

#239 of Liens and Leases.

Com 626 ft E of Sw cor Lot 4 Blk 29 5 Ac. Plat -C- B.F.Sur. E 43 ft N 110.55 ft W 43 ft S 110.55 ft to beg
Dated at Salt Lake City, Uta, this 24th day of November, 1939.

S. GRANT YOUNG, SHERIFF OF
SALT LAKE COUNTY, STATE OF UTAH

By T. N. Bleak, Deputy.

Recorded at the request of S. Grant Young, November 25, 1939, at 12:04 P. M., in Book #239 of Liens and Leases, pages 267-268. Recording fee paid \$1.40. (Signed) Cornelia S. Lund, Recorder, Salt Lake County, Utah, by L. F. Pratt, Deputy. (Reference: C-15,28,5; C-15, 201, 27; C-16,8,36; S-25, 199, 34, C-20,131, 33; C-43,75,4) Ec

#869978

EASEMENT

THIS INDENTURE made and entered into this 31st day of March, 1939, by and between ZUA B. NEFF, of Salt Lake County, State of Utah, and CALVIN D. WATSON, HAL S. BENNETT, JOHN M. NEFF, and WILLIAM D. CALLISTER, all of Salt Lake County, State of Utah, witnesseth:

WHEREAS, Calvin D. Watson is the owner of the following-described property, located in Salt Lake County, State of Utah, to-wit:

Beginning at a point on the North side of Neff's Lane 1084.2 feet East and 1052.9 feet South from the Northwest corner of the Northeast Quarter of Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian, and running thence along the Northside of Neff's Lane South 47 degrees 05 minutes West 70.5 feet; thence along the North Side of Neff's Lane South 86 degrees 24 minutes West 78.0 feet; thence North 675 feet more or less to center of Mill Creek; thence along center of Mill Creek North 64 degrees 30 minutes East 54.5 feet; thence along center of Mill Creek South 72 degrees 56 minutes East 83.5 feet more or less to a point due North of point of beginning; thence South 620 feet more or less to the point of beginning, containing 2.0 acres;

And whereas, Hal S. Bennett is the owner of the following-described property located in Salt Lake County, State of Utah, to-wit:

Beginning at a point in the center of Mill Creek 1320.0 feet East and 349.6 feet South from the Northwest corner of the Northeast Quarter of Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 523.2 feet to the North side of Neff's Lane; thence along the North side of Neff's Lane South 70 degrees West 73.7 feet; thence along the North side of Neff's Lane South 47 degrees 05 minutes West 72.4 feet; thence North 520.0 feet more or less to the center of Mill Creek; thence along center of Mill Creek South 77 degrees 50 minutes East 16.6 feet; thence along center of Mill Creek North 26 degrees 15 minutes East 108.0 feet; thence along center of Mill Creek South 73 degrees 30 minutes East 61.0 feet more or less to the point of beginning, containing 1.5 acres;

And, beginning at a point on the North side of Neff's Lane, 1197.8 feet East and 947.3 feet South from the Northwest Corner of the Northeast Quarter of Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian, and running thence along North side of Neff's Lane South 47 degrees 05 minutes West 155.1 feet; thence North 620.0 feet more or less to the center of Mill Creek; thence along center of Mill Creek South 72 degrees 56 minutes East 15.0 feet; thence along center of Mill Creek North 72 degrees 19 minutes East 63.0 feet; thence along center of Mill Creek South 77 degrees 50 minutes East 41.0 feet more or less to a point due North of Point of beginning; thence South 520.0 feet more or less to point of beginning, containing 1.5 acres;

And whereas, John M. Neff and Carol S. Neff, his wife, are the owners of the following-described property located in Salt Lake County, State of Utah, to-wit:

Beginning 77.25 rods West from the Northeast Corner of Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian, and running thence West 4.11 rods; thence South 8 degrees 30 minutes West 4.92 chains more or less to center of Mill Creek; thence Easterly along center of Mill Creek to a point due South of point of beginning; thence North 21.0 rods, more or less to point of beginning;

And whereas, William D. Callister is the owner of the following-described property located in Salt Lake County, State of Utah, to-wit:

Beginning on the North side of Neff's Lane at the Southwest corner of property deeded to Matie H. Andrew, 954.7 feet East and 1105.8 feet South of the Northwest corner of the Northeast Quarter of Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 86 degrees 24 minutes West, along said Lane, 81.4 feet; thence North 503.6 feet; thence North 35 degrees 18 minutes East 125.8 feet more or less to center of Mill Creek; thence along center of Mill Creek to a point due North of point of beginning; thence South 675 feet more or less to point of beginning, containing 1.05 acres;

And whereas, Zua B. Neff is the owner of the following-described property located in Salt Lake County, State of Utah, to-wit:

Beginning 55 rods West and South 15 degrees West 18.7 rods from the Northeast corner of Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 15 degrees East 18.7 rods; thence West 22.25 rods; thence South 21 rods to center of Mill Creek; and thence Easterly along said Creek to beginning, containing 2.8 acres;

And whereas said Zua B. Neff owns and maintains a two-inch culinary water pipe line over said premises, the course of which line is more particularly described hereinafter;

And whereas, the said Calvin D. Watson, Hal S. Bennett, John M. Neff and William D. Callister are desirous of connecting on to and using said water line owned and maintained by the said Zua B. Neff, and of obtaining the right to lay and maintain over the above-described property of said Zua B. Neff, a one-inch water pipe line, the course of which is more particularly described hereinafter; and whereas the said Calvin D.

Watson, Hal S. Bennett and William D. Callister are desirous of obtaining the right to lay and maintain over the property of the said John M. Neff and Carol S. Neff, his wife, a one-inch water pipe line, the course of which is more particularly described hereinafter;

NOW, THEREFORE, in consideration of the premises and of the covenants, promises, agreements and grants hereinafter set out, the said parties mutually agree as follows, to-wit:

1. That the easement granted by Zua B. Neff to Calvin D. Watson by deed and the agreement entered into by said Zua B. Neff and Calvin D. Watson, dated the 9th day of May, 1938, and filed in the office of the Salt Lake County Recorder, on the 9th day of June, 1938, at the hour of 12:23 P. M. of said day, and recorded in Book No. 213 of L. & L., page 185, be and the same is hereby revoked and cancelled.

2. The said Zua B. Neff, her heirs, executors, administrators and assigns, hereby grant, convey, and deed to the said Calvin D. Watson, Hal S. Bennett, John M. Neff and William D. Callister, their heirs, executors, administrators and assigns, the right to lay, maintain and repair a one-inch water pipe line through and over the property of the said Zua B. Neff, commencing on the West line of said property, 77.25 rods West and 254.4 feet South from the Northeast corner of Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 30 degrees 20 minutes East 40.6 feet; thence South 87 degrees 45 minutes East, 36.0 feet, to a point where the said two-inch culinary water line terminates; and the said Calvin D. Watson, Hal S. Bennett, John M. Neff and William D. Callister, their heirs, executors, administrators, and assigns are hereby granted the right to connect the said one-inch water pipe line on to the said two-inch water pipe line, and use the said two-inch water pipe line and said one-inch water pipe line for the pur-

pose of conveying culinary water to their properties described above, the said two-inch water pipe line, which terminates at the point described above, running thence irregularly northeast over and through the said property of said Zua B. Neff, and connecting on to the mains of Salt Lake City Corporation, situated in the street known as Thirty-Fifth South Street, Salt Lake County, State of Utah, on the North property line of the said Zua B. Neff.

#239 of Liens and Leases.

3. That the said Calvin D. Watson, Hal S. Bennett and William D. Callister, their heirs, executors, administrators and assigns, shall not use nor permit to be used on said one-inch water pipe line, more than three residential outlets; that the said John M. Neff, his heirs, executors, administrators, and assigns shall not use nor permit to be used more than a one-inch outlet on said one-inch water pipe line, the same to be used solely for maintaining lawns and shrubbery, and for use in coops and barns maintained by the said John M. Neff, his executors, administrators, heirs and assigns, on the said property of the said John M. Neff, as heretofore described.

4. That the said Zua B. Neff shall accept, and the said Calvin D. Watson, Hal S. Bennett and William D. Callister shall pay to the said Zua B. Neff, as consideration for the rights, privileges and immunities hereinabove granted, the sum of Two Hundred Twenty-Five and No/100 Dollars (\$225.00), payable as follows, to-wit: Seventy-Five and No/100 Dollars (\$75.00) paid by said Calvin D. Watson and Seventy-Five and No/100 Dollars (\$75.00) paid by the said Hal S. Bennett, the receipt of which sums is hereby acknowledged, and the sum of Seventy-Five and No/100 Dollars (\$75.00), to be paid by said William D. Callister, for which said William D. Callister agrees to execute and deliver to the said Zua B. Neff, a promissory note, in the sum of Seventy-Five and No/100 Dollars (\$75.00).

-5-

5. That in the laying and maintaining of said one-inch water pipe line over the property of the said Zua B. Neff, hereinabove described, the surface of said property shall remain in a condition similar to the present surface condition.

6. That the parties hereto shall be liable for the expense of repairing, maintaining or re-laying of the said two-inch water pipe line, owned by and over the property of the said Zua B. Neff, as follows, to-wit: That the said Zua B. Neff, Calvin D. Watson, Hal S. Bennett, John M. Neff, and William D. Callister, their heirs, executors, administrators, and assigns, shall each pay a share of said expense based upon the ratio of the amount of water conveyed through said pipe line for the benefit of each, to the total amount of water conveyed through said pipe line, during the twelve-month period immediately preceding the making of said needed repairs or replacements; provided however, that in no event shall any one of said parties, his heirs, executors, administrators, and assigns, be responsible for less than ten percent of the total outlay for said repairs or replacements.

7. In further consideration of the premises and the covenants and agreements hereinabove set out, the said John M. Neff and Carol S. Neff, his wife, their heirs, executors, administrators, and assigns, hereby grant, convey and deed to the said Calvin D. Watson, Hal S. Bennett, and William D. Callister, their heirs, executors, administrators, and assigns, the right to lay, maintain and repair a one-inch water pipe line through and over the property of the said John M. Neff, and Carol S. Neff, his wife, hereinabove described, commencing on the East line of said property, 77.25 rods West and 254.4 feet South from the Northeast Corner of Section 34, Township 1 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 30 degrees 20 minutes West 100 feet more or less to the center of Mill Creek; said water pipe line over and through the property of the said John M. Neff and Carol S. Neff, his wife, to be used for the purpose of conveying culinary

-6-

water to the properties of the said Calvin D. Watson, Hal S. Bennett, and William D. Callister, which properties are hereinabove described; that the said John M. Neff and Carol S. Neff, his wife, their heirs, executors, administrators, and assigns shall have the right to take a one-half inch water connection from the said one-inch water pipe line at any point on the said line as it crosses the property of the said John M. Neff and Carol S. Neff, his wife, to be used only as provided in paragraph Three herein.

8. That the one-inch water pipe line to be laid as herein set out, over and through the properties of said Zua B. Neff, and said John M. Neff and Carol S. Neff, his wife, shall be laid between two and four feet below the surface of the land; that the said Calvin D. Watson, Hal S. Bennett, and William D. Callister, their heirs, executors, administrators, and assigns, shall also have the right to enter into and upon the said lands of said Zua B. Neff, and said John M. Neff and Carol S. Neff, his wife, for the purpose of laying and maintaining said pipe line, and also at all times in the future for the purpose of repairing and inspecting and maintaining said pipe line, and causing no more damage in entry or entries than can be avoided.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands this 31st day of March, A. D., 1939.

Signed in the presence of:
Seaton Prince

Hal S. Bennett
Calvin D. Watson
John M. Neff
Carol S. Neff
William D. Callister
Zua B. Neff

-7-

STATE OF UTAH)
COUNTY OF SALT LAKE) SS.

On the 6 day of ~~March~~ Nov A. D., 1939, personally appeared before me, ZUA B. NEFF, and JOHN M. NEFF and CAROL S. NEFF, his wife, three of the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

My Commission Expires:
3/9/42

LEONARD O. TRIPP
SEAL NOTARY PUBLIC
COMMISSION EXPIRES
MAR. 9, 1942
SALT LAKE CITY-STATE OF UTAH

Leonard O. Tripp
Notary Public, residing at
Salt Lake City, Utah.

Recorded at the request of Wm. D. Callister, November 27, 1939, at 11:51 A. M., in Book #239 of Liens and Leases, pages 268-269. Recording fee paid \$5.60. (Signed) Cornelia S. Lund, Recorder, Salt Lake County, Utah, by L. F. Pratt, Deputy. (Reference: D-42, 168, 29-37.)

#869981

This Indenture, Made the 1st day of September in the year of our Lord one thousand nine hundred thirty-nine. BETWEEN B. DOUGLAS WHEAT, and MARJORIE W. WHEAT, his wife, of Salt Lake City, County of Salt Lake, State of Utah, parties of the first part, AND ERNEST B. HARRISON, and RUTH R. HARRISON, his wife, of Salt Lake City, County of Salt Lake, State of Utah the parties of the second part,

WITNESSETH, that the said parties of the first part for and in consideration of the rents, covenants and agreements hereinafter mentioned and reserved to be paid, kept and performed by the said parties of the second part, their executors, administrators and assigns, have demised, leased, let, and by these presents do.. demise, lease and let unto the said parties of the second part, their executors, administrators and assigns, all those premises situate, lying and being in the Salt Lake City, County of Salt Lake and State of Utah, and particularly described as follows, to wit:

Commencing 82 1/2 ft. West of the Southeast corner, Lot 6, Block 44, Plat "B", Salt Lake City Survey, thence West 40 ft., thence North 60 ft.; thence East 25 ft.; thence North 10 ft.; thence Northeasterly to a point on the East line of the property, approximately 2 ft. South of the Southeast corner of the garage now on the property; thence South 80 ~~ft.~~ ft., more or less, to the point of beginning, giving a right of way from lessees property to the rear of lessors property, which lessees can cement or asphalt.

to be occupied for storage of cars and garages and for no other purpose whatever.

TO HAVE AND TO HOLD the same, unto the said parties of the second part, from the 1st day of September, A. D. 1939, until the 31st day of August A. D. 1954. And the said parties of the second part, in consideration of said demise, do.. covenant and agree with the parties of the first part as follows: