

539

Parcel No. 001-6:39:E1

Project No. F-001-6(13)

976

## EXECUTRIXES' EASEMENT

This indenture made the 16th day of January, 1969, by and between Gay Sowards Lewis, Kathleen Sowards Weight, Willa Sowards Swenson of Provo, County of Utah, State of Utah, the duly appointed, qualified and acting Executrixes of the estate of Fannie Sowards, deceased, late of Provo, County of Utah, State of Utah, the party of the first part, and the STATE ROAD COMMISSION OF UTAH, party of the second part, WITNESSETH:

WHEREAS, on the 24th day of December, 1968, the District Court for Utah County, Utah, upon a hearing of petition for confirmation of the granting and conveyance of an easement upon the real property owned by said estate, made an order confirming the granting thereof to the STATE ROAD COMMISSION OF UTAH, for the sum of Five hundred thirty-eight and no/100----- Cash, and directing a conveyance to be executed to said party of the second part, a certified copy of which order is attached hereto and made a part of this indenture:

NOW THEREFORE, the said Gay Sowards Lewis, Kathleen Sowards Weight, Willa Sowards Swenson as Executrixes of the estate of Fannie Sowards, deceased, the party of the first part, pursuant to the order last aforesaid of the said Court, for and in consideration of the sum of \_\_\_\_\_ to them in hand paid by the party of the second part, the receipt of which is hereby acknowledged, has granted, and conveyed and by these presents does grant, and convey unto the said party of the second part, an easement for the purpose of constructing thereon a channel change; upon said real property owned by the estate of Fannie Sowards, deceased, at the time of her death. Said real property is situated in said Utah County, Utah, and is particularly described as follows, to-wit:

An easement upon part of an entire tract of property in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 36, T. 6 S., R. 2 E., S.L.B. & M., in Utah County, Utah, for the purpose of constructing and maintaining thereon the Provo River Channel Change and appurtenant parts thereof incident to the construction of an expressway known as Project No. 001-6.

Said part of an entire tract is described as follows:

Beginning at a point on the north boundary line of said entire tract at a point 80 ft. radially distant northeasterly from the northbound center line of said project at Engineer Station 201+19.74, said point also being 597.18 ft. east from the N $\frac{1}{4}$  corner of said Section 36; thence Southeasterly 148 ft., more or less, along the arc of an 11,539.16-foot radius curve to the right to a southeasterly boundary line of said entire tract (Note: Tangent to said curve at its point of beginning bears S. 39° 21' 35" E.); thence N. 20° E. 129 ft. along said southeasterly boundary line to said north boundary line; thence West 140 ft., more or less, to the point of beginning, containing 0.190 acre, more or less.

ALSO:

Beginning at the intersection of the northeasterly boundary line of said entire tract and the southwesterly right of way and limited access line of said project at a point approximately 706 ft. east and 519 ft. south from the N $\frac{1}{4}$  corner of said Section 36; thence Northwesterly 35 ft., more or less, along the arc of a spiral which is parallel and concentric with and 80 ft. radially distant southwesterly from a 200 ft. ten-chord spiral for a 0° 20' curve to the right (Note: Tangent to said spiral at its point of beginning bears S. 38° 34' E.); thence Northwesterly 70 ft., more or less, along the arc of said curve to a point 50 ft. perpendicularly distant westerly from the center line of the Provo River Channel Change approximately at Engineer Station 4+74; thence S. 04° 02' 30" W. 176 ft., more or less, to a point 50 ft. perpendicularly distant westerly from said center line at Engineer Station 6+50; thence S. 85° 57' 30" E. 100 ft.; thence N. 04° 02' 30" E. 40 ft., more or less, to said northeasterly boundary line; thence N. 22° 30' W. 70 ft. along said northeasterly boundary line to the point of beginning, containing 0.280 acre, more or less.

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The two above described easements have a total of 0.470 acre, more or less.

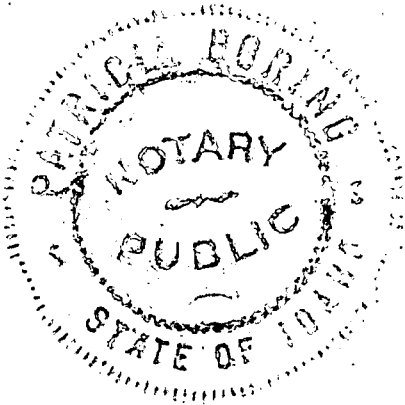
IN WITNESS WHEREOF, the said grantors and party of the first part, as Executrixes of the estate of Fannie Sowards, deceased, as aforesaid, have hereunto set their hands the day and year first above written.

*Willa S. Swenson*  
*Kathleen Weight*  
*Gay S. Lewis*  
Executrixes of the Estate of  
Fannie Sowards, Deceased

STATE OF *Idaho* )  
COUNTY OF *Bannock* ) : ss.

On the *10<sup>th</sup>* day of *January*, 1969, personally appeared before me *Willa S. Swenson*, known to me to be the person whose name is subscribed to the within instrument as the EXECUTRIXES of the estate of *Fannie Sowards*, deceased, and duly acknowledged to me that they as such EXECUTRIXES, executed the same.

My Commission Expires: *2-12-72*



*Patricia Borning*  
Notary Public

Prepared by G. Casey, 4-19-68

STATE OF UTAH )  
COUNTY OF UTAH ) : ss

On the 16th day of January, 1969, personally appeared before me Kathleen Weight and Gay S. Lewis, known to me to be the persons whose names are subscribed to the within instrument as the Executrix's of the estate of Fannie Sowards, deceased, and duly acknowledge to me that they, as such Executrix's, executed the same.



*Susan Rasmussen*  
NOTARY PUBLIC  
Residing at Utah County, Utah

My Commission Expires: *March 9, 1972*

RW Special  
UTAH STATE ROAD COM.

1969 JUN 29 AM 9:23  
UTAH COUNTY RECORDER  
DEPUTY  
MAIL

RECORDED AT THE REQUEST OF  
UTAH STATE ROAD COM.

976