

PAGE (0) DEED () ABSTRACT () PLAT () CHECK ()

AGREEMENT BETWEEN ADJOINING OWNERS CREATING EASEMENT
FOR COMMON DRIVEWAY

It is understood and agreed by and between Robert E. Anderson, Edward A. Kren, Trustee of the Edward Kren Trust, Robert M. Coakley and Peter T. Coakley, Hunt Haven Limited, a Utah Limited Partnership, H. Howard Saldarini and Guy L. Reigler, III, either as owners or encumbrancers, as follows:

WHEREAS, H. Howard Saldarini has title to that strip of land described in the attached Exhibit A, and

WHEREAS, Guy L. Reigler III has agreed that said strip may be widened by the taking of an additional 18 foot strip of land off the northerly side of his property, and

WHEREAS the parties to this agreement have or claim to have a prescriptive easement across the Exhibit A parcel, and

WHEREAS, there is an extension of said easement from the easterly end thereof that runs South 35 degrees 30 minutes East 178 feet along the common boundary line between the Robert E. Anderson and Guy L. Reigler III parcels, and then extends an additional 360 feet in the same direction (South 35 degrees 30 minutes East) along a common boundary line between the Hunt Haven Limited property and the Guy L. Reigler III property, at which point the easement turns left and runs North 36 degrees 50 minutes East 600 feet more or less along the common boundary line of the Hunt Haven Limited property and the H. Howard Saldarini property to a point which terminates at a location point South 36 degrees 50 minutes West from the easterly most corner of the Hunt Haven property and the northerly most corner of the Howard Saldarini property, at which

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SASATCH CO RECORDER-ELIZABETH M PARCELL
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Reigler Guy L III 139

point a private driveway veers to the left into the Hunt Haven property; and

WHEREAS, there is also an easement that runs in the direction of North 43 degrees 30 minutes East along the boundary between the Robert Anderson property and the Hunt Haven property 241 feet and then in the same direction another 113 feet along the boundary line between the Robert and Peter Coakley property and the Hunt Haven property to the point of a canal being the northerly corner of the Hunt Haven property and the easterly-most corner of the Coakley property, and

WHEREAS, the parties hereto are desirous of creating common driveways for the benefit of each of them, but as hereinafter limited;

NOW, THEREFORE, the parties agree each with the others as follows:

1. An easement for a common driveway in favor of all of the parties is created running over the strip of land described in Exhibit A together with an additional 18 feet on the southerly side thereof from off the Guy L. Reigler III parcels as described in Exhibit C for the purpose of creating a common driveway for the benefit of the parcels described in Exhibit B, but the same is not to be used as access to any additional property without the written consent of a majority of the parties to this agreement or their successors in interest. Said 50 foot strip of land is to be held in the name of the parties to this agreement, doing business as Hillside Acres, % Robert M. Coakley, 228 West Moulton Lane, Heber City, Utah 84032, and their successors in interest for the benefit

of the parties to this agreement and their successors with each of the six owners of the six parcels served thereby paying one-sixth of the property taxes.

2. The parties agree that said 50 foot strip of land shall be jointly maintained by the parties consistent with the standards agreed upon by a majority of the owners of the parcels serviced by said easement (with each parcel having one vote); the cost of maintenance thereof is to be borne equally by each of the six parties, and their successors in interest, who have an interest in said driveway; said driveway is to be for the joint use of all future owners of the parcels described in Exhibit B and for their guests, but for no one else without the written consent of a majority of said parties or their successors in interest.

3. The easement that runs South 35 degrees 30 minutes East for the first 178 feet extending from the Exhibit A strip and running along the easterly side of the boundary line between the Anderson and Reigler property constitutes a deeded joint easement for driveway purposes to inure to the benefit of the Anderson parcel, the Coakley parcel, the Hunt Haven parcel, and the Saldarini parcel and said driveway is to be for the joint use of the owners and future owners of said parcels. The Anderson parcel is to be used for said purpose, with said driveway being two rods (33 feet) in width, that is 33 feet into the Anderson parcel; and the cost of maintenance thereof is to be borne equally, one-fourth for each, by the four parcels and owners of the four parcels thus named and the future owners of the parcels.

4. The easement that continues South 35 degrees 30 minutes

East for the next 360 feet extension of the Exhibit A strip and running along the easterly side of the boundary line between the Hunt Haven, Ltd. and Reigler property constitutes a deeded joint easement for driveway purposes to inure to the benefit of the Hunt Haven parcel, and the Saldarini parcel and said driveway is to be for the joint use of the owners and future owners of said two parcels. The Hunt Haven parcel is to be used for said purpose, with said driveway being 33 feet in width, that is 33 feet into the Hunt Haven parcel; and the cost of maintenance thereof is to be borne equally, one-half for each, by the two parcels and owners of the two parcels thus named and the future owners of said parcels.

5. That the easement that runs North 36 degrees 50 minutes East some 600 feet, more or less, and running between the Hunt Haven and Saldarini property constitutes a deeded joint easement for driveway purposes to inure to the benefit of the Hunt Haven parcel and the Saldarini parcel and said driveway is to be for the joint use of the owners and future owners of said two parcels. In equal portion the Hunt Haven and Saldarini parcels are to be used for said purpose, with said driveway being 33 feet in width, 16 1/2 feet (one rod) into each parcel; and the cost of maintenance thereof is to be borne equally, one-half for each, by the two parcels and owners of the two parcels thus named and the future owners of said parcels.

6. That the easement that runs North 43 degrees 30 minutes East for 654 feet just after the first 178 feet extension from the Exhibit A strip and running between the Hunt Haven and Robert Anderson property and then between the Hunt Haven and Coakley

property constitutes a deeded joint easement for driveway purposes to inure to the benefit of the Anderson parcel, the Coakley parcel, and the Hunt Haven parcel, and said driveway is to be for the joint use of the owners and future owners of said three parcels. In equal portion the Anderson and Hunt Haven and then the Coakley and Hunt Haven parcels are to be used for said purpose, with said driveway being 33 feet in width, 16 1/2 feet into each of the respective parcels; and the cost of maintenance thereof is to be borne equally, one-third for each, by the three parcels and owners of the three parcels thus named and the future owners of said parcels.

7. The said parties do hereby grant, sell, and convey unto the respective parties to this agreement, their heirs, and assigns, a perpetual easement over their respective parcels necessary for use for such driveway purposes as herein described, which easement shall be binding upon the Grantors and their heirs and any person who shall hereinafter acquire title to said parcels in this agreement and the covenants contained herein and the restrictions specified shall be a covenant running with the parcels served by the driveway easements. The said parties do further grant the right to each of the parties the right to use said easements for underground water, sewer, electrical, and for other utility purposes, so long as the surface of said easement is restored to as good or better condition than previously existed prior to such installation or the maintenance connected therewith. The parties do hereby quit claim their interest in and to the 50 foot strip known as Moulton Lane to Robert E. Anderson, Edward A. Kren,

Trustee of the Edward Kren Trust, Robert M. Coakley and Peter T. Coakley, Hunt Haven Limited, a Utah Limited Partnership, H. Howard Saldarini and Guy L. Reigler, III, doing business as Hillside Acres.

8. The parties each agree for themselves and their successors in interest that should they default in any of the covenants or agreements contained herein, that the defaulting party shall pay all costs and expenses, including a reasonable attorney's fee, which may arise or accrue from enforcing this agreement, whether such remedy is pursued by filing a suit or otherwise.

IN WITNESS WHEREOF, the parties executed this agreement the day and date first written above.

Robert E. Anderson

Robert E. Anderson
Edward A. Kren

Edward A. Kren, Trustee of The Edward Kren Trust
- *Robert M. Coakley*

Robert M. Coakley

Peter T. Coakley
HUNT HAVEN LIMITED, a Utah Limited Partnership

By: *[Signature]*

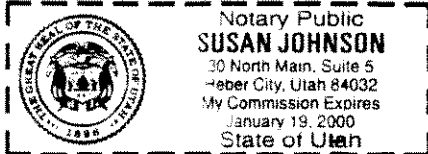
H. Howard Saldarini

H. Howard Saldarini
Guy L. Reigler, III

Guy L. Reigler, III

STATE OF UTAH)
 : ss.
COUNTY OF)

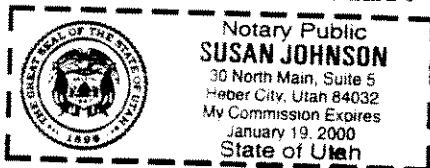
On this 24th day of October, 1997,
personally appeared before me Robert E. Anderson, the signer of the
foregoing, who acknowledged to me that he executed the same.



Susan Johnson
NOTARY PUBLIC

STATE OF UTAH)
 : ss.
COUNTY OF WASATCH)

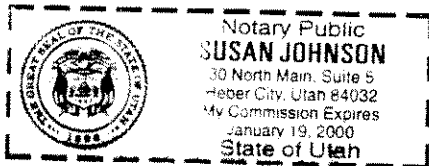
On this 17th day of October, 1997,
personally appeared before me Edward A. Kren, Trustee of the Edward
Kren Trust, the signer of the foregoing, who acknowledged to me
that he executed the same.



Susan Johnson
NOTARY PUBLIC

STATE OF UTAH)
 : ss.
COUNTY OF)

On this 2th day of November, 1997,
personally appeared before me Robert M. Coakley, the signer of the
foregoing, who acknowledged to me that he executed the same.



Susan Johnson
NOTARY PUBLIC

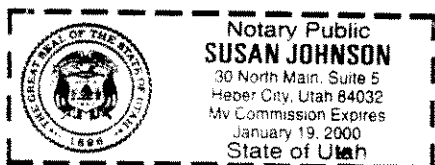
STATE OF UTAH)
 : ss.
COUNTY OF)

On this _____ day of _____, 1997,
personally appeared before me Peter T. Coakley, the signer of the
foregoing, who acknowledged to me that he executed the same.

NOTARY PUBLIC

STATE OF UTAH)
 : ss.
COUNTY OF)

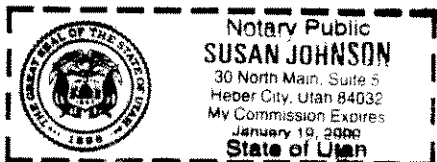
On this 15th day of October, 1997,
personally appeared before me L. MONT G. HUNT, the
General Partner of Hunt Haven Limited, a Utah Limited
Partnership, the signer of the foregoing, who acknowledged to me
that he executed the same on behalf of said partnership.



Susan Johnson
NOTARY PUBLIC

STATE OF UTAH)
 : ss.
COUNTY OF)

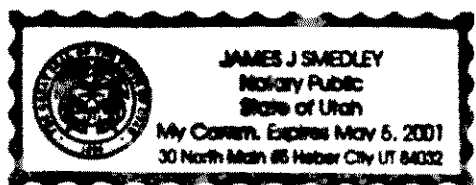
On this 31st day of October, 1997,
personally appeared before me H. Howard Saldarini, the signer of
the foregoing, who acknowledged to me that he executed the same.



Susan Johnson
NOTARY PUBLIC

STATE OF UTAH)
 : ss.
COUNTY OF Wasatch)

On this 14 day of Oct, 1997,
personally appeared before me Guy L. Reigler, III, the signer of
the foregoing, who acknowledged to me that he executed the same.



James J. Smedley
NOTARY PUBLIC

EXHIBIT A
QUIT CLAIM DEED

W-34911

Clyde V. Miller as Trustee of the Clyde V. Miller Trust under agreement dated February 16, 1982, as amended

of St. George, County of Washington, State of Utah, hereby **grantor**
QUIT CLAIM to

H. HOWARD SALDARINI

of TEN DOLLARS and other good and valuable consideration for the sum of **grantee**
the following described tract of land in WASATCH **DOLLARS**
State of Utah, to wit: **County,**

BEGINNING 1371 feet West and North 22° East 604 feet from the Southeast corner of Section 18, Township 3 South, Range 5 East, Salt Lake Meridian; thence South 65° West 1068.0 feet, more or less, to the Northeasterly right-of-way line of Highway 40; thence along said right-of-way line North 20°14' West 32.0 feet; thence North 65° East parallel to Course No. above, approximately 1075.0 feet, more or less, to a point which is due North from the point of beginning; thence South to the point of beginning.

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00189528 BK00332 Pg00033-00033

WASATCH CO RECORDER-ELIZABETH M PARCELL
1996 SEP 24 09:45 AM FEE \$10.00 BY MW
REQUEST: FIRST AMERICAN TITLE COMPANY

WITNESS the hand of said grantor, this 20th day of September 19 96

Signed in the presence of

Clyde V. Miller
Clyde V. Miller, Trustee

STATE OF UTAH,

County of WASATCH

} ss.

00202479 BK 00379 Pg 00147

On the 20th day of September

19 96

personally appeared before me

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I the signer of the foregoing instrument, who duly acknowledged to me that s he executed the same.

*Exhibit B**page 1 of 6**pages
(Anderson)*PARCEL 1:

Beginning at a point 780 feet West and North 28° West 140 feet from the Southeast corner of Section 18, Township 3 South, Range 5 East, Salt Lake Base and Meridian, thence North 35°30' West 360 feet to the center line of road, being the point of beginning for this parcel of land; thence North 43°30' East along the center line of said road 421 feet; thence North 46°30' West 169.3 feet; thence South 43°30' West 391 feet to the center line of road; thence South 35°30' East 178 feet to the point of beginning.

PARCEL 2:

Beginning at a point 780 feet West and North 28° West 140 feet from the Southeast corner of Section 18, Township 3 South, Range 5 East, Salt Lake Meridian; thence North 35°30' West 360 feet to the center line of road; thence North 43°30' East along center line of said road 421 feet to the true point of beginning and running thence North 46°30' West 169.3 feet; thence North 43°30' East 20 feet; thence South 46°30' East 169.3 feet; thence South 43°30' West 20 feet to beginning.

PARCEL 3:

Beginning at a point 1,371 feet West and North 22° East 604 feet from the Southeast corner of Section 18, Township 3 South, Range 5 East, Salt Lake Meridian, thence North 43°30' East 674 feet more or less to the center of the Timpanogos Canal, thence up the center of Timpanogos Canal, North 3° West 166 feet, thence North 52°30' West 112 feet, thence South 55°15' West 272 feet, thence West 170 feet more or less to a point 540 feet North of the point of beginning, thence South 540 feet to the point of beginning. The existing fence line is to be the border of said property.

LESS AND EXCEPTING that property conveyed to Frank M. Whiting and Josinette C. Whiting recorded in Book 239, page 159, records of Wasatch County, State of Utah.

The above 3 parcels are also described as follows:

✓ PARCEL 4:

Beginning at a point North 645.13 feet and West 1129.56 feet from the Southeast corner of Section 18, Township 3 South, Range 5 East and running thence North 37.73 feet, thence South 57°59'56" West 15.83 feet, thence North 24°34'50" West 41.73 feet, thence North 33°50'41" East 354.07 feet, thence North 00°52'36" East 156.00 feet to the centerline of Timpanogos canal, thence North 50°21'00" East 181.57 feet, thence South 308.00 feet, thence South 43°30'00" West 20.32 feet, thence South 46°30'00" East 5.43 feet, thence South 43°30'00" West 20.96 feet, thence South 46°30'00" East 169.30 feet, thence South 43°30'00" West 441.00 feet, thence North 35°30'00" West 178.00 feet to the point of beginning.

Exhibit B

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pages
(Kren)*

✓ BEGINNING at a point North 622.59 feet and West 1226.00 feet from the Southeast corner of Section 18, Township 3 South, Range 5 East, Salt Lake Base and Meridian; thence North $02^{\circ}11'55''$ West 284.04 feet; thence North $03^{\circ}54'57''$ East 250.72 feet, to the centerline of Timpanogas Canal, and along the centerline, thence South $75^{\circ}06'07''$ East 108.55 feet, to the point of curvature of a 172.16 foot radius curve to the left, having along chord bearing North $77^{\circ}37'27''$ East 157.79 feet, and thence along the arc of the Curve 163.23 feet to the point of tangency, thence Leaving the centerline of Timpanogas, Canal, South $00^{\circ}52'36''$ West 156.00 feet; thence South $33^{\circ}50'41''$ West 354.07 feet; thence South $24^{\circ}35'50''$ East 41.73 feet; thence South $57^{\circ}59'56''$ West 97.89 feet; to the point of beginning.

TOGETHER WITH EASEMENT OF RIGHT OF WAY for a 50 foot road pertaining to this tract of land and others as described in Quit Claim Deed by Clyde V. Miller and his wife, Delores M. Miller, recorded August 28, 1989 in Book 211, Pages 449-451. The above described roadway may be used as a right of way for culinary and irrigation water pipelines and/or irrigation ditch. ALSO excepted from above described land, is a right of way for a power line with access for repair and maintenance of same.

TOGETHER WITH A RIGHT OF WAY to the above tract from the Easterly boundary of Highway 40, a public road, as described in Warranty Deed of Addison C. Mouton and his wife Lacy S. Mouton recorded September 26, 1960, in Book 38, Page 131-2.

TOGETHER WITH A RIGHT OF WAY and Boundary lines as provided in that certain survey prepared by Lord Engineering, filed in Wasatch County Recorders Office November 26, 1993 as reference No. OWC 03501800155.

The above described property also known by the street address of:
360 West Moulton Lane, Heber City, Ut 84032.

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(Hunt)

EXHIBIT "A"

Property Description

The following described property is located in Wasatch County, State of Utah:

PARCEL A:

BEGINNING AT a point 780 feet West and North 28 deg West 140 feet from the Southeast corner of Section 18, Township 3 South, Range 5 East, Salt Lake Base and Meridian; thence North 35 deg 30 min West 360 feet to center line of road, thence North 43 deg 30 min East along center line of road, 654 feet to center line of the Timpanogas Canal; thence Southeasterly along said center line of canal to a point North 36 deg 50 min East, 710 feet from the point of beginning; thence South 36 deg 50 min West, 710 feet to beginning. Contains 4.875 acres more or less.

TOGETHER WITH and SUBJECT TO rights-of-way and easements of record (recorded individually or on prior recorded Quit Claim Deeds). Also together with 2.8 shares of Timpanogas Irrigation Company water rights and a 7/36th interest in the culinary water well located on Lot 2, HILLSDALE ACRES SUBDIVISION, in the extreme East corner of said lot.

PARCEL C:

BEGINNING AT a point on an existing canal, which point is West 560.0 feet, more or less, and North 36 deg West 65.0 feet, and North 10 deg 30 min West 142.0 feet, and North 36 deg West 32.0 feet from the Southeast corner of the Southwest quarter of the Southeast quarter of section 18, Township 3 South, Range 5 East, Salt Lake Meridian; thence northwesterly along said canal to the Southeasterly corner of the John B. Moulton property; thence South 71 deg West 139.7 feet; thence North 75 deg 40 min West 68.0 feet, more or less, to the Northeasterly boundary of the U.S. Highway 40 right-of-way; thence along said right-of-way, the general course of which is South 20 deg 14 min East 395 feet, more or less, to the North side of an existing lane, which point is also South 65 deg West from the point of beginning; thence North 65 deg East 240.0 feet, more or less, to the point of beginning.

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(Saldarini)

W-34911

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PARCEL 1

BEGINNING at a point which is 540 feet East of the Northwest corner of the Northeast quarter of the Northeast quarter of Section 19, in Township 3 South of Range 5 East of the Salt Lake Meridian; and running thence East 458 feet; thence South 44'30" West 416 feet; thence North 28' West 345 feet to the place of beginning.

ALSO THE TRACT:

BEGINNING at a point which is 322 feet West of the Southeast corner of Section 18, in Township 3 South of Range 5 East of the Salt Lake Meridian; and running thence West 458 feet; thence North 28' West 140.00 feet; thence North 36' East 710 feet; thence South 38'15" East 55.00 feet; thence South 19'45" East 232.00 feet; thence South 45'15" East 300 feet; thence South 44'30" West 237.00 feet to the place of beginning.

EXCEPTING THEREFROM:

BEGINNING at a point North 45'15" West 450 feet from the Southeast corner of Section 18, Township 3 South, Range 5 East Salt Lake Base and Meridian; and running thence South 36' East 315 feet; thence North 29' West 290 feet; more or less to a Road; thence North 36'50" West 330 feet more or less along said Road to the Timpanogos Canal, thence South 19'45" East 232 feet; thence South 45'15" East 60 feet more or less to the point of beginning.

(Parcel 2)

BEGINNING at a point North 45'15" West 450 feet from the Southeast ceorner of Section 18, Township 3 South, Range 5 East Salt Lake Base and Meridian; and running thence South 36' East 315 feet; thence North 29' West 290 feet; more or less to a Road; thence North 36'50" West 330 feet more or less along said Road to the Timpanogos Canal, thence South 19'45" East 232 feet; thence South 45'15" East 60 feet more or less to the point of beginning.

PARCEL "AA"

Beginning at a point, said point being West 817.15 feet and North 207.13 feet from the found Reference Corner set in 1976 (near the Southeast Corner of Section 18, Township 4 South, Range 5 East, Salt Lake Base and Meridian, not found,) said Reference Corner having 1976 NAD 27 State Plane Coordinates x = 2 021 273.65 feet and y = 807 730.42 feet, and from said point running thence :

- S 36° 14' 19" W 151.00 feet, thence
- S 28° 30' 00" W 584.31 feet, thence
- N 70° 20' 23" W 104.96 feet, thence
- N 27° 36' 12" W 120.99 feet, thence
- N 29° 26' 37" E 238.41 feet, thence
- N 36° 20' 22" W 602.00 feet, thence
- N 63° 43' 50" E 121.97 feet, thence
- N 62° 46' 08" E 292.52 feet, thence
- N 57° 59' 56" E 95.06 feet, thence
- S 35° 30' 00" E 538.00 feet, to the

Point of Beginning. Contains 8.774 acres.

PARCEL "BB"

Beginning at a point, said point being West, 817.15 feet and North 207.13 feet and S 36° 14' 19" W 151.00 feet and S 28° 30' 00" W 584.31 feet and N 70° 20' 23" W 104.96 feet and N 27° 36' 12" W 120.99 feet from the Reference Corner set in 1976 (near the Southeast Corner of Section 18, Township 4 South, Range 5 East, Salt Lake Base and Meridian, not found,) said Reference Corner having 1976 NAD 27 State Plane Coordinates x = 2 021 273.65 feet and y = 807 730.42 feet, and from said point running thence :

- N 83° 24' 38" W 111.00 feet, thence
 - N 32° 00' 00" W 130.00 feet, thence
 - N 62° 00' 00" W 120.00 feet, thence
 - N 26° 00' 00" W 132.00 feet, thence
 - N 47° 40' 00" W 110.00 feet, thence
 - N 31° 10' 00" W 110.00 feet, thence
 - N 18° 14' 32" W 96.98 feet, thence
 - N 63° 43' 50" E 308.38 feet, thence
 - S 36° 20' 22" E 602.00 feet, thence
 - S 29° 26' 37" W 238.41 feet to the
- Point of Beginning. Contains 4.974 acres.

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(Reigler)

PARCEL "AA"

Beginning at a point, said point being West 817.15 feet and North 207.13 feet from the found Reference Corner set in 1976 (near the Southeast Corner of Section 18, Township 4 South, Range 5 East, Salt Lake Base and Meridian, not found,) said Reference Corner having 1976 NAD 27 State Plane Coordinates $x = 2\ 021\ 273.65$ feet and $y = 807\ 730.42$ feet, and from said point running thence :

S 36° 14' 19" W	151.00 feet, thence
S 28° 30' 00" W	584.31 feet, thence
N 70° 20' 23" W	104.96 feet, thence
N 27° 36' 12" W	120.99 feet, thence
N 29° 26' 37" E	238.41 feet, thence
N 36° 20' 22" W	602.00 feet, thence
N 63° 43' 50" E	121.97 feet, thence
N 62° 46' 08" E	292.52 feet, thence
N 57° 59' 56" E	95.06 feet, thence
S 35° 30' 00" E	538.00 feet, to the

Point of Beginning. Contains 8.774 acres.

PARCEL "BB"

Beginning at a point, said point being West 817.15 feet and North 207.13 feet and S 36° 14' 19" W 151.00 feet and S 28° 30' 00" W 584.31 feet and N 70° 20' 23" W 104.96 feet and N 27° 36' 12" W 120.99 feet from the Reference Corner set in 1976 (near the Southeast Corner of Section 18, Township 4 South, Range 5 East, Salt Lake Base and Meridian, not found,) said Reference Corner having 1976 NAD 27 State Plane Coordinates $x = 2\ 021\ 273.65$ feet and $y = 807\ 730.42$ feet, and from said point running thence :

N 83° 24' 38" W	111.00 feet, thence
N 32° 00' 00" W	130.00 feet, thence
N 62° 00' 00" W	120.00 feet, thence
N 26° 00' 00" W	132.00 feet, thence
N 47° 40' 00" W	110.00 feet, thence
N 31° 10' 00" W	110.00 feet, thence
N 18° 14' 32" W	96.98 feet, thence
N 63° 43' 50" E	308.38 feet, thence
S 36° 20' 22" E	602.00 feet, thence
S 29° 26' 37" W	238.41 feet to the

Point of Beginning. Contains 4.974 acres.

Exhibit
C

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