



1636 West North Temple • Suite 220 • Salt Lake City, UT 84116-3156 • 801-533-6071

September 26, 1985

Mr. John W. Anderson Clyde & Pratt 200 American Savings Plaza 77 West Second South Salt Lake City, Utah 84101

E CHANGE-SEE ANSTRE

Dear Mr. Anderson:

Re: Water Filing Nos. 57-7825, 57-2526, 57-7549, & 57-69 Mt. Olivet Cemetery Assoc.

We have received your letter concerning a special warranty deed conveying title to 1/7th of the above-numbered water filings from Mt. Olivet to The Boyer Company. You indicate that this deed (Recorder's Entry No. 4111411 is the second one to transfer a 1/7th interest, thus entitling Boyer to 2/7ths.

We have a discrepancy on our files as we have previously received two special warranty deeds conveying 1/7th interest (Recorder's Entry Nos. 4122871 and 3927294), making your submittal the third deed and entitling Boyer to 3/7ths. We will await further action on your deed until we hear further.

Yours truly,

Marge Tempest
Title Section

EDWARD W. CLYDE, P.C. ELLIOTT LEE PRATT RODNEY G. SNOW STEVEN E. CLYDE THEODORE BOYER, JR. EDWIN C. BARNES GARY L. PAXTON L. MARK FERRE NEIL A. KAPLAN\*D. BRENT ROSE JOHN W. ANDERSON JAMES L. WARLAUMONT H. MIFFLIN WILLIAMS IJ JEFFREY W. APPEL

\*ADMITTED IN WASHINGTON, D.C.

CLYDE & PRATT

OCT 18 1985

ATTORNEYS AT LAW
200 AMERICAN SAVINGS PLAZA
77 WEST SECOND SOUTH
SALT LAKE CITY, UTAH 84101

WATER RIGHT AGE CODE BOI SALT LAKE TELECOPIER: (BOI) 322-2518

OF COUNSEL FRANK J. ALLEN

October 16, 1985

FILE NO.

Marge Tempest
Title Section
Utah State Engineer
1636 West North Temple
Suite 220
Salt Lake City, Utah 84116-3156

Re: Water Filing Nos. 57-7825, 57-2526, 57-7549, and 57-69, Mt. Olivet Cemetery Association

Dear Marge:

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To clarify any confusion there may be with the above referenced water filings, I have enclosed copies of the following for your review:

- (a) Special Warranty Deed recorded July 16, 1985, whereby Mt. Olivet Cemetery Association conveyed a 1/7th interest in the above referenced water rights to The Boyer Company.
- (b) Special Warranty Deed recorded August 12, 1985, whereby Mt. Olivet Cemetery Association conveyed a 1/7th interest in the above referenced water rights to The Boyer Company.
- (c) Special Warranty Deed recorded September 24, 1985, whereby The Boyer Company conveyed a 1/7th interest in the above referenced water rights to Mt. Olivet Cemetery Association.

The deeds referenced in (b) and (c) above simply cancel each other out, leaving The Boyer Company with a 1/7th interest by (a) above.

processed

## CLYDE & PRATT

Marge Tempest October 16, 1985 Page 2

Through all conveyances made to date, The Boyer Company should show as the record owner of 2/7ths of the Mt. Olivet Cemetery Association Water rights. Mt. Olivet Cemetery Association owns the remaining 5/7ths of the respective rights.

If you have any questions regarding this matter please let me know.

Best regards.

Very truly yours,

John W. Anderson

JWA/bg
Enclosures
CC Dick Moffat
Albert J. Colton

Total in Right \_\_\_\_

Page No.

DATE	TITLE CHANGE INSTRUMENT	ASSIGNOR/CONVEYOR/OWNERSHIP NAME and ADDRESS	RETAINED AMOUNT	CONVEYED AMOUNT	ASSIGNEE/PURCHASER/NEW OWNERSHIP NAME and ADDRESS	WATER COUNTY REMARKS SOURCE
Instr't Execu'tn (by Orig'r) 3-8-8 Recor'd(by No.) 4-11-81 Rec'vd (by us) 4-25-84 Action (by us) 3-4-85	Deed:  Warranty  Quit Claim	Mt. Olivet Cometory Assoc	6/7 (282.14 AF)	4712AF)	The Boyer Company 515 So. 7th E. 5LC, Utah 84102	Title Changed 3-4-85 m.t. Entered D/B 3-4-85 m.t.
Instr't Execu'tn (by Orig'r) 3-8-8-3 Recor'd (by No.) #-112-2871 Rec'vd (by us) 8-29-8-5 Action (by us) 9-10-85	Assignment D		5/7 [235,124	17 (47.02 AF)		Now own 4 the (4, 04 A.F.)  Title Changes 9-10-88 w.f.  Entered DVB 9-11-95 p.f.
Instr't Execu'tn   (by Orig'r)   3-0-3-5   Recor'd (by No.)   # 4111411   Rec'vd (by us)   4-24-55   Action (by us)   1-4-75	Assignment Deed: Warranty Quit Claim		Yi	*/I		
Instr't Execu'tn (by Orig'r) 9-23-95  Recor'd (by No.) \$414166  Rec'vd (by us) 10-4-85	Deed: Warranty Quit Claim	The Bayer Company	47	77	Mt. Olivet Cemetary Assoc. 1342 E. 500 S. J.L. C., What 84102	Done to concal dead with entry no. 4122871

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at, M. Fee	•			
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## EXHIBIT "A"

- 1. Statement of Water Users Claim to Diligence Rights No. 2594 (57-7825).
- 2. Application to Appropriate Water No. 26456 (57-2526); Amendatory Change Application No. a-5313 (57-2526); and Certificate No. 8139 (57-2526).
  - 3. Application to Segregate No. 26456-a (57-7549).
- 4. Application to Appropriate Water No. 9207 (57-69); Certificate No. 2220 (57-69).
- 5. Any and all water and water rights that may result from a certain quiet title action entitled <a href="Mt. Olivet Cemetery">Mt. Olivet Cemetery</a>
  <a href="Association">Association</a>, et al v. Salt Lake City, et al, 65 Utah 193, 235 P. 876.
- 6. Any and all water rights that Mt. Olivet claims or may have a claim for use on the Mt. Olivet Cemetery grounds.

... - HANGE SEE ABSTRACT

BOOK 5671 PALE 2809

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Notary Public.

My commission expires

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MT. OLIVET CEMETERY ASSOCIATE organized and existing under the laws of Salt Lake City, of Courgrantor, hereby CONVEYS AND WARF THE BOYER COMPANY	of the Source t-	, a corporation  its principal office at  , State of Utah,  by, through or under it to
		grantee
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State of Utah:  One-seventh (1/7) of a		
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[CORPORATE SEAL]	J	0
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County of Salt Lake		. n 1982

On the 8th day of March and A. D. 1983

personally appeared before me R.L. Arnth and the said R.L. Canada is the secretary is the president, and he, the said for himself, that he, the said R.L. Canada is the secretary of Mindlinet Cometant Casadatain, and that the within and foregoing of Mindlinet Canadatain and such a signed in behalf of said corporation by authority of a resolution of its board directors and said A. J. Canada and the same and that the seal affixed each duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

Notary Public.

My commission expires 1/-/- 84

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RECEIVED

WHEN RECORDED, MAIL TO:

Sorenson Development
ATTENTION: Craig Largen ....2511 South Mest Temple .....

1 1 JUN 28 1988

WATER RIGHTS

....Salt Leke City, III 84115 Space Above for Recorder SALT LAKE

## SPECIAL WARRANTY DEED

[CORPORATE FORM]

MOUNT OLIVET CEMETERY ASSOCIATION organized and existing under the laws of the State of Utah, with its principal office at , of County of Salt Lake grantor, hereby CONVEYS AND WARRANTS against all claiming by, through or under it to

SORENSON DEVELOPMENT, INC.

of Salt Lake City, Utah

Ten and 00/100
the following \*\*AMMERICAN SALE TO SALE To Sale Take

grantee for the sum of DOLLARS County.

40 acre-feet of water and water rights from those water rights more particularly described on Exhibit "A" attached hereto and by this reference made a

13 JUNE 88 11:46 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTA
SORENSON DEVELOPMENT
REC BY: REBECCA GRAY , DEPUTY

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this day of MOUNT OLIVET CEMETERY ASSOCIATION

Secretary.

[CORPORATE SEAL]

STATE OF UTAH.

County of Salt Lake

On the 7th personally appeared before merclest who being by me duly aworn did say, each . A. D. 1987 for himself, that he, the said Robert J. Cook is the ormat Oliver Co

sociation, and that the within and foregoing instrument was signed in behalf of adid corporation by authority of a resolution of its board of directors and said | Directors and sai

WIARY softmission expires.

-WARRANTY DEED, SPECIAL, CORP. FORM-

APPROVED FORM - UTAH SECURITIES COMMISSION

TITLE CHANGE-SEE

J. 15.

- Statement of Water Users Claim to Diligence Rights No. 2594 1. (57-7825).
- Application to Appropriate Water No. 26456 (57-2526); 2. Amendatory Change Application No. a-5313 (57-2526); and Certificate No. 8139 (57-2526).
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- Any and all water and water rights that may result from a certain quiet title action entitled Mt. Olivet Cemetery Association, et al v. Salt Lake City, et al, 65 Utah 193, 235 P.
- Any and all water rights that Mt. Olivet claims or may have a claim for use on the Mt. Olivet Cemetery grounds.

TITLE CHANGE-SE! ABSTRACT

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of said Resorder this

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