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RIGHT OF WAY AGREEMENT

1300
Signatures
 ASSOCIATED TITLE CO.
 REF. SEP. 1981
 MAR 17 2 00 PM '81
 KATIE L. DIXON
 RECORDER
 SALT LAKE COUNTY,
 UTAH

THIS RIGHT OF WAY AGREEMENT made this 16th day of February, 1981, by and between LOUISE FITZGERALD HOLMSTEAD, MARK F. HOLMSTEAD and RHONDA W. HOLMSTEAD, PAUL A. LOGAN and KATHERINE K. LOGAN, WADE H. WEBSTER and LORRIE A. WEBSTER, and RONALD W. VAN OTTEN and HELENE G. VAN OTTEN (hereinafter referred to collectively as "Parties").

WITNESSETH:

WHEREAS, the Parties herein are fee title or contract interest holders in adjoining parcels of real property situated in the Southeast quarter of Section 29, Township 3 South, Range 1 East, Salt Lake Base and Meridian, in Salt Lake County, State of Utah, and described respectively in Exhibit "A" attached hereto and by this reference made a part hereof; and

WHEREAS, the Parties herein desire to create a nonexclusive common right of way, for the sole purpose of ingress and egress, between the herein described adjoining parcels of real property owned respectively by each party for the benefit of each party.

NOW, THEREFORE, for and in consideration of the mutual covenants herein recited, it is mutually agreed by and between the Parties as follows:

1. The Parties hereto do hereby create an easement and right of way in favor of RONALD W. VAN OTTEN and HELENE G. VAN OTTEN and each of the Parties hereto, their heirs and assigns, over that strip of real property more particularly described as follows:

Beginning at a point on the South boundary line of 12400 South Street, said point being South 0°07'25" West 1.75 feet and South 89°59'55" West 1429.24 feet and South 89°51'01" West 128.28 feet and North 0°35'07" West 1007.66 feet from the Southeast corner of Section 29, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 89°33'38" West along said South boundary line 24 feet, thence South 0°35'07" East 755.62 feet, thence North 89°51'01" East 24 feet, thence North 0°35'07" West 755.62 feet, more or less, to the point of beginning.

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2. The Parties herein do hereby agree that this easement shall be superior and paramount to the rights of any of the Parties hereto and the respective servient estates so created, and the Parties further agree that it is a covenant that shall run with the land.

IN WITNESS WHEREOF, the Parties herein have executed this agreement the day and year first above written.

Louise Fitzgerald Holmstead
Louise Fitzgerald Holmstead

Mark F. Holmstead
Mark F. Holmstead

Rhonda W. Holmstead
Rhonda W. Holmstead

Paul A. Logan by Wade H. Webster att in fact
Paul A. Logan

Katherine K. Logan by Wade H. Webster att in fact
Katherine K. Logan

Wade H. Webster
Wade H. Webster

Lorrie A. Webster
Lorrie A. Webster

Ronald W. Van Otten
Ronald W. Van Otten

Helene G. Van Otten
Helene G. Van Otten

STATE OF UTAH)

: ss.

COUNTY OF SALT LAKE)

On this 16th day of ~~February~~ ^{March}, 1981, personally appeared before me WADE H. WEBSTER and LORRIE A. WEBSTER, signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

My Commission Expires:

6-6-87

Donald K. [Signature]
Notary Public, residing at
Salt Lake County, Utah

STATE OF IDAHO)

COUNTY OF ~~KIMBERLY~~ ^{TWIN FALLS})

On this 1st day of ~~February~~ ^{March}, 1981, personally appeared before me MARK F. HOLMSTEAD and RHONDA HOLMSTEAD, signers of the

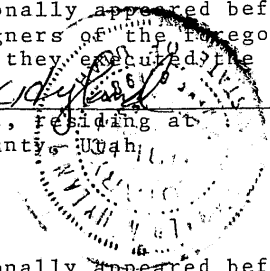


EXHIBIT "A"

PARCEL 1:

Mark F. Holmstead and Rhonda W. Holmstead Property

Beginning at a point which is South 0°07'25" West 1.75 feet, South 89°59'55" West 1429.24 feet, South 89°51'01" West 128.28 feet and North 0°35'07" West 756.12 feet from the Southeast corner of Section 29, Township 3 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 89°51'01" West 166.78 feet to an existing fence; thence North 0°35'07" West along said fence 253.26 feet to an existing right of way fence corner; thence South 89°33'38" East along an existing right of way fence 166.80 feet; thence South 0°35'07" East 251.54 feet to the point of beginning.

PARCEL 2:

Wade Hyrum Webster and Lorrie Ann Webster Property

Beginning at a point which is South 0°07'25" West 1.75 feet, South 89°59'55" West 1429.24 feet, South 89°51'01" West 128.28 feet and North 0°35'07" West 504.08 feet from the Southeast corner of Section 29, Township 3 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 89°51'01" West 166.78 feet to an existing fence; thence North 0°35'07" West along said fence 252.04 feet; thence North 89°51'01" East 166.78 feet; thence South 0°35'07" East 252.04 feet to the point of beginning.

PARCEL 3:

Paul A. Logan and Kathrine K. Logan Property

Beginning at a point which is South 0°07'25" West 1.75 feet, South 89°59'55" West 1429.24 feet, South 89°51'01" West 128.28 feet and North 0°35'07" West 252.04 feet from the Southeast corner of Section 29, Township 3 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 89°51'01" West 166.78 feet to an existing fence; thence North 0°35'07" West along said fence 252.04 feet; thence North 89°51'01" East 166.78 feet; thence South 0°35'07" East 252.04 feet to the point of beginning.

PARCEL 4:

Ronald W. Van Otten and Helen G. Van Otten Property

Beginning at a point on an existing fence which is South 0°07'25" West 1.75 feet and South 89°59'55" West 1429.24 feet from the Southeast corner of Section 29, Township 3 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 89°51'01" West along said fence 128.28 feet; thence North 0°35'07" West 327.68 feet; thence North 89°51'01" East 128.28 feet; thence South 0°35'07" East 327.68 feet to the point of beginning.

PARCEL 5:

Louise F. Homlstead Property

Beginning at a point on an existing fence line which is South 0°07'25" West 1.75 feet and South 89°59'55" West 1429.24 feet from the Southeast corner of Section 29, Township 3 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 89°51'01" West along said fence 295.06 feet to an existing fence corner; thence North 0°35'07" West along an existing fence 504.08 feet; thence North 89°51'01" East 166.78 feet; thence South 0°35'07" East 176.4 feet; thence North 89°51'01" East 128.28 feet; thence South 0°35'07" East 327.68 feet to the point of beginning.