

1349824

EASEMENT DEED

SFRE-641  
Fort Douglas, Utah

FOR AND IN CONSIDERATION of the sum of ONE DOLLAR (\$1.00) and of other good and valuable consideration, receipt of which is hereby acknowledged, the UNIVERSITY OF UTAH, hereinafter referred to as "UNIVERSITY", a body politic incorporated by and under Section 4, Article X of the Constitution of the State of Utah, whose address is County of Salt Lake, State of Utah, grants to the United States of America and its assigns, hereinafter referred to as "GOVERNMENT", a Permanent Easement and Right-of-Way for the purposes hereinafter stated, over and through, under, along and across, that certain parcel of land situate in the County of Salt Lake, State of Utah, and described as follows:

Beginning 205.03 feet East from Government Monument No. 5 on the former Westerly boundary of Fort Douglas Military Reservation, as shown upon the map of the Department of Army, Corps of Engineers, entitled: "Fort Douglas, Utah, Boundary Map of Westerly Portion Declared Surplus" dated 14 June 1948, said monument being 3962.31 feet, more or less, South and 2453.795 feet East, more or less from the Northwest corner of Section 4, Township 1 South, Range 1 East, Salt Lake Base and Meridian; thence West 5.03 feet; thence North 0° 01' West 47.18 feet; thence Northeasterly 474.36 feet along the arc of an 1121.28 foot radius curve to the left, the tangent to said curve at its point of beginning bearing North 79° 57' 50" East, thence North 55° 43' East, 97.00 feet; thence North 55° 43' East 343 feet more or less, to a Northeasterly boundary line of University of Utah land; thence South 34° 16' 10" East, 25 feet, more or less, to the Southeasterly boundary line of said University of Utah land; thence Southwesterly 935.38 feet, more or less, along said southeasterly boundary line to the point of beginning, containing .637 acres, more or less.

Said Easement and Right-of-Way are for the following purposes:

The perpetual right to enter upon the above described land to construct, operate, maintain, repair, replace, renew, patrol and remove a 400 pair telephone cable and all appendages to, structures and equipment necessary ( or convenient ) to be used or installed in connection therewith including all appurtenances and privileges thereunto belonging, with the right of all necessary and convenient ingress and egress to and from, over and through, under, along and across said land.

The University reserves to itself and its licensees and grantees the right to construct, use, and maintain across, over and/or under the right-of-way herein granted electric transmission, telephone, telegraph, water, gas, gasoline, oil, and sewer lines and other structures and facilities in such manner as not to create an unreasonable interference with the easement and right-of-way herein granted. The University agrees to remove from said land or alter as needed any growth or improvements which unreasonably interfere with the easement and right-of-way herein granted.

This deed is made and accepted with the express condition subsequent, namely: In the event the University shall elect to move or remove said cable or any part thereof, upon first furnishing alternate and equivalent facilities for telephone communications with appropriate grant to cover all rights hereby conveyed shall immediately revert to said grantor.

The University covenants and agrees with the Government to pay all taxes and assessments on said land promptly when due and to warrant and defend said easement and right to the Government against the lawful claims and demands of all persons whatsoever for the full term of said easement.

IN WITNESS WHEREOF, The University of Utah has caused its name and seal to be affixed hereto, and this easement deed to be executed by its officers thereunto duly authorized, this ninth day of February, 1953.

State of Utah  
County of Salt  
Personally appeared before me this  
9th day of February, 1953, W. J.  
O'Connell and Leon D. Garrett, who  
signed this instrument for and on  
behalf of the University of Utah.

*W. J. O'Connell*  
Notary Public

UNIVERSITY OF UTAH

BY: *W. J. O'Connell*  
Chairman of Board of Regents of  
University of Utah

Attest: *Leon D. Garrett*  
Secretary

My Commission expires Feb. 26, 1954.

CERTIFICATE OF AUTHORITY

I, Leon D. Garrett, hereby certify that I am the Secretary of the University of Utah, the corporation described in and which executed the foregoing "Easement Deed" dated February 9, 1953 granting a perpetual easement to the United States of America and its assigns: that said corporation is organized under the laws of the State of Utah; that the corporate seal affixed to said deed is the seal of said corporation; that W. J. O'Connor, who executed said deed as Chairman of the Board of Regents of said corporation was then Chairman of the Board of Regents of said corporation and has been duly authorized to execute said deed on behalf of said corporation, that I know the signature of said W. J. O'Connor; and that the signature affixed to such instrument is genuine.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said corporation, this ninth day of February, 1953.

Leon D. Garrett  
Secretary

Recorded NOV 5 1953 at 9:24 A.M.  
Request of SECURITY TITLE COMPANY 47643  
Fee Paid. Hazel Taggart Chase,  
Recorder, Salt Lake County, Utah  
\$ 2.50 By [Signature] Deputy  
Book 1045 Page 174 Ref.

Recorded \_\_\_\_\_ at \_\_\_\_\_ Mo.  
Request of SECURITY TITLE CO. No. 47643  
Fee Paid, Hazel Taggart Chase,  
Recorder, Salt Lake County, Utah  
By \_\_\_\_\_ Deputy  
Book \_\_\_\_\_ Page \_\_\_\_\_ Ref. \_\_\_\_\_  
Return to Duffin

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Abstract \_\_\_\_\_ Notes \_\_\_\_\_

BY \_\_\_\_\_  
RECORDED \_\_\_\_\_  
INDEXED \_\_\_\_\_  
PLATTED \_\_\_\_\_  
ABSTRACTED \_\_\_\_\_