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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
HERRIMAN MEDICAL PARTNERS
13414 S. FORT ST.
DRAPER UT 84020
BY: MMA, DEPUTY - WI 10 P.

WHEN RECORDED RETURN TO:

Herriman Medical Partners, LLC
Attn: Jim Balderson
13414 South Fort Street
Draper, Utah 84020

**DECLARATION AND GRANT OF EASEMENT
FOR INGRESS AND EGRESS**

This Declaration and Grant of Easement for Ingress and Egress is executed effective as of the 27th day of April, 2017 by Herriman Medical Partners, LLC, a Utah limited liability company ("Grantor"), as fee title owner of the "Easement Parcel", as defined below.

RECITALS

- A. Grantor owns two (2) parcels of real property located in Riverton City, Salt Lake County, State of Utah, and more particularly described on Exhibit "A", attached hereto and incorporated herein, the foregoing property being designated as Tax Serial Nos. 33-06-100-041 ("Parcel 1") and 33-06-100-042 ("Parcel 2", together with Parcel 1 the "Burdened Property.")
- B. The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah corporation ("Grantee"), owns a parcel of real property adjacent to the Burdened Property in Riverton City, Salt Lake County, State of Utah, and more particularly described on Exhibit "B", attached hereto and incorporated herein, the foregoing property being designated as Tax Serial No. 33-06-100-044-001 (the "Benefitted Property").
- C. As a condition of developing the Burdened Property, Riverton City has requested that the Grantor declare and grant an access easement for ingress and egress across a portion of the Burdened Property for the benefit of the Benefitted Property.
- D. Grantor desires to establish by this Declaration and Grant of Easement an easement on, over, through and across a certain portion of the Burdened Property for vehicular ingress and egress as set forth herein.

NOW THEREFORE, for Ten Dollars and other valuable consideration, receipt and sufficiency of which are hereby acknowledged, Grantor hereby declares and grants as follows:

- 1. Declaration and Grant of Easement. Grantor declares and grants for the benefit of the Grantee and its successors in title as owners of the Benefitted Property, and their respective tenants, invitees, and guests, a perpetual, nonexclusive easement for vehicular ingress and egress

sufficient in width for vehicular traffic more particularly described on Exhibit "C" attached hereto and incorporated herein and depicted on Exhibit "D" (the "Access Drive").

2. Right to Relocate. Notwithstanding anything contained herein to the contrary, Grantor hereby reserves the right, at its discretion and with written notice to Grantee, to reasonably relocate the Access Drive to a different area on the Burdened Property, and to adjust the width of such Access Drive in order to facilitate and accommodate Grantor's future use, development, and/or re-development of the Burdened Property as determined by Grantor; provided, however, that Grantee shall continue to have the easement right granted herein in such relocated access drive; and such relocated access drive shall be sufficient for normal vehicular access. In such event, Grantor, or its successor in title to the Burdened Property, may unilaterally execute and record an amendment to this Declaration and Grant of Easement setting forth the location of the relocated access drive.

3. Conditions to Declaration and Grant re: Improvement and Maintenance of Access Drive. Grantee's right to use the easement for the Access Drive granted in paragraph 1 above is subject to the following conditions:

- a) *Improvement.* Upon the occurrence of any of the following events: (i) notice from the City of Riverton, Salt Lake County, or any other entity having jurisdiction; or (ii) one (1) year's written notice from Grantor, so long as Grantor owns the Burdened Property; or (iii) the agreement of all of the Grantor and Grantee that the Access Drive be improved in some way, as specified in the applicable notice or agreement, Grantee shall be responsible for an equal share (1/2) of the cost of such improvement. Any improvement shall be done in a manner consistent with any applicable ordinance.
- b) *Periodic Maintenance.* Grantor and Grantee shall be responsible for an equal share (1/2) of the cost of any periodic maintenance required on the Access Drive including, but not limited to snow removal and resurfacing.
- c) *Loss of Use.* If Grantee fails to comply with the conditions to Grantee's use of the easement for the Access Drive set forth in subparagraphs 3(a) and (b) above, Grantor may, upon written notice to Grantee, terminate Grantee's use of the Access Drive until such conditions have been complied with by Grantee.

3. Run With The Land. The easement over the Access Drive granted herein shall run with the land and shall be binding upon and inure to the benefit of the current and future owners of the Burdened Property and the Benefitted Property.

4. Governing Law. This Declaration and Grant of Easement shall be governed by and construed under the laws of the State of Utah.

Signatures on following page

EXHIBIT A
Burdened Property

Parcel 1:

Beginning at a point which is 870.00 feet South 89°48'37" East along the North Section line from the Northwest corner of Section 6, Township 4 South, Range 1 West, Salt Lake Base and Meridian, thence South 89°48'37" East along said Section line 457.65 feet to the Northeast corner of the West 1/2 of the Northwest 1/4 of said Section 6; thence South 0°21'38" East 358.00 feet along the East line of said West 1/2; thence North 89°48'47" West 457.65 feet; thence North 0°21'38" West 358.00 feet to the point of beginning.

Less and excepting any and all portions lying within the legal bounds of Calder Place Subdivision, Andreason Place Subdivision, Hamilton's Homestead Subdivision, and 13400 South Street.

Also less and excepting the following three (3) legal descriptions:

A parcel of land in fee for the widening of the existing roadway 13400 South Street, being part of an entire tract of property situate in the NW¼ NW¼ of Section 6, Township 4 South, Range 1 West, Salt Lake Base & Meridian. The boundaries of said parcel of land are as follows: Beginning in the Westerly boundary line of said entire tract at a point South 89°48'47" East 870.33 feet (870.00 feet by record) along the section line and 45.00 feet South 00°11'13" West from the Northwest Corner of said Section 6, said corner is 39.00 feet perpendicularly distant southerly from the centerline of said 13400 South Street opposite engineers station 133+97.57; and running thence North 00°21'38" West 45.00 feet along said westerly boundary line to the Northwest Corner of said entire tract, said point lies in the northerly section line of said Section 6; thence South 89°48'47" East 187.65 feet along the northerly boundary line of said entire tract to the Northeast Corner of said entire tract; thence South 00°21'38" East 45.00 feet along the easterly boundary line of said entire tract; thence North 89°48'47" West 187.65 feet along a line parallel with said centerline to the point of beginning.

A parcel of land in fee for a highway known as Project No. MP-0182(6), being part of an entire tract of property, situate in the NW¼NW¼ of Section 6, Township 4 South, Range 1 West, Salt Lake Base & Meridian. The boundaries of said parcel of land are described as follows:
Beginning at the Northeast corner of said entire tract, which point is 1,057.65 feet South 89°48'47" East along the section line and 45.00 feet South 0°21'38" East from the Northwest Corner of said Section 6; and running thence South 0°21'38" East 9.95 feet along the easterly boundary line of said entire tract to a point 69.85 feet radially distant southerly from the 13400 South Street Right of Way Control Line, of said project, opposite approximate Engineer Station 28+72.08; thence North 89°03'45" West 11.66 feet.; thence South 89°37'19" West 258.98 feet to the westerly boundary line of said entire tract to a point 71.89 ft. perpendicularly distant southerly from said control line, opposite approximate Engineer Station 26+00.85; thence North 0°21'38" West 12.35 feet to the existing southerly right of way line of 13400 South Street; thence South 89°48'47" East 270.65 ft. along said existing northerly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

A tract of land in Lot 4 of Section 6, Township 4 South, Range 1 West, Salt Lake Base & Meridian. The boundaries of said tract of land are described as follows: Beginning at a point which is 522.73 feet South 89°33'56" East along the section line and 45.00 feet South from the Northwest Corner of said Section 6; and running thence South 89°33'56" East 535.01 feet.; thence South 0°06'47" East 9.95 feet; thence North 88°48'54" West 11.66 feet; thence South 89°52'10" West 230.73 feet to the end of the highway limited-access line of UDOT Project MP-0182(6) at a point designated as Point "B"; thence along said limited-access line the following four courses: 1) South 89°52'10" West 28.25 feet; 2) South 00°06'03" West 3.27 feet; 3) North 89°31'48" West 76.74 feet; 4) South 78°58'29" West 195.01 feet to a point designated as Point "A"; thence North 3°58'40" East 54.42 feet to the point of beginning.

Parcel 2:

Beginning at a point 540.65 feet North 89°48'47" West from the Northeast corner of the Northwest quarter of the Northwest quarter of Section 6, Township 4 South, Range 1 West, Salt Lake Base and Meridian, said point being 787 feet South 89°48'47" East from the Northwest corner of said Section 6; thence running South 89°48'47" East 83 feet; thence South 0°21'38" East 358 feet; thence North 89°48'47" West 83 feet; thence North 0°21'38" West 358 feet to the point of beginning.

Less and excepting the following three (3) legal descriptions:

A parcel of land in fee for the widening of the existing roadway 13400 South Street, being part of an entire tract of property situate in the NW¼NW¼ of Section 6, Township 4 South, Range 1 West, Salt Lake Base & Meridian. The boundaries of said parcel of land are as follows: Beginning in the westerly boundary line of said entire tract at a point South 89°48'47" East 787.34 feet (787.00 feet by record) along the section line and 39.00 feet South 00°21'38" West from the Northwest Corner of said Section 6, said corner is 39.00 feet perpendicularly distant southerly from the centerline of said 13400 South Street opposite engineers station 133+14.57; and running thence North 00°21'38" West 45.00 feet along said westerly boundary line to the Northwest Corner of said entire tract, said point being in the northerly section line of said Section 6; thence South 89°48'47" East 83.00 feet along the northerly boundary line of said entire tract to the Northeast Corner of said entire tract; thence South 00°21'38" East 45.00 feet along the easterly boundary line of said entire tract; thence North 89°48'47" West 83.00 feet along a line parallel with said centerline to the point of beginning.

A parcel of land in fee for the widening of the existing roadway 13400 South Street, being part of an entire tract of property situate in the NW¼ NW¼ of Section 6, Township 4 South, Range 1 West, Salt Lake Base & Meridian. The boundaries of said parcel of land are as follows: Beginning in the westerly boundary line of said entire tract at a point South 89°48'47" East 787.34 feet (787.00 feet by record) along the section line and 45.00 feet South 00°21'38" West from the Northwest Corner of said Section 6, said corner is 39.00 feet perpendicularly distant southerly from the centerline of said 13400 South Street opposite engineers station 133+14.57; and running thence North 00°21'38" West 45.00 feet along said westerly boundary line to the Northwest Corner of said entire tract, said point being in the northerly section line of said Section 6; thence South 89°48'47" East 83.00 feet along the northerly boundary line of said entire tract to the Northeast Corner of said entire tract; thence South 00°21'38" East 45.00 feet along the easterly boundary line of said entire tract; thence North 89°48'47" West 83.00 feet along a line parallel with said centerline to the point of beginning.

A tract of land in Lot 4 of Section 6, Township 4 South, Range 1 West, Salt Lake Base & Meridian. The boundaries of said tract of land are described as follows: Beginning at a point which is 522.73 feet South 89°33'56" East along the section line and 45.00 feet South from the Northwest Corner of said Section 6; and running thence South 89°33'56" East 535.01 feet.; thence South 0°06'47" East 9.95 feet; thence North 88°48'54" West 11.66 feet; thence South 89°52'10" West 230.73 feet to the end of the highway limited-access line of UDOT Project MP-0182(6) at a point designated as Point "B"; thence along said limited-access line the following four courses: 1) South 89°52'10" West 28.25 feet; 2) South 00°06'03" West 3.27 feet; 3) North 89°31'48" West 76.74 feet; 4) South 78°58'29" West 195.01 feet to a point designated as Point "A"; thence North 3°58'40" East 54.42 feet to the point of beginning.

Tax Parcel No. 33-06-100-042, 33-06-100-041

EXHIBIT B
Benefitted Property

BEG S 0°26'28" E 45 FT ALG SEC LINE & S 89°48'48" E 786.93 FT & S 0°21'29" E 15.62 FT
FR NW COR SEC 6, T4S, R1W, SLM; S0°21'38" E 297.38 FT M OR L; S 89°48'47" E 270.65
FT TO SW COR OF CALDER PLACE SUB; S 89°48'47" E ALG S'LY LINE OF SD SUB
69.71 FT; S 0°26'31" E 537.01 FT; S 89°48'47" E 468.57 FT; N 0°26'31" W 230 FT; S
89°48'47" E 261.42 FT; S 0°26'31" E 3444.43 FT; S 89°59'27" W 533.79 FT; N 0°21'43" W 100
FT; S 89°59'27" W 856.67 FT M OR L; N'LY ALG 4480.00 FT RADIUS CURVE TO R 276.48
FT (CHD N 2°12'31" W 276.43 FT); N 0°26'26" W 1625.88 FT; N 3°20'26" E 400.51 FT;
NE'LY ALG 15241.00 FT RADIUS CURVE TO L 412.74 FT (CHD N 0°20'07" E 412.73 FT);
N 0°26'26" W 943.66 FT; N 5°55'18" E 257.76 FT; N 78°43'37" E 195.01 FT; S 89°46'40" E
76.74 FT TO BEG. LESS& EXCEPT THAT PORTION INSIDE HERRIMAN CITY. 67.56 AC
M OR L.8292-7838 8374-5133 8599-1186 THRU 1197 8599-1201 9611-3802

Tax Parcel No. 33-06-100-044-4001

EXHIBIT C
Legal Description of Easement Area



4-18-17

**LEGAL DESCRIPTION
CROSS ACCESS EASEMENT**

PART OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 1 WEST, S.L.B.&M., U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF 13400 SOUTH STREET, SAID POINT BEING S89°48'47"E ALONG THE SECTION LINE, 1058.18 FEET AND S00°11'13"W 54.95 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 6; THENCE S00°21'38"E 26.24 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 41.12 FEET, A RADIUS OF 32.50 FEET, A CHORD BEARING OF S35°53'01"W, AND A CHORD LENGTH OF 38.43 FEET; THENCE ALONG A REVERSE CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 2.90 FEET, A RADIUS OF 4.00 FEET, A CHORD BEARING OF S20°45'16"W, AND A CHORD LENGTH OF 2.83 FEET; THENCE SOUTH 218.61 FEET; THENCE WEST 245.52 FEET; THENCE N00°21'38"W 24.00 FEET; THENCE EAST 215.68 FEET; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 6.28 FEET, A RADIUS OF 4.00 FEET, A CHORD BEARING OF N45°00'00"E, AND A CHORD LENGTH OF 5.66 FEET; THENCE NORTH 217.19 FEET; THENCE EAST 17.05 FEET; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 11.02 FEET, A RADIUS OF 7.00 FEET, A CHORD BEARING OF N44°44'09"E, AND A CHORD LENGTH OF 9.92 FEET; THENCE N00°21'38"W 26.50 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF 13400 SOUTH STREET; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES: (1) N89°37'18"E 13.84 FEET AND (2) S89°03'32"E 11.66 FEET TO THE POINT OF BEGINNING.

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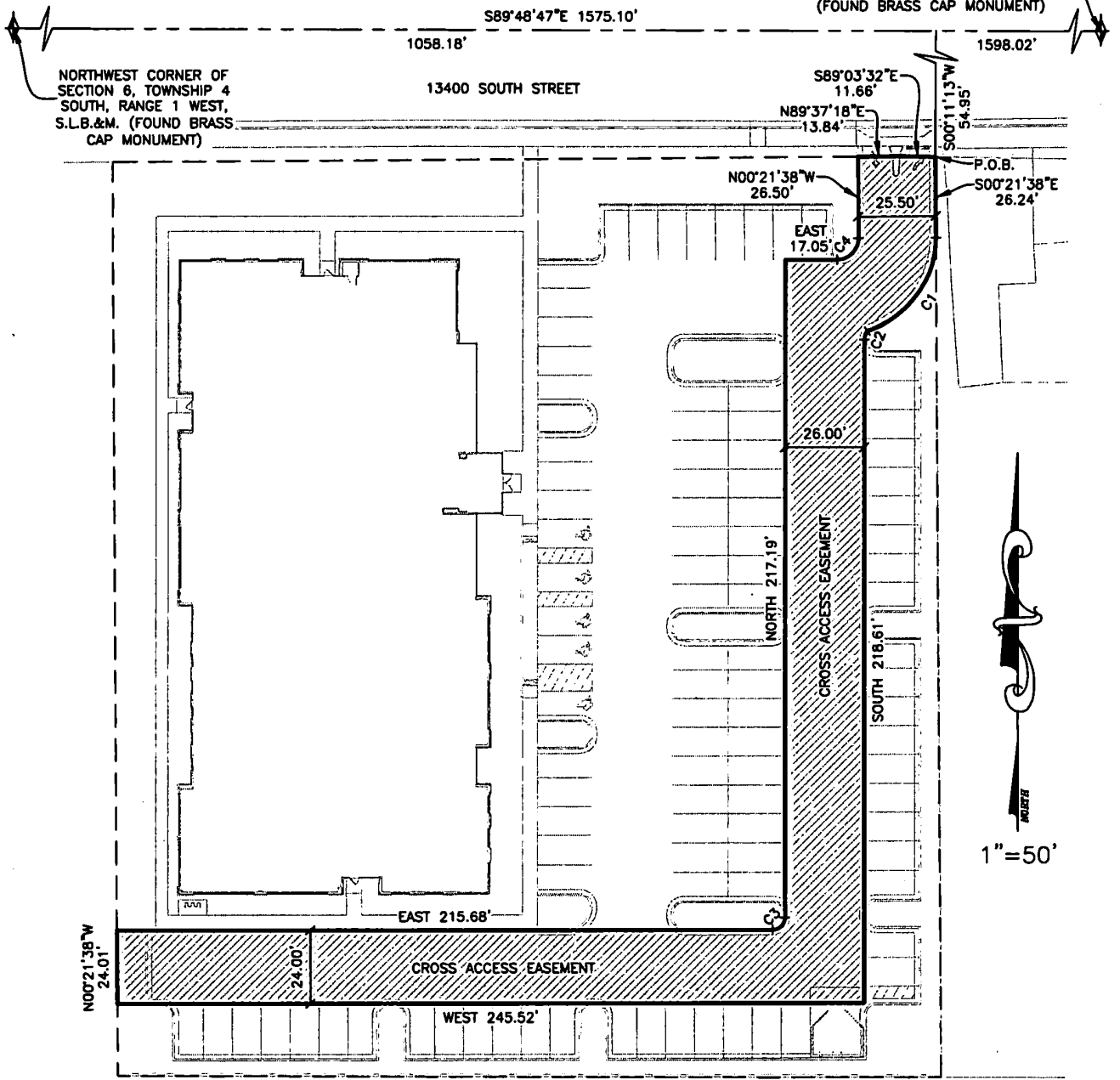
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BK 10552 PG 1627

EXHIBIT D
Depiction of Access Drive

EASEMENT EXHIBIT

NORTH QUARTER CORNER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 1 WEST, S.L.B.&M. (FOUND BRASS CAP MONUMENT)



#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	32.50'	41.12'	38.43'	23.82'	S35°53'01\"W	72°29'17\"
C2	4.00'	2.90'	2.83'	1.52'	S20°45'16\"W	41°30'32\"
C3	4.00'	6.28'	5.66'	4.00'	N45°00'00\"E	90°00'00\"
C4	7.00'	11.02'	8.92'	7.02'	N44°44'08\"E	90°11'34\"



Reeve & Associates, Inc.

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 TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

Project Info.

Designer: N. ANDERSON
 Date: 04-18-17
 Name: EASEMENT EXHIBIT
 Number: 6789-01
 Scale: 1"=50'