

AMENDMENT OF PARKING EASEMENT

Agreement made an entered into this \_\_\_\_ day of May, 1992 by and between FIRST SECURITY BANK OF UTAH, N.A. of 405 South Main Street, Salt Lake City, Utah 84111 (hereinafter referred to as "First Security") and CATON, WALLACE ARANGO, NILSON & ASSOCIATES of 180 West 800 North Orem, Utah 84057 (hereinafter referred to as Caton).

Whereas, First Security is the successor in interest by merger to Deseret Bank and 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 "First Security 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, the First Security property is burdened by a parking easement in favor of the Caton property which was recorded in the office of the Utah County Recorder on October 16, 1990 as Entry Number 34237 in Book 2731 at Page 855 of Official Records (hereinafter referred to as the "Parking Easement").

Whereas, First Security is presently intending to sell the unimproved portion of the First Security Property and desires to terminate the Parking Easement as to that portion.

Therefore, in consideration of the mutual covenants and agreements contained herein, First Security and Caton hereby agree as follows:

1. Termination of Easement. The parking easement is hereby terminated as to the unimproved portion of the First Security Property described as follows:

Beginning at a point on the West line of 100 West Street, Orem, Utah, said point being North 0 degrees 38 minutes 10 seconds West along Section Line 230.73 feet and West 696.80 feet (based on the Utah State Plane Coordinate System, Utah Central Zone) from the East Quarter Corner of Section 10 Township 6 South, Range 2 East Salt Lake Base and Meridian, and running thence North 0 degrees 37 minutes 13 seconds West along said West line 151.47 feet; thence West 286.96 feet; thence South 0 degrees 37 minutes 13 seconds East 152.14 feet; thence North 89 degrees 51 minutes 54 seconds East 286.96 feet to the point of beginning.

Caton hereby releases and conveys to First Security any and all claims and interests that were created in it under the terms of the parking easement in and to the unimproved portion of the First Security Property described in this paragraph.

2. Survival of Easement. The parking easement shall remain in full force and effect as to the remainder of the First Security Property which contains all of the improved parking spaces and maneuvering areas. The provisions of this document shall in no way reduce or alter the rights and duties of the parties in and to the remainder of the First Security Property.

Executed by the parties on the Day and Year first written above.



EXHIBIT "A"

Legal description of "First Security Property" located in the City or Orem, County of Salt Lake, 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°11'30" 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.