

with and Blanche Spaulding the signers of the above instrument, who duly acknowledged to me that they executed the same.



J. C. Bueche

My commission expires

Notary Public

Recorded at request of City Auditor, Sec. 25, 1912, at 1:50 P.M., on 7th of October, Page 21, 22.

Witnessed on 6th, June 25, 1912. Recording fee paid \$2.00.

Signed, J. C. Bueche, Recorder, Salt Lake County, Utah. By J. L. May, Deputy

§ 212362. 1912. Approved as to form Charles E. Day.

This Ordinance, made on the 23rd day of September, 1912, by the Board of Directors of the City of West, hereinafter called the Council Company, party hereto of the first part, and the City of West, a municipal corporation of Utah, hereinafter called the City, party hereto of the second part, to-wit:

That whereas, on the 24th day of August, 1912, the Mayor of the City of West, approved a certain ordinance which had theretofore been passed by the City Council, granting certain rights and privileges to said Power Company, and

Whereas, by section 5 of said ordinance it is provided that before the first meeting of said ordinance, and within sixty days after the date of approval thereof, the City of West, hereinafter called the City Council, shall file with the City Council all deeds and mortgages and releases thereon required, together with a complete abstract of title of the same, to be conveyed and

Whereas, on the 24th day of September, 1912, at a meeting of the Board of Directors of said Power Company, the directors thereof, by unanimous vote accepted said ordinance and authorized the President and Secretary of the Power Company to file in accordance with said ordinance a copy of said ordinance with the City Council, and also authorized and directed said President and Secretary to execute a conveyance deed conveying to said City a right of way over said north-west quarter of section 26, together with all necessary paper, lines, corners, and pole lines, and access and gravel sections to full utilize the waters of Big Cottonwood brook, provided that said pole lines, or lines of said Power Company shall not be allowed to be located so close to the individual houses of said Power Company as to prevent it, or any one of its tenants, or the Washington and Parkway Company, from building a dam and reservoir, with a capacity of at least one million cubic feet, west of the tail race of the former house of the said Power Company, for the purpose of said reservoir, with the following conditions:

That the said Power Company, in consideration of the foregoing of said ordinance, granting an extension of residence of said Power Company of the City of West, hereinafter called the City, has granted, approved, shall and is authorized and by these presents does grant, sell, convey and warrant unto the City, its successors and assigns, forever, a right of way for the use

one me
a wife,
taken be
dged to me
of Public
21-22
60
spring,
at part
ity, party
would a
granting
application
of the Utah
independence
of the water
line of said
divance, and
and duly
d also author
conveying
a with all
a section
a line, or
rel or power
a Utah Light
ty of at least
Power/
any, and
istence of
founded. Be
inner, and
will use

necessary conduits, water pipes, ditches, easements, and pole lines used and across the northeast
quarter of section 25, township 2 S. of the Range 1 East, Salt Lake Meridian, provided, however,
that the taking out of any pipe line or conduit or other means of utilizing the waters of
Big Cottonwood Creek shall not be done so as to in any way material Utah Power Company
present power plant, or so near the tail race of said power company as to prevent it or
any one in its behalf, or Utah Light and Railway Company, from building a reservoir
of at least one million cubic feet capacity between the west end of the tail race of the
Power Company, and the point of diversion of the waters of Big Cottonwood Lake.
In Witness Whereof said Power Company has caused these covenants to be signed by its
President and Secretary, and its corporate seal to be hereunto attached, this day and
year first above written.



Utah Power Company
By John E. Dooly - President
By Joseph S. Wells - Secretary

Witness:

W. P. Read
State of Utah,
County of Salt Lake.

On this 2nd day of November, 1905, personally appeared before me John E.
Dooly, who being by me first duly sworn, did say that he is President of the Utah
Power Company, and that the above and foregoing instrument was signed by him in be-
half of said corporation, by authority of a resolution of its Board of Directors, and the said
John E. Dooly acknowledged to me that said corporation executed the same.



Joe D. Mac Knight -
Notary Public

My commission expires

State of Utah,
County of Salt Lake.

On this 3rd day of November, 1905, personally appeared before me
Joseph S. Wells, who being by me first duly sworn, did say that he is Secretary of the
Utah Power Company, and that the above and foregoing instrument was signed by him
in behalf of said corporation, by authority of a resolution of its Board of Directors,
and the said Joseph S. Wells acknowledged to me that the said corporation executed
the same.



Joe D. Mac Knight -
Notary Public

My commission expires

Recorded at request of City Auditor, Dec. 26 1905, at 11:44 P. M., in 18, of Books, Pages 22-23.
Abstracted in 101, page 108, line 7. Entered in Misc. Index. Recording fee paid \$1.70.
(Signed) P. O. Perkins, Recorder, Salt Lake County, Utah. Big J. L. May, Deputy.

4-202364. 10/31/05. Approved as to form Charles C. Day.
This Indenture, made on the 9th day of September, 1905, by Utah Light and Railway
Company, a corporation of Utah, hereinafter called the Railway Company, party
of the first part, and Salt Lake City, a municipal corporation of Utah, hereinafter
called the City, party hereto of the second part; Witnesseth:
That, Whereas, on the 4th day of August, 1905, the Mayor of Salt Lake City, then called