

44/103

See Book 35-52-67

RIGHT OF WAY DEED

THIS INDENTURE, made and entered into this 10th day of August, 1953, by and between THOMAS E. JEREMY, Trustee of Salt Lake City, State of Utah, Grantor, and GARFIELD WATER COMPANY, a corporation of the State of New York, Grantee,

WITNESSETH THAT:

For and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged by said Grantor, said Grantor does hereby give, grant, bargain, sell and convey unto said Grantee, its successors and assigns, the following perpetual right-of-way and easement:

A perpetual right-of-way and easement in, over, upon and across the following described property, for the purpose of constructing, maintaining, using, operating and reconstructing, a ditch, flume, aqueduct and/or conduit, for transportation and carrying of water, together with the right of ingress and egress for the purposes of constructing, maintaining, using, operating and reconstructing any such ditch, flume, aqueduct and/or conduit.

Said property being a strip of land fifty feet in width, is situate in the Southeast Quarter of Section 16, Section 17 and the Northwest Quarter of Section 16, all in Township 2 South, Range 4 East, Salt Lake Base and Meridian, Tooele County, State of Utah, and is more particularly described as follows:

Beginning at a point in the East line of said Section 18, said point being situate North 1561.3 feet from the Southeast Corner of said Section 18; thence South 59° 37' West 1530.2 feet, more or less to a point in the West boundary of the Southeast 1/4 of the Southeast 1/4 of said Section 18; thence along said West boundary North 58.0 feet; thence North 58.0 feet; thence North 59° 37' East 3592.2 feet; thence North 65° 15' East 4000.4 feet; thence North 61° 13' East 1958.5 feet; more or less, to a point in the North line of said Section 16; thence along said North line East 103.8 feet; thence South 61° 13' West 2051.3 feet; thence South 65° 15' West 3999.6 feet; thence South 59° 37' West 2089.0 feet more or less to the point of beginning, containing 11.03 acres, more or less.

Subject however to the following conditions; Should Grantee construct and maintain an open ditch for the purposes aforesaid, said ditch shall be constructed and maintained with bank slopes of not less than two to one and Grantee shall construct one crossing over such ditch not less than 15 feet wide.

Grantor may graze livestock along said right-of-way and when and if there shall be water in said ditch, may water livestock therefrom; provided that Grantor shall indemnify and hold Grantee harmless against all claims, demands, suits and actions arising out of any injury or damage to livestock, or otherwise sustained in the exercise of such privileges.

WITNESS the signature of said Grantor the day and year first above written.

WITNESS:

G. Leon Christensen

Thomas E. Jeremy /s/  
THOMAS E. JEREMY--Trustee

STATE OF UTAH )

COUNTY OF SALT LAKE )

SS.

On this 10th day of August, 1953, personally appeared before me THOMAS E. JEREMY-TRUSTEE, the signer of the foregoing instrument, and who duly acknowledged to me that he executed the same.

(SEAL)

My commission expires: Oct. 27, 1955  
Approved as to form:  
Dickson, Ellis, Parsons & McCrea  
By E. C. Parsons, Attorney

G. Leon Christensen, Notary Public  
residing at Salt Lake City, Utah

APPROVED:

L. C. Jones, Chief Engineer

#234-214

Recorded at the request of \_\_\_\_\_