

V.
24016
Not Examined

ENT 34237 BK 2731 PG 855
NINA B REID UTAH CO RECORDER BY JS
1990 OCT 16 11:08 AM FEE 11.50
RECORDED FOR PROVO LAND TITLE COMPANY

PARKING EASEMENT

Agreement made and entered into this 6th day of September, 1990 by and between Deseret Bank of 140 West 800 North, Orem, Utah, 84057 (hereinafter referred to as "Deseret") and Caton, Wallace, Arango, Nilson & Associates of 180 West 800 North, Orem, Utah, 84057 (hereinafter referred to as "~~Caton~~"), *etc*

WHEREAS, Deseret is the owner of a parcel of real property located in Utah County, State of Utah that is more particularly described on the Exhibit "A" attached hereto (hereinafter referred to as the "Deseret Property").

WHEREAS, Caton is the owner of a parcel of real property that is also located in Utah County, State of Utah and that is more particularly described on the "Exhibit "B" attached hereto (hereinafter referred to as the "Caton Property").

WHEREAS, Deseret has improved the Deseret Property with an automobile parking area that is located along the South boundary line of the Deseret Property.

WHEREAS, Caton is desirous of utilizing a portion of the parking stalls presently existing along the South line of the Deseret Property and Deseret is willing to allow that use.

THEREFORE, in consideration of the sum of ten dollars and other good and valuable consideration paid by each to the other and in consideration of the mutual covenants and agreements contained herein, The Parties hereto hereby agree as follows:

1. The Deseret hereby grants to Caton for the use and benefit of the Caton Property a perpetual non-exclusive easement for the use of no more than six (6) of the presently existing parking stalls as the same are located upon the Deseret Property.
2. The parking stalls may be utilized by Caton, its tenants, servants, employees, visitors, invitees and licensees at all times hereinafter.
3. The parking stalls shall be utilized by Caton for the sole purpose of parking vehicles resulting from the business operations conducted within the Caton Property. The parking stalls shall not be used for the storage of unused vehicles nor shall it be used for the storage of boats, trailers or recreational vehicles.
4. It may be necessary for Deseret to alter the location and configuration of the existing parking area in order to accommodate future development of the Deseret Property. In the event it becomes necessary, Deseret shall provide to Caton the use of up to six (6) parking stalls in the altered parking areas located within the Deseret Property.

5. The agreements, rights, covenants and grant of easement contained herein shall be perpetual and non-exclusive and shall run with the title to the Deseret and Caton Properties and shall be binding upon and shall inure to the benefit of The Parties, their respective heirs, successors and assigns and all other persons acquiring the properties or any part thereof, whether by operation of law or in any manner whatsoever.

Executed by the parties on the day and year first written above.

DESERET:

DESERET BANK

By: *[Signature]*

Its: *President*

CATON:

CATON, WALLACE, ARANGO, NILSON
& ASSOCIATES, a Utah Limited
Partnership

By: *[Signature]*
Its: General Partner

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EXHIBIT 'A'

Legal description of "Deseret Property" located in the City of Orem, County of Utah, State of Utah, which is more particularly described as follows:

COMMENCING at a point located North 00° 38' 10" West 387.05 feet and West 694.67 feet from the East one-quarter corner of Section 10, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence South 00° 34' 11" East 181.31 feet; thence South 89° 51' 54" West 351.07 feet; thence North 00° 18' 19" West 179.61 feet; thence North 89° 35' 15" East 350.23 feet to the point of BEGINNING.

EXHIBIT 'B'

Legal description of "Caton Property" located in the City of Orem, County of Utah, State of Utah, which is more particularly described as follows:

BEGINNING West 1139.40 feet and North 31.88 feet from the East Quarter Corner of Section 10, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence South 89° 56' 37" West 27.93 feet; thence North 0° 03' 23" West 5.0 feet; thence North 87° 11' 38" West 151.93 feet; thence North 0° 08' 06" West 125.60 feet; thence North 89° 56' 37" East 179.65 feet; thence South 0° 08' 06" East 138.19 feet to the point of BEGINNING.