

EASEMENT AGREEMENT

EASEMENT AGREEMENT, made this 9th day of **February, 2012** between **Richard I. Winwood**, hereinafter referred to as "Grantor", having and residing at 5974 South Holladay Boulevard, Holladay, Utah 84121 and **Ronald Gunnell**, his successors and heirs, hereinafter referred to as "Grantee", having and residing at 5960 South Holladay Boulevard, Holladay, Utah 84121, collectively, the "Parties."

WHEREAS, the Grantor is the fee owner of certain land located in the City of Holladay, and State of Utah, as **Parcel No.22-14-303-008 and 22-14-303-009**, hereinafter referred to as Winwood Parcels, more particularly described by a metes and bounds description set forth in Schedule A annexed hereto and by this reference made a part hereof;

WHEREAS, the Grantee is the fee owner of certain land located in the City of Holladay, and State of Utah, as **Parcel No.22-15-427-007** hereinafter referred to as Gunnell Parcel, more particularly described by a metes and bounds description set forth in Schedule B annexed hereto and by this reference made a part hereof;

Access Right of Way and Easement:

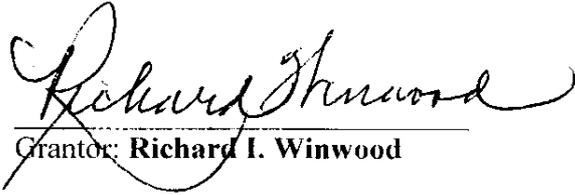
WHEREAS, the Parties are desirous of creating a perpetual, reciprocal, non-exclusive right of way and easement for pedestrian and vehicular ingress and egress on, over and across the Roadway. The exercise of such right of way and easement by the Gunnell Parcel Owner and the Winwood Parcel Owner is only for emergency access to the Gunnell Parcel and Winwood Parcel. As used in the immediately preceding sentence "emergency access" means (1) access for the members, successors and heirs of the Gunnell Family residing in the Estate Residence currently located on the Gunnell Parcel and access for the members, successors and heirs of the Winwood Family residing in the Estate Residence currently located on the Winwood Parcel and for all emergency vehicles, but for no additional persons or residences, whether or not the Gunnell Parcel or Winwood Parcel is subsequently subdivided; provided however that for parties held on Gunnell Parcel and Winwood Parcel and (2) access exercised in such a manner as to maintain the private and secluded nature of the Winwood Parcels, and shall not include any construction or service vehicles.

Bridge and Gate Right of Way and Easement:

The Gunnell Parcel (but no other real property) shall have appurtenant thereto and shall be benefited by, and the Winwood Parcels shall be subject to and shall be burdened by (a) a perpetual, non exclusive right of way and easement for pedestrian and vehicular ingress and egress on, over and across the existing concrete bridge located on/and or to the West of the Winwood Parcels, (b) a perpetual non-exclusive easement for the existing gate located on such bridge (to which a keypad may be added, in the manner previously agreed by the parties) and (c) a perpetual none-exclusive right of way and easement for maintenance, repair and replacement of such bridge and gate; provided however

that (1) no additional improvements relating to such bridge shall be constructed on the Winwood Parcels without the prior consent of the Winwood Parcels, and (2) the provisions of this paragraph shall not alter or affect the property boundaries of the Parcels as currently shown in the Official Records.

IN WITNESS WHEREOF, Parties have made and executed the foregoing easement agreement as of the date hereinabove written.


Grantor: **Richard I. Winwood**


Grantee: **Ronald Gunnell**

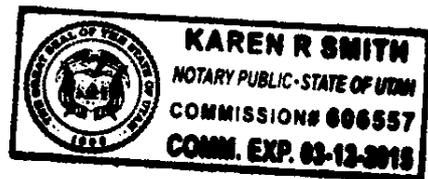
Acknowledgment by individual:

STATE OF **Utah**)
COUNTY OF **Salt Lake**) ss.:

On this 9th day of February in the year 2012, before me personally came **Richard Winwood and Ronald Gunnell**, to me personally known and known to me or proved to me on the basis of satisfactory evidence to be the same person(s) described in and who execute the foregoing instrument, and they acknowledged to me that they executed the same


Notary Public

Residing at So. Jordan
Commission Expires: 3-12-2015



Schedule "A"

Beginning at a point North $0^{\circ}17'$ East along the Section line 1312.28 feet and East 109.58 feet from the Southwest Corner of Section 14, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North $10^{\circ}26'$ West along the East bank of the Big Cottonwood Creek 87.50 feet; thence North $04^{\circ}47'$ West along said bank 49.13 feet; thence East 330.82 feet; thence South $00^{\circ}10'43''$ East 135.02 feet; thence West 311.30 feet to the point of beginning.

Tax Parcel No. 22-14-303-009

Beginning at a point North $0^{\circ}17'$ East along the Section line 1312.28 feet and East 420.88 feet and North $0^{\circ}10'43''$ West 135.02 feet from the Southwest Corner of Section 14, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence North $00^{\circ}10'43''$ West 167.27 feet; thence West 269.84 feet; thence South $30^{\circ}22'$ West 92.8 feet; thence South $14^{\circ}52'$ West 61.75 feet; thence South $04^{\circ}47'$ East 27.62 feet; thence East 330.82 feet to the point of beginning.

Tax Parcel No. 22-14-303-008

EXHIBIT "B"
PROPERTY DESCRIPTION

That certain parcel of real property situated in Salt Lake County, State of Utah and more particularly described as follows:

BEGINNING at a point which is South 0°17'2" West along the section line 627.32 feet and North 89°42'58" West 772.58 feet from the East quarter corner of Section 15, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said quarter corner being North 0°17'02" East 2668.24 feet from the Southeast corner of said Section 15. Said point being on the Easterly line of that certain parcel as conveyed by Quit Claim Deed to Mary S. Harris, recorded December 19, 1977 as Entry No. 3039909, in Book 4597, at Page 772 in the office of the Salt Lake County Recorder; thence North 24°45'00" West along said Easterly line 102.32 feet to a point on the South line of Cottonwood Acres No. 2 Subdivision according to the official plat thereof; thence North 89°56'40" East along said South line 630.00 feet; thence South 0°03'20" East 390.02 feet; thence South 89°56'40" West 281.32 feet to a point on the Easterly line of that certain parcel as conveyed by Quit Claim Deed to Mallinckrodt No. 2, Ltd., a Utah limited partnership recorded December 3, 1999, as Entry No. 7525996, in Book 8327, at Page 3115 in the office of the Salt Lake County Recorder; thence along said Easterly line the following two courses: (1) North 21°40'16" West 130 feet; (2) North 55°43'45" West 312.46 feet, to the point of BEGINNING.

TOGETHER with a non-exclusive right of way for ingress and egress across an existing drive way lying within the boundaries of the following described two (2) tracts of land:

TRACT 1:

BEGINNING at a point which is South 0°17'02" West along the section line 627.32 feet and North 89°42'58" West 772.58 feet from the East Quarter corner of Section 15, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said quarter corner being North 0°17'02" East 2668.24 feet from the Southeast corner of said Section 15. Said point being on the Easterly line of that certain Parcel conveyed by Quit Claim Deed to Mary S. Harris recorded December 19, 1977, as Entry



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No. 3039909, in Book 4597, at Page 772 in the office of the Salt Lake County Recorder; thence along said Easterly line North $24^{\circ}45'00''$ West 108.07 feet, to a point on the South boundary line of Cottonwood Acres No. 2 Subdivision, thence West along said South line, 7.398 feet to a point on the Southeasterly line of that certain Parcel conveyed to Kenneth G. Keller and Kristin L. Keller, husband and wife as joint tenants recorded July 3, 1997, as Entry No. 6683773, in Book 7704, at Page 2457 in the office of the Salt Lake County Recorder; thence along said Southeasterly line the following two (2) courses: (1) South $19^{\circ}26'46''$ West 133 feet; (2) South $37^{\circ}01'00''$ West 218.84 feet to a point on the Southerly line of said "Keller" property; thence South $89^{\circ}56'40''$ West along said Southerly line 68.684 feet to a point on the Easterly boundary line of Cottonwood Acres No. 2 Subdivision; thence South $01^{\circ}38'03''$ West along said Easterly line 199.94 feet; thence North $37^{\circ}01'00''$ East 503.38 feet, to the point of BEGINNING.

TRACT 2:

BEGINNING at a point on the Southeasterly boundary line of the property conveyed by Quit Claim Deed to Mary S. Harris, recorded December 19, 1977, as Entry No. 3039909, in Book 4597, at Page 772 in the office of the Salt Lake County Recorder, said point of beginning being South $0^{\circ}32'47''$ West along the section line 98.83 feet, and North $89^{\circ}47'20''$ West 220.257 feet and South $0^{\circ}18'09''$ East 431.969 feet and South $89^{\circ}56'40''$ West 597.696 feet and South $19^{\circ}26'46''$ West 133.00 feet and South $37^{\circ}01'$ West 218.840 feet and South $89^{\circ}56'40''$ West 34.200 feet and South $0^{\circ}38'40''$ West 127.77 feet from the East quarter corner of Section 15, Township 2 South, Range 1 East, Salt Lake Base and Meridian; thence South $0^{\circ}38'40''$ West 294.071 feet; thence South $14^{\circ}28'38''$ West 115.882 feet; thence South $0^{\circ}24'29''$ East along a fence line 252.326 feet; thence South $1^{\circ}01'09''$ East along a fence line 155.370 feet; thence South $0^{\circ}09'27''$ West along a fence line 155.370 feet; thence South $0^{\circ}09'27''$ West along a fence line 290.990 feet; thence South $0^{\circ}52'$



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West along a fence line 216.477 feet; thence South 1°51'35" West along a fence line 157.710 feet; thence South 0°43'04" West along a fence line 189.498 feet to the North line of 6200 South Street; thence North 89°56' West along said North line 20.001 feet; thence North 0°43'04" East along a fence line 189.925 feet; thence North 1°51'35" East along a fence line 100.667 feet; thence North 1°04'30" East along a fence line 270.267 feet; thence North 1°00'22" East along a fence line 3.000 feet; thence North 0°09'27" East along a fence line 267.220 feet; thence North 0°9'27" East along a fence line 267.220 feet; thence North 0°09'27" East along a fence line 23.590 feet; thence North 1°01'09" West along a fence line 155.270 feet; thence North 1°13'14" West along a fence line 79.928 feet; thence North 0°43'20" West along a fence line of 167.252 feet; thence North 14°28'38" East 124.039 feet; thence North 0°38'40" East 264.491 feet to the aforesaid boundary line of the "Harris" property; thence North 37°00'58" East along said boundary line 33.724 feet to the point of BEGINNING.



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