

Commission Expires

Aug 1 1947



Louis C Kimball

Notary Public

Residence Salt Lake City

Abstracted 242N-10

Recorded October 13, 1944 at 2:15 P. M.

Allice Hest County Recorder

No. 87789

EASEMENT

DAVIS AND WEBER COUNTIES CANAL COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Utah, with its principal place of business at Ogden, Utah, hereby gives and grants to the BAMBERGER RAILROAD COMPANY, an easement over and across the following described property in Davis County, State of Utah, to-wit:

Beginning 387.1 feet East and 85 feet South of the Northwest Corner of Section 25, Township 5 North, Range 2 West, S. L. Meridian and running thence South on the West line of the present right of way of the Bamberger Railroad 247.5 feet; thence West 17.5 feet; thence North 247.5 feet; thence East 17.5 feet to beginning, containing .099 acre more or less.

for the purpose of construction, operating, maintaining and replacing a spur track of said Railroad Company thereon for the purpose of receiving from and delivering freight to the grantor and to the owners of other properties who may be served by said spur track, provided, however, that notwithstanding anything to the contrary hereinbefore contained, the grant of this easement shall not be construed to require on the part of the grantor the removal of any of the buildings or improvements or any parts thereof as the same may now be located within the limits of said right-of-way, and provided further that this easement shall continue until such time as the grantee shall cease to serve the grantor and others by means of said spur track.

This easement shall extend to and be binding upon the successors or assigns of the parties hereto.

IN WITNESS WHEREOF said Davis and Weber Counties Canal Company has caused this easement to be executed by its ___ President and attested by its Secretary, pursuant to a resolution of its Board of Directors.

Ogden, Utah
October 16, 1944



DAVIS AND WEBER COUNTIES CANAL COMPANY

By H J Barnes
President

ATTEST:

D D Harris
Secretary

STATE OF UTAH)
) ss
COUNTY OF WEBER)

On this 16 day of October, A. D. 1944, personally appeared before me H. J. Barnes and D. D. Harris, who being by me first severally duly sworn, on oath did depose and say that the said H. J. Barnes is the President and the said D. D. Harris is the Secretary of the Davis and Weber Counties Canal Company, a corporation, maker of the within instrument and that said instrument was signed by them and the seal

of the said Corporation affixed thereto by authority of a resolution of its Board of Directors, duly adopted, and said H. J. Barnes and said D. D. Harris, severally adknnowledged to me that said corporation executed the same.

My Commission expires:

June 6th 1948



Robert C Nye

Notary Public

Residing at Ogden, Utah

Abstracted 25-5N-20

Recorded October 20, 1944 at 9:25 A. M.

Alice Hess County Recorder

No. 87792

AFFIDAVIT

STATE OF UTAH)
) SS.
COUNTY OF DAVIS.)

Annie C. Carr, being first duly sworn, upon oath, deposes and says: That she is a citizen of the United States, over the age of 21 years, with postoffice address and residence at Bountiful, Utah, and That she was well acquainted with the persons hereinafter mentioned;

That she knows of her own knowledge that Rose E. Call, named as grantee in that certain Quit Claim Deed, dated May 28, 1894, and recorded March 5, 1895, in Book "N" of Deeds, at page 623, wherein Alice J. Call is named as grantor, is one and the same identical person with Rosa E. Call, named as grantor in that Warranty Deed to Chas. W. Stayner, dated April 24, 1899, and recorded May 1, 1901, in Book "P" of Deeds, page 119;

That affiant also knows of her own knowledge that Lila M. Mitchell, named as grantee in that certain Warranty Deed, dated February 3, 1914, and recorded January 2, 1918, in Book 1-A of Deeds, at page 387, wherein Elizabeth A. Mitchell is named as grantor, is one and the same identical person with Lila M. Hatch who is named as grantor in that certain Warranty Deed to Bountiful State Bank, dated June 6, 1919, and recorded in Book 1-C of Deeds, at page 219, on June 14, 1919, the name Lila M. Hatch being the married name of the person therein referred to;

That the records hereinabove referred to are those found in the office of the County Recorder, of Davis County, Utah.

Annie C Carr

Subscribed and sworn to before me this 19th day of October, A. D., 1944.

Com. Exp:

March 22, 1945



Henry W Stahle

Notary Public

Res: Bountiful, Utah

Abstracted B-32-a

Recorded October 20, 1944 at 1:15 P. M.

Alice Hess County Recorder