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STATE ROAD COMMISSION SEP 8 1966

Recd at Request of

at 11:31 AM Fee Paid \$

NOFFE

HAZEL TAGGART CHASE, Recorder Salt Lake County, Utah

By

Lee F. Cook Dep. Date

S-0135(4)

8:1, 8B:1

GRANT OF EASEMENT

BOOK 2492 PAGE 232

UNITED STATES SMELTING REFINING AND MINING COMPANY, a corporation of the State of Maine, duly qualified to own property and do business in the State of Utah, GRANTOR, for the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grants, bargains and sells to the STATE ROAD COMMISSION OF UTAH, GRANTEE, subject to the limitations hereinafter set forth, an easement and right of way over, along and across the following described parcels of land in Salt Lake County, State of Utah, to-wit:

Parcel No. 0135:8A

A parcel of land upon part of an entire tract of property in the $W\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$ and $NW\frac{1}{4}NE\frac{1}{4}$ of Section 28, T. 3 S., R. 2 W., S.L.B.&M. contained within two side lines parallel and concentric to and at distances of eighty (80.0) ft. northwesterly and eighty (80.0) ft. southeasterly from the center line of Project No. S-0135(4). Said center line is described as follows:

Beginning at the intersection of the west line of said Section 28 and said center line at Engineer Station 529+48.8, which point is 1949.4 ft. south from the NW. corner of said Section 28; thence N. $58^{\circ}03'30''$ E. 3567.5 ft. to the point of tangency at Engineer Station 565+16.3 with an 1145.9 ft. radius curve to the left; thence Northeasterly 73.7 ft. along the arc of said curve to the intersection of said center line at Engineer Station 565+90.0 and the north line of said Section 28, which point is 416.8 ft. east from the $N\frac{1}{4}$ corner of said Section 28 as shown on the official map of said project on file in the office of the State Road Commission of Utah. The above described parcel of land contains 13.45 acres, of which 0.21 acre is now occupied by the existing highway. Balance 13.24 acres.

Parcel No. 0135:8B:4

A parcel of land upon part of an entire tract of property in the $SW\frac{1}{4}NW\frac{1}{4}$ of Section 28, T. 3 S., R. 2 W., S.L.B.&M. contained within two side lines parallel to and at distances of fifty (50.0) ft. southwesterly and fifty (50.0) ft. northeasterly from the center line of the access road of Project No. S-0135(4). Said center line is described as follows:

Beginning at the intersection of the northwesterly side line of said project and said center line at access road Engineer Station 9+80.3, which point is approximately 1736 ft. south along the west line of said Section 28 and 190 ft. east from the NW. corner of said Section 28; thence N. $31^{\circ}17'30''$ W. 360.0 ft. to the intersection of said center line at access road Engineer Station 13+40.3 and said west line, which point is approximately 1426.7 ft. south along said west line from the NW. corner of said Section 28 as shown on the official map of said project on file in the office of the State Road Commission of Utah. The above described parcel of land contains 0.83 acre, more or less.

for the construction, maintenance and use of a public highway, with a right

to place such fills, cuts, culverts and other structures thereon which may be necessary or desirable.

Expressly excepting, reserving and specifically subject to a perpetual easement, right and privilege on the part of Grantor, its successors, lessees, licensees and assigns, at any and all times hereafter, to discharge through the medium of the air upon each and every portion of said lands any and all gases, dust, dirt, fumes and other substances and matter which may be released, given or thrown or blown off, emitted or discharged in the course of or by or through the existence or operation of each or all the smelting plants, reduction works, mills, refineries, power plants, manufactories, tailings deposits and other works or factories which are now or which may hereafter at any time be established or operated by Grantor, its successors, lessees, licensees or assigns, or any of them.

Grantee shall hold Grantor and its respective successors in interest free and harmless of and from and indemnify them from loss by reason of any and all manner of action, causes of action and claims of damage for injury of every kind and character whatsoever and hereafter growing out of or predicated upon injury to person or property claimed to have been caused by the construction, maintenance, operation and use of said highway.

Grantor expressly reserves the right to construct, operate, and maintain ditches, culverts, pipelines, or other drainage works, and any other facility required by Grantor upon, along, under or across said granted premises, provided only that such shall be constructed, operated and maintained by Grantor so as to not interfere with the use of said Grantee.

TO HAVE AND TO HOLD said easement and right of way for the uses and purposes aforesaid unto the said Grantee, its successors and assigns until terminated by abandonment.

This grant is subject to any prior grants or other rights which may conflict herewith and is without warranty of any kind.

IN WITNESS WHEREOF, Grantor has caused this instrument to be

executed by its proper officers thereunto duly authorized this 6th
day of June, 1966.



Henry G. Stenberg
Asst. Secretary

UNITED STATES SMELTING REFINING AND MINING
COMPANY

By John B. Metcalfe
John B. Metcalfe
Administrative Vice President

STATE OF NEW YORK
~~COMMONWEALTH OF MASSACHUSETTS~~)
NEW YORK) ss.
COUNTY OF ~~SUFFOLK~~)

On the 6th day of June, 1966, personally
appeared before me John B. Metcalfe and
Henry G. Stenberg, who, being by me duly sworn, did say
that they are respectively the Administrative Vice President and the
Assistant Secretary of UNITED STATES SMELTING REFINING AND MINING
COMPANY, and that the foregoing instrument was signed by them on behalf of
said corporation, the said officers being thereunto duly authorized and
said officers acknowledged to me that said corporation executed the
same.

My Commission Expires:

March 30th 1967

Raffaele A. Luise
NOTARY PUBLIC, residing at
33-20 71st Street
Jackson Heights, N.Y.

