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WARRANTY DEED

W 1/2 36-5n-2W

Bamberger Railroad Company, a corporation of the State of Utah, grantor, hereby conveys and warrants to Union Pacific Railroad Company, a corporation of the State of Utah, grantee, the following described real property in Weber and Davis Counties, State of Utah, to wit:

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NO. 1 A part of Lot 1, Block 6, 5 Acre Plat "A",
Ogden City Survey: Beginning at a point in the
West line of Lincoln Avenue 94.54 Ft. West and 115 Ft.
North from the S.E. corner of Lot 1, Block 6, Five Acre
Plat "A", Ogden City Survey, and running thence West
45 Ft.; thence North 51 Ft.; thence West 38 Ft.; thence
North 48.5 Ft.; thence East 83 Ft. to the West line of
Lincoln Avenue; thence South 99.5 Ft. to the point of beginning.

NO. 2 In Block 33, Plat "A", Ogden City Survey - Part of Lots 4 and 9 in said Block 33: Beginning at the S.W. corner of Lot 4, Block 33, Plat "A", and running North along the East property line of Lincoln Avenue 50 Ft.; thence East 495 Ft., more or less, to the center of Lot 9 in said Block 33; thence South 50 Ft. to the South line of Lot 9; thence West 495 Ft., more or less, to the point of beginning; together with the following described portion of Lot 3 in said Block 33: Beginning at the N.W. corner of said Lot 3 and running East along the North line of Lot 3 for a distance of 66 Ft.; thence South 61° West 52.6 Ft.; thence South 46°30' West 27.6 Ft. to the West line of said Lot 3; thence North 44.5 Ft. to the point of beginning: Subject to that certain right-of-way Easement granted February 29, 1957 to Proudfit Sporting Goods Company, Thorstensen Investment Company, Ogden Lodge No. 2 Knights of Pythias, and the Ogden Board of Education, and reserving unto the Grantor, its successors and assigns a permanent but non-exclusive easement and right-of-way over the above described property for the sole purpose of affording, and this easement and right-of-way is specifically limited to use for, ingress to and egress from a certain and specific other parcel of real estate owned by grantor located immediately adjacent to and east of the real property over which said easement and right-of-way is hereby reserved.

NO. 3 A part of Block 7, Central Park Addition to Ogden

NO. 3 A part of Block 7, Central Park Addition to Ogden City, Utah: Beginning at the S.W. corner of Lot 24 in said Block 7, and running thence North 0°58' East 157.17 Ft.; thence to the left 176.19 Ft. along the arc of a 210.9 Ft. radius curve whose chord length bears South 44°59' East 171.13 Ft.; thence South 89°02' East 236 Ft.; thence North 89°26' East 262.59 Ft. to the East line of Lot 1 in said Block 7; thence South 0°58' West 45.23 Ft. to the S.E. corner of said Lot 1; thence North 89°02' West 621.5 Ft. to the place of beginning.







EXCEPTING therefrom that portion within the alley adjoining said Lots on the North.

ALSO, a part of Lots 4 and 5, Block 10, South Ogden Survey: Beginning at the intersection of the South line of said Lot 5 and the West line of Grant Avenue and running thence South 0°58' West 46.95 Ft. to the North line of Healy Street; thence North 89°02' West 64.5 Ft.; thence North 0°58' East 45.23 Ft.; thence North 89°26' East along fence line 64.54 Ft. to place of beginning.

51.16

NO. 4 In Central Park Addition, Central Park Annex and un-numbered Lot in South Park Addition: Beginning at a point on the West line of Lincoln Avenue 48.1 Ft.

South of the N.E. corner of Lot 1 in Block 8, Central Park Addition of Ogden City Survey, said point being 25 Ft.

distant at right angle from the center line of the Bamberger Railroad Company's main line track, running thence Southwesterly on a curve to the right of 453.34 Ft. radius along an arc for a distance of 319.6 Ft., more or less, parallel to and 25 Ft. distant from the center line of said track, the long chord of said arc extending South 38.41 West, 313.12 Ft.; thence North 59°26' West 47.5 Ft. to a point 10 Ft. distant at right angle from the center line of a spur track as now constructed; thence on a curve to the left of 260 Ft., more or less, radius along an arc 137 Ft. parallel to and 10 Ft. distant from the center line of said spur track curve, the long chord of which bears North 12°28' East for a distance of 135.4 Ft. to a point 8.51 Ft. East of the S.W. corner of Lot 8 in said Block 8; thence North 0°28' East 299.47 Ft. to a point on the South line of 31st Street 1.9.9 Ft. East of the N.W. corner of Lot 13 of said Block 8; thence North 89°02' West along said South line of 31st Street 1.9.0 Ft. to a point 11.1 Ft. West of the N.E. corner of Lot 12., of said Block 8; thence South 0°28' West 284.5 Ft.; thence South 39.79' West 15 Ft.; more or less, to the North line of Healy Street, now vacated; thence North 89°02' West along said street line 29.68 Ft., more or less, to the North 1.0°58' West 144.4 Ft. to the East line of Wall Avenue 102.25 Ft. South 0.58' West 144.4 Ft. to the East line of Wall Avenue; thence South 0.58' West 1 along said Street; thence South 89°02' East along said North line of 32nd Street; thence South 89°02' East along said North line of 32nd Street; thence South 89°02' East along the North line of 20 Str. alley 139.5 Ft. to the West line of Lincoln Avenue, being the S.E. corner of Lot 20 of said Block 9; thence North

NO. 5 Beginning at a point on the West side of Wall
Avenue, 4.75 Ft. South of the center line of 32nd
Street and running thence North 0°58' East 44.75 Ft.; thence
North 89°02' West along the South line of Block 5, South
Park Addition, 264.21 Ft.; thence South 74°15' West along
the toe slope of a Railroad embankment 213.62 Ft. to the
West line of Blocks 4 and 6 of South Park Addition; thence
South 0°58' West 18.55 Ft.; thence South 89°02' East 96.3 Ft.

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along the North side of Block 4 of South Park Addition; thence South 0°58' West 76.62 Ft.; thence across Stephens Avenue North 74°15' East 68.91 Ft.; thence North 0°58' East 56.8 Ft. to the N.W. corner of Block 3, South Park Addition; thence South 89°02' East 189.12 Ft.; thence North 74°15' East 122.56 Ft. to the point of beginning.

- No. 6 Part of the N.E. Quarter of Section 6, Township 5
  North, Range 1 West, Salt Lake Meridian, U.S. Survey:
  Beginning at a point South 52°32' West 470.7 Ft. from the N.E.
  corner of said Section 6; thence North 119.5 Ft.; thence
  South 74°15' West 738.4 Ft.; thence South 223.4 Ft.; thence
  North 74°15' East 738.4 Ft.; thence North 103.9 Ft. to beginning.
- NO. 7 Part of the N.E. Quarter of Section 6, Township 5
  North, Range 1 West, Salt Lake Meridian, U.S. Survey:
  Beginning South 42°04' East 999.5 Ft. from the N.W. corner
  of the N.E. Quarter of said Section 6; thence South 69°45'
  East 265.6 Ft.; thence South 23° East 175 Ft.; thence North
  57°42' East 680.5 Ft.; thence North 207.8 Ft.; thence South
  74°15' West 758.7 Ft.; thence South 55° West 197.7 Ft. to
  beginning.
- NO. 8 A part of the S.W. 1/4 of Section 6, Township 5
  North, Range 1 West, Salt Lake Meridian, U.S. Survey:
  Beginning at the intersection of the South line of vacated
  Lawndale Addition to Ogden City and the center line of
  Bamberger Railroad track, which point is 187.37 Ft. North
  to center line of track and North 38°15' East 2162.5 Ft.,
  more or less, from the S.W. corner of said Section 6, and
  running thence West 101.9 Ft. to a point 80 Ft. at right
  angles from center line of track; thence South 38°15' West
  1980 Ft., more or less, to West line of said Section 6;
  thence South along said Section line to a point 66 Ft. East
  at right angles from the center line of track; thence North
  38°15' East 2315 Ft., more or less, to the South line of
  vacated Lawndale Addition to Ogden City; thence West along
  said South line to place of beginning.
  EXCEPTING, therefrom that portion occupied by County
  Road on East.

Road on East.

ALSO, beginning on said center line of railway at a point about 400 Ft. South from the N.E. corner of the S.E. Quarter of the N.W. Quarter of Section 6 in Township 5 North, Range 1 West, Salt Lake Meridian, which point is also South 0°89' West 1643.3 Ft. from the North 1/4 corner of said Section 6, and running thence South 38°15' West 685 Ft., more or less, to the East line of land formerly owned by H. M. Bradley and granting 80 Ft. width on the Westerly side and 66 Ft. width on the Easterly side of such line, measured at right angle thereto:

and 66 Ft. width on the Easterly side of such line, measured at right angle thereto;

ALSO, a part of the S.W. Quarter of Section 6,

Township 5 North, Range 1 West, Salt Lake Meridian, U.S.

Survey; beginning at a point 258.8 Ft. North of the intersection of the center line of track and the West line of said Section 6, and running thence East 90 Ft., more or less to Northwesterly line of right-of-way; thence South 38°15'

West 130 Ft., more or less, to West line of said Section 6; thence North 130 Ft. to the place of beginning.

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NO. 9 Beginning on center line of the old West track, now removed, of Bamberger Railroad Company (formerly Salt Lake and Ogden Railway Company) at a point 165 Ft. West of the N.E. corner of Section 12, Township 5 North, Range 2 West, Salt Lake Meridian, and running thence West 280 Ft.; thence South 461.8 Ft.; thence North 38°15' East 588 Ft.; thence West 84 Ft. to the point of beginning.

ALSO, a part of the N.E. Quarter of the N.E. Quarter of said Section 12, as follows: Beginning 966 Ft. South and 360.7 Ft. South 85°12' East from the N.W. corner of the East one/half of the N.E. Quarter of Section 12, Township 5 North, Range 2 West, Salt Lake Meridian, which point is on the center line of the Bamberger Railroad Company's line of railway as surveyed and located over and across said N.E. Quarter of said Section 12, and running thence North 85°12' West 95.9 Ft.; thence North 38°15' East parallel to and 80 Ft. distant from the center line of track of the Bamberger Railroad Company 962.9 Ft.; thence South 806.2 Ft.; thence North 85°12' West 502.3 Ft., more or less, to the point of beginning.

NO. 10 A part of the East Half of the N.E. Quarter of Section 12, Township 5 North, Range 2 West, Salt Lake Meridian, as follows: Beginning 966 Ft. South of the N.W. corner of the East Half of the N.E. Quarter of said Section 12, and running thence South 592.8 Ft.; thence North 38°15' East parallel to and 66 Ft. distant at right angles from the center line of track of Bamberger Railroad Company as surveyed and located over and across said East Half of the N.E. Quarter of said Section 12, 707.9 Ft.; thence North 85°12' West 439.8 Ft. to the point of beginning.

NO. 11 Beginning on the center line of the track of
Bamberger Railroad Company, 191 Ft. East of the
S.W. corner of the S.E. Quarter of the S.W. Quarter of Section 12, Township 5 North, Range 2 West, Salt Lake Meridian, and running thence North 12°45' East 425 Ft. to beginning of 3° curve to the right; thence on a 3° curve to the right 850 Ft.; thence North 38°15' East 3412 Ft. to the East line of the West Half of the N.E. Quarter of said Section 12, and granting a strip of land 95 Ft. wide, of which 40 Ft. width shall be on the East side of the center line of said track and 55 Ft. width shall be on the West side of the center line of said track, measured at right angles thereto. center line of said track, measured at right angles thereto.

NO. 12 A part of the N.W. Quarter of Section 13, Township
5 North, Range 2 West, Salt Lake Meridian, as follows: A tract of land 116 Ft. wide, beginning on the center
line of the track at a point 195 Ft. West of the S.E. corner
of the N.W. Quarter of the N.W. Quarter of said Section;
thence West 50 Ft.; thence North 12°45' East 1353 Ft.; thence
East 119 Ft.; thence South 12°45' West 1232 Ft. to Northerly
side of the Riverdale Road; thence South 41°31' West 137.4
Ft. to the point of beginning.

Ft. to the point of beginning.

EXCEPTING, that portion of this parcel of land immediately above described, now occupied by a County Road, located along the Westerly side thereof.

NO. 13 Beginning at a point approximately 1200 Ft. South and 56 Ft. West of the N.W. corner of the N.E. Quarter of the N.W. Quarter of Section 13, Township 5 North, Range 2 West, Salt Lake Meridian, being a point on the

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present East line of the right-of-way of Bamberger Rail-road at the intersection of said right-of-way line and the Northerly line of Highway 91; and running thence North 12°45' East parallel to and 24 Ft. at right angles from the center line of the track of said Railroad 280.7 Ft.; thence at a right angle to the right 16.5 Ft.; thence South 12°45' West 250 Ft. to the Northerly line of Highway 91 as fenced; thence South 41°30' West 34.9 Ft. to the point of beginning.

- NO. 14 A part of the N.W. 1/4 of Section 13, Township
  5 North, Range 2 West, Salt Lake Meridian, U.S.
  Survey: Beginning at the intersection of the center line
  of Bamberger Railroad Company's track and the South line of
  the North 1/2 of the S.W. 1/4 of N.W. 1/4 of said Section
  13, said point being 254 Ft., more or less, West of the S.E.
  corner of the North 1/2 of the S.W. 1/4 of said N.W. 1/4,
  Section 13, and running thence East 30.73 Ft. to a point
  30 Ft. East at right angles from the center line of said
  track; thence North 12°45' East 331.3 Ft.; thence North
  12°11' East 205 Ft.; thence North 12°45' East 30 Ft.; thence
  South 41°30' West 160 Ft., more or less, to the East line of
  County Road; thence South along said East line of Road to a
  point West of beginning; thence East 66.8 Ft. to place of
  beginning.
- NO. 15 A part of the N.W. Quarter and the S.W. Quarter of Section 13, Township 5 North, Range 2 West, Salt Lake Meridian: Beginning on the center line of the West track of Bamberger Railroad Company, now abandoned, 269 Ft. West of the N.E. corner of the South Half of the S.W. Quarter of said N.W. Quarter, and running thence South 12°45' West 2037 Ft. to a point on the South line of the N.W. Quarter of S.W. Quarter, and being 76 Ft. wide on the East and 66 Ft. wide on the West, measured at right angles, of the center line as above described.
- NO. 16 A part of the S.W. 1/4 of the S.W. 1/4 of Section 13, Township 5 North, Range 2 West, Salt Lake Meridian: Beginning at point on the center line of track of Bamberger Railroad Company, 552.1 Ft. East of the N.W. corner of said S.W. 1/4 of S.W. 1/4 of Section 13, and running thence South 12°45' West 657.6 Ft., more or less, to the P.C. of a 2° curve to the left; thence South along said 2° curve, 637.5 Ft. to the P.T. of said curve; thence South 60.9 Ft. to a point on the South line of said Section 13, 407 Ft. East of the S.W. corner thereof, being a strip of ground 66 Ft. wide, 33 Ft. on each side of the above described center line, measured at right angles thereto.
- NO. 17 A part of the N.W. 1/4 of Section 24, Township 5
  North, Range 2 West, Salt Lake Meridian: Beginning at a point on the center line of Bamberger Railroad
  Company's track, 417.8 Ft. East, more or less, from the N.W.
  corner of said Section 24, and running thence South 1320 Ft.
  along said center line to the South line of the North 1/2 of
  N.W. 1/4 of Section 24, being a strip of ground 66 Ft. wide,
  26 Ft. on the West side and 40 Ft. on the East side of the
  above described center line, measured at right angles thereto.

NO. 18 A part of the N.W. 1/4 of Section 24, Township 5
North, Range 2 West, Salt Lake Meridian: Beginning at the intersection of the center line of Bamberger Railroad Company's track and the North line of the S.W.
1/4 of N.W. 1/4 of said Section 24, being 422 Ft., more or less, East of the N.W. corner of said S.W. 1/4 of N.W. 1/4, and running thence South 1320 Ft. along said center line to the South line of said N.W. 1/4 of Section 24, being a strip of ground 73 Ft. wide, 33 Ft. on the West side and 40 Ft. on the East side of the above described center line, measured at right angles thereto.

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- NO. 19 A part of the S.W. 1/4 of Section 24, Township 5 North, Range 2 West, Salt Lake Meridian: Beginning at a point where the center line of track of Bamberger Railroad Company intersects the South line of said Section 24, which point is 427.4 Ft., more or less, East of the S.W. corner of said Section 24; thence East 157 Ft. to the East right-of-way line; thence North 693 Ft.; thence West 73 Ft.; thence North 1944 Ft., more or less, to the North line of said Quarter Section; thence West 132 Ft.; thence South 620 Ft.; thence East 7 Ft.; thence South 2017 Ft. to the South line of said Quarter Section; thence East 41 Ft. to the point of beginning.
- NO. 20 A part of the N.W. 1/4 and S.W. 1/4 of Section 25, Township 5 North, Range 2 West, Salt Lake Meridian: Beginning at a point where the center line of track of Bamberger Railroad Company intersects the North line of said Section 25, which point is 427.4 Ft., more or less, East of the N.W. corner of said Section 25; thence East 157 Ft.; thence South 693 Ft.; thence West 132 Ft.; thence South 1947 Ft. to the South line of said N.W. 1/4 of Section 25; thence East 66 Ft.; thence South 590 Ft. to a point 50 Ft. North of the South line of said Section 25; thence West 66 Ft.; thence South 50 Ft., more or less, to the South line of said Section 25; thence North 50 Ft.; thence West 50 Ft.; thence North 233 Ft.; thence East 32.5 Ft.; thence North 4664.5 Ft.; thence East 17.5 Ft.; thence East 41 Ft. to the North line of said Section 25; thence East 41 Ft. to the point of beginning.
- NO. 21 A part of the N.W. 1/4 of Section 36, Township
  5 North, Range 2 West, Salt Lake Meridian:
  Beginning at a point on the South line of the N.W. 1/4 of
  said N.W. 1/4 of Section 36, 407 Ft. East of the S.W.
  corner of said N.W. 1/4 of the N.W. 1/4; thence East 106
  Ft.; thence North 1287 Ft., more or less, to the North line
  of said Section 36; thence West 132 Ft.; thence South 33
  Ft.; thence West 33 Ft.; thence South 100 Ft.; thence East
  33 Ft.; thence South 1154 Ft., to a point West of beginning;
  thence East 26 Ft. to the point of beginning.
- NO. 22 A part of the S.W. 1/4 of the N.W. 1/4 of Section 36, Township 5 North, Range 2 West, Salt Lake Meridian: Beginning at a point in the North line of said S.W. 1/4 of N.W. 1/4 of Section 36 that is 40 Ft. East from

the center line of main track of the Bamberger Railroad Company, said point being 447 Ft., more or less, East from the N.W. corner of said S.W. 1/4 of N.W. 1/4; thence South and parallel with said center line of main track a distance of 61 Ft.; thence Southeasterly along a curve to the left having a radius of 2824.93 Ft. and which is concentric with said center line of main track a distance of 1321 Ft., more or less, to a point in the South line of said S.W. 1/4 of N.W. 1/4 of Section 36; thence East along said South line 73.6 Ft., more or less, to a point 106 Ft. Easterly, measured radially from said center line of main track; thence Northwesterly along a curve to the right having a radius of 2758.93 Ft. and which is concentric with said center line of main track, a distance of 1330 Ft.; thence North and parallel with said center line of main track a distance of 61 Ft., more or less, to a point in the North line of said S.W. 1/4 of N.W. 1/4 of Section 36; thence West along said North line 66 Ft. to the point of beginning.

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NO. 23 A part of the S.W. 1/4 of Section 36, Township 5 North, Range 2 West, Salt Lake Meridian: Beginning at the point of intersection of the Westerly right of way line of the Bamberger Railroad Company with the North line of said S.W. 1/4 of Section 36, which point is 677.7 Ft., more or less, East from the N.W. corner of said S.W. 1/4 and which is also 26 Ft. Westerly, measured radially, from the center line of main track of Bamberger Railroad Company; thence Southeasterly along said Westerly right-of-way line which is a curve to the left having a radius of 2890.93 Ft. and which is concentric with said center line of main track, a distance of 179 Ft.; thence Easterly and parallel to the North line of said S.W. 1/4 of Section 36 a distance of 146.72 Ft., more or less, to a point in the Easterly right-of-way line of said Bamberger Railroad Company that is 106 Ft. Easterly, measured radially, from said center line of main track; thence Northwesterly along said Easterly right-of-way line which is a curve to the right having a radius of 2758.93 Ft. and which is concentric with said center line of main track, to a point in the North line of said S.W. 1/4 of Section 36; thence Westerly along said North line a distance of 146.72 Ft., more or less, to the point of beginning.

Provided, however, that the warranties made hereby pursuant to the provisions of Title 57, Chapter 1, Section 12, Utah Code Annotated 1953, shall apply to all that portion of the real property above described which lies east of the west side of Wall Avenue, Ogden City, Utah; but that, as to the portion of the real property above described which lies west of the west side of Wall Avenue, Ogden City, Utah, said warranties made hereby pursuant to the provisions of Title 57, Chapter 1, Section 12, Utah Code

Annotated 1953, shall apply only to all such real property described above as lies within the existing right of way fences and embankments defining physically the various widths of the railroad right of way of the grantor between the west side of said Wall Avenue and the southerly end of the real property above described at Mile Post 28.10 of Bamberger Railroad Company;

And, provided, further, that all warranties made by the grantor hereby are subject to the following:

- (1) All water rights and mineral rights reserved in the various patents from the United States of America:
- (2) The rights of others in all rights of way crossing portion of the right of way of Bamberger Railroad Company herein conveyed on all dedicated or publicly used streets;
- (3) Those rights existing under contracts and other instruments now in effect between Bamberger Railroad Company and others with respect to part of the properties herein conveyed which are specifically listed in the schedule marked Exhibit B" attached to that certain agreement between Bamberger Railroad Company and Union Pacific Railroad Company, dated August 5, 1958, which is identified in the files of Union Pacific Railroad Company as C.D. 43510;
- (4) Those rights existing under an easement from Bamberger Railroad Company to Fisher-Hess Pontiac Company, dated October 10, 1958, and recorded in the office of the County Recorder of Weber County, Utah, at Page 540 of Book 592 of Records;

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- (5) The right of Ogden City to enter the vacated portion of Healy Avenue to repair and maintain existing sewer line;
- (6) All taxes and all assessments and all installments of assessments, including, but not limited to, the assessments of the Weber Basin Water Conservancy District, the Central Weber Sewer Improvement District, Davis County Mosquito Abatement District, North Davis Sewer Improvement District, Sunset Town, Riverdale Town, and the City of Ogden, levied upon or assessed against the property conveyed hereby, which may become due and payable on or after January 1, 1959.

IN WITNESS WHEREOF, the said Bamberger Railroad Company has caused these presents to be executed by its duly authorized officers this 31st day of December, 1958.

Attespi

BAMBERGER RAILROAD COMPANY

Seistant Sacretary-Treasurer

Executive Vice President General Manager

Witness:

Virginia L. Peterson

## 800x 614 MSE 406

STATE OF UTAH )
COUNTY OF SALT LAKE }

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On the 31st day of December, 1958, before me, a notary public, personally appeared Clair G. Andersen, and Howard B. Olsen, to me personally known to be the Executive Vice-President and General Manager, and the Assistant Secretary-Treasurer, respectively, of the Bamberger Railroad Company, who, being severally duly sworn, did say, each for himself, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and executed in behalf of said corporation by authority duly conferred according to law, and acknowledged to me said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first in this, my certificate, written.

Notary Public 2 Notary Public

My Commission Expires:

Mar 10, 1961

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STATE OF UTAH
COUNTY OF WEBER! SS
FUED AND SCHOOLS FOR
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IN BOOK 614 OF RECORD PAGE 397-406 RUTH EAMES OLSEN COUNTY RECORDER

10. Vellen J