

Recorded at the request of
and return to:

Bonnie McCoy
Les Schwab Tire Centers
P.O. Box 5350
Bend, OR 97708-5350

10-251-0011

10-251-0012

10-251-0011

EASEMENT

PARTIES:

ASPEN: Aspen Heights LLC
505 N. Main
North Salt Lake, UT 84504

SCHWAB: SFP-C Limited Partnership
PO Box 5350
Bend, OR 97708-5350
20900 NE Cooley Rd.
Bend, OR 97701

EFFECTIVE DATE: The date of the last signature below

RECITALS:

- A. Aspen owns the real property described in **Exhibit A** hereto ("Aspen Parcel").
- B. Schwab is constructing a new driveway ("Driveway") to serve its real property described in **Exhibit B** hereto ("Schwab Parcel"). Aspen believes the Driveway will enhance the value of the Aspen Parcel by reducing the amount of traffic from the Schwab Parcel over and across the Aspen Parcel.
- C. To construct the Driveway, Schwab requires an easement over and across that area described in **Exhibit C** hereto ("Easement Area") within which to perform general construction activities related to the Driveway and to operate and maintain the Driveway.
- D. Aspen desires to assist Schwab with the development, construction, and continued operation of the Driveway by permitting the Driveway to encroach onto the Aspen Parcel within the Easement Area.

TERMS:

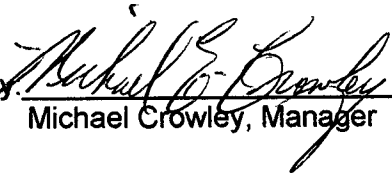
The parties agree as follows:

1. **Schwab Improvements.** At its sole cost and expense, Schwab will construct the Driveway on the Schwab Parcel, which Driveway may encroach onto the Aspen Parcel within the Easement Area.
2. **Schwab Indemnity.** The owner of the Schwab Parcel shall indemnify the owner of the Aspen Parcel from and against any and all liability and damage arising from the operation of the Driveway within the Easement Area.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement to be effective as of the last date written below.

ASPEN:

ASPEN HEIGHTS LLC

By: 
Michael Crowley, Manager

Dated: Feb-25, 2015

SCHWAB:

SFP-C LIMITED PARTNERSHIP

By: 
Corey J. Parks, Secretary of SLC-C,
LLC, its General Partner

Dated: March 16, 2015

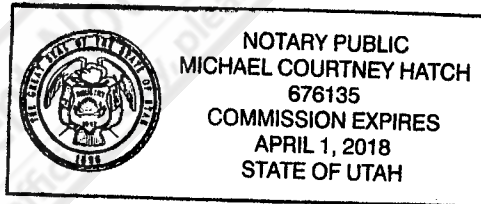
STATE OF UTAH)
County of DAVIS) ss.

On 25TH FEB., 2015, before me, MICHAEL HATCH

a notary public, personally appeared, MICHAEL CROWLEY
proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are)
subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal:

Michael Hatch
Notary Public - State of Utah



STATE OF OREGON)
County of Deschutes) ss.

This instrument was acknowledged before me on March 16, 2015, by Corey J. Parks as Secretary of SLC-C LLC, the General Partner of SFP-C Limited Partnership.

Bonnie M. McCoy
Notary Public - State of Oregon

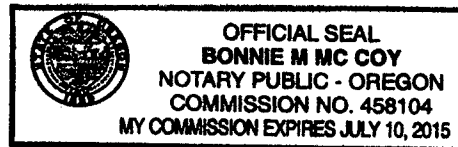


EXHIBIT A

PART OF LOT 4 MAIN STREET COMMONS SUBDIVISION, AS RECORDED WITH THE DAVIS COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF MAIN STREET (US HWY 126), SAID POINT BEING LOCATED 1392.54 FEET NORTH 00°03'20" WEST ALONG THE SECTION LINE & 480.28 FEET NORTH 89°56'40" EAST PERPENDICULARLY DISTANT FROM SAID SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; SAID POINT ALSO BEING 164.92 FEET SOUTH 51°45'09" EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE OF MAIN STREET FROM THE SOUTHWEST CORNER OF LOT 4 OF SAID MAIN STREET COMMONS SUBDIVISION, & RUNNING THENCE NORTH 51°45'09" WEST ALONG SAID NORTHERLY LINE 164.92 FEET; THENCE ALONG SAID LOT 4 THE FOLLOWING THREE (3) CALLS: 1) NORTH 38°14'51" EAST 145.01 FEET; 2) NORTH 34°43'15" EAST 81.28 FEET; 3) NORTHEASTERLY 88.37 FEET ALONG THE ARC OF A 98.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 51°39'59" (CHORD BEARS NORTH 64°04'50" EAST 85.41 FEET); THENCE NORTH 89°54'50" EAST 169.18 FEET; THENCE SOUTH 38°14'51" WEST 407.94 FEET TO THE POINT OF BEGINNING.

CONTAINS 56,654 SQ. FT. / 1.3 ACRES

Prepared by: SD
Chkd by:
Date: 4/30/2014
Job #: 14-019
File Name: 14-019 Description3

EXHIBIT B

PART OF LOT 4 MAIN STREET COMMONS SUBDIVISION, AS RECORDED WITH THE DAVIS COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF MAIN STREET (US HWY 126), SAID POINT BEING LOCATED 1520.38 FEET NORTH 00°03'20" WEST ALONG THE SECTION LINE & 480.28 FEET NORTH 89°56'40" EAST PERPENDICULARLY DISTANT FROM SAID SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; SAID POINT ALSO BEING 164.92 FEET SOUTH 51°45'09" EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE OF MAIN STREET FROM THE SOUTHWEST CORNER OF LOT 4 OF SAID MAIN STREET COMMONS SUBDIVISION, & RUNNING THENCE NORTH 38°14'51" EAST 407.94 FEET TO THE NORTHERLY LINE OF SAID LOT 4; THENCE NORTH 89°54'50" EAST 50.48 FEET TO THE WEST LINE OF LOT 3 OF SAID SUBDIVISION; THENCE SOUTH 00°05'10" E 201.72 FEET ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 00°03'15" WEST 81.61 FEET; THENCE SOUTH 38°51'57" WEST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 4 216.89 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID MAIN STREET; THENCE NORTH 51°45'09" WEST 212.84 FEET ALONG SAID NORTHERLY LINE TO THE POINT OF BEGINNING.

CONTAINS 74,139 SQ. FT. / 1.7 ACRES

Prepared by: SD
Chkd by: SJF
Date: 4/01/2014
Job #: 14-019
File Name: 14-019 Description



BUSH & GUDGELL, INC.
Engineers • Planners • Surveyors
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Salt Lake City, Utah 84107
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BUSH & GUDGELL

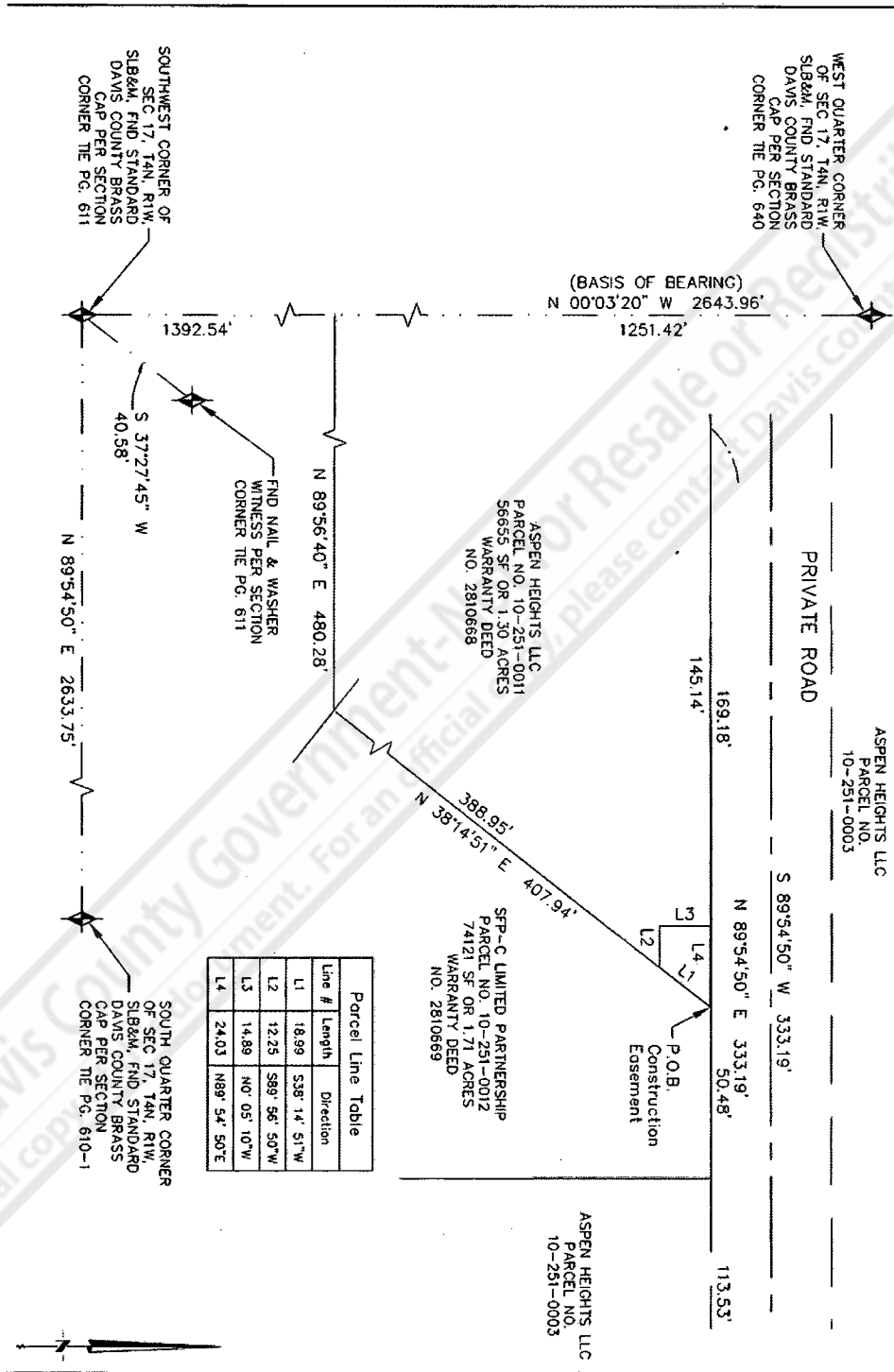
EXHIBIT C

A CONSTRUCTION EASEMENT BEING A PART OF A PARCEL OF LAND DESIGNATED AS 10-251-0011, AS SHOWN ON WARRANTY DEED, RECORDED JUNE 27, 2014, AS ENTRY NO. 2810668, IN BOOK 6049, AT PAGE 455, OFFICIAL RECORDS, ALSO BEING A PART OF LOT 4, MAIN STREET COMMONS SUBDIVISION, RECORDED MARCH 17, 2004, AS ENTRY NO. 1970660, IN BOOK 3498, AT PAGE 1169, OFFICIAL RECORDS, IN THE CITY OF LAYTON, DAVIS COUNTY, UTAH, BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT 4; SAID POINT BEING THE NORTHEAST CORNER OF SAID PARCEL NO. 10-251-0011, SAID POINT BEING N00°03'20"W ALONG THE WEST SECTION LINE 1392.54 FEET, N89°56'40"E 480.28 FEET, TO THE SOUTHEAST CORNER OF SAID PARCEL NO. 10-251-0011 AND N38°14'51"E ALONG THE EAST LINE OF SAID PARCEL 407.94 FEET, FROM THE SOUTHWEST CORNER OF SAID SECTION 17; AND RUNNING THENCE S38°14'51"W ALONG SAID EAST LINE 18.99 FEET; THENCE S89°56'50"W 12.25 FEET; THENCE N00°05'10"W 14.89 FEET, TO THE NORTH LINE OF SAID LOT 4; THENCE N89°54'50"E 24.03 FEET, TO THE POINT OF BEGINNING.

CONTAINS 270 SQ FT, MORE OR LESS.

142085
DTM 01/19/15



Line #	Length	Direction
L1	18.99	S38°14'51\" W
L2	12.25	S89°56'50\" W
L3	14.89	N0°05'10\" W
L4	24.03	N89°54'50\" E