

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Region Two Permits
2010 South 2760 West
Salt Lake City UT,
84104

12769133
05/09/2018 02:01 PM \$0.00
Book - 10672 Pg - 9468-9474
ADAM GARDINER
RECORDER, SALT LAKE COUNTY, UTAH
UT DEPARTMENT OF TRANSPORTATION
ATTN JAKE TATE
2010 N REDWOOD RD
SALT LAKE CITY UT 84116
BY: RUP, DEPUTY - WI 7 P.

**AGREEMENT FOR A FUTURE
CROSS-ACCESS EASEMENT**

This Agreement is entered into this 4th day of May, 2018 between the Utah Department of Transportation (UDOT) and Towers Properties No. 1 L.L.C. (Property Owner).

RECITALS

WHEREAS, Property Owner has received access approval to improve its property located at 5757 South State Street in City of Murray, County of Salt Lake, State of Utah, and legally described as follows:

Beginning at a point given as West 1,627.67 feet and North 2°15'00" East 289.35 feet from the Southeast corner of the Northwest Quarter of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said point being East 303.89 feet and North 2°15'00" East 289.35 feet from a County monument at the intersection of State Street centerline and 5770 South Street and running thence North 2°15'00" East 87.84 feet; thence North 89°31'52" West 254.28 feet to the East line of State Street; said point being North 2°15'00" East 380.39 feet, and South 88°43'00" East 49.51 feet from said county monument at the intersection of State Street and 5770 South Street; thence South 2°15'00" West 130.00 feet along the East line of State Street; thence East 254.35 feet; thence North 2°15'00" East 40.07 feet to the point of beginning.

WHEREAS, as a condition of this access approval, Property Owner is required to enter into an agreement to create a future cross-access easement on its property to allow for ingress and egress between its property and the adjacent properties located at 5701 South State Street and 123 East 5770 South Street.

WHEREAS, the purpose of the easement is to allow traffic flow between the properties in one access and onto (SR-89) State Street so as to relieve congestion and to create less traffic hazards; and

WHEREAS, at this time, the adjacent properties located at 5701 South State Street and 123 East 5770 South Street are not seeking access approval, and the owner of that property is unwilling to grant a mutual cross-access easement at this time. It is anticipated that when the adjacent property is improved so as to require access approval, UDOT shall require that a cross-access easement be created to connect the two (2) properties. As required by UDOT, Property Owner agrees to grant an easement as set forth in this Agreement; and

WHEREAS, Exhibit B shall include a site plan showing the approximate location of the future easement.

AGREEMENT

Now therefore it is hereby agreed as follows:

1. In fulfillment of the requirements imposed as a condition of access approval, Property Owner agrees, in the future and upon demand by UDOT, to grant a cross-access easement provided that the adjacent property owner located at 5701 South State Street and 123 East 5770 South Street and as shown in attached Exhibit A, likewise grants a similar cross-access easement over its property.
2. At such time as the adjacent property owner desires access, Property Owner agrees to grant the cross-access agreement and to execute all necessary documents to create the cross-access easement.
3. The easements to be created shall burden and benefit the parcels. The easements shall run with the land and shall be binding on and shall insure to the benefit of the property owners, their respective heirs, successors or assigns.
4. The easements to be created shall continue until expressly terminated by written agreement between the parties, their successors, or their assigns. Any agreement to terminate or modify the easements to be created shall be approved in writing by UDOT.
5. Property Owner agrees to make the necessary improvements to its property to allow the ingress and egress as set forth herein within a reasonable time after the creation of the cross-access easements.
6. Property Owner agrees to maintain the easement area that will be located in its property in a reasonable manner and at its sole expense.
7. Any violation or breach of this Agreement shall be considered a breach of the access permit, and UDOT shall have the authority to enforce this Agreement in any manner permitted by law.
8. This Agreement to create a cross access agreement shall be recorded with the Salt Lake County Register of Deeds.

REQUIRED EXHIBITS: Exhibit A is the required legal description of the subject adjacent property. Exhibit B shall include a site plan showing the approximate location of the future easement. Both referenced exhibits are required to be attached to this agreement prior to recording.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on their behalf by the following duly authorized representatives as of the date appearing opposite their signature below.

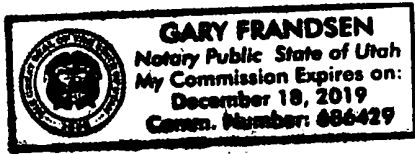
Towers Properties No. 1 L.L.C.

By: Jerry R. Towers

05/04/2018
Date

STATE OF UTAH)
)ss.
COUNTY OF Salt Lake)

On this 4th day of May, 2018, before me, a Notary Public in and for the County of Salt Lake, personally appeared Jerry R. Towers on behalf of Towers Properties No. 1, to me known to be the same person who signed and is described in the above instrument and acknowledged the same to be his/her free act and deed.



[Signature]
Notary Public, State of Utah
My Commission expires: 12/18/2019

Exhibit A – Legal Description

Exhibit A
Access Easement

A part of the Northwest Quarter of Section 18, Township 2 South, Range 1 East, Salt Lake Base and Meridian, U.S. Survey in Salt Lake County, Utah:

Beginning at a point on the North Line of Grantor's Property being 23.82 feet South 89°18'10" East along said North Line from the Easterly Right-of-Way Line of State Street and the Northwest Corner of Grantor's Property; said point of beginning is located 379.68 feet North 2°30'41" East along the Monument Line of State Street; and 73.23 feet South 89°18'10" East from a County Monument at the intersection of State Street and 5770 South Street; and running thence South 89°18'10" East 25.02 feet along the North Line of Grantor's Property; thence South 2°25'05" West 72.40 feet to a point of curvature; thence Southeasterly along the arc of a 5.00 foot radius curve to the left a distance of 7.85 feet (Central Angle equals 90°00'00" and Long Chord bears South 42°34'55" East 7.07 feet) to a point of tangency; thence South 87°34'55" East 139.00 feet to a point of curvature; thence Northeasterly along the arc of a 5.00 foot radius curve to the left a distance of 7.85 feet (Central Angle equals 90°00'00" and Long Chord bears North 47°25'05" East 7.07 feet) to a point of tangency; thence North 2°25'05" East 76.88 feet to the North Line of Grantor's Property; thence South 89°18'10" East 27.21 feet along said North Line; thence South 2°53'10" West 128.20 feet to the South Line of Grantor's Property; thence North 89°46'18" West 34.14 feet along said South Line; thence North 2°25'05" East 12.80 feet to a point of curvature; thence Northwesterly along the arc of a 10.00 foot radius curve to the left a distance of 15.71 feet (Central Angle equals 90°00'00" and Long Chord bears North 42°34'55" West 14.14 feet) to a point of tangency; thence North 87°34'55" West 156.04 feet; thence North 2°25'05" East 100.65 feet to the point of beginning.

Contains 9,737 sq. ft.

Exhibit B – Depiction of Access Easement

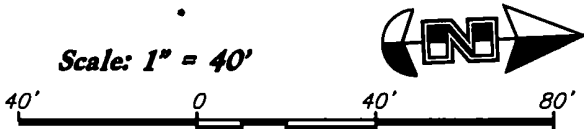
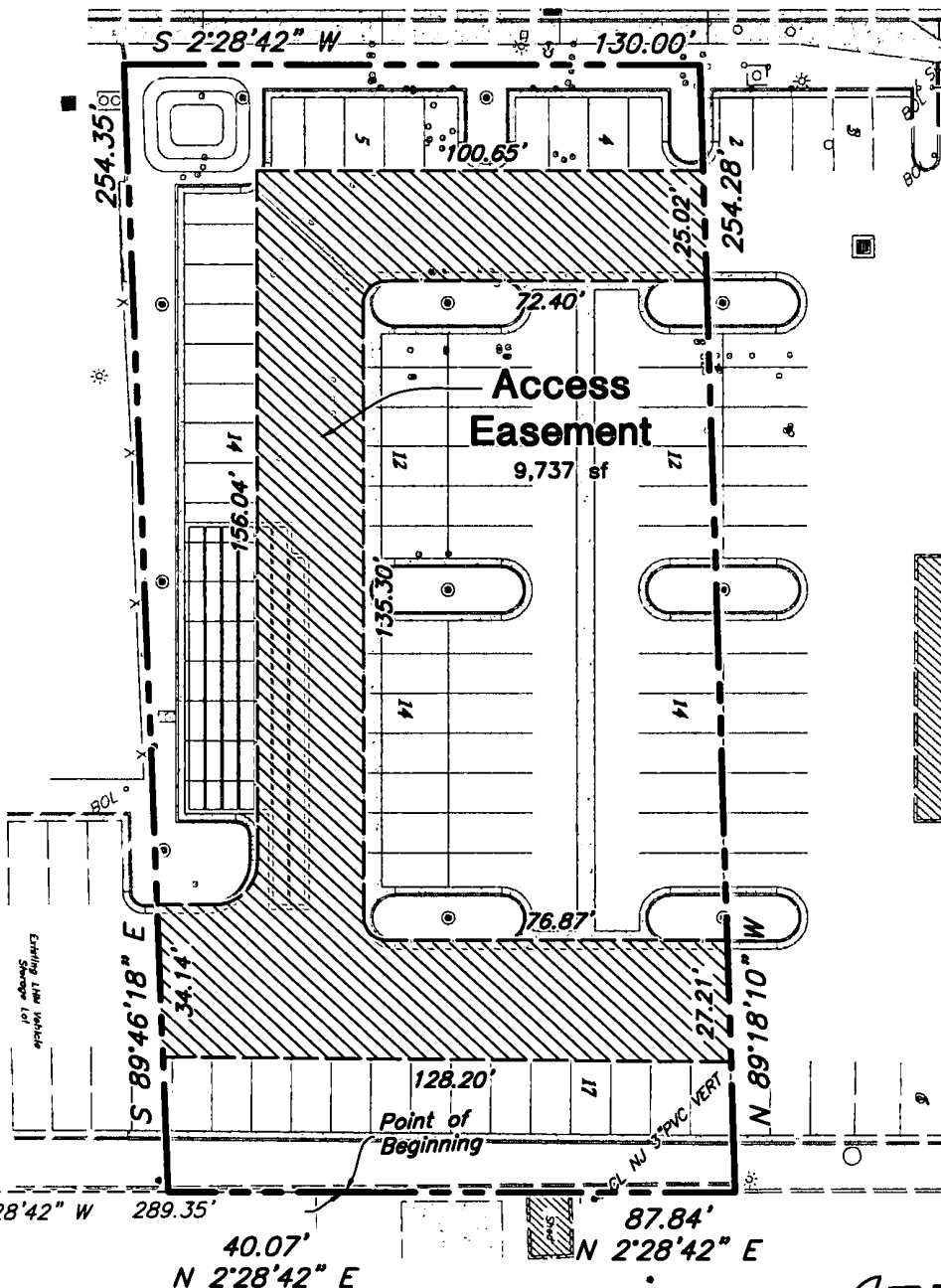
W:\18-017 LHM Towers Plumbing\dws\18-017 Exhibit A.dwg, 5/9/2018 1:19:03 PM, 1:1

(N 2°15'30" E rec ARP) Basis of Bearings = S 2°30'41" W VRS

5757 South State Street

303.89'
Found Salt Lake County
Brass Cap Monument
at 5770 South Street

Found Salt Lake County
Brass Cap Monument
at 5600 South Street



2010 North Redwood Road, Salt Lake City, Utah 84116
801 821-8529 - AWahlen@anwa.net

Easement Exhibit B
LHM Towers Plumbing
5757 South State Street
Murray, Utah

Sheet No.

EX-B

Designed By: JT

Drafted By: DC

Client Name:
LHM

18-017 Exhibit A

3 May, 2018