

A G R E E M E N T

THIS AGREEMENT, made and entered into this 21th day of January, 1953, by and between SALT LAKE CITY, a municipal corporation of the State of Utah, hereinafter called the CITY and MILLER DITCH COMPANY, a corporation of the State of Utah, hereinafter called DITCH COMPANY:

W I T N E S S E T H

WHEREAS, the DITCH COMPANY is the owner of all the springs in the immediate area of Springhouse at 48th South and Highland Drive, four (4) ^{V.G.W.C. 3251, 3252, 3253, 3254} 3 inch wells at Springhouse, one (1) 3 inch well at 4000 South 9th East, two (2) wells near the intersection at 48th South and Highland Drive, certain pumps, pipelines and appurtenances as shown on map furnished by the DITCH COMPANY, which is hereby referred to and by such reference made a part of this agreement.

AND WHEREAS, the DITCH COMPANY desires to sell to the CITY all the aforementioned property, together with all appurtenances and facilities necessary or convenient to the DITCH COMPANY'S operation of its culinary water system and all its water rights, ditch rights, rights-of-way and everything appertaining thereto for the sum of FIFTY THOUSAND DOLLARS, (\$50,000.00).

NOW, THEREFORE, IT IS AGREED BETWEEN THE PARTIES AS FOLLOWS:

That the MILLER DITCH COMPANY hereby sells and agrees to convey to SALT LAKE CITY by proper deeds and bills of sale, all the springs located in the area of Springhouse at 48th South and Highland Drive; four (4) 3 inch wells at Springhouse, one (1) 3 inch well at 4000 South 9th East, two (2) wells near the intersection at 48th South and Highland Drive, all its pumps, pipelines and appurtenances as shown on map furnished by the DITCH COMPANY to the City, which is hereby referred to and by such reference made a part of this agreement.

AND, IT IS FURTHER AGREED that the DITCH COMPANY hereby sells and agrees to convey to the City all of its properties water rights, pumps, pipelines and appurtenances and facilities necessary or convenient, of every kind and description whether specifically mentioned herein or not, of its culinary water system water rights, ditch rights, rights-of-way and everything appur-taining thereto; and the CITY agrees to pay to the DITCH COMPANY for the same as follows:

One third when the contract has been executed by both parties hereto, and the DITCH COMPANY has acquired a release from the Public Service Commission of Utah, releasing it from the obligations to serve culinary water, and the contract of sale by the DITCH COMPANY has been approved by a stockholders' meeting of the DITCH COMPANY; and one third one year thereafter, and the balance one year later. Deferred payments to bear interest at 4% per annum.

The CITY agrees to continually serve the users in this district under special county rates subject to rules and regula-tions of the Salt Lake City Board of Commissioners.

IT IS FURTHER UNDERSTOOD AND AGREED that the DITCH COMPANY will execute deeds and bills of sale conveying the aforementioned property to the CITY upon receiving its first payment as provided for in this instrument.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed this 27th day of January, A. D. 1953.

SALT LAKE CITY

By

MAYOR

ATTEST:

Wm. F. Butler
CITY CLERK

MILLER DITCH COMPANY

By

PRESIDENT

ATTEST:

Merle C. Pugh
SECRETARY

W. C. Pugh
TREASURER

Glen H. Cornwall
PRESIDENT

STATE OF UTAH)
COUNTY OF SALT LAKE) SS

On the 27th day of January, 1953, personally appeared before me Earl J. Glade and Irma F. Bitner, who, being by me duly sworn did say that they are respectively the Mayor and City Recorder of Salt Lake City, a municipal corporation, and that the name of Salt Lake City was attached to the foregoing instrument by Earl J. Glade as Mayor and signed by him and countersigned by Irma F. Bitner as City Recorder, by virtue of a resolution of the Board of Commissioners of Salt Lake City passed on the 27th day of January, 1953; and said persons acknowledged to me that they said municipal corporation executed the same.

James H. Johnson
Notary Public
Residing in Salt Lake City, Utah

STATE OF UTAH)
COUNTY OF SALT LAKE) SS

On the 28th day of January, 1953, personally appeared before me Gerald [unclear] AND Walter X [unclear], who being by me duly sworn did say that they are the president and secretary respectively of the MILLER DITCH COMPANY, and that said instrument was signed by them on behalf of said corporation by authority of a resolution of its Board of Directors, and said persons acknowledged to me that said corporation executed the same.

[Signature]
Notary Public
Residing in Salt Lake City, Utah

My Commission expires: _____