

DRAINAGE AND UTILITIES EASEMENT

THIS INDENTURE, made and entered into this 28 day of December, 1961, by and between JAMES A. BEVAN and LUCILLE M. BEVAN, his wife, herein referred to as First Party, which expression shall include his, her, or their heirs, executors, administrators, agents, or assigns where the context requires or admits and, SLAVENS HOMES, INC., a corporation, herein referred to as Second Party.

WITNESSETH:

WHEREAS, First Party owns and has title to that real estate and real property located in Tooele County, State of Utah, and described as follows:

Five feet on each side of the following described center line:

Beginning at the Northwest corner of the Oquirrh View Subdivision and running thence West 95 feet to a point on the East line of a proposed road; thence South $78^{\circ} 41'$ West 51.0 feet; thence West 700.0 feet; thence North $55^{\circ} 24'$ West 60.8 feet; thence West 88.5 feet more or less to a point which is South 5.0 feet from the Southeast corner of the S. F. and L. W. Morris property; thence West, parallel to and 5.0 feet South of the South line of said Morris property, 353.0 feet more or less to the East line of Coleman Street.

And WHEREAS, Second Party desires to secure from First Party a drainage and utilities easement over and across and through the above described tract of real property, for the purpose of protecting the property of Second Party from water run off which may develop to the East and South of Second Party's proposed subdivision.

NOW, THEREFORE, it is hereby agreed as follows: First Party does hereby grant, assign and set over to Second Party, its heirs, executors, assigns and for the use and benefit of all property comprising the proposed Scotts-Dale subdivision lying Easterly of the above described real property, an easement over and across the above described real property for purposes of drainage and utilities, and expressly grants unto Second Party the right of ingress and egress for purposes of construction of a drainage ditch along the above described course.

First Party shall fully use and enjoy the aforesaid premises except as to the rights herein granted.

TO HAVE AND TO HOLD the said easement, and right-of-way unto Second Party, its successors or assigns and all persons owning property now or hereafter in the proposed Scotts-Dale Subdivision.

IN WITNESS WHEREOF, the parties hereto have set their respective hands and seals the day and year first above written, C. E. Slavens signing in behalf of the Second Party, he being thereunto duly authorized to act in its behalf by a resolution of the Board of Directors of said corporation.

Jamaal B. Brown
Secretary
FIRST PARTY

SLAVENS HOMES, INC., a corporation

ATTEST:
[Signature]
Secretary
Slavens Homes, Inc., a corporation

By C. E. Slavens
Its President
SECOND PARTY

STATE OF UTAH)
 : SS.
COUNTY OF UTAH)

On the 28 day of December, A.D. 1961, personally appeared before me, C. E. SLAVENS who being by me duly sworn, did say that he is the President of SLAVENS HOMES, INC., a Utah corporation, and that said instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and said C. E. SLAVENS acknowledged to me that said corporation executed the same.

My Commission Expires: ~~12-4-63~~
12-4-65
Residing at Provo, Utah

Robert E. Perry
Notary Public

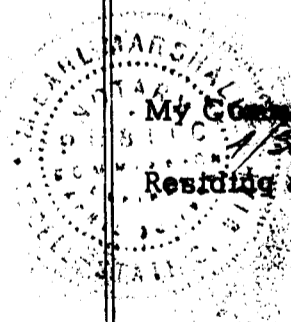


STATE OF UTAH)
 : SS.
COUNTY OF TOOELE)

On the 29th day of December, A.D. 1961, personally appeared before me, JAMES A. BEVAN and LUCILLE M. BEVAN, his wife, who being by me duly sworn, did say that they signed the above instrument and executed the same.

My Commission Expires: 1/3/62
Residing at Laake Utah

J. E. ...
Notary Public



260222

No. _____
RECORDED AT THE REQUEST OF C. E. Slaven
DATE Dec 29 1961 TIME 9:02 P.M.
BOOK 29 OF Revd PAGE 359-364 EE 4.08
102 - J. E. ...
Tooele County Recorder