

After Recording, Return To:

Fieldstone Canton Ridge Park, LLC.  
Attn. Dylan Young  
12896 S. Pony Express Road, Suite 400  
Draper, UT 84020

ENT 127037:2019 PG 1 of 9  
**Jeffery Smith**  
**Utah County Recorder**  
2019 Dec 02 02:55 PM FEE 40.00 BY MA  
RECORDED FOR Bartlett Title Insurance Agency, Inc.  
ELECTRONICALLY RECORDED

APNs: 58:041:0020, 58:041:0021

BT-17652

## AMENDMENT AND CORRECTION TO ACCESS AND UTILITIES EASEMENT AGREEMENT

This Amendment and Correction to Access and Utilities Easement Agreement (this "Agreement") is entered into this 2nd day of December, 2019, by and between Fieldstone Canton Ridge Park, LLC, a Utah limited liability company ("Grantor"), and Alma E. and Ethel B. Rushton Family Partnership, a Utah general partnership ("Grantee"), with respect to the following.

### RECITALS

A. Grantor, as the owner of the real property described in Exhibit "A" attached hereto, and Grantee, as owner of the real property described in Exhibit "B" attached hereto, are parties to that certain Access and Utilities Easement Agreement dated as of June 1, 2018, and recorded in the Utah County Recorder's Office on June 4, 2018, as Entry No. 51455:2018 (the "2018 Easement Agreement"), which established certain easements over the real property described in Exhibit "C" attached hereto.

B. Grantor and Grantee desire to amend and correct the 2018 Easement Agreement, to reflect the conveyance to Grantor of a portion of Grantee's Property (as defined in the 2018 Easement Agreement), and to correct and/or clarify the descriptions of Grantee's Property as set forth in Exhibit "B" to the 2018 Easement Agreement, upon the following terms and conditions.

### TERMS AND CONDITIONS

1. Partial Release of Grantee's Property. Simultaneously with the execution of this Agreement, a portion of the Grantee's Property (as defined in the 2018 Easement Agreement) has been conveyed to Grantor, which portion is described as follows:

A portion of the Southwest Quarter of Section 34, Township 5 South, Range 1 West, more particularly described as follows:

Beginning at a point located South 89°50'07" East along the Quarter Section Line 1047.92 feet from the West ¼ Corner of Section 34, Township 5 South, Range 1 West, Salt Lake Base & Meridian; thence South 89°50'07" East 893.80 feet; thence South 1704.48 feet; thence West 893.80 feet; thence North 1707.05 feet to the Point of Beginning.

Being a portion of tax parcel no. 58:041:0226.

Hereinafter referred to as the "Conveyed Parcel."

By reason of said conveyance to the Grantor, Grantor and Grantee hereby agree that the Conveyed Parcel should be and is hereby deleted from the description of Grantee's Property and said Conveyed Parcel is hereby released from the 2018 Easement Agreement.

2. Correction of Exhibit "B," Grantee's Property. Grantor and Grantee have become aware of certain errors and/or ambiguities in the legal descriptions of "Grantee's Property" as set forth in Exhibit "B" to the 2018 Easement Agreement. Grantor and Grantee hereby agree that Exhibit "B" to the 2018 Easement Agreement is hereby corrected and amended to read as set forth in Exhibit "B" attached hereto, which corrects the errors in Exhibit "B" to the 2018 Easement Agreement and gives effect to the release of the Conveyed Parcel, as set forth in Paragraph 1 above.

3. No Other Changes. Except as amended and corrected herein, the 2018 Easement Agreement remains in effect, subject to the provisions set forth therein.

[Signatures and Acknowledgments on Following Pages]

[Grantor's signature page to Amendment and Correction to  
Access and Utilities Easement Agreement]

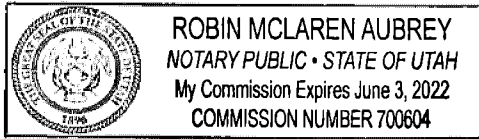
**"GRANTOR"**

FIELDSTONE CANTON RIDGE PARK, LLC, a Utah  
limited liability company

By [Signature]  
Name Jason Harris  
Its Assistant Secretary

STATE OF UTAH )  
 ) :ss.  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 2nd day of December,  
2019, by Jason Harris, the Asist. Secretary of Fieldstone Canton Ridge  
Park, LLC, a Utah limited liability company.



[Signature]  
Notary Public

[Grantee's signature pages to Amendment and Correction to  
Access and Utilities Easement Agreement]

**"GRANTEE"**

ALMA E. AND ETHEL B. RUSHTON FAMILY  
PARTNERSHIP, a Utah general partnership  
By Its General Partners:

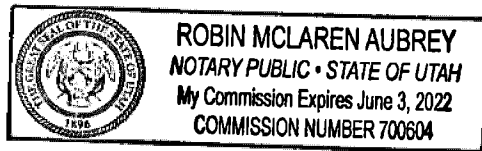
RUSHTON FAMILY COMPANY, LLC, a Utah  
limited liability company

By *Lynda R. Ahlquist*  
Lynda R. Ahlquist (Its Manager)

STATE OF UTAH            )  
  ):ss.  
COUNTY OF Utah        )

The foregoing instrument was acknowledged before me this 2nd day of December, 2019, by Lynda R. Ahlquist, as the Manager of Rushton Family Company, LLC, a Utah limited liability company, which is a general partner of Alma E. and Ethel B. Rushton Family Partnership, a Utah general partnership.

*Robin McLaren Aubrey*  
\_\_\_\_\_  
NOTARY PUBLIC

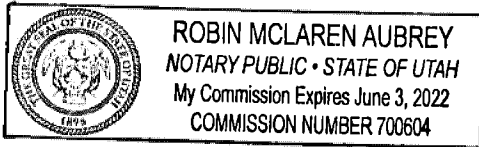


A. LAURENCE & ELVA J. RUSHTON FAMILY COMPANY, LLC, a Utah limited liability company

By Ronald D. Rushton  
Ronald D. Rushton, Its Authorized Agent

STATE OF UTAH )  
 ):ss.  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 2nd day of December, 2019, by Ronald D. Rushton, as the Authorized Agent of A. Laurence & Elva J. Rushton Family Company, LLC, a Utah limited liability company (pursuant to a Statement of Authority filed with the Utah Division of Corporations and Commercial Code), which is a general partner of Alma E. and Ethel B. Rushton Family Partnership, a Utah general partnership..



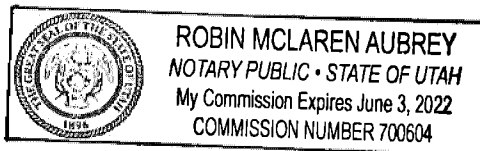
Robin McLaren Aubrey  
NOTARY PUBLIC

FLOYD & NORMA RUSHTON PROPERTIES, LLC, a Utah limited liability company

By Floyd S. Rushton  
Floyd S. Rushton, Its Manager

STATE OF UTAH )  
 ):ss.  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 2nd day of December, 2019, by Floyd S. Rushton, as the Manager of Floyd & Norma Rushton Properties, LLC, a Utah limited liability company, which is a general partner of Alma E. and Ethel B. Rushton Family Partnership, a Utah general partnership.



Robin McLaren Aubrey  
NOTARY PUBLIC

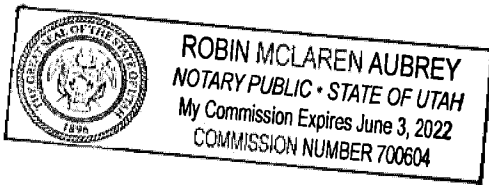
JONES LEHI, L.L.C., a Utah limited liability company

By Harry R. Jones  
Harry R. Jones, Its Manager

By Robynn Jones Glasmann  
Robynn Jones Glasmann, Its Manager

STATE OF UTAH )  
 ):ss.  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 2nd day of December 2019, by Harry R. Jones and Robynn Jones Glasmann, as the Managers of Jones Lehi, LLC, a Utah limited liability company, which is a general partner of Alma E. and Ethel B. Rushton Family Partnership, a Utah general partnership.



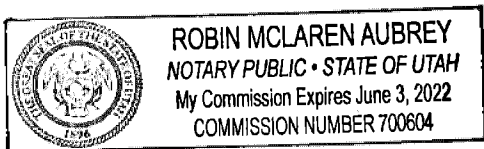
Robin McLaren Aubrey  
NOTARY PUBLIC

ELSIE LOVELACE, L.L.C., a Utah limited liability company

By Brad D. Turpin  
Brad D. Turpin, Its Manager

STATE OF UTAH )  
 ):ss.  
COUNTY OF Utah )

The foregoing instrument was acknowledged before me this 2nd day of December, 2019, by Brad D. Turpin, as the Manager of Elsie Lovelace, L.L.C., a Utah limited liability company, which is a general partner of Alma E. and Ethel B. Rushton Family Partnership, a Utah general partnership.



Robin McLaren Aubrey  
NOTARY PUBLIC

**EXHIBIT "A"**

**GRANTOR'S PROPERTY**

Real property located in Utah County, Utah, and described as follows:

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED  $S89^{\circ}50'07''E$  ALONG THE QUARTER SECTION LINE 1941.72 FEET FROM THE WEST 1/4 CORNER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; THENCE  $S89^{\circ}50'07''E$  761.26 FEET TO THE CENTER OF SAID SECTION 34, ALSO BEING THE NORTHWEST CORNER OF THE BENCHES PLAT 10 SUBDIVISION; THENCE  $S0^{\circ}23'55''E$  ALONG THE QUARTER SECTION LINE 1702.33 FEET; THENCE WEST 773.11 FEET; THENCE NORTH 1704.48 FEET TO THE POINT OF BEGINNING.

Tax parcel no. 58:041:0225

**EXHIBIT "B"**

**GRANTEE'S PROPERTY**

Real property located in Utah County, Utah, and described as follows:

Parcel 1:

The Southwest Quarter of Section 34, Township 5 South, Range 1 West, less and excepting the following described parcels:

A portion of the Southwest Quarter of Section 34, Township 5 South, Range 1 West, Salt Lake Base & Meridian, more particularly described as follows:

Beginning at a point located South 89°50'07" East along the Quarter Section line 1941.72 FEET from the West ¼ Corner of Section 34, Township 5 South, Range 1 West, Salt Lake Base & Meridian; thence South 89°50'07" East 761.26 feet to the center of said Section 34, also being the Northwest corner of the Benches Plat 10 Subdivision; thence South 0°23'55" East along the Quarter Section line 1702.33 feet; thence West 773.11 feet; thence North 1704.48 feet to the point of beginning.

Also less and excepting:

Beginning at a point located South 89°50'07" East along the Quarter Section Line 1047.92 feet from the West ¼ Corner of Section 34, Township 5 South, Range 1 West, Salt Lake Base & Meridian; thence South 89°50'07" East 893.80 feet; thence South 1704.48 feet; thence West 893.80 feet; thence North 1707.05 feet to the Point of Beginning.

A portion of tax parcel no. 58:041:0226

Parcel 2:

The Southeast Quarter of Section 33, Township 5 South, Range 1 West, Salt Lake Base & Meridian.

Tax parcel no. 58:041:0021



**EXHIBIT "C"**

**ACCESS EASEMENTS  
UTILITIES EASEMENTS**

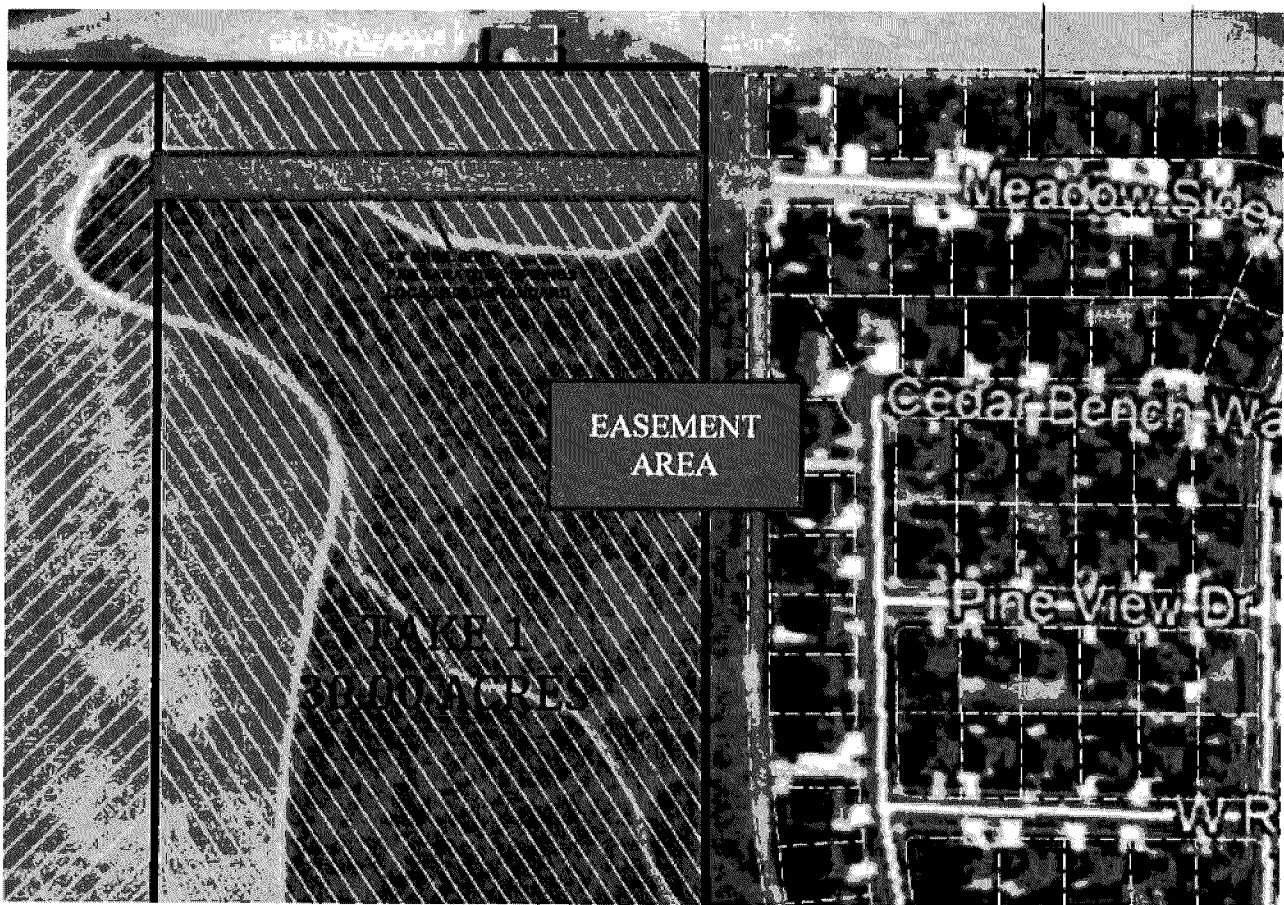
Land located in Utah County, Utah, and more particularly described as follows:

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED S89°50'07"E ALONG THE QUARTER SECTION LINE 1941.72 FEET AND SOUTH 120.58 FEET FROM THE WEST 1/4 CORNER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; THENCE S89°45'56"E 762.11 FEET TO THE QUARTER SECTION LINE; THENCE S0°23'55"E ALONG THE QUARTER SECTION LINE 59.00 FEET; THENCE N89°45'56"W 762.52 FEET; THENCE NORTH 59.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: ±1.03 ACRES

The "Grantee Easements" are also depicted in the following map:



4821-7532-5799