

6901

M. S. T. & T. CO. FORM 3390UP
(4-67)

393-

UNDERGROUND RIGHT-OF-WAY EASEMENT
(Private Property)

R/W NUMBER

Rw 56644

RECEIVED of grantee, The Mountain States Telephone and Telegraph Company, \$100, in consideration of which the undersigned grantor(s) hereby grant(s), bargain(s), and convey(s) unto said Company, its associated and allied corporations, its and their respective successors, assigns, lessees, and agents, a right of way, easement, and the right to construct, operate, maintain, replace, reconstruct, enlarge, improve, repair, and remove such underground communication line facilities as said grantee may from time to time require, consisting, without limitation, of: (1) underground cables, underground wires, conduits, manholes, drains, and splicing boxes; (2) testing-terminals, located on the surface or underground; and (3) other appurtenances; upon, over, under and across the following-described strip of land which the undersigned own(s) or in which the undersigned have (has) any interest, to wit:

A five foot easement across Grantors property the center line of which is as follows:

Commencing 1317 feet south and 845 feet west from the north quarter corner of
section 10, Township 5 South, Range 1 East, Salt Lake Base and Meridian: thence
north 77 degrees 30 minutes west 130 feet more or less to west property line.

situate in County of Jefferson, State of Michigan,
TOGETHER with the following rights: (a) of ingress and egress over and across the lands of the undersigned
to and from above-described strip for the purpose of exercising the rights herein granted; (b) to place location-
markers on the surface, on or beyond said strip, for the said underground facilities; (c) to clear and keep
cleared all trees, roots, brush and other obstructions from the surface and subsurface of said strip, without
grantee being obligated to do so; (d) to permit other corporations to use trenches jointly with the said Com-
pany; (e) to open and re-close any fences crossing said strip or, when agreed to by grantor(s), to install gates
and stiles in such fences.

UNDERSIGNED landowner(s) for THEM self(f)(ves), THEIR heirs, executors, administrators, successors and assigns, while reserving the right to use said strip of land for all purposes not inconsistent with the rights herein granted to said Company, hereby covenant(s) that no structures shall be erected or permitted on said strip and that the said strip shall not be used in any manner which will interfere with or damage the communications facilities installed pursuant to this grant, or interfere with the maintenance, repair, and replacement of said facilities.

GRANTEE agrees that the said communications facilities shall be originally placed at least twenty-four (24) inches deep in order to reduce the possibility of interference with the ordinary and reasonable use of the said strip by the undersigned, and to pay for damages to fences, landscaping, and growing crops arising from the construction and maintenance of the aforesaid facilities.

Signed and sealed this 1st day of NOVEMBER, A.D. 1968

(Signatures)

..... (Seal) *Elwyn V. Tuck* (Seal)
(Landowner) *Elwyn V. Tuck* (Landowner)

..... (Seal) *Norma Pack* (Seal)
(Landowner) (Landowner)

..... (Seal) (Seal)
(Landowner) (Landowner)

..... (Seal)

NOTARY'S ACKNOWLEDGMENT: (When this document is prepared, insert below the private-party acknowledgment form as required by statute of the State in which the said property is located.) (See Appendix 1, Sect. 5 of I.M. 173.)

STATE OF UTAH } ss.

On the 1st day of November, A.D. 1968, personally appeared

before me, Elwyn V. Peck and Norma Peck.

the (signer) (signers) of the above instrument, who duly acknowledged to me that (he) (she) (they) executed the same.

WITNESS my hand and official seal this 1st day of November 1968.

My commission expires March 10, 1970.

Raymond Doodrich
Notary Public

M.S.T. & T. CO. Rw 56644
Right of Way No.

COUNTY RECORDER'S
RECEPTION NUMBER:

RIGHT OF WAY

from

Elwyn Pack

SPACE BELOW IS RESERVED
FOR RECORDER'S CERTIFICATE.

THE MOUNTAIN STATES TEL. & TEL. CO.

Quarter-Section

Section

Township

Grant or Range

Job No.

Exchange

or Toll

Line & No.

Lead Code

Station or

Pole Numbers

6901

RECORDED AT THE REQUEST OF
Elwyn Pack
BOOK PAGE
1969 JUL - 7 PH 12: 14

RECORDED AT THE REQUEST OF
UTAH COUNTY RECORDER
DEPUTY RECORDER
MAIL

(Note: Mailing information for return of this form
to Telephone Company is to be filled out by Right-
of-Way Agent before form is left with County
Recorder for recording.)

Right of way approved and accepted on behalf of
Telephone Company

By

(Title)

THE MOUNTAIN STATES TEL. & TEL. CO.
56 South State, (Room No. 209)
(Street Address)
Salt Lake City (city)
Utah 84110
(State)
RAY GOODRICH (spade)
Attention: **RIGHT-OF-WAY ENGINEER**