

Return to:

McKean Construction Co.  
1209 Wilmington Avenue  
Salt Lake City, Utah  
84106

2652216

GRANT OF RIGHT TO USE DITCH FOR DRAINAGE

THIS AGREEMENT made and entered into this 30TH day of October, 1974 between McKean Construction Company, a Utah corporation, hereafter referred to as McKean, and Martin M. Vigil of Salt Lake County, hereafter referred to as VIGIL;

WHEREAS McKean and his successors or assigns are owners of the property known as NUTREE WEST SUBDIVISION, in Salt Lake County, Utah; and

WHEREAS Vigil is the owner of a ditch which passes over the westerly portion of lots 18-23 NUTREE WEST subdivision; and

WHEREAS McKean is desirous that a drainage ditch (15" concrete culvert) installed between lots 18 & 19 of said subdivision, be allowed to perpetually drain into Vigil's ditch on the west of each of the above lots;

NOW THEREFORE IN CONSIDERATION OF THE MUTUAL PROMISES hereafter contained, the parties covenant as follows:

1. McKean shall pay to Vigil the sum of \$200.00, receipt of which is hereby acknowledged.

2. Vigil grants to McKean, its heirs, successors and assigns, the perpetual right to flow drainage water down through the culvert constructed between lots 18 & 19 NUTREE WEST Subdivision, for the purpose of draining excess water from the adjoining lands, and into Vigil's existing ditch which passes over the westerly portion of Lots 18-23, inclusive, NUTREE WEST Subdivision being a part of the NW 1/4 of the NE 1/4 of Section 26, T2S, R1E, Salt Lake Base & Meridian.

3. McKean shall within a reasonable time provide copies of agreements with the owners of Lots 18-23, requiring the said owners and their successors, to keep the portion of Vigil's ditch, passing over their respective lot, free from debris to allow free flow of the water in said ditch.

DATED this 30TH day of October, 1974.

MCKEAN CONSTRUCTION CO.

By: Richard F. McKean  
Richard F. McKean, President

Martin M. Vigil  
Martin M. Vigil

Joseph Cannon  
Joseph Cannon, Secretary

STATE OF UTAH )  
: SS.  
COUNTY OF SALT LAKE )

Recorded NOV 1, 1974 at 2:16 p.m.  
Request of WESTERN STATES TITLE CO.  
Fee Paid JERADEAN MARTIN  
Recorder, Salt Lake County, Utah  
By J. R. Walker Deputy.  
Ref.

On the 30 day of October, 1974 appeared before me Martin M. Vigil, who duly acknowledged to me that he executed the foregoing document, and Richard F. McKean and Joseph Cannon the President and Secretary respectively of McKean Construction Company, who duly acknowledged that they executed the foregoing on behalf of said corporation and pursuant to a valid corporate resolution.

J. Richard Walker  
Notary Public  
Residing in Salt Lake County

