

93166f

INDIVIDUAL CONSENT TO EASEMENT

This Agreement made by and between Hjalmar Johanson and Adelia Johanson, husband and wife mortgagee-under that certain mortgage dated October 15th, 1945, and recorded November 1st, 1945, in Book 60-on page 66, of the records of Box Elder County, State of Utah, hereinafter called the First party, and the State Road Commission of Utah, hereinafter called the Second Party

Witnesseth: Whereas, there has been granted to said Second Party an easement for right of way for highway over, along and across the lands of Charles W. Nye & wife Alta Nye described in that certain mortgage hereinabove referred to, which said right of way is described as follows:

Right of way for highway known as F.A. Project No. 126-D across the grantors land in the NE¼ NW¼ of Section 23, and SE¼ SW¼ of Section 14, T. 8 N.R. 2 W., S.L.M. Said right of way is contained within a parcel of land 60 ft. wide 60 ft. on the westerly side of the center line of survey of said project. Said center line is described as follows:

Beginning at the intersection of the south boundary line produced of said grantors land and said center line of survey at Engineer's Station 509/01, which point is 2601 ft. north and 2858 ft. west, from the east ¼ corner of said Section 23; thence N. 1° 31' E. 132.0 feet to the intersection of said center line of survey at Engineer's Station 510/33 and the north boundary line produced of said grantors land, which point is 222.1 ft. west along the south line of said Section 14 and 28.0 ft. N. 1° 31' E. along said center line of survey, from south ¼ corner of said Section 14, as shown on the official map of said project on file in the office of the State Road Commission of Utah. Above described parcel of land contains 0.18 acre, of which 0.09 acre is now occupied by the existing highway. Balance 0.09 acre.

In executing this deed, the grantor=hereby further grants to the grantee, the right to use a strip of land 10 ft. wide adjoining the above described right of way, on the westerly side of said center line from Engineer's Station 509/01 to Station 510/33 to be used for;

Relocating and reconstructing all irrigation ditches now located in above described right of way.

Constructing, operating and maintaining drainage ditches and inlets or outlets for drainage or irrigation structures.

Now Therefore, in consideration of the sum of one and no/100 Dollars (\$1.00) Dollars to it in hand paid, receipt of which is hereby acknowledged, said First Party does hereby consent to the execution of said grant of easement from Charles W. Nye & wife Alta Nye, to said Second Party and said First Party hereby agrees that any sale made under the provisions of said mortgage shall be subject to said right of way.

In Witness Whereof, the said Hjalmar Johanson & Adelia Johanson his wife has caused this instrument to be executed thereunto, this 29th day of December A.D. 1945.

Signed in the presence of:

Hjalmar Johanson

O.G.Bargeron

Adelia Johanson

State of Utah)
County of Box Elder) ss

On the 29th day of December A.D. 1945, personally appeared before me Hjalmar Johanson & Adella Johanson, his wife the signers of the within instrument, who duly acknowledged to me that they executed the same.

.....
 . O.G.Bargeron Notary Public .
 . Brigham City, State of Utah. .
 . Commission Expires Oct. 30, 1948 .

O.G.Bargeron Notary Public
 Residing at Brigham City, Utah.
 My commission expires October 30th, 1948.

Filed for record and recorded Jan. 23, A.D. 1946 at 9:25 A.M. in Book "Y" of Misc. page 93. No Fee. Abst'd in Book Y of Sec page 260, One of Sec page 425.

Rec. by Celia Jeppson
 Proof-Read by C.M. & Y.B.

Thurza N. Young, County Recorder.