placed under ground deep enough that cultivation can be done up to the fence line and also deep enough that 3 drain lines from the land can empty into it and wa~~ist~~ irrigation water can be properly cared for by said eighteen in. tile line.

The purpose of this deed is to grant a perpetual right of way for highway purposes.

WITNESS, the hands, of said grantors, this 13 day of October, A. D. 1938.

Signed in the presence of:

D H Beardshall
W N Poelman

David A Johnston
Ivy M. Johnston

Prepared by G.A.H. 11/21/34

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

On the 13 day of October, A. D. 1938 personally appeared before me David A. Johnston and Ivy M. Johnston, his wife, the signers of the within instrument, who duly acknowledged to me that they executed the same.

My commission expires
January 29, 1940.



Joseph Eckersley
Notary Public.
Salt Lake City, State of Utah

Recorded December 15th, 1938, at 10:30 A. M.

Abstracted 9/2/2

Ruby M. Layton County Recorder.