

WHEN RECORDED RETURN TO:

Larry G. Moore, Esq.
Ray Quinney & Nebeker P.C.
36 South State Street, Suite 1400
Salt Lake City, Utah 84111

Ent 926026 Bk 1426 Pg 755
Date 15-Sep-2006 1:16PM Fee \$17.00
Michael Gleed, Rec. - Filed By GC
Cache County, UT
For CACHE TITLE COMPANY

ACCESS EASEMENT

MIDORI FINANCIAL, LLC, a California limited liability company and Craig J. Faulkner and Marilyn G. Faulkner, as trustees of the Faulkner Family Trust (collectively "Grantor") hereby grants and conveys to Peter O. Phillips, an individual residing at 97 South 400 East, Richmond, Utah 84333 ("Grantee"), a non-exclusive easement for ingress and egress for vehicular and pedestrian traffic for the benefit of Grantee and its successors and assigns, as owner(s) of the real property located in Cache County, State of Utah, described in Exhibit "A" attached hereto and incorporated herein, thirty feet in width, along the length of the westerly boundary of Grantor's real property located in Cache County, State of Utah, and more particularly described on Exhibit "B" attached hereto and incorporated herein.

By recording this Access Easement, Grantee acknowledges and agrees that this Access Easement is temporary and conditional, and upon creation of a comparable public or private access easement or its legal equivalent (such as a deeded public road right of way) providing access from the Grantee's property to 3100 North via proposed 400 West Street or 200 West Street or a comparable public or private street, Grantor may at its sole option and upon written notice to Grantee, unilaterally record a Termination of this Access Easement, and upon Grantor recording such unilateral Termination of this Access Easement, this Access Easement shall cease to be of any force or effect.

This Access Easement may be executed in counterpart.

DATED this 4 day of September, 2006.

"Grantor"

Midori Financial, LLC

By [Signature]
Its: [Signature]

[Signature]
Craig J. Faulkner, as Trustee

[Signature]
Marilyn G. Faulkner, as Trustee

STATE OF CA)
COUNTY OF San Diego) : ss.

On the 14th day of September, 2006, personally appeared before me Craig J. Faulkner who being first duly sworn, acknowledged to me that (s)he executed the foregoing instrument on behalf of Midori Financial, LLC, a limited liability company, in the capacity stated.

[Signature]
Notary Public



STATE OF CA)
COUNTY OF San Diego) : ss.

On the 14th day of September, 2006, personally appeared before me Craig J. Faulkner and Marilyn G. Faulkner, who acknowledged to me that they executed the foregoing instrument in their capacities as Trustees of the Faulkner Family Trust.

[Signature]
Notary Public



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EXHIBIT "A"

All of Lot 11, Also, Beginning at the Northeast Corner of Lot 2, Section 16, Township 12 North, Range 1 East of the Salt Lake Base and Meridian, and running thence South 0°15' East 9.87 chains; thence North 87° West 0.25 chains; thence North 0°15' West 9.87 chains; thence East 0.25 chains to the place of beginning. (04-062-0003)

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EXHIBIT "B"

Beginning at the Northeast Corner of Section 16, Township 12 North, Range 1 East of the Salt Lake Base and Meridian, and running thence West 37.46 chains; thence South 0°15' East 22.02 chains; thence North 88°15' East 36.82 chains; thence North 1°20' East 20.68 chains to the place of beginning.

LESS: Beginning at the intersection of the West line of U.S. Highway 91 and the North line of said Section 16, and thence South 208.72 feet along Highway; thence West 208.72 feet; thence North 208.72 feet; thence East 208.72 feet along Section line to beginning.

LESS THE FOLLOWING: Part of the Northeast Quarter of Section 16, Township 12 North, Range 1 East of the Salt Lake Base and Meridian described as follows: Beginning at a point which lies South 1°10' West, 1331.88 feet from the Northeast corner of said Section 16, township 12 North, Range 1 East; and running thence West 567.31 feet; thence North 307.00 feet; thence East 567.00 feet to the West line of U.S. HIGHWAY 91; thence South 0°03'30" East along U.S. HIGHWAY 91, 307.00 feet (South 1°10' West by record) to the point of beginning. SUBJECT TO a 20 foot utility easement along the East line of the above described parcel.

(04-062-0007)

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