

Entry No. **387048**

Recorded 9-2-80 10:43 AM

Bk. 310 Pg. 580 - Fee NONE

Lilly Mae Noorlander

*Lilly Mae Noorlander*  
Recorder of Grand County

CONTRACT

THIS AGREEMENT, made and entered into this 26th day of August, A.D. 1980, by and between SPANISH VALLEY WATER AND SEWER IMPROVEMENT DISTRICT, a body corporate and politic, hereinafter referred to as the "District", and HECLA SUBDIVISION COOPERATIVE ASSOCIATION, hereinafter referred to as "Hecla."

WHEREAS, owners and residents of Hecla Subdivision have formed a Cooperative for the purpose of furnishing water and other services to the Subdivision, and

WHEREAS, a culinary water system has been installed by said Cooperative Association and is delivering water to the residents residing in Hecla Subdivision, and

WHEREAS, the streets in Hecla Subdivision have all been dedicated to the County of Grand, State of Utah, and

WHEREAS, the District is presently installing a culinary water system within the area of Hecla Subdivision and is in a position to service Hecla Subdivision with culinary water.

NOW THEREFORE, in consideration of the mutual promises of the Parties hereto, it is agreed as follows:

1. Hecla, by this Agreement, hereby conveys and transfers all right, title and interest in and to the water mains and laterals within the Hecla Subdivision to the District.
2. Hecla retains the water right, tanks, pumps and other facilities connected with the storage of water.
3. The District shall, during the construction of its water system, disconnect the main water line from the present Hecla storage area and connect the District's water main to the Hecla system.
4. The District shall install meter pits and meters at the boundary line of each resident in the Hecla Subdivision.
5. A connection fee of \$300.00 shall be paid by each customer on or before the 1st day of October, A.D. 1980.

6. In the event the connection fee is not paid by October 1, 1980, the price shall be raised to the sum of \$500.00 for said connection fee, and it is agreed that all residents in the Subdivision shall be required to connect onto said water system.

7. At the time said Sewer System is installed into the said Hecla Subdivision, the District shall lay a six (6) inch irrigation water main suitable for irrigation purposes in the sewer trench as will service all residences in the District, together with a one (1) inch plastic line from the main to the property line.

8. Hecla shall cooperate with the District in making an orderly change-over from the present Hecla System to that of the District.

9. The District shall comply with all rules and regulations normally provided for by local and state laws in the installation of said water system.

10. The District shall stand all costs of installation of said irrigation water lines and laterals, and shall assist in connecting the system to the existing water storage tanks owned by Hecla.

IN WITNESS WHEREOF, the Parties hereto have set their hand and seal the day and year first above written.

SPANISH VALLEY WATER AND SEWER  
IMPROVEMENT DISTRICT

By: *G. Marvin Gilgen*  
Chairman

ATTEST:

*Malet Dalton*

Secretary

HECLA SUBDIVISION COOPERATIVE  
ASSOCIATION


ATTEST: *Alan J. ...*

*Alan J. ...*

President

STATE OF UTAH )  
 : ss  
County of Grand)

On the 26th day of August, A.D. 1980, personally appeared before me W. DARWIN GILGER and NEAL DALTON, who being by me duly sworn did say, each for himself, that he the said W. DARWIN GILGER is the Chairman, and she, the said NEAL DALTON, is the Secretary, of SPANISH VALLEY WATER AND SEWER IMPROVEMENT DISTRICT, and that the within and foregoing instrument was signed in behalf of said Corporation by authority of a resolution of its Board of Directors, and said W. Darwin Gilger, Chairman, and Neal Dalton, Secretary, each duly acknowledged to me that said Corporation executed the same and that the seal affixed is the seal

of said Corporation.  
  
\_\_\_\_\_  
Notary Public  
Residing in: Moab, Utah

STATE OF UTAH )  
 : ss  
County of Grand)

On the 26th day of August, A.D. 1980, personally appeared before me ALTON PARMENTER and CHARLOTTE GREEN, who being by me duly sworn did say, each for himself, that he, the said Alton Parmenter is the President, and she the said Charlotte Green is the Secretary of HECLA SUBDIVISION COOPERATIVE ASSOCIATION, and that the within and foregoing instrument was signed in behalf of said Corporation by authority of a resolution of its Board of Directors, and said ALTON PARMENTER and CHARLOTTE GREEN, each duly acknowledged to me that said Corporation executed the same and that the seal affixed is the seal of said Corporation.

\_\_\_\_\_  
Notary Public  
Residing in: Moab, Utah  
  
2-3-83