

10493796

WHEN RECORDED, MAIL TO:  
Utah Department of Transportation  
Region Two Permits  
2010 South 2760 West  
Salt Lake City UT, 84104

10493796  
08/06/2008 10:00 AM \$20.00  
Book - 9632 Pg - 7775-7779  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
UT ST-DEPT OF TRANSPORTATION  
2010 S 2760 W  
SLC UT 84104  
BY: ZJM, DEPUTY - WI 5 P.

Salt Lake County

Tax ID No. 38-3771944

**AGREEMENT FOR FUTURE SHARED ACCESS FOR  
1235E. 3300 S. (SR-171)**

This is an Agreement between the Utah Department of Transportation, hereinafter referred to as UDOT; and Gary R. Fischer and their successors and assigns.

1. PREMISE Gary R. Fischer owns the real property, as described in "Exhibit A", hereinafter referred to as Brickyard Square, LLC. The property located adjacent to and directly to the East of Brickyard Square, LLC. as shown in "Exhibit B" is known hereafter as "Property B". Gary R. Fischer has requested access to State Route (SR-171) for Brickyard Square, LLC. "Property B" does not currently have intentions to construct or to reconstruct access to "Property B", but may desire to do so in the future.

2. AGREEMENT. In consideration of the mutual covenants contained herein, and other good and valuable considerations, the parties agree as follows: Gary R. Fischer will be granted access to State Route (SR-171) for Brickyard Square, LLC. as shown in the submitted site plans and attached hereto with the provision that when "Property B" is ready to develop or redevelop, Gary R. Fischer and their successors and assigns will allow the construction or reconstruction of a common access to the properties. Property B will need to work out a cross access agreement or a separate agreement with Gary R. Fischer or relocate access at property line.

(a) Easement. Gary R. Fischer and Brickyard Square, LLC., their successors and assigns will provide for a driveway for the common use of the parties, their successors and assigns for driveway and access purposes. When said construction occurs, the parties will provide for the construction

and maintenance of the driveway under separate agreement. Gary R. Fischer and Brickyard Square, LLC. hereby grants to "Property B", their successors and assigns, a perpetual nonexclusive easement for ingress and egress over the easterly 25 feet of the Gary R. Fischer and Brickyard Square, LLC. Property, as shown in the plans attached and made a part hereof. The easements granted hereunder are created for the purpose of allowing ingress and egress to both properties from State Route (SR-171).

(b) Relinquishment. When said common access is constructed, Gary R. Fischer and Brickyard Square, LLC. Property agrees to relinquish all prior rights of access to his/her respective properties.

(c) Obstructions. Gary R. Fischer and Brickyard Square, LLC. will keep the driveway clear of any and all obstructions and shall not allow any structures or sign to be placed so close to the driveway as to inhibit free ingress and egress from either property. Gary R. Fischer and Brickyard Square, LLC. shall not allow any vehicles to be parked on the driveway so as to obstruct access. The access is to be used for all purposes reasonably necessary for the full use of the properties.

(d) Permit. The access shall be subject to all restrictions specified by the Utah Department of Transportation Highway Encroachment Permit to be issued for the access.

3. DUPLICATE ORIGINALS. This agreement shall be executed in duplicate, each copy of which shall be deemed an original.

DATED this 5 of Aug, 2008  
Gary Fischer  
Owner

Gary Fischer  
Owner

Witnessed as to

STATE OF UTAH  
COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me this 5 day of Aug, 2008 by to me or who as produced Utah Dunder as identification, and who did (did not) take an oath.



NOTARY PUBLIC Kim Cox  
**KIM COX** Notary Public in and for the  
3540 S. 2700 W. State last aforesaid.  
West Valley City, UT 84119  
My Commission Expires May 10, 2009 My Commission Expires:  
STATE OF UTAH

VTDI 16-29-427-024-0000 DIST 13B TOTAL ACRES 0.62  
FISCHER, GARY R TAX CLASS UPDATE REAL ESTATE 298700  
LEGAL BUILDINGS 400500  
PRINT U TOTAL VALUE 699200

237 N 'B' ST  
SALT LAKE CITY UT 84103250937 EDIT 1 FACTOR BYPASS  
LOC: 1249 E 3300 S EDIT 0 BOOK 7387 PAGE 0722 DATE 05/23/1996  
SUB: UNKNOWN TYPE UNKN PLAT

08/06/2008 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY  
BEG 16 RDS W & 92.1 RDS S & 286.16 FT W & 40 FT N FR E 1/4  
COR OF SEC 29, T 1S, R 1E, S L M; W 85.35 FT; N 32- W  
220.135 FT; N 89-42' E 201.93 FT; S 189.27 FT M OR L TO BEG.  
0.62 AC 5713-747, 5864-1275, 6054-1169, 6133-1088 6133-1089  
7173-2818

PFKEYS: 1=RXPH 2=VTOP 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV

VTDI 16-29-427-023-0000 DIST 17 TOTAL ACRES 0.26  
BRICKYARD SQUARE LLC TAX CLASS UPDATE REAL ESTATE 135900  
LEGAL BUILDINGS 0  
PRINT U TOTAL VALUE 135900

% GARY FISCHER

237 N 'B' ST

SALT LAKE CITY UT

84103250937 EDIT 1

FACTOR BYPASS

LOC: 1235 E 3300 S

EDIT 0

BOOK 9553

PAGE 8270 DATE 01/02/2008

SUB: BLK 027 10ACRE PLAT A

TYPE PLOT PLAT

08/06/2008 PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY

BEG W 521.01 FT & S 367.64 FT FR NE COR OF LOT 1, BLK 27,

TEN ACRE PLAT A, BIG FIELD SUR; S 32- E 235.65 FT; E 57.75

FT; N 32- W 235.65 FT; W 57.75 FT TO BEG. 0.26494 AC

5217-1455 5724-0002 9018-0412

PFKEYS: 1=RXPH 2=VTOP 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV

VTDI 16-29-427-022-0000	DIST 17	TOTAL ACRES	0.23
BRICKYARD SQUARE LLC	TAX CLASS	REAL ESTATE	183000
	UPDATE	BUILDINGS	0
% GARY FISCHER	LEGAL	TOTAL VALUE	183000
237 N 'B' ST	PRINT U		
SALT LAKE CITY UT	84103250937 EDIT 1	FACTOR BYPASS	
LOC: 1235 E 3300 S	EDIT 0 BOOK 9553	PAGE 8270 DATE 01/02/2008	
SUB: BLK 027 10ACRE PLAT A		TYPE PLOT PLAT	
08/06/2008	PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY		
	COM 33 FT S & 371.27 FT W FR SE COR LOT 1 BLK 27 10 AC PLAT		
	A BIG FIELD SUR W 118.78 FT N 191 FT S 327 E 221.58 FT TO		
	BEG. 0.23 AC. 9018-0412		

PFKEYS: 1=RXPH 2=VTOP 4=VTAU 6=NEXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV