

IN THE SECOND JUDICIAL DISTRICT COURT IN AND FOR WEBER COUNTY,
STATE OF UTAH.

301

AMERICAN TELEPHONE AND TELEGRAPH
COMPANY OF WYOMING, a corporation,

Plaintiff,

v.

LIS PENDENS.

WILLARD ARTHUR SKEEN and NAOMI SKEEN,
his wife, OGDEN STATE BANK, a corporation,
and WEBER COUNTY, a municipal corporation,
Defendants.

NOTICE IS HEREBY GIVEN that a suit has been begun in the Second Judicial District Court of Weber County, State of Utah, wherein American Telephone and Telegraph Company of Wyoming is plaintiff and Willard Arthur Skeen and Naomi Skeen, his wife, Ogden State Bank, a corporation and Weber County a municipal corporation, are defendants for the purpose of acquiring by condemnation proceedings an easement for a line of telephone and telegraph over tracts of land owned and possessed or in which the defendants have an interest described as follows:

The following described tracts of land situated in Weber County, State of Utah, towit:

(1) The east half of Lot 3, Plat B, Plain City Survey, Weber County, Utah, being part of the southwest quarter of Section 33, Township 7 North, Range 2 West, Salt Lake Base and Meridian.

(2) Commencing at the northeast corner of the northwest quarter of Section 4, Township 6 North, Range 2 West, Salt Lake Base and Meridian, and running thence West 386.4 feet; thence south 732 feet; thence east 386.4 feet; thence north 732 feet to the place of beginning.

(3) Commencing at a point 732 feet south and 992 feet east from the northwest corner of Section 4, Township 6 North, Range 2 West, Salt Lake Base and Meridian, and running thence east 1648 feet; thence south 433 feet; thence West 427 feet; thence south $45^{\circ} 45'$ W. 297 feet; thence West 676.2 feet; thence north 53 feet; thence West 332 feet; thence north 588 feet to the place of beginning.

(4) Commencing at the southwest corner of the southeast quarter of Section 4, Township 6 North, Range 2 West, Salt Lake Base and Meridian, and running thence north 586 feet more or less to a point which is 2054 feet south of the northwest corner of the southeast quarter of said Section 4, and running thence east 127.6 feet; thence south $23^{\circ} 30'$ E. 150 feet; thence north 74° E. 200 feet; thence north 74° E. 155 feet; thence south $74^{\circ} 7'$ E. 96 feet; thence south 159.5 feet; thence south $53^{\circ} 11'$ W. 406.6 feet; thence in a westerly direction 158.1 feet to a point which is 148.8 feet east and 97.8 feet north of the southwest corner of said quarter section; thence south 97.8 feet to the south line of said quarter section; thence West 148.8 feet to the place of beginning.

the center line thereof to cross said tracts of land substantially as follows:

Commencing at Engineer's Station No. 72 (which is indicated by a circle and the figures "72" appearing at the top of the map marked Exhibit A attached to the complaint in said suit and made a part thereof), which point is 113.2 feet west and 524.8 feet north from the northeast corner of the northwest quarter of Section 4, Township 6 North, Range 2 West, Salt Lake Base and Meridian; thence south 1252.8 feet to Station No. 62; thence south $12^{\circ} 46'$ E. 421 feet to Engineer's Station No. 58; thence south 23 feet to the south boundary of the tract of land described under paragraph (3), which point is 1161 feet south from the north boundary of said Section 4.

Also:

Beginning at a point 549 feet north from the southwest corner of the southeast quarter of Section 4, Township 6 North, Range 2 West, Salt Lake Base and Meridian; running thence south $13^{\circ} 40'$ E. 565.2 feet to the south boundary of said Section 4.

DEVINE HOWELL STINE & GWILLIAM
VAN COTT RITER & FARNWORTH
ATTORNEYS FOR PLAINTIFF.

Filed for record and recorded December 4, A. D. 1929, at 10:10 o'clock A. M.

JOSEPHINE F. CLSON, County Recorder
BY EDITH REID, Deputy Recorder

04R

\$1.00

APPROVED:

ATTORNEY.

RECEIVED of the AMERICAN TELEPHONE AND TELEGRAPH COMPANY OF WYOMING One Dollars, in consideration of which we hereby grant unto said Company, its associated and allied companies, their respective successors, assigns, lessees and agents, the right, privilege and authority to construct, reconstruct, operate and maintain lines of telephone and telegraph, consisting of such poles, wires, cables, conduits, guys, anchors and other fixtures and appurtenances as the grantee may from time to time require, upon, across, over and/or under the property which we own or in which we have any interest in the Section 9 of Twp 5 N R 2 W, County of WEBER and State of Utah and upon, along and/or under the roads, streets or

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highways adjoining the said property, with the right to trim from time to time any trees along said lines so as to keep the wires and cables cleared at least thirty-six inches and the right to permit the attachment of and/or carry in conduit wires and cables of any other company. The grantor for himself, his heirs, executors, administrators and assigns hereby covenants that no wire line will be erected or permitted on said property which in the judgment of the grantee, its successors and assigns will interfere with its service or endanger its lines and that no inflammable structure will be erected or permitted on said property within 50 feet of said lines. Said sum being received in full payment for the rights herein granted.

Not more than one pole line will be constructed on said property.

The grantee agrees that all damage to fences or crops will be paid for in addition to the above payment.

WITNESS our hand and seal this 9th day of September A. D. 1929 at 2525 Adams St. Ogden Utah
(Post-office Address)

WITNESS:

FRED PHILIPPI

EDWARD E. CONROY (Seal)

BERTHA A. CONROY (Seal)
(Land Owner.)

STATE OF UTAH
COUNTY OF BOX ELDER } ss

On this 4 day of December, A. D. 1929, before me personally appeared Fred Philippi, personally known to me to be the same person whose name is subscribed to the above instrument as a witness thereto, who, being by me duly sworn, deposes and says that he resides in Brigham City, County of Box Elder, and State of Utah; that he was present and saw Edward E. Conroy & Bertha A. Conroy, personally known to him to be the signors of the above instrument as parties thereto, sign and deliver the same, and heard them acknowledge that they executed the same, and that he, the deponent, thereupon signed his name as a subscribing witness thereto, at the request of the said Edward E. Conroy & Bertha A. Conroy

WM. E. DAVIS, Notary Public
Commission Expires, Aug. 31 1931
Brigham City-State of Utah

WM. E. DAVIS, Notary Public in and for
the County of Box Elder, Ut.

Filed for record and recorded December 4 A. D. 1929, at 10:25 o'clock A. M.

JOSEPHINE F. OLSON, County Recorder

BY EDITH REID, Deputy Recorder

\$1.00

APPROVED:

ATTORNEY.

Received of the AMERICAN TELEPHONE AND TELEGRAPH COMPANY OF WYOMING One Dollars, in consideration of which I hereby grant unto said Company, its associated and allied companies, their respective successors, assigns, lessees and agents, the right, privilege and authority to construct, reconstruct, operate and maintain lines of telephone and telegraph, consisting of such poles, wires, cables, conduits, guys, anchors and other fixtures and appurtenances as the grantee may from time to time require, upon, across over and/or under the property which I own or in which I have any interest in the Sec. 33 of Twp. 7 N R 2 W, County of Weber and State of Utah, and upon, along and/or under the roads, streets or highways adjoining the said property, with the right to trim from time to time any trees along said lines so as to keep the wires and cables cleared at least thirty-six inches and the right to permit the attachment of and/or carry in conduit wires and cables of any other company. The grantor for himself, his heirs, executors, administrators and assigns hereby covenants that no wire line will be erected or permitted on said property which in the judgment of the grantee, its successors and assigns, will interfere with its service or endanger its lines and that no inflammable structure will be erected or permitted on said property within 50 feet of said lines. Said sum being received in full payment for the rights herein granted.

Not more than one pole line to be constructed as now surveyed.

Crop damage will be paid in addition to the above.

WITNESS my hand and seal this 21st day of November A. D. 1929 at Plain City Utah
(Post-office Address)

WITNESS: FRED PHILIPPI

JOSEPH SINGLETON (Seal)

CLARA SINGLETON (Seal)
(Land Owner.)

STATE OF UTAH
COUNTY OF BOX ELDER } ss

On this 4 day of December, A. D. 1929, before me personally appeared Fred Philippi, personally known to me to be the same person whose name is subscribed to the above instrument as a witness thereto, who, being by me duly sworn, deposes and says that he resides in Brigham City, County of Box Elder and State of Utah; that he was present and saw Joseph Singleton & Clara Singleton, personally known to him to be the signors of the above instrument as parties thereto, sign and deliver the same, and heard them acknowledge that they executed the same, and that he, the deponent,