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AN ORDINANCE GRANTING LAKEVIEW WATER CORPORATION THE RIGHT TO EXCAVATE, CONSTRUCT, LAY, INSTALL, OPERATE, MAINTAIN, REPLACE, RECONSTRUCT, AND REPAIR WATER PIPELINES ALONG AND ACROSS CERTAIN ROADS, RIGHTS OF WAY, AND EASEMENTS IN WEBER COUNTY, STATE OF UTAH

# 16-84

THE BOARD OF COMMISSIONERS OF THE COUNTY OF WEBER, STATE OF UTAH, ORDAINS AS FOLLOWS:

Section 1. There is hereby granted to Lakeview Water Corporation, a Utah Corporation, the right, privilege, and franchise for a period of fifty (50) years to excavate for, construct, lay, install, operate, maintain, replace, reconstruct, and repair pipelines for the purpose of culinary water as a public utility, said lines not exceeding sixteen (16) inches in diameter in, along, and across (if under) the following described roads and rights of way in Weber County, Utah:

A part of Section 13, 23, and 24 all in T6N, R1E, SLB & M, U.S. Survey: Beginning at the West 1/4 of said Section 24 running thence East 3960 feet more or less along 1/4 Section line to the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 24; and running thence North 2640 feet more or less to Section line; thence West 2640 feet along said Section line to the Southeast corner of Southwest 1/4 of Section 13; thence North 1066.2 feet to Pine View Reservoir; thence Westerly along said reservoir to a point which is North 907.21 feet from the Southwest corner of said Section 13; thence South 907.21 feet to said Southwest corner; thence West 1660 feet along the said Section line; thence South 2640 feet more or less to 1/4 Section line; thence East 1660 feet along said 1/4 Section line to point of beginning.

including the right, privilege, and franchise of crossing under

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0015 to 0021X  
20-037-0001 to 0006X  
20-038-0001 to 0009X  
20-039-0001 to 0015X  
20-045-0001 to 0013X  
20-013-0003X to 0010X  
20-053-0001 to 0012X  
20-035-0001 to 0003X

the paved or surfaced portion of said County roads at such locations as are deemed necessary by the Grantee if approved by the County Engineer so that said pipelines may be laid on either side of the roads or rights of way thereof, and pipes may be laid to serve persons living along said roads, including the right, privilege, and franchise of crossing over or under existing pipelines or other works within said County roads. PROVIDED that this franchise may be forfeited, revoked, and terminated by said Weber County, Utah, at any time after three (3) years following abandonment by the Grantee of the use of the right, privilege, and franchise hereby granted. Pipes laid along roads or rights of way shall in every possible instance be placed along the outside of the roadway and as near to the private property lines as is reasonably possible and not up on the travelled portions of the roads or on the protecting shoulders.

Whenever possible, all connections under or crossing under a County road or right of way will be made without disturbing the surface of the road on its lateral support. Driving the pipe or washing it under the road under the County Engineer's supervision shall be the standard and accepted method of crossing. Where this is not possible, the crossing matter will be placed before the County Engineer before excavation is started.

Section 2. All excavating, construction, laying, installing,

reconstructing and repairing in, over, along, or upon said County roads or rights of way performed in carrying out the provisions of this grant shall, along or upon said County roads or rights of way performed in carrying out the provisions of this grant, shall be done in conformance with all applicable ordinances of Weber County, Utah, and all laws of the State of Utah relating thereto as the same now exist or may hereinafter be enacted.

Section 3. All such work performed by the Grantee in carrying out the provisions of this grant shall be performed in such manner as to cause the least practicable disturbance of traffic upon said County roads or rights of way.

Section 4. At the completion of any of the work hereby permitted by the Grantee, the surface of the road shall be restored to substantially the same condition it was in prior to the commencement thereof.

Section 5. All such work permitted by the Grantee hereunder shall be performed without cost or expense to Weber County, Utah. Weber County shall not be liable for damages to property or injuries to persons arising out of the installation, operation, maintenance, repair, and renewal of said pipelines and the Grantee shall indemnify and save the County harmless from any such claims. It is further agreed that water shall not be drained into any County drainage ditch in such manner or at such times as to

cause the same to overflow the banks thereof.

Section 6. Said pipeline will be located in such manner as not to interfere with any existing water lines or other works crossing or located in said County roads or rights of way. After the construction and laying of said pipeline, Weber County will not consent for the same to be interfered with by others holding grants, permits, or franchises from the County except at the cost of those operating under such grants, permits or franchises, and then only upon conditions as shall not cause damage to said pipeline or interfere with its operation by the Grantee.

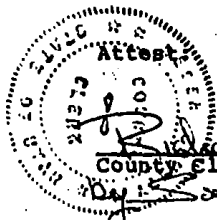
Section 7. This easement and grant is made in consideration of the health and fire protection which will result to the County residents and property from the construction and operation of a culinary water distribution system by the Grantee.

Section 8. This ordinance shall become effective upon the expiration of fifteen (15) days from the date of its adoption and upon its publication as required by law and upon the filing in the office of the County Clerk of Weber County, Utah, by the Grantee of its written acceptance hereof.

PASSED by the Board of the County Commissioners of Weber

County, Utah, on the 12 day of September 1984.

Robert A. Hunter  
CHAIRMAN of the Board of County  
Commissioners of Weber County,  
State of Utah



Richard Greene  
County Clerk  
By: [Signature]

State of Utah            )  
                                  : ss  
County of Weber        )

I, Richard Greene, County Clerk and Ex-Officio Clerk of the Board of County Commissioners of Weber County, State of Utah, do hereby certify that the above and foregoing Ordinance was passed by the Board of County Commissioners of said County at the regular meeting held the 12 day of September, 1984, and do further certify that upon final passage of said ordinance, Commissioners William A. Bailey, Robert A. Hunter, and Roger F. Rawson, voted aye.

IN WITNESS WHEREOF, I have set my hand and my official seal at my office in the County of Weber, State of Utah, this

12 day of September, 1984.

Richard Greene  
Richard Greene  
County Clerk and Ex-Officio  
Clerk of the Board of Commissioners  
of Weber County, State of Utah

by Scott LeMay Deputy

