

RECORDER'S NO.

32581H

RECORDED OCT 17 1972

EB \$ 3.00 TIME 12:30 PM BOOK 244 PAGE 313  
MARGARET R. EVANS - BOX ELDER COUNTY RECORDER

margaret Evans

## RIGHT OF WAY EASEMENT

1 Know All Men By These Presents: That the GARLAND CORPORATION OF  
 2 THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corpor-  
 3 ation sole, hereinafter called Grantor in consideration of One (\$1.00) Dollar  
 4 and other good and valuable considerations paid by TREMONTON-GARLAND  
 5 AREA DRAINAGE DISTRICT, hereinafter called the Grantee, receipt and suffici-  
 6 ency of which is hereby acknowledged does hereby grant, bargain, sell,  
 7 transfer and convey to said Grantee, its successors and assigns, a construc-  
 8 tion easement and a perpetual easement with the right to erect, construct,  
 9 install and lay and thereafter use, operate, inspect, repair, maintain, replace  
 10 and remove a tile drain over and across land owned by Grantor in Box Elder  
 11 County, State of Utah, together with the right of ingress and egress over  
 12 Grantors adjacent lands for the purposes for which the above mentioned rights  
 13 are granted. The construction easement hereby granted shall be One  
 14 Hundred (100) feet in width and the perpetual easement hereby granted shall  
 15 be Forty (40) feet in width and shall be over and across the following described  
 16 property:

17 Beginning at a point 330 feet South of the North East Corner  
 18 of the North West Quarter of Section 35, T. 12 N. R 3W.  
 19 S. L. M., thence West 2200 feet, thence South 66 feet, thence  
 20 West 66 feet, thence South 297 feet, thence East 2266 feet,  
 21 thence North 363 feet to the place of beginning.

22 The center lines of said easements being described as follows to-wit:  
 23 a straight line between the following two points set forth below.

24 The East point being on the East line of the above described property  
 25 which is 380 feet more or less South of the North line of Section  
 26 35, and the West point being on the West line of the above described  
 27 property 380 feet more or less South of the North line of said  
 28 Section 35.

29 Subject to all rights, rights of way, easements, covenants,  
 30 conditions and restrictions as may appear of record.

31 It is hereby stipulated in regard to the easement document that the top soil  
 32 will be restored to its proper place and that the drainage district will be  
 responsible for any damage done to the property.

1 The consideration recited herein shall constitute payment in full for all  
 2 damages sustained by Grantor by reason of the installation of the structures  
 3 referred to herein and the Grantee will maintain such easement in a state  
 4 of good repair and efficiency so that no unreasonable damages will result  
 5 from its use to Grantor's premises. This agreement, together with other  
 6 provisions of this grant, shall constitute a covenant running with the land for  
 7 the benefit of the Grantee, its successors and assigns. The Grantor covenants  
 8 that it is the owner of the above described land and said land is free and  
 9 clear of all encumbrances and liens.

10  
 11  
 12 In Witness Whereof, the said Grantor has hereto subscribed its  
 13 name and affixed its corporate seal this 26<sup>th</sup> day of July, A.D., 1972.

14  
 15  
 16 GARLAND CORPORATION OF THE CHURCH  
 17 OF JESUS CHRIST OF LATTER-DAY SAINTS,  
 18 a Utah corporation sole.

19  
 20 (Seal)  
 21  
 22 By: A. Lynn Michaelis  
 23 Corporate Sole

24 STATE OF UTAH )  
 25 ) ss.  
 26 County of Box Elder)

27 On this 26<sup>th</sup> day of July, A.D., 1972, before me a Notary Public in  
 28 and for said County and State, personally appeared A. Lynn Michaelis  
 29 who is known to me to be the person whose name is subscribed to the fore-  
 30 going instrument as Bishop of the Garland Corporation of the Church of Jesus  
 31 Christ of Latter-Day Saints, and duly acknowledged to me that he executed  
 32 the same as such Bishop.

33 My Commission Expires:

34 JULY 18-74

35 Easement  
 36 Page 2

37 RESTD. IN BOOK 6 OF SEC 35-12-3 ✓

38 Kenall G. Collins  
 39 Notary Public in and for said County  
 40 and State.

41 Residing at Tremonton, Utah