

26489-W
SPECIAL WARRANTY DEED

HEBER LAND AND CATTLE, a Trust, of _____, County of _____, State of Utah, Grantor, hereby conveys and against all persons claiming by, through, or under Grantor, warrants to the UNITED STATES OF AMERICA, Grantee, acting pursuant to the provisions of the Act of June 17, 1902 (32 Stat. 388) and acts amendatory thereof or supplementary thereto, for the sum of Sixty-six Thousand Eight Hundred Eighty-four and no/100s Dollars (\$66,884.00-----), the following-described real property located in the County of Wasatch, State of Utah, to-wit:

Two parcels of land in the South Half (S $\frac{1}{2}$) of Section Thirty-four (34), and the South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Thirty-five (35), Township Two (2) South, Range Five (5) East, Salt Lake Meridian, Wasatch County, Utah, more particularly described as follows:

Bearings in the following descriptions are based on the Utah Coordinate System, Central Zone.

PARCEL NO. JDR-54 (Fee Title)

Section 34, Township 2 South, Range 5 East

The North Half of the South Half of the Southeast Quarter (N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$), and the North Half of the Southeast Quarter of the Southwest Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section 34.

Parcel No. JDR-54 contains a total of Sixty (60.0) acres, more or less.

ALSO,

PARCEL NO. JDR-54A (Fee Title)

Section 35, Township 2 South, Range 5 East

Beginning at a point which is South on the East line of Section 35, Nineteen Hundred Forty-one and Six Tenths (1941.6) feet and South 86°24' West Four Hundred Sixty-seven (467.0) feet, and South 89°56' West Sixteen Hundred Ninety-one and Four Tenths (1691.4) feet from the point where the East line of Section 35 intersects the southerly line of the Highway to Kamas and Heber, Utah; thence North 00°08' West Five Hundred Eighty-five and One Tenth (585.1) feet; thence South 89°56' West Five Hundred Twenty-one (521.0) feet; thence South 00°18' East Five Hundred Eighty-five and One Tenth (585.1) feet; thence North 89°56' East Five Hundred Twenty-one (521.0) feet to the point of beginning.

Parcel No. JDR-54A contains a total of Seven (7.0) acres, more or less.

ENTRY NO. 150350 DATE 10-31-89 TIME 12:32 FEE \$18.50
RECORDED FOR 1ST AMERICAN BOOK 213 PAGE 321-329
RECORDER JOE DEAN HUBER BY JOE DEAN HUBER

PAGE INDEX () ABSTRACT () PLAT () CHECK ()
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DESCRIPTION CERTIFIED CORRECT
BY R. Upton Name
8/11/89 Date

Parcel Nos. JDR-54 and JDR-54A contain a total of Sixty-seven (67.0) acres, more or less.

Ground distances in the foregoing descriptions can be converted to U.S.C. & G.S. grid distances by multiplying by the combination factor 0.999677.

AND, ALSO,

PARCEL NO. JDR-RA-9 (Fee Title)

Right-of-way for highway known as Wasatch County Route A over that portion of the Grantor's land located in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), and in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-four (34) Township Two (2) South, Range Five (5) East, Salt Lake Base and Meridian, Wasatch County, Utah, more particularly described as follows:

Beginning at a point on the centerline of Wasatch County Route A shown as Engineer's Station PST 287+83.922 on Right-of-Way Plans on file in Wasatch County Surveyor's Office, said point also being Fifty-six Hundred Five and Seven Hundred Thirty-four Thousandths (5605.734) feet North and Twelve Thousand Two Hundred Eighty and Nine Hundred Ten Thousandths (12,280.910) feet East from found brass cap county monument (1974) accepted as the Southeast (SE) corner of Section Six (6), Township Three (3) South, Range Five (5) East, Salt Lake Base and Meridian; thence along said centerline South 84°54'06" East One Hundred Fifty-three and Four Hundred Ninety-seven Thousandths (153.497) feet to a point on the Township line between Township Two (2) South and Township Three (3) South, Range Five (5) East, Salt Lake Base and Meridian, said point being distant along said Township line North 89°27'29" East Seventeen Hundred Twenty-five and Twenty-two Hundredths (1725.22) feet from the found brass cap county monument (1974) accepted as the Northwest (NW) corner of Section Three (3), Township Three (3) South, Range Five (5) East, Salt Lake Base and Meridian, said point also being on the southerly line of the Grantor's land described on the Quitclaim Deed from William N. Baird to Heber Land and Cattle recorded as Instrument Number 129583 on June 27, 1983, in Book 156, Page 770, Official Records of Wasatch County, said point also being on the northerly line of the land described in the Quitclaim Deed from John Christian Berg, Irene D. Berg, Olive B. Bowman, Alta B. Webb, Vida B. Peterson, and Marie Berg Brown to Don Clifton Berg recorded as Instrument Number 67313 on October 15, 1948, in Book 23, Page 147, Official Records of Wasatch County, said point also being the true point of beginning of this description:

THENCE along said line of Official Records Book 156, Page 770, and of Official Records Book 23, Page 147, the following courses:

South 89°27'29" West Five Hundred Forty-four and Seven Hundred Twenty-four Thousandths (544.724) feet;

THENCE North $00^{\circ}04'42''$ West One Hundred Eighty-two and Six Hundred Fifty-nine Thousandths (182.659) feet to a point on the proposed North right-of-way line of said Wasatch County Route A;

THENCE along the proposed North right-of-way line of said Wasatch County Route A the following courses:

South $89^{\circ}46'34''$ East One Hundred Ninety-five and Four Hundred One Thousandths (195.401) feet to a point which is distant radially from the centerline of said Wasatch County Route A North $01^{\circ}05'53''$ East One Hundred Fifty (150.0) feet from a point on said centerline shown as Engineer's Station PCS 285+83.922 on said Right-of-Way Plans;

THENCE South $86^{\circ}16'05''$ East Two Hundred Ten and Four Hundred Thirty-six Thousandths (210.436) feet to a point which is distant at right angles from the centerline of said Wasatch County Route A North $05^{\circ}05'54''$ East One Hundred Fifty (150.0) feet from a point on said centerline shown as Engineer's Station PST 287+83.922 on said Right-of-Way Plans;

THENCE South $65^{\circ}53'13''$ East One Hundred Twenty-two and Seven Hundred Seventy-three Thousandths (122.773) feet to a point which is distant at right angles from the centerline of said Wasatch County Route A North $05^{\circ}05'54''$ East One Hundred Ten (110.0) feet from a point on said centerline shown as Engineer's Station 289+00 on said Right-of-Way Plans;

THENCE South $84^{\circ}54'06''$ East Six Hundred and Four Thousandths (600.004) feet to a point which is distant at right angles from the centerline of said Wasatch County Route A North $05^{\circ}05'54''$ East One Hundred Ten (110.0) feet from a point on said centerline shown as Engineer's Station 295+00 on said Right-of-Way Plans;

THENCE South $86^{\circ}31'54''$ East Seven Hundred Seventy-four and Seven Hundred Thirty-nine Thousandths (774.739) feet a point on the southerly line of the Grantor's land described in the Quitclaim Deed from William N. Baird to Heber Land and Cattle recorded as Instrument Number 129583 on June 27, 1983, in Book 156, Page 770, Official Records of Wasatch County, said point also being on the northerly line of the land described in the Quitclaim Deed from John Christian Berg, Irene D. Berg, Olive B. Bowman, Alta B. Webb, Vida B. Peterson, and Marie Berg Brown to Don Clifton Berg recorded as Instrument Number 67313 on October 15, 1948, in Book 23, Page 147, Official Records of Wasatch County, said point also being distant at right angles from the centerline of said Wasatch County Route A

North 05°05'54" East One Hundred Thirty-two and Thirty-eight Thousandths (132.038) feet from a point on said centerline shown as Engineer's Station PTS 302+74.434 on said Right-of-Way Plans;

THENCE along said line of Official Records Book 156, Page 770, and of Official Records Book 23, Page 147, South 89°27'29" West Thirteen Hundred Forty-three and Five Hundred Ten Thousandths (1343.510) feet to the true point of beginning of this description.

Parcel No. JDR-RA-9 contains a total of Three and Sixty-three Hundredths (3.63) acres, more or less.

ALSO,

PARCEL No. JDR-RA-10 (Fee Title)

Right-of-way for highway known as Wasatch County Route A over that portion of the Grantor's land located in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$), and in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-four (34), Township Two (2) South, Range Five (5) East, Salt Lake Base and Meridian, and in Lot One (1) of Section Three (3), Township Three (3) South, Range Five (5) East, Salt Lake Base and Meridian, Wasatch County, Utah, more particularly described as follows:

Beginning at a point on the centerline of Wasatch County Route A shown as Engineer's Station PST 324+28.564 on Right-of-Way Plans on file in Wasatch County Surveyor's Office, said point also being Fifty-eight Hundred Twenty-nine and Five Hundred Seventy-nine Thousandths (5829.579) feet North and Fifteen Thousand Eight Hundred Seventy-eight and Six Hundred Eighty Thousandths (15,878.680) feet East from found brass cap county monument (1974) accepted as the Southeast (SE) corner of Section Six (6), Township Three (3) South, Range Five (5) East, Salt Lake Base and Meridian; thence North 02°42'49" West One Hundred Ten (110.0) feet to a point on the proposed North right-of-way line of said Wasatch County Route A; thence along said proposed North right-of-way line North 72°49'51" East Thirty-two and Twenty-four Thousandths (32.024) feet to a point on the easterly line of the Grantor's land described on the Quitclaim deed from William N. Baird to Heber Land and Cattle recorded as Instrument Number 129583 on June 27, 1983, in Book 156, Page 770, Official Records of Wasatch County, said point also being on the westerly line of the land described in the Trustee's Deed from Winnie M. Baird, as Trustee, to The Dewey L. and Audrey B. Jolley Family Partnership recorded as Instrument Number 111993 on January 16, 1978, in Book 116, Page 59, Official Records of Wasatch County, said point also being the true point of beginning of this description;

THENCE along said line of Official Records Book 156, Page 770, and of Official Records Book 116, Page 59, South 00°06'33" West Two Hundred Thirty and Four Hundred Forty-six Thousandths (230.446) feet

to a point on the proposed South right-of-way line of said Wasatch County Route A;

THENCE along the proposed South right-of-way line of said Wasatch County Route A the following courses:

THENCE North $86^{\circ}24'32''$ West Nineteen and Seven Hundred Seventy-seven Thousandths (19.777) feet to a point which is distant at right angles from the centerline of said Wasatch County Route A South $02^{\circ}42'49''$ East One Hundred Ten (110.0) feet from a point on said centerline shown as Engineer's Station PST 324+28.564 on said Right-of-Way Plans;

THENCE South $85^{\circ}58'47''$ West One Hundred Ninety-two and Two Hundred Eighty-three Thousandths (192.283) feet to a point which is distant radially from the centerline of said Wasatch County Route A South $06^{\circ}42'50''$ East One Hundred Ten (110.0) feet from a point on said centerline shown as Engineer's Station PCS 322+28.564 on said Right-of-Way Plans;

THENCE South $81^{\circ}47'58''$ West Sixty-eight and Five Hundred Eighty-one Thousandths (68.581) feet to a point which is distant radially from the centerline of said Wasatch County Route A South $09^{\circ}41'09''$ East One Hundred Ten (110.0) feet from a point on said centerline shown as Engineer's Station PSC 321+54.258 on said Right-of-Way Plans;

THENCE South $77^{\circ}37'16''$ West One Hundred Ninety-two and Two Hundred Eighty Thousandths (192.280) feet to a point which is distant at right angles from the centerline of said Wasatch County Route A South $13^{\circ}41'08''$ East One Hundred Ten (110.0) feet from a point on said centerline shown as Engineer's Station PTS 319+54.258 on said Right-of-Way Plans;

THENCE South $76^{\circ}18'52''$ West Seven Hundred Eighty-five and Nine Hundred Seventy-five Thousandths (785.975) feet to a point on the westerly line of the Grantor's land described in the Quitclaim Deed from William N. Baird to Heber Land and Cattle recorded as Instrument Number 129583 on June 27, 1983, in Book 156, Page 770, Official Records of Wasatch County; said point also being on the easterly line of the land described in the Quitclaim Deed from John Christian Berg, Irene D. Berg, Olive B. Bowman, Alta B. Webb, Vida B. Peterson, and Marie Berg Brown to Don Clifton Berg recorded as Instrument Number 67313 on October 15, 1948, in Book 23, Page 147, Official Records of Wasatch County;

THENCE along said line of Official Records Book 156, Page 770, and of Official Records Book 23, Page 147, the following courses:

North 00°02'37" East One Hundred Forty-four and Five Thousandths (144.005) feet;

THENCE South 89°27'29" West Seven Hundred Five and Twelve Thousandths (705.012) feet to a point on the proposed North right-of-way line of said Wasatch County Route A, said point also being distant radially from the centerline of said Wasatch County Route A North 01°05'53" East One Hundred Forty-six and Four Hundred Seventy-five Thousandths (146.475) feet from a point on said centerline shown as Engineer's Station PSC 304+74.434 on said Right-of-Way Plans;

THENCE along the proposed North right-of-way line of said Wasatch County Route A the following courses:

North 82°30'01" East Two Hundred Forty and Seven Hundred Seventy Thousandths (240.770) feet to a point which is distant radially from the centerline of said Wasatch County Route A North 09°41'08" West One Hundred Sixty (160.0) feet from a point on said centerline shown as Engineer's Station PCS 307+44.024 on said Right-of-Way Plans;

THENCE South 87°38'45" East One Hundred Ninety-six and Three Hundred Seventy-six Thousandths (196.376) feet to a point which is distant at right angles from the centerline of said Wasatch County Route A North 13°41'08" West One Hundred Ten (110.0) feet from a point on said centerline shown as Engineer's Station PST 309+44.024 on said Right-of-Way Plans;

THENCE North 76°18'51" East Ten Hundred Ten and Two Hundred Thirty-two Thousandths (1010.232) feet to a point which is distant at right angles from the centerline of said Wasatch County Route A North 13°41'08" West One Hundred Ten (110.0) feet from a point on said centerline shown as Engineer's Station PTS 319+54.258 on said Right-of-Way Plans;

THENCE North 77°40'21" East Two Hundred Seven and Six Hundred Thirty-seven Thousandths (207.637) feet a point which is distant radially from the centerline of said Wasatch County Route A North 09°41'09" West One Hundred Ten (110.0) feet from a point on said centerline shown as Engineer's Station PSC 321+54.258 on said Right-of-Way Plans;

THENCE North 81°48'00" East Seventy-nine and Nine Hundred Ninety-eight Thousandths (79.998) feet to a point which is distant radially from the centerline of said Wasatch County Route A North 06°42'50" West One Hundred Ten (110.0) feet from a point on said centerline shown as

Engineer's Station PCS 322+28.564 on said Right-of-Way Plans;

THENCE North 85°55'42" East Two Hundred Seven and Six Hundred Thirty-four Thousandths (207.634) feet a point which is distant at right angles from the centerline of said Wasatch County Route A North 02°42'49" West One Hundred Ten (110.0) feet from a point on said centerline shown as Engineer's Station PST 324+28.564 on said Right-of-Way Plans;

THENCE North 72°49'51" East Thirty-two and Twenty-four Thousandths (32.024) feet to the true point of beginning of this description.

Parcel No. JDR-RA-10 contains a total of Six and Eighty-six Hundredths (6.86) acres, more or less.

Parcel Nos. JDR-RA-9 and JDR-RA-10 contain a total of Ten and Forty-nine Hundredths (10.49) acres, more or less.

The basis of bearings used for these descriptions are Wasatch County Route A project bearings as shown on Right-of-Way Plans for Wasatch County Route A on file in Wasatch County Surveyor's Office.

Parcel Nos. JDR-54, JDR-54A, JDR-RA-9 and JDR-RA-10 contain a total of Seventy-seven and Forty-nine Hundredths (77.49) acres, more or less.

Together with all appurtenances thereto belonging or in anywise appertaining, including improvements, ~~all water and water rights, ditches and ditch rights belonging thereto or used in connection therewith.~~ EXCEPTING all water and water rights.

Excepting and reserving from said conveyance any coal, oil, gas, and other mineral rights (but not sand and gravel) owned by the Grantor in the above-described land, together with the right to prospect for and remove the same, but any rights reserved hereunder shall be exercised in such a manner as will not interfere with the construction, operation, and maintenance of any works of the Central Utah Project. It is agreed that any exploration or exploitation of such coal, oil, gas, and other minerals shall be approved by the Secretary of the Interior or his duly-authorized representative.

Subject to coal, oil, gas, and other minerals reserved to or outstanding in third parties as of the date of this deed; also subject to rights-of-way for roads, railroads, telephone lines, transmission lines, ditches, conduits, or pipelines on, over, or across said lands in existence on such date

In order to construct and maintain a public highway as an expressway, as contemplated by Title 27, Chapter 12, Section 96, Utah Code Annotated, 1953, as amended, the Grantor hereby agrees to the following:

As to Parcel No. JDR-RA-9, Grantor agrees to release and relinquish to the United States, or its assigns, any and all rights or easements appurtenant to the Grantor's remaining property by reason of the location thereof with reference to said highway, including, without limiting the foregoing, all rights of ingress to or egress from the Grantor's remaining property contiguous to the lands hereby conveyed, to or from said highway; EXCEPTING and reserving to the Grantor, successors or assigns, the right of access to the nearest roadway of said highway over and across the right-of-way line to the left of said highway for two 16-foot openings, which said openings center at points directly opposite Highway Engineer Stations 284+28.00 and 296+00.00.

As to Parcel No. JDR-RA-10, Grantor agrees to release and relinquish to the United States, or its assigns, any and all rights or easements appurtenant to the Grantor's remaining property by reason of the location thereof with reference to said highway, including, without limiting the foregoing, all rights of ingress to or egress from the Grantor's remaining property contiguous to the lands hereby conveyed, to or from said highway; EXCEPTING and reserving to the Grantor, successors or assigns, the right of access to the nearest roadway of said highway over and across the right-of-way line to the left of said highway for one 16-foot opening, which said opening centers at a point directly opposite Highway Engineer Station 313+00.00. Also, the right of access to the nearest roadway of said highway over and across the right-of-way line to the right of said highway for one 16-foot opening, which said opening centers at a point directly opposite Highway Engineer Station 314+50.00.

This property is acquired by the Bureau of Reclamation, Department of the Interior, for the United States.

WITNESS the hand of said Grantor this 23 day of August A.D., 1989.

HEBER LAND AND CATTLE, a Trust

Lynn N. Murdock
Trustee

Trustee

ACKNOWLEDGMENT

State of)
County of) ss.
)

On this 23 day of August, 1989, personally appeared before me _____ to me known to be the individual, or individuals, described in and who executed the within and foregoing instrument, as Trustee or Trustees of HEBER LAND AND CATTLE, a Trust, and acknowledged that _____ signed the same as _____ free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Sheila B. Galt
Notary Public in and for the
State of
Residing at

My Commission Expires:

1/9/91