

**INGRESS, EGRESS, AND RIGHT OF WAY EASEMENT**

In consideration of One Dollar (\$1.00) and other good and valuable consideration paid to Pivotal Mark I, LLC, hereinafter referred to as "Grantor", by Ivins City, hereinafter referred to as "Grantee". Grantor does hereby grant, transfer and convey unto the Grantee a public access easement and right of way easement for ingress and egress over Grantors property.

The access easement shall be 30 feet in width as described in Exhibit "A", attached hereto and incorporated herein by this reference, affecting that property as described in Book 1320, Page 716 of the records of Washington County.

Grantee does agree to construct within the ingress and egress easement a 10 foot wide paved bicycle and pedestrian pathway. Grantor does also agree to maintain this pathway in useable condition for use by the grantee.

The benefits of this easement shall be inure to the benefit of Grantee, or any municipal successor thereof, but shall not inure to or be for the benefit of any private assignee of Grantee.

IN WITNESS WHEREOF, the Grantor has executed this easement this 28 day of November 2000.

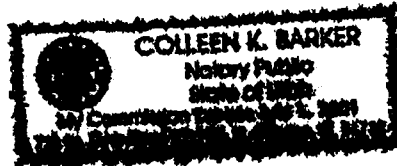
Pivotal Mark I, LLC  
Deborah Evans  
Managing Member

State of Utah )  
County of Washington )ss

On this 28 day of November, 2000 before me personally appeared \_\_\_\_\_ whose identity is personally known or proved to me on the basis of satisfactory evidence, and who being by me duly sworn (or affirmed), did say that he/she is the signer, and that the foregoing document was signed by him/her on behalf said Limited Liability Company.

July 1, 2001  
My Commission Expires:

Colleen K. Barker  
Notary Public, residing in Washington Co.,  
Utah



700 W

**EXHIBIT "A"**

Beginning at a point which lies S 89°06'55" E 567.83 feet along the center section line from the West ¼ corner of Section 3, Township 42 South, Range 16 West, Salt Lake Base and Meridian, said point being also on the Northeasterly right of way of Snow Canyon Parkway, according to the road dedication plat thereof, records of Washington County and running thence along said right of way the following courses: N 63°05'34" W 44.47 feet to the point of a 510.00 foot radius curve to the right; thence Northwesterly along the arc of said curve through a central angle of 12°35'15", a distance of 112.04 feet to the point of tangency; thence N 50°30'18" W 869.20 feet to the point of a 960.00 foot radius curve to the right; thence Northwesterly along the arc of said curve through a central angle of 6°37'05", a distance of 110.89 feet to the point of tangency; thence N 43°53'13" W 2369.22 feet to the point of a 710.00 foot radius curve to the right; thence Northwesterly along the arc of said curve through a central angle of 11°28'16", a distance of 142.15 feet to the point of a 540.00 foot radius reverse curve to the left; thence Northwesterly along the arc of said curve through a central angle of 56°18'04", a distance of 530.62 feet to the point of tangency; thence N 88°43'01" W 162.33 feet; thence N 04°02'31" W leaving northerly right of way of Snow Canyon Parkway 30.13 feet; thence S 88°43'01" E 165.13 feet to the point of a 570.00 foot radius curve to the right; thence Southeasterly along the arc of said curve through a central angle of 56°18'04", a distance of 560.10 feet to the point of a 680.00 foot radius reverse curve to the left; thence Southeasterly along the arc of said curve through a central angle of 11°28'16", a distance of 136.14 feet to the point of tangency; thence S 43°53'13" E 2369.22 feet to the point of a 930.00 foot radius curve to the left; thence Southeasterly along the arc of said curve through a central angle of 6°37'05", a distance of 107.42 feet to the point of tangency; thence S 50°30'18" E 869.20 feet to the point of a 480.00 foot radius curve to the left; thence Southeasterly along the arc of said curve through a central angle of 12°35'15", a distance of 105.45 feet to the point of tangency; thence S 63°05'34" E 105.92 feet to a point on said center section line; thence N 89°06'55" W 68.38 feet to the point of beginning.