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 11/06/2008 01:56 PM \$20.00
 Book - 9657 Pg - 1977-1981
GARY W. OTT
 RECORDER, SALT LAKE COUNTY, UTAH
 HANKS & MORTENSEN
 80 E BROADWAY STE 740
 SLC UT 84111
 BY: CDC, DEPUTY - WI 5 P.

WHEN RECORDED MAIL TO:

Rescue Mission of Salt Lake
 c/o Paul W. Mortensen, Esq.
 Hanks & Mortensen, P.C.
 Judge Building, Suite 740
 8 East Broadway
 Salt Lake City, Utah 84111-2204

EASEMENT

For good and valuable consideration, the sufficiency of which is hereby acknowledged, **SHERRY VINA, as the sole surviving TRUSTEE OF THE VINA FAMILY TRUST** dated August 17, 1993, whose address is 351 West 400 South, Salt Lake City, Utah 84101, as **"Grantor"**, hereby grants a non-exclusive, appurtenant, perpetual easement (the **"Easement"**) over and across certain real property described in **Exhibit "1"** attached hereto and incorporated herein by this reference, which property is owned by the Grantor, (the **"Vina Property"**) to the **RESCUE MISSION OF SALT LAKE, a/k/a The Rescue Mission of Salt Lake, ("Grantee")**, whose current address is 463 South 400 West, Salt Lake City, County of Salt Lake, State of Utah, for use by Grantee and its successors and assigns solely for the benefit of Grantee's real property described in **Exhibit "2"** attached hereto and by this reference made a part hereof (the **"Rescue Mission Property"**), which Easement is described more particularly as follows, to-wit:

A perpetual easement over and across the west 99 feet of the Grantor's property, described on Exhibit "1" attached hereto and by this reference made a part hereof, for vehicular access from 400 West Street, Salt Lake City, Utah, for the purpose of accessing the Grantee's property, described on Exhibit "2" attached hereto and by this reference made a part hereof, for purposes of loading and unloading to and from vehicles at the Rescue Mission Property and for no other purposes.

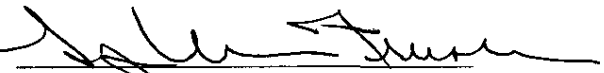
SUBJECT TO that certain Limited Commercial Easement in Gross referenced in the "subject to" above is that certain Limited Commercial Easement in Gross dated effective April 17, 2006, and recorded on April 3, 2008, as Entry No. 10390758, in Book 9590 at Pages 3149-3158 of the official records of the Salt Lake County, Utah, Recorder. Such Limited Commercial Easement in Gross is also the Limited Commercial Easement described in paragraphs 3 and 14 of the Order, Judgment, and Decree of the Third Judicial District Court In And For Salt Lake County, State of Utah, in the matter of Tony Vina and Sherry Vina, as trustees of the Vina Family Trust vs. A and Z Produce Co., et al., bearing Civil No. 990906672 (**"Litigation"**), entered by the clerk of the court on April 17, 2006, and recorded on June 16, 2006 as Entry No. 9755944, in Book 9309 at Pages 4909-4928 of the official records of the Salt Lake County, Utah, Recorder. SUBJECT FURTHER to the right of the Grantor to use all of the Vina Property at all times and for all purposes, subject only to the Easement granted herein and the

Limited Commercial Easement in Gross referred to above.

This Easement is executed by Grantor in compliance with a Settlement Agreement executed by Grantor and Grantee, among others, in connection with the Litigation and is delivered for the purpose of (i) assisting in the quieting of title to Grantor's property described in **said** Exhibit "1" in the Grantor subject only to the above-stated Limited Commercial Easement in Gross and the Easement granted herein and (ii) extinguishing any and all liens, easements, rights-of-way, encumbrances and other interests of Grantee in and to the Vina Property other than the Easement granted herein. Grantor acknowledges that Grantee's property has pursuant to, and since, the date of the 1941 Amended Decree recorded in the official records of Salt Lake County, State of Utah, as Entry No. 912523, in Book 284 commencing on Page 55 ("**1941 Amended Decree**") had the benefit of the non-exclusive, perpetual easement set forth in said 1941 Amended Decree with respect to the west 99 feet, and, as a result, this Easement relates back to the date of the 1941 Amended Decree, with the understanding, however, that the scope of the easement described in the 1941 Amended Decree shall henceforth be limited to the scope of this Easement as specifically described above


Witness the hand of said Grantor this 5th day of November, 2008.

THE VINA FAMILY TRUST dated August 17, 1993, by its sole surviving Trustee, Sherry Vina

By: 
Sherry Vina, Trustee

STATE OF UTAH)
 : ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this 5th day of November, 2008 by Sherry Vina, in her capacity as the sole surviving Trustee of The Vina Family Trust dated August 17, 1993.


Notary Public

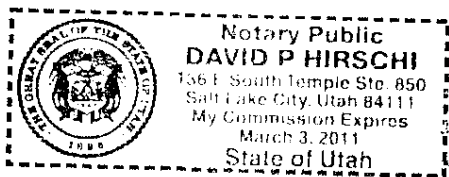


EXHIBIT "1"

Real Property located in Salt Lake County, State of Utah, described as follows:

Beginning at a point 32.5 feet North of the Southwest corner of Lot 3, Block 43, Plat A, Salt Lake City Survey and running thence East 47.07 feet to a point in the center line of a spur track; thence South 63°23'30" East 18.3 feet to a point in the center line of spur track; thence South 68°47'30" East 18.78 feet to a point in the center line of spur track; thence South 73°20'30" East 18.84 feet, more or less, to a point in the center line of spur track; thence South 12.13 feet, more or less, to South boundary line of Lot 3; thence East 231 feet to Southeast corner of said Lot 3; thence North 82.5 feet; thence West 330 feet; thence South 50 feet to the place of beginning; but as the boundaries of which Real Property may be modified by operation of the doctrine of *boundary by acquiescence* as described in the *Order, Judgment, and Decree* of the Third Judicial District Court In And For Salt Lake County, State of Utah, entered by the clerk of the court in the below-described Litigation on November 5, 2008, and recorded on November 5, 2008, as Entry No. 10556402, in Book 9656 at Pages 8559-8570 of the official records of the Salt Lake County, Utah, Recorder and by an Order, Judgment, and Decree of the Third Judicial District Court In And For Salt Lake County, State of Utah, in the matter of Tony Vina and Sherry Vina, as trustees of the Vina Family Trust vs. A and Z Produce Co., et al., bearing Civil No. 990906672 ("**Litigation**"), entered by the clerk of the court on April 17, 2006, and recorded on June 16, 2006 as Entry No. 9755944, in Book 9309 at Pages 4909-4928 of the official records of the Salt Lake County, Utah, Recorder.

Tax I.D. or Sidwell No.: 15-01-330-009

EXHIBIT "2"

Parcel 1:

Real Property located in Salt Lake County, State of Utah, described as follows, which Real Property Grantee owns as tenants-in-common (with no rights of survivorship) with A and Z Produce Co., a Utah corporation, also known as *A and Z Produce Company*, a Utah corporation, and *A & Z Produce*, a Utah corporation, ("**A and Z Produce Co.**"), with Grantee owning an undivided two-thirds fee simple tenancy-in-common interest in said Real Property and A and Z Produce Co. owning the remaining one-third undivided fee simple tenancy-in-common interest in said Real Property):

Beginning at the Southwest corner of Lot 3, Block 43, Plat A, Salt Lake City Survey, thence North 32.5 feet, thence East 47.07 feet to a point in the center line of a spur track; thence South 63°23'30" East 18.3 feet to a point in the center line of spur track, thence South 68°47'30" East 18.78 feet to a point in the center line of spur track, thence South 73°20'30" East 18.84 feet more or less to a point in the center line of spur track, thence South 12.13 feet, thence West 99.0 feet to point of beginning; but as the boundaries of which Real Property may be modified by operation of the doctrine of *boundary by acquiescence* as described in the *Order, Judgment, and Decree* of the Third Judicial District Court In And For Salt Lake County, State of Utah, entered by the clerk of the court in the below-described Litigation on November 5, 2008, and recorded on November 5, 2008, as Entry No. 10556402, in Book 9656 at Pages 8559-8570 of the official records of the Salt Lake County, Utah, Recorder and by an Order, Judgment, and Decree of the Third Judicial District Court In And For Salt Lake County, State of Utah, in the matter of Tony Vina and Sherry Vina, as trustees of the Vina Family Trust vs. A and Z Produce Co., et al., bearing Civil No. 990906672 ("**Litigation**"), entered by the clerk of the court on April 17, 2006, and recorded on June 16, 2006 as Entry No. 9755944, in Book 9309 at Pages 4909-4928 of the official records of the Salt Lake County, Utah, Recorder.

Tax I.D. or Sidwell No.: 15-01-330-010

Parcel 2:

Commencing at the Northwest corner of Lot 2, Block 43, Plat A, Salt Lake City Survey, and running thence East 99 feet; thence South 65.5 feet; thence West 99 feet; thence North 65.5 feet to the place of beginning; but as the boundaries of which Property may be modified by operation of the doctrine of *boundary by acquiescence* as described in the *Order, Judgment, and Decree* of the Third Judicial District Court In And For Salt Lake County, State of Utah, entered by the clerk of the court in the below-described Litigation on November 5, 2008, and recorded on November 5, 2008, as Entry No. 10556402, in Book 9656 at Pages 8559-8570 of the official records of the Salt Lake County, Utah, Recorder and by

an Order, Judgment, and Decree of the Third Judicial District Court In And For Salt Lake County, State of Utah, in the matter of Tony Vina and Sherry Vina, as trustees of the Vina Family Trust vs. A and Z Produce Co., et al., bearing Civil No. 990906672 (“**Litigation**”), entered by the clerk of the court on April 17, 2006, and recorded on June 16, 2006 as Entry No. 9755944, in Book 9309 at Pages 4909-4928 of the official records of the Salt Lake County, Utah, Recorder.

Subject to a perpetual right-of-way for ingress, egress and regress for all purposes over the following strip of ground, to-wit: commencing 99 feet East of the Northwest corner of said Lot 2, running thence South 76 feet; thence West $40\frac{3}{4}$ feet; thence North $10\frac{1}{2}$ feet; thence East $30\frac{3}{4}$ feet; thence North $65\frac{1}{2}$ feet; thence East 10 feet, to the place of beginning, to be kept open for loading and unloading goods, merchandise and other commodities from the platform along the South line of Lot 3, Block 43, Plat A, Salt Lake City Survey, together with the right of maintaining a cover or roof over said platform at the north end of said right-of-way.

Tax I.D. or Sidwell No.: 15-01-330-011

The full fee simple interest in and to this Parcel 2 is owned solely by Grantee.