

AGREEMENT

ENT 10437 BK 2773 PG 609  
NINA B REID UTAH CO RECORDER BY AC  
1991 MAR 26 1:18 PM FEE .00  
RECORDED FOR

COME NOW Spanish Fork City, hereinafter <sup>Spanish Fork City</sup> referred to as the City, and Fritzi Realty, a California Corporation, hereinafter referred to as Fritzi, and acknowledge as follows:

WHEREAS, the City provides municipal services to its residents, including Fritzi; and

WHEREAS, the City maintains a culinary water well defined by State Law as a "deep well" near the Fritzi property; and

WHEREAS, it is desireable to both parties to protect the purity of the water in the well; and

WHEREAS, each party hereto acknowledges the receipt of adequate consideration;

NOW, THEREFORE, the parties covenant, agree and contract as follows:

1. The City shall isolate its deep well from concentrated sources of pollution.

2. Fritzi shall not allow, within 100 feet of the deep well on property now owned or hereafter acquired by Fritzi, any source of pollution such as septic tank and drain field systems, sewer lines, garbage dumps, pit privies, hazardous waste disposal sites, corrals, feed lots, and other similar sources and/or types of pollution.

3. The deep well is located at the following described location, which shall remain free from pollution for 100 feet in each direction:

South 814 feet and West 790 feet from the East quarter

ENT10437 BK 2773 PG 610  
corner of Section 25, Township 8 South, Range 2 East,  
Salt Lake Base and Meridian.

4. This agreement is binding on the heirs, successors,  
or assigns of the parties.

DATED this 25th day of ~~March~~, 1990.

Attested:

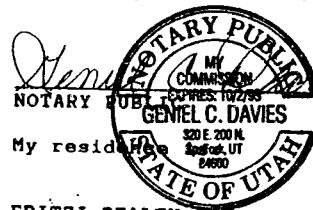
*Marie Huff*  
MARIE HUFF, Spanish Fork Mayor

*Clyde A. Swenson*  
Clyde A. Swenson, City Recorder

STATE OF UTAH )  
: ss.  
COUNTY OF UTAH )

On the 25th day of ~~March~~, 1990, personally appeared  
before me Marie Huff, who being duly sworn by me did say that  
she, the said Marie Huff, is the Mayor of Spanish Fork City, a  
Municipal Corporation of the State of Utah, and that the  
foregoing instrument was signed in behalf of said corporation by  
authority of a resolution of the City Council, and the same Marie  
Huff duly acknowledged to me that said corporation executed the  
same.

My commission expires:



FRITZI REALTY, INC.  
a California Corporation

*Kathy Teller*  
By: Kathy Teller, P.R.S.

Attested:

Corporate Secretary

STATE OF ~~UTAH~~ )  
CALIFORNIA ss  
COUNTY OF ~~UTAH~~ )  
San Francisco )

On the 8th day of ~~August~~, 1990, personally appeared

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before me Robert Tandler, who being duly sworn by me did say that  
he, the said Robert Tandler is the President/Ceo of Fritz Realty,  
Inc., a California Corporation, and that the foregoing  
instrument was signed in behalf of said corporation by authority  
of the Bylaws and the same Robert Tandler duly acknowledged to  
me that said corporation executed the same.

Carol Ann Kunkle  
NOTARY PUBLIC

My commission expires: Nov. 12, 1993

