

125189 Bk 0708 Pg 0014
LuAnn Adams, Box Elder County Recorder
03/16/1999 12:48pm FEE: .00 Dep:LA
Rec'd For: BRIGHAM CITY CORP

03-125-0137

PUBLIC UTILITY EASEMENT

0165
0167
0161

**Smiths Food & Drug
Centers Inc.
Wells Fargo Bank NA**

XX

(Grantors) hereby convey and warrant to Brigham City Corporation, its successors and interests and assigns, (Grantees) for the sum of \$10.00, a perpetual easement hereinafter described to grade, construct, reconstruct, operate, repair, replace, and maintain public utility service lines and drainage systems, as may be authorized by Brigham City Corporation in, over, upon, across, and through those portions of Grantor(s) land lying in the tract of land located in Box Elder County, Utah, and described as follows to wit:

A public utility easement being 15 feet wide from Station 0+00 to Station 4+35.50 and 6 feet wide from station 4+35.50 to Station 4+93.50 and 2.3 feet wide from Station 4+93.50 to Station 6+63.45 for utility purposes, the east line of which is the East line of Block 5, Plat "A", Brigham City Survey described as follows:

A part of Block 5, Plat "A" Brigham City Survey in Brigham City, Box Elder County, Utah

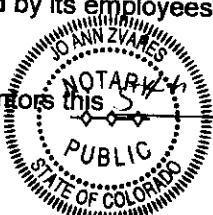
Beginning at Station 0+00 for this description being the Northeast corner of Block 5, Plat "A" said Brigham City Survey and running thence South 435.50 feet along the East Line of said Block 5 to Station 4+35.50; thence continuing South 58.00 feet to Station 4+93.50; thence continuing South 169.95 feet along said Block Line to Station 6+63.45 being the Southeast corner of said Block 5 and the end point of this description.

Contains 7,271 Square Feet
or 0.167 acres

Together with all rights of ingress and egress necessary or convenient for all rights and privileges incident thereto, including the right to cut and remove timber, trees, brush, overhanging branches and other obstructions, which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement.

Said easement is granted with the understanding and the condition that the Grantor be reimbursed by the Grantee for any damage caused by its employees or agents in the construction or the maintenance of said public utility easement.

WITNESS the hands of the Grantors this 3 day of March, 1999.



Signed in the presence of:

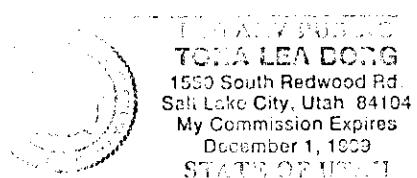
MY COMMISSION EXPIRES:
June 2, 2009

signed in the presence of. June 3, 2002
John Frates
Residing in Denver, CO
My commission expenses
June 3, 2002

Wells Fargo Bank NA

Page 1 of 2

STATE OF UTAH)

COUNTY OF BOX ELDER)
Salt Lake)On the 12th day of March, 1999, personally appeared before me the signer of the within instrument who duly acknowledged to me that they executed the same.

Tona Lea Borg
NOTARY PUBLIC
Residing in Salt Lake City, Utah
My Commission expires: 12-1-99

Signed in the presence of:

Tona Lea Borg

Dale S. Wilkinson
Smiths Food & Drug Centers, Inc.

STATE OF UTAH)

COUNTY OF BOX ELDER)
Salt Lake)

On the _____ day of _____, 19____, personally appeared before me the signer of the within instrument who duly acknowledged to me that they executed the same.

NOTARY PUBLIC
Residing in _____, Utah
My Commission expires:

