

7735502

WHEN RECORDED, MAIL TO:
Callister Nebeker & McCullough
Attn: Dorothy C. Pleshe
Gateway Tower East, Suite 900
10 East South Temple
Salt Lake City, Utah 84133

7735502
10/10/2000 02:38 PM 22.00
Book - 8393 Pg - 3463-3468
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
CALLISTER NEBEKER & MCCULLOUGH
GATEWAY TOWER EAST STE. 900
SLC UT 84133
BY: SLH, DEPUTY - WI 6 P.

**EASEMENT
Salt Lake County**

THIS EASEMENT is made and entered into by and among G.O.K. Properties, L.C., a Utah limited liability company ("GOK"); Jerry Seiner Chevrolet, Inc., a Utah corporation ("Seiner"); and the Utah Department of Transportation, a department of the State of Utah ("UDOT").

WHEREAS, GOK is the owner of certain real property located at approximately 1500 South and 500 West in Salt Lake City, Salt Lake County, State of Utah, and more particularly described in the legal description attached hereto as Exhibit 1 (the "Burdened Property"). Seiner has an interest in the Burdened Property as a tenant under the terms of a long term lease of the Burdened Property from GOK.

WHEREAS, UDOT is the owner of certain real property immediately north of the north boundary of the Burdened Property, as more particularly described in the legal description attached hereto as Exhibit 2 (the "UDOT Property") and the drainage pond located to the northwest of the UDOT Property (the "Drainage Pond," and collectively with the UDOT Property, the "Benefitted Property").

WHEREAS, the parties desire that access be provided to the Benefitted Property by an easement over and across a portion of the Burdened Property, subject to the restrictions set forth in this Easement.

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) and for other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, GOK and Seiner (as Grantors) and UDOT (as Grantee) hereby agree as follows:

1. Grantors hereby grant to UDOT, its successors and assigns, a right of way over and across that certain real property described as follows:

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Beginning at a point which is 10 meters South 00°04'36" West from the North-west corner of said Lot 16; and running thence North 89°48'42" East 116.00 meters; thence South 00°04'36" West 5.00 meters; thence South 89°48'42" West 116 meters to the westerly boundary line of said Lot 16; thence North 00°04'36" East 5.00 meters along said westerly boundary line to the point of beginning. The above described part of an entire tract of property contains 625.0 square meters.

With respect to the foregoing property description, rotate the bearings 0°15'07" clockwise to equal highway bearings for Project No. 15-7 UDOT I-15 Reconstruction. Further, to convert meters to feet, divide metric distances by 0.3048. Multiply square meters by 10.7639 to obtain square feet.

2. This Easement is granted solely for UDOT's use of the easement conveyed for access to and from the UDOT Property for maintenance, care, monitoring of the Drainage Pond on the UDOT Property, and for emergency purposes.
3. GOK and/or Seiner shall have the responsibility to maintain the landscaping and improvements installed by Seiner and shall repair damage caused by UDOT's permitted use of this easement, if GOK and Seiner do not otherwise and reasonably accommodate UDOT's access.
4. This Easement shall be permanent and run with the Burdened Property.
5. By execution of this Easement, the Manager of GOK represents and affirms that she has the authority to execute this Easement and to bind GOK.
6. This Easement is made and entered into pursuant to the Agreement dated the 30th day of June 2000 by, between and among Seiner, GOK, and UDOT. To the extent any terms herein are ambiguous or inconsistent with any of the terms of the Agreement, the Agreement shall govern.

DATED this 2nd day of Sept 2000.

G.O.K. PROPERTIES, L.C.,
a Utah limited liability company

By Sharon H. Seiner
Sharon H. Seiner, Manager

DATED this 22nd day of ~~June~~ ^{Sept} 2000.

JERRY SEINER CHEVROLET, INC.,
a Utah corporation

By [Signature]
Gerald J. Seiner, President

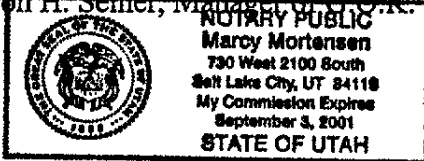
DATED this 30th day of June 2000.

UTAH DEPARTMENT OF TRANSPORTATION,
a department of the State of Utah

By [Signature]
Its Deputy Director / I-15 Reconstruction

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

The foregoing instrument was acknowledged before me this 22 day of ~~June~~ ^{Sept} 2000, by Sharon H. Seiner, Manager of G.O.K. Properties, L.C., a Utah limited liability company.



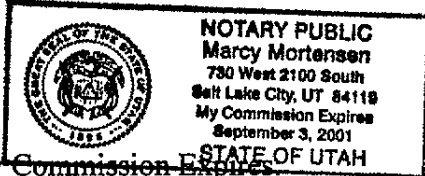
My Commission Expires:

9/3/01

[Signature]
NOTARY PUBLIC
Residing at:
Salt Lake County

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

The foregoing instrument was acknowledged before me this 22 ^{Sept} day of ~~June~~ 2000, by Gerald J. Seiner, President of Jerry Seiner Chevrolet, Inc., a Utah corporation.



My Commission Expires:
9/3/01

Marcy Mortensen
NOTARY PUBLIC
Residing at:
Salt Lake

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

The foregoing instrument was acknowledged before me this 30th day of June 2000, by Dal Hawks, the Deputy Director of I-15 Reconstruction of the Utah Department of Transportation, a Department of the State of Utah.

My Commission Expires:

August 17, 2001

Craig E. Frisbee
NOTARY PUBLIC
Residing at:
Salt Lake County

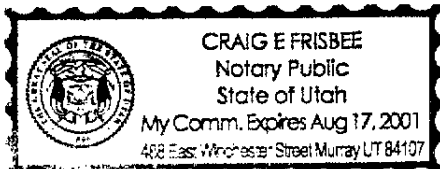


EXHIBIT "1"

(the "Burdened Property")

The real property
of Salt Lake, and is described as follows:

is situated in the State of Utah, County

Beginning at the Northwest corner of Lot 16, Block 6, Five Acre Plat "B," Big Field Survey; thence North $89^{\circ}48'42''$ East 760.103 feet to the Northeast corner of said Lot 16; thence South $0^{\circ}01'05''$ East 687.20 feet to a point on the East line of Lot 18, said Block 6; thence South $89^{\circ}48'44''$ West 761.239 feet to the West line of said Lot 18; thence North $0^{\circ}04'36''$ East 687.20 feet to the point of beginning;

LESS:

A parcel of land in fee for the construction of an access road incident to the reconstruction of a freeway known as Project No. 15-7, being part of an entire tract of property, situate in Lot 16, Block 6, Five Acre Plat "B," Big Field Survey. The boundaries of said parcel of land are described as follows:

Beginning at the Northwest corner of said Lot 16; and running thence North $89^{\circ}48'42''$ East 231.679 meters along the northerly boundary line of said Lot 16 to the Northeast corner of said Lot 16; thence South $00^{\circ}01'05''$ East 10.000 meters along the easterly boundary line of said Lot 16; thence South $89^{\circ}48'42''$ West 231.696 meters to the westerly boundary line of said Lot 16; thence North $00^{\circ}04'36''$ East 10.000 meters along said westerly boundary 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. The above described parcel of land contains 2316.9 square meters.

(Note: Rotate above bearings $0^{\circ}15'07''$ clockwise to equal highway bearings. To obtain distance in feet, divide above distances by 0.3048. Multiply above area by 10.7639 to obtain square feet.)

BUT SUBJECT TO THE FOLLOWING RESERVATION IN FAVOR OF GRANTEE:

A permanent reservation of rights retained in favor of Jerry Seiner Chevrolet, Inc., its successors and assigns, to use the above-described (excepted) real property for a right-of-way, ingress and egress, parking, paving and general maintenance attributable to such reserved use, but only to the extent such use does not otherwise injure or interfere with the Utah Department of Transportation's use, occupation and enjoyment of the above-excepted real property.

Parcel Identification No. 15-13-152-002.

EXHIBIT "2"

(the "UDOT Property")

The real property situated in the State of Utah, County of Salt Lake, and described as follows:

A parcel of land in fee for the construction of an access road incident to the reconstruction of a freeway known as Project No. 15-7, being part of an entire tract of property, situate in Lot 16, Block 6, Five Acre Plat "B", Big Field Survey. The boundaries of said parcel of land are described as follows:

Beginning at the Northwest corner of said Lot 16; and running thence N. 89°48'42" E. 231.679 meters along the northerly boundary line of said Lot 16 to the northeast corner of said Lot 16; thence S. 00°01'05" E. 10.000 meters along the easterly boundary line of said Lot 16; thence S. 89°48'42" W. 231.696 meters to the westerly boundary line of said Lot 16; thence N. 00°04'36" E. 10.000 meters along said westerly boundary 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. The above described parcel of land contains 2316.9 square meters.

(Note: Rotate above bearings 0°15'07" clockwise to equal highway bearings)

(Note: To obtain distance in feet, divide above distances by 0.3048. Multiply above area by 10.7639 to obtain square feet)

Parcel Identification No. 15-13-152-002.

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