

Case 30370-404

IN THE DISTRICT COURT OF WEBER COUNTY, STATE OF UTAH

THE WEBER CANAL WATER COMPANY,
a Utah corporation,

Plaintiff,

vs.

ARCHIE SHERWOOD and LILLIE SHERWOOD,
his wife,

Defendants.

JUDGMENT AND DECREE

Civil No. 30370

Dept. No. 3

Upon the stipulation of the parties, and good cause appearing, it is hereby Ordered, Adjudged and Decreed that plaintiff is the owner of an easement and right of way in and upon the existing roadway over defendants' lands, said roadway entering defendants' lands from the west, and to the North of the railway tracks upon said lands, and said roadway traversing defendants' lands southerly to a point on the Weber River where the headgate of the plaintiff's canal is located.

The lands herein referred to as defendants' lands consist of certain real property situate in Weber County, Utah, owned or being purchased by said defendants and presently possessed by said defendants, which lands are more particularly described as follows:

A part of Section 18, Township 5 North, Range 1 West, Salt Lake Meridian, U. S. Survey, Beginning at a point 30 chains North and 10 chains West of the Southwest corner of the Southeast Quarter of Section 18, running thence North 30 chains, thence East 10 chains to a point 20 chains South of the Northwest corner of the Northeast Quarter of said Section, thence South 9.1 chains, thence South 78° 45' East 20.64 chains to a point 5.83 chains North of the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section, thence South 5.83 chains, thence East 20 chains, to the Southeast corner of the Northeast Quarter of said Section, thence South 35 rods, thence West 20 rods, thence South 8 rods, thence West 25 rods, thence South 8 rods, thence East 16 rods, thence North 4 rods, thence East 19 rods, thence North 12 rods, thence East 10 rods, thence South 45 rods, thence West 20 chains, thence South 18.76 chains along the West line of the East half of the Southeast Quarter of said Section, thence North 15° 58' West 29.9 chains to a point East of beginning, thence West 21.54 chains to the place of beginning. Reserving the Rights of Way across said land as now and heretofore used;

ALSO, a part of the Southeast and Southwest Quarters of Section 18, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U. S. Survey; Beginning 10 chains North of the Southwest corner of said Southeast Quarter of said Section, thence North 10 chains, thence West 10 chains, thence North 10 chains, thence East to the West line of Union

8-13

THE STATE OF CALIFORNIA

IN SENATE AND ASSEMBLY OF THE STATE OF CALIFORNIA

NO. 205

NO. 502

Pacific Railway Company's right-of-way, thence South easterly along said right-of-way to the South line of the Southeast Quarter, thence West to a point 726 feet East of the Southwest corner of said Southeast Quarter, thence North 47° 44' West 981.2 feet to the place of beginning, Excepting the Weber Canal Water Company, containing 50.5 acres more or less.

The easement and right of way hereby decreed to plaintiff is an easement and right of way for use by the plaintiff, its agents, servants and employees, of the aforementioned roadway for access to the headgate of plaintiff's canal whenever necessary, and for use of said roadway to bring maintenance equipment and workers to the said headgate and upper portion of plaintiff's canal when necessary.

In using the said easement and right of way hereby decreed to plaintiff, plaintiff has no right or license to do damage to any of defendants' lands, signs or structures, and must use said roadway at all times in a reasonable manner, and must close each gate along said roadway after passing through, and lock, after passing through, each gate that is and has been locked in the past.

Dated this 12 day of JANUARY, 1956.

CL HARLEY E. WORTH
DISTRICT JUDGE

Filed Jan. 12th, 1956
Lawrence M. Malan, Clerk
By A. M. Allen, Deputy.

62
214

BOOK 502 PAGE 466

STATE OF UTAH }
County of Weber } ss.

I, LAWRENCE M. MALAN County Clerk and Ex-Officio Clerk of the Second Judicial District Court of the State of Utah, in and for the County of Weber, do hereby certify that the foregoing is a full, true and correct copy of the original.

JUDGMENT AND DECREE

In the Case of

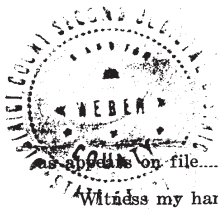
THE WEBER CANAL WATER COMPANY,
a Utah Corporation,

Plaintiff,

vs.

ARCHIE SHERWOOD and LILLIE SHERWOOD,
his wife,

Defendants -----



as shown on file. January 12th, 1956 in my office in Ogden City.

Witness my hand and Seal, this the 12th day

of January, 1956

249481

STATE OF UTAH } ss #300
COUNTY OF WEBER }
FILED AND RECORDED FOR
Howell Stone & Almstead
JAN 12 1 40 PM '56

LAWRENCE M. MALAN, Clerk
By Ireta H. Weccott, Deputy Clerk

IN BOOK 502 OF RECORDS
PAGE 464
DOROTHY B. CAMPBELL
COUNTY RECORDER
Elizabeth Vance

Platted Indexed
Recorded Abstracted
Compared Page

8-1/2