

RIGHT OF WAY AGREEMENT FOR
SALT LAKE CITY SANITARY DISTRICT #1
3932 SOUTH 500 EAST SALT LAKE CITY, UT 84107-1895

5179397

Philip A. Mallinckrodt, trustee, and Natalie R. Mallinckrodt, trustee, his wife, of Salt Lake City, Utah, grantors do hereby convey and warrant to the Salt Lake City Suburban Sanitary District #1, Salt Lake County, State of Utah, grantee, a right-of-way and easement for the purpose of digging a trench along said right-of-way, and to lay, maintain, operate, repair, remove or replace a pipeline for transportation through and across the grantors' land in Salt Lake County, State of Utah, to the extent of their interest and rights in said land as described in attached schedule "A".

The right-of-way easement herein granted is 10 feet wide, being 5 feet on each side of the centerline of the pipe. The centerline of such pipe is described approximately as follows:

APPROXIMATE CENTERLINE OF SEWER LINE ACROSS MALLINCKRODT PARCEL

BEGINNING AT A POINT NORTH 0°43'20" WEST 10.03 FEET FROM THE SOUTHEAST CORNER OF LOT 28A COTTONWOOD ACRES NO. 2 SUBDIVISION AS RECORDED WITH THE OFFICE OF THE SALT LAKE COUNTY RECORDER, SAID SOUTHEAST CORNER OF LOT 28A BEING NORTH 89°56' WEST ALONG THE SECTION LINE 1068.49 FEET AND NORTH 1077.975 FEET FROM THE SOUTHEAST CORNER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE SOUTH 77°47'48" EAST 21.31 FEET TO AN EXISTING FENCE LINE AND WEST LINE OF MOYLE PROPERTY.

TO HAVE AND TO HOLD the same unto the SALT LAKE CITY SUBURBAN SANITARY DISTRICT #1 so long as such pipeline shall be used and maintained, with the right to maintain, operate, repair and remove or replace the same. The said grantor shall not build hereon any permanent structure or building, nor plant large trees whose root zones would contact or interfere with the pipeline. The easement may, however, be crossed or covered with sidewalks, curb and gutter, roadways, driveways, fences or similar improvements.

THE GRANTEES HEREBY AGREE to replace or rectify and rectify any damages done to grantors' land or crops caused by grantee in the construction, maintenance, repair, operation or replacement of said line appurtenant facilities and to indemnify grantors from any and all loss caused by the same.

Witness the hand of said grantors this 6th day of Dec., 1991.

STATE OF UTAH

County of Salt Lake

} ss

Philip A. Mallinckrodt

Trustee

Natalie R. Mallinckrodt

Trustee

On the _____ day of September, 1991, personally appeared before me Phillip A. Mallinckrodt and Natalie R. Mallinckrodt, signers of the foregoing instrument, who duly acknowledged that they executed the same.

My commission expires:

November 19, 1991

Cindy S. Brown
Notary Public



Notary Public
CINDY L. BROWN
332 North 125 East
North Salt Lake, UT 84054
My Commission Expires
November 19, 1991
State of Utah

BK 6395 PG 1 635

SCHEDULE "A"

Beginning at the Southeast corner of the Northeast quarter of the Southeast quarter of Section 15, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South $89^{\circ}45'$ West 1066.2 feet to the East line of a 20 foot private road; thence Southerly along the East line of said 20 foot private road 1305.7 feet, more or less, to a road running Easterly and Westerly along the South boundary of said Section 15; thence Westerly along the North line of said road 20 feet; thence North 1° West along the West line of said 20 foot private road 1301.1 feet; thence North $0^{\circ}22'$ East 812.1 feet to a point, thence North $89^{\circ}45'$ East 842.1 feet; thence North 408.2 feet; more or less, to the South line of premises conveyed to Alexander C. Wallace and wife by deed recorded in Book 322 at page 432 as Entry No. 937123 in the office of the County Recorder of said county; thence Easterly along the South line of said premises 221.3 feet more or less to the East line of said Section 14; thence South along the East line of said Section 712.4 feet, more or less, to the Northerly line of premises conveyed to L. B. McCornick by deed recorded in Book 8-F of Deeds at page 311 in said Recorder's office; thence North $89^{\circ}49'$ West along the Northerly line of said premises 300 feet to the Northwest corner of said McCornick property; thence South $0^{\circ}11'$ West along the Westerly line of said premises 341.1 feet to the Southwest corner of said McCornick property; thence South $89^{\circ}49'$ East along the Southerly line of said premises 300 feet to the East line of said Section; thence South along the East line of said Section 167.7 feet to the point of beginning; being 19.67 acres more or less. EXCEPTING THE following described property: Beginning at a point on an old fence line, said point being North 1642.79 feet and West 1065.62 feet from the Southeast corner of Section 15, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence North $37^{\circ}01'$ East 503.38 feet; thence North $24^{\circ}45'$ West 108.07 feet to an old fence line; thence West 252.4 feet along said fence to an old fence corner; thence South $0^{\circ}37'$ West 500.0 feet along an old fence to the place of beginning. SUBJECT to a 12 foot Right-of-Way over the following: Commencing at a point on the North line of a 4 rod County Road, said point being North 34.85 feet and West 1071.0 feet from the Southeast corner of Section 15, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence North $0^{\circ}37'$ East 1624.0 feet to a point on the Southeasterly boundary of the tract above described; thence South $37^{\circ}01'$ West 20.0 feet; thence South $0^{\circ}37'$ West 1608.0 feet; thence South $89^{\circ}54'$ East 12.0 feet to the point of beginning; being 1.97 acres more or less. Together with all water and water rights used upon or owned for use in connection with said premises, including those water rights evidenced by eleven shares of the capital stock of Big Cottonwood Tanner Ditch Company, and those rights of use in and to the waters of a certain spring in and upon said premises which are evidenced by the Underground Water Claim No. 9569 filed in the office of the State Engineer of Utah under date of March 23, 1936. Together with all easements, privileges and appurtenances belonging to said premises, including all rights held or enjoyed under a certain deed of right-of-way dated November 20, 1905 and recorded in Book 6-S of Deeds at page 494 in said Recorder's Office. Subject, however, to all easements for irrigation or water ditches as now established over or upon said premises, and rights held and enjoyed by Salt Lake City, a municipal Corporation under easement dated July 20, 1934, and recorded in Book 125 of Liens and Leases at page 519 in said Recorder's Office.

BK 6395 PG 1636

No Fee

5179397
07 JANUARY 92 01:19 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
SL CITY SUBURBAN SANITARY DIST NO.1
REC BY: DIANE KILPACK , DEPUTY

EX 6395 PE 1637