

A G R E E M E N T   A N D   D E E D

THIS AGREEMENT AND CONVEYANCE made and entered into this 22<sup>nd</sup> day of June, 1943, by and between DEAN CARDON and RUTH C. CARDON, his wife, J. FRANCIS FOWLES and NETTIE W. FOWLES, his wife, FLORA C. LEAVITT, LEENDERT ERKELENS and NORA ERKELENS, his wife, RULON GLEN MILLER and EDNA K. MILLER, his wife, RUSSELL C. KREGAR and BETTY K. KREGAR, his wife, DARRELL E. CARDON and LILLIAN CARDON, his wife, all of Ogden, Utah, and ZION'S SAVINGS BANK AND TRUST COMPANY, a Utah Corporation with its principal place of business at Salt Lake City, Utah, and AMERICAN LAND COMPANY, INC., a Utah Corporation with its principal place of business at Salt Lake City, Utah, said parties hereto constituting all the owners of the following described real property situated in Weber County, State of Utah, to-wit:

All of Blocks 1, 2, 3, and 4, in Arlington Heights Addition to Ogden City, Utah; together with any and all alleyways situated in or adjacent to said land described herein.

W I T N E S S E T H :

WHEREAS, L. H. Lathrop and Florence E. Lathrop, his wife, made a dedication of Arlington Heights, an addition to Ogden City, Utah, dated November 6, 1919, and recorded November 13, 1919, in Book 8 of Plats at page 36, in the Office of the County Recorder of Weber County, State of Utah, and

WHEREAS, in said dedication there was dedicated and set apart the parkways or alleys thereon shown, to be used in common by whomsoever shall own any lot fronting, or part of lot fronting thereon, the use of the parkway being pertinent to the land abutting thereon, and

WHEREAS, among said parkways or alleys so dedicated

and set apart as aforesaid were certain parkways or alleys described as follows:

Commencing at the Northeast corner of Lot 28, Block 1, Arlington Heights Addition; and running thence South 352.3 feet more or less to the Southeast corner of Lot 15, said block; and running thence East 20 feet more or less to the Southwest corner of Lot 14, said block; and running thence North 352.3 feet more or less to the Northwest corner of Lot 1, said block; and running thence West 20 feet more or less to the place of beginning.

Also commencing at the Northeast corner of Lot 54, Block 4, Arlington Heights Addition, and running thence South 679.5 feet more or less to the Southeast corner of Lot 28, said block; and running thence East 20 feet more or less to the Southwest corner of Lot 27, said block; and running thence North 679.5 feet more or less to the Northwest corner of Lot 1, said block; and running thence West 20 feet more or less to the place of beginning.

Also commencing at the Northeast corner of Lot 28, Block 2, Arlington Heights Addition, and running thence South 351.7 feet more or less to the Southeast corner of Lot 15, said block; and running thence East 20 feet more or less to the Southwest corner of Lot 14, said block; and running thence North 351.7 feet more or less to the Northwest corner of Lot 1, said block; and running thence West 20 feet more or less to the place of beginning.

Also commencing at the Northeast corner of Lot 54, Block 5, Arlington Heights Addition, and running thence South 679.5 feet more or less to the Southeast corner of Lot 28, said block; running thence East 20 feet more or less to the Southwest corner of Lot 27, said block; and running thence North 679.5 feet more or less to the Northwest corner of Lot 1, said block; and running thence West 20 feet more or less to the place of beginning.

—Said real estate above described being situated in Weber County, Utah; and

WHEREAS, upon the petition of all of the parties hereto, Ogden City has vacated said parkways and alleys and has thereby ceased to have any interest therein, and

WHEREAS, the parties hereto are desirous of relinquishing their respective rights in and to said parkways and alleys and the use thereof as such, except as the property owned by the respective parties abuts on said alleys to the extent of one-half thereof in width in front of the said property,

NOW THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt of which is hereby acknowledged, it is mutually agreed by and between the parties hereto that each of the respective parties hereto hereby relinquishes his right in and to said parkways or alleys, except as the property owned by the respective parties abuts on said alleys to the extent of one-half thereof in width in front of said property and each of the respective parties hereto, except the owners of property abutting on said alleys to the extent of one-half thereof in width does hereby quitclaim in and unto the said parties whose property abuts on said alleys all his right, title, interest and estate in and to said alley and the land constituting the same to the extent of one-half of the width thereof,

IN WITNESS WHEREOF, the individual persons hereto have hereunto set their respective hands, and the corporations hereto have caused their corporate names to be signed hereunto by their officers thereunto duly authorized, the day and year first above written.

  
Dean Cardon

  
Ruth C. Cardon



*J. Francis Fowles*  
J. Francis Fowles

*Nettie W. Fowles*  
Nettie W. Fowles

*Flora C. Leavitt*  
Flora C. Leavitt

*Leandert Erkelens*  
Leandert Erkelens

*Nora Erkelens*  
Nora Erkelens

*Rulon Glen Miller*  
Rulon Glen Miller

*Edna K. Miller*  
Edna K. Miller

*Russell C. Kregar*  
Russell C. Kregar

*Betty A. Kregar*  
Betty A. Kregar

*Darrell E. Cardon*  
Darrell E. Cardon

*Lillian Cardon*  
Lillian Cardon

ZION'S SAVINGS BANK AND TRUST  
COMPANY

*[Signature]*  
Its *Vice President*

AMERICAN LAND COMPANY, INC.

By *[Signature]*  
Secretary



attest *[Signature]*  
Notary Public

STATE OF UTAH )  
COUNTY OF WEBER ) SS

On the 22<sup>nd</sup> day of June, 1945, personally  
appeared before me Dean Cardon and Ruth C. Cardon, his wife,  
J. Francis Fowles and Nettie W. Fowles, his wife, Flora C.

Leavitt, Leendert Erkelens and Nora Erkelens, his wife, Rulon Glen Miller and Edna K. Miller, his wife, Russell C. Kregar and Betty K. Kregar, his wife, Darrell E. Cardon and Lillian Cardon, his wife, the signers of the above instrument who duly acknowledged to me that they executed the same.

COMMISSION EXPIRES  
AUGUST 25th, 1944

*[Signature]*  
Notary Public  
JUN 20 1943  
SALT LAKE CITY, UTAH

STATE OF UTAH )  
COUNTY OF SALT LAKE ) SS

On the 22<sup>nd</sup> day of June, 1943, personally appeared before me Willard P. Smith & Wm T. Patrick, who being by me duly sworn did say that they <sup>are</sup> the Vice Pres. & Asst. Cashier <sup>respectively</sup> of Zion's Savings Bank and Trust Company; and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors, and said Willard P. Smith & Wm T. Patrick duly acknowledged to me that said corporation executed the same and that the seal affixed <sup>is</sup> the seal of said corporation.

NOTARY PUBLIC  
SALT LAKE CITY, UTAH

*[Signature]*  
Notary Public

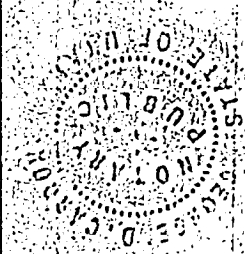
STATE OF UTAH )  
COUNTY OF SALT LAKE ) SS

On the 22<sup>nd</sup> day of June, 1943, personally appeared before me Rendell N. Mabey, who being by me duly sworn did say that he is the Secretary of American Land Company, Inc., and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors, and said Rendell N. Mabey duly acknowledged to me that said corporation executed the same

and that the seal affixed is the seal of said corporation.

COMMISSION EXPIRES  
AUGUST 25th, 1944

*[Signature]*  
Notary Public



76741 4.50

ALL IN THE  
COUNTY OF WEBER, 1944  
AND RECORDED FOR  
*Dean Carlson*  
JUN 23 4:00 PM '44  
BOOK 176 OF *Deeds*  
PAGE 600  
DOROTHY B. CAMPRELL  
COUNTY RECORDER  
*[Signature]*

ABSTRACTED   
INDEXED   
PAGED   
FLATTED   
RECORDED   
COMPARED