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05/31/96 2:39 PM 24.00
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
FIRST AMERICAN TITLE
REC BY: V ASHBY DEPUTY - WI

When recorded, mail to:

Robert D. Tingey
175 West 200 South, #4000
Salt Lake City, Utah 84101

RIGHT OF WAY AND EASEMENT AGREEMENT

This Right of Way and Easement Agreement is made and entered into this 18th day of April, 1996, by and between CHAN L. MAXFIELD and NAOMI T. MAXFIELD, hereinafter collectively referred to as "Grantee," and J B TILE COMPANY, a Utah corporation, and the J B TILE COMPANY PROFIT SHARING TRUST, hereinafter collectively referred to as "Grantor".

R E C I T A L S

A. Grantor is the owner in fee simple, of a certain parcel of real property situated in Salt Lake County, State of Utah, which parcel shall hereinafter be referred to as the "J B Tile Parcel," and which is more particularly described as:

Beginning at a point on the North line of Beardsley Place (2480 South) said point being North 00°07'00" East 2704.67 feet and South 89°26'30" West 1988.53 feet and South 0°33'30" East 550.00 feet and South 89°26'30" West 751.24 feet from the Southeast corner of Section 23, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence North 00°33'30" West 30.00 feet; thence North 77°07'11" West 31.33 feet to a point of a curve to the left, the radius point of which is North 77°07' 11" West 740.98 feet; thence Northerly along the arc of said curve and through a central angle of 13°08'59" 170.06 feet to a point of tangency; thence North 00°16' 10" West 100.00 feet; thence South 87°00' 14" East 92.28 feet; thence North 02°59'46" East 99.786 feet; thence South 65°01'40" East 80.47 feet; thence South 25°31'00" West 250.78 feet; thence South 05°25' 20" West 140.41 feet to the North line of Beardsley Place; thence South 89°26'30" West along said North line 36.45 feet to the point of beginning. Contains 29,990 square feet or 0.6885 acres.

Also beginning at a point on the North line of Beardsley Place (2480 South), said point being North 00°07'00" East 2704.67 feet and South 89°26'30" West 1988.53 feet and South 00°33'30" East 550.00 feet and

South 89°26'30" West 620.79 feet from the Southeast corner of Section 23, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 89°26'30" West along said North line 94.00 feet; thence North 05°25'20" East 140.41 feet; thence North 25°31'00" East 250.78 feet; thence South 65°01'40" East 129.49 feet; thence South 24°59'00" West 342.57 feet to the point of beginning. Contains 45,379 square feet or 1.0418 acres.

B. Grantee is the owner in fee simple of the following described parcel of real property, situated in Salt Lake County, State of Utah, which parcel shall hereinafter be referred to as the "Maxfield Parcel," and which is more particularly described as follows:

Beginning at a point on the North line of Beardsley Place (2480 South), said point being North 00°07'00" East 2704.67 feet and South 89°26'30" West 1988.53 feet and South 00°33'30" East 550.00 feet and South 89°26'30" West 751.24 feet from the Southeast corner of Section 23, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 89°26'30" West along said North line 30.00 feet; thence North 74°21'38" West 60.00 feet to a point on a curve to the left, the radius point of which is North 74°21'38" West 690.98 feet; thence Northerly along the arc of said curve and through a central angle of 15°54'32", 191.86 feet to a point of tangency; thence North 00°16'10" West 234.41 feet to a point of a 841.00 foot radius curve to the right; thence Northerly along the arc of said curve and through a central angle of 15°57'21" 234.20 feet; thence South 89°54'18" East 474.20 feet; thence South 24°59'00" West 75.00 feet; thence South 89°26'30" West 234.80 feet; thence South 07°55'30" West 95.80 feet; thence South 83°17'30" West 73.30 feet; thence South 02°59'46" West 196.10 feet; thence North 87°00'14" West 92.28 feet; thence South 00°16'10" East 100.00 feet to a point of a 740.98 foot radius curve to the right; thence Southerly along the arc of said curve and through a central angle of 13°08'59", 170.06 feet; thence South 77°07'11" East 31.33 feet; thence South 00°33'30" East 30.00 feet to the point of beginning. Contains 2.301 acres or 100,233 square feet.

C. Access to the Maxfield Parcel may be obtained only over and across the J B Tile Parcel.

D. The parties hereto desire to establish the rights of the parties in and to the premises.

NOW, THEREFORE, in consideration of the above premises and for payment of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the undersigned parties hereby agree as follows:

1. Grantor hereby grants, bargains, sells and conveys to Grantee and his respective successors and assigns, for the benefit of and as an appurtenance to the Maxfield Parcel, a non-exclusive right of way and easement, as more particularly described in paragraph 2 below, over and across the portion of the J B Tile Parcel more particularly described as follows:

Beginning at a point North 00°07'00" East 2704.67 feet and South 89°26'30" West 1988.53 feet and South 00°33'30" East 550.00 feet and South 89°26'30" West 739.93 feet and North 5°25'20" East 147.46 feet and North 25°31' East 120.31 feet and North 2°59'46" East 25.41 feet from the Southeast corner of Section 23, Township 1 South, Range 1 West, Salt Lake Base and Meridian and running thence North 87°00'14" West 91.14 feet; thence North 0°16'10" West 20.03 feet; thence South 87°00'14" East 92.28 feet; thence South 2°59'46" West 20.00 feet to the point of beginning.

Also, beginning at a point on the North line of Beardsley Place (2480 South), said point being North 00°07'00" East 2704.67 feet and South 89°26'30" West 1988.53 feet and South 00°33'30" East 550.00 feet and South 89°26'30" West 709.76 feet from the Southeast corner of Section 23, Township 1 South, Range 1 West, Salt Lake Base and Meridian, and running thence South 89°26'30" West along said North line 30.17 feet; thence North 05°25'20" East 147.46 feet; thence North 25°31'00" East 120.31 feet; thence North 02°59'46" East 145.20 feet; thence South 65°01'40" East 85.47 feet; thence South 25°31'00" West 249.94 feet; thence South 05°25'20" West 139.00 feet to the point of beginning.

This easement and right of way is superior and paramount to the rights of Grantor in the respective servient estates so created, and the parties further agree that it is a covenant that shall run with the land.

2. Grantee is granted the right with regard to the property located within the right of way and easement granted herein to use such right of way and easement for ingress and egress to and from the Maxfield Parcel.

3. Grantor reserves the right to use the portion of the J

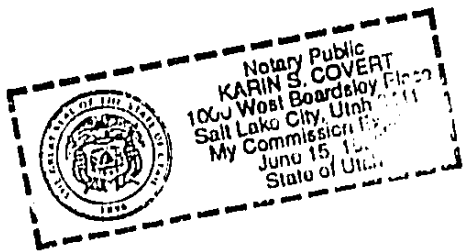
B Tile Parcel located within the right of way and easement granted herein for purposes which will not interfere with Grantee's full enjoyment of the rights hereby granted.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the date hereinabove first written.

GRANTEE

Chan L. Maxfield
CHAN L. MAXFIELD

Naomi T. Maxfield
NAOMI T. MAXFIELD



GRANTOR

J B TILE COMPANY
a Utah corporation

By *Ernest J. Blackburn*
Its _____

THE J B TILE COMPANY PROFIT SHARING TRUST

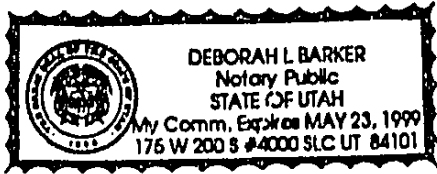
By *Peter Lawrence*
Its _____
Na S. Cant

STATE OF UTAH)
): SS.
COUNTY OF SALT LAKE)

On the 17th day of April, 1996, personally appeared before me Chan L. Maxfield, one of the signers of the within instrument, who duly acknowledged to me that he executed

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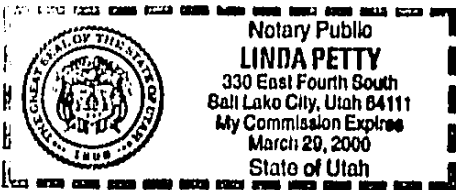
the same.



Deborah L. Barker
NOTARY PUBLIC

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

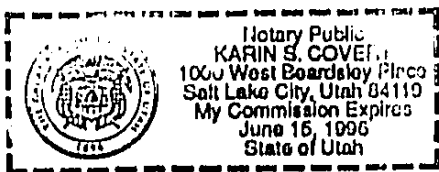
On the 17th day of April, 1996, personally appeared before me Naomi T. Maxfield, one of the signers of the within instrument, who duly acknowledged to me that she executed the same.



Linda Petty
NOTARY PUBLIC

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the 18th day of April, 1996, personally appeared before me Wanda J. Baker, Peter R. Edwards and Karin S. Cover the ~~one~~ signers of the within instrument, who duly acknowledged to me that they executed the same for and on behalf of J B Tile Company, and The J. B. Tile Company Profit Sharing Trust.



Karin S. Cover
NOTARY PUBLIC

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

On the _____ day of _____, 1996, personally

appeared before me _____ the _____
of The J B Tile Company Profit Sharing Trust, one of the signers
of the within instrument, who duly acknowledged to me that he
executed the same for and on behalf of The J B Tile Company
Profit Sharing Trust.

NOTARY PUBLIC

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