

WHEN RECORDED MAIL TO:
Don Sanborn
3084 American Saddler
Park City, UT. 84060-6889
491067 & 49057

ENT 12930:2001 PG 1 of 3
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2001 Feb 15 12:35 pm FEE 15.00 BY AA
RECORDED FOR SECURITY TITLE AND ABSTRACT

UTILITY EASEMENT

FOR TEN DOLLARS and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Grantor, ESNET PROPERTIES, LC, a Utah Limited Liability Company, formerly known as BAT Investments, L.C., hereby gives, grants and conveys to GATEWAY TECHNOLOGY CENTER, L.L.C., a Utah limited liability company, a perpetual easement on, over and under the following described real property located in Utah County, State of Utah (the "Burdened Property"), for the purpose of constructing, operating, maintaining and, if necessary, reconstructing a parking lot lighting system. This easement is granted for the benefit of that certain property described below and identified as the "Benefitted Property".

The following real property is located in Utah County, State of Utah and is more particularly described as follows:

BURDENED PROPERTY:

COMMENCING ON THE WEST RIGHT-OF-WAY OF 400 WEST STREET AT A CORNER COMMON TO LOT 1 PLAT "A" GATEWAY TECHNOLOGY CENTER SUBDIVISION AND LOT 2 PLAT "A" GATEWAY TECHNOLOGY CENTER II, (A REVISION OF GATEWAY TECHNOLOGY CENTER "B") SUBDIVISION, ACCORDING TO THE OFFICIAL PLATS THEREOF, ON FILE WITH THE UTAH COUNTY RECORDER: THENCE N89°59'05"W ALONG SAID COMMON LOT LINE, A DISTANCE OF 79.43 FEET TO THE POINT OF BEGINNING; THENCE S00°01'01"W A DISTANCE OF 6.95 FEET; THENCE S89°53'04"W A DISTANCE OF 220.00 FEET; THENCE N00°01'01"E A DISTANCE OF 7.46 FEET TO AFOREMENTIONED COMMON LOT LINE; THENCE S89°58'59"E ALONG SAID LOT LINE, A DISTANCE OF 220.00 FEET TO THE POINT OF BEGINNING. CONTAINS 1,584 SQ. FEET OR 0.04 ACRES

LTC #25398

RATIFICATION AND SUBORDINATION AGREEMENT

The undersigned is the Beneficiary named in that certain Deed of Trust dated September 28, 1998, and recorded October 6, 1998, as entry No. 101928, in Book 4804 at page 654, of the official records of the Utah County Recorder, wherein Bat Investments, L.C. a Utah limited liability company, now known as EsNet Properties, L.C. is named as Trustor and Zions First National Bank is named as Trustee (the "Deed of Trust"). The Deed of Trust encumbers the EsNet Property described in the Easement Agreement to which this Ratification and Subordination Agreement is attached.

For valuable consideration, the receipt and sufficiency of which are acknowledged, the undersigned hereby ratifies and accepts the terms of the Easement Agreement and subordinates its interest as Beneficiary under the terms of the Deed of Trust to the Easement Agreement with the result being that the Easement Agreement shall have priority over the Deed of Trust the same degree and with the same effect as if the Easement Agreement had been executed and recorded prior to the execution and recordation of the Deed of Trust. A foreclosure of the Deed of Trust shall not extinguish or impair the existence or priority of the Easement Agreement.

Zions First National Bank

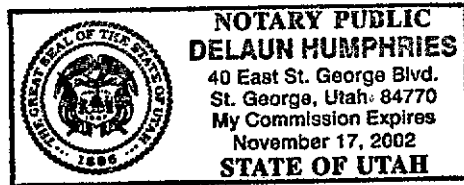
By: [Signature]

STATE OF UTAH)

: ss.

COUNTY OF Washington)

The above instrument was acknowledged before me this 31 day of January, 2001, by Scott Colton of Zions First National Bank.



[Signature]
NOTARY PUBLIC
Commission Expires: Nov-17, 2002
Residing: Enterprise, Utah