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ENT 138262:2020 PG 1 of 8
Jeffery Smith
Utah County Recorder
2020 Sep 11 01:54 PM FEE 0.00 BY IP
RECORDED FOR First American Title Insurance Company
ELECTRONICALLY RECORDED

WHEN RECORDED, MAIL TO:

Daniel Thomas
Valley Grove III, LLC
c/o St. John Properties Utah, LLC
1982 W. Pleasant Grove Blvd., Suite D
Pleasant Grove, UT 84062

GRANT OF EASEMENT

(Grove Creek Center)

This Grant of Easement (the "Agreement") is made as of the 11th day of September, 2020, by VALLEY GROVE III, LLC, a Maryland limited liability company, as Declarant ("Grantor"), in favor of DMB INVESTMENTS, LLC, PEOPLE'S INTERMOUNTAIN BANK, GROVE CREEK II, LLC, VALLEY GROVE III, LLC, , PLEASANT GROVE CITY, and VALLEY GROVE V, LLC (collectively, "Grantees").

RECITALS:

- A. Grantor is the Declarant under that certain "Declaration of Covenants, Conditions and Restrictions of the Grove Creek Center" recorded June 30, 2017 as Entry No. 63280:2017 among the Official Records of Utah County, State of Utah (the "Declaration"). The legal description for Grove Creek Center, as included in the Declaration, is attached hereto as Exhibit A.
- B. Grantor received an assignment of all Declarant rights under the Declaration from DMB Investments, LLC and Don Brandt, the prior Declarants under the Declaration, by that certain "Assignment of Declarant Rights (Grove Creek Center)" dated July 29, 2019, and recorded on July 30, 2019, as Entry No. 71391:2019 among the Official Records of Utah County, State of Utah.
- C. Valley Grove III, LLC, DMB Investments, LLC, People's Intermountain Bank, and Grove Creek II, LLC are the current owners of parcels within Grove Creek Center (sometimes referred to as "Owners").
- D. Grove Creek Center is located within Pleasant Grove City, Utah.
- E. Valley Grove V, LLC owns adjacent property to Grove Creek Center, which is more particularly described on Exhibit B (the "Valley Grove V Parcel").
- F. The Declarant is authorized, under Section 10.7 of the Declaration, to reserve or grant any easements which may be reasonably required by any governmental authority or to carry out the intent and design of the Declarant's plan for development of the Property.

- G. The Declarant is also given the unilateral right, under Section 9.4 of the Declaration, to grant road easements and to allow such roads to be used by owners of adjacent land.
- H. The Grove Creek Center development includes a private drive aisle located on Grove Creek Center Commercial Subdivision Plat A, Lot 5 and more fully defined in Exhibit C attached hereto (the "Easement Parcel").
- I. The Easement Parcel is currently being used by all Owners of the Grove Creek Center for access to and from their respective lots; however, no recorded easement currently exists. Declarant desires, prior to the expiration of the Declarant Period, to establish an easement for the benefit of the Grove Creek Center Owners.
- J. Pleasant Grove City has requested of Declarant the establishment of an access easement on the Easement Parcel for its benefit and use in providing municipal services requiring access to Grove Creek Center and adjoining parcels.
- K. The existing private drive aisle currently stubs over the boundary line of the Grove Creek Center onto the Valley Grove V Parcel. Grantor understands that the intent of the creators of such drive aisle was to provide access from the Valley Grove V Parcel, and providing such access is also the intent and design of the Declarant's plan for development of the Property.
- L. The private drive aisle is presently being used for pedestrian and vehicular access up to the current boundary line between Grove Creek Center and the Valley Grove V Parcel.
- M. Declarant has determined to grant an easement for pedestrian and vehicular access (the "Easement") over the portion of the private drive aisle described on the Easement Parcel in order to provide access across the Easement Parcel for Grove Creek Center Owners, to provide access over the Easement Parcel to Pleasant Grove City for municipal services, and to provide access between Grove Creek Center and the Valley Grove V Parcel. The Easement Parcel is depicted on the plat map attached as Exhibit D.

GRANT OF EASEMENT:

NOW THEREFORE, pursuant to its powers under the Declaration, and for valuable consideration, Grantor makes the following grant of easement:

- 1. Grant of Easement. Grantor, as Declarant, hereby grants to Grantees an irrevocable nonexclusive easement over the Easement Parcel for the purpose of pedestrian and vehicular access within Grove Creek Center and between Grove Creek Center and the Valley Grove V Parcel.

2. Use of Easement by Current Landowner. People's Investment Bank, as current owner of the Easement Parcel, may make any use of the Easement Parcel which will not defeat, damage, or unreasonably interfere with the uses and purposes of the Easement as granted to Grantees.

3. Benefit and Burden. This Grant of Easement shall be for the benefit and burden of the Grantees' Property and the Valley Grove V Parcel and shall run with the land. This Grant of Easement, the Easement, and the benefits and obligations created hereby shall inure to the benefit of and be binding upon Grantees, and the successors, transferees, assigns, and occupants of Grantees' Property on Grove Creek Center and the Valley Grove V Parcel. Notwithstanding the preceding sentences in Section 4, the rights and benefits of Pleasant Grove City shall be personal to Pleasant Grove City.

4. Duration and Remedies; Preservation of Rights. The Easement herewith granted shall remain in force and effect perpetually.

[Remainder of page intentionally left blank. Signatures to follow.]

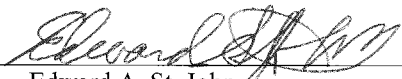
IN WITNESS WHEREOF, this Grant of Easement has been executed as of the date first above written.

WITNESS:

VALLEY GROVE III, LLC,
a Maryland limited liability company

By: ST. JOHN PROJECTS, LLC
a Delaware limited liability company
Its: Manager

By: EDWARD ST. JOHN, LLC
a Delaware limited liability company
Its: General Manager


By: Edward A. St. John
General Manager

STATE OF MARYLAND)
):ss
COUNTY OF BALTIMORE)

I HEREBY CERTIFY, that on this 11 day of September, 2020, before me, the undersigned Notary Public of said State, personally appeared Edward A. St. John, who acknowledged himself to be the General Manager of Edward St. John, LLC, which entity is the general manager of St. John Projects, LLC, which entity is the manager of Valley Grove III, LLC, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

WITNESS my hand and Notarial Seal.


NOTARY PUBLIC

My Commission Expires: 10/9/22

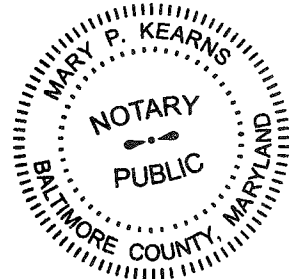


EXHIBIT A

Grove Creek Center Property

That certain real property and the improvement thereon situated in Utah County, State of Utah, more particularly described as follows:

Plat A, Lots 4 and 5, and Plat B, Lots 6 and 7, of the Grove Creek Center Commercial Subdivision, according to the official plat thereof recorded in the office of the County Recorder of Utah County, State of Utah.

EXHIBIT B

Valley Grove V Parcel

The following property located in Utah County, Utah:

BEGINNING AT A POINT WHICH IS LOCATED NORTH 89°37'36" EAST 59.06 FEET ALONG THE EAST-WEST CENTERLINE AND SOUTH 33.37 FEET FROM THE WEST QUARTER CORNER OF SECTION 30, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE EAST 392.66 FEET; THENCE SOUTH 00°19'53" WEST 1133.43 FEET TO THE RIGHT OF WAY FOR INTERSTATE 15; THENCE ALONG RIGHT OF WAY 350.22 FEET ALONG THE ARC OF A 3445.69 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 53°01'31" WEST 350.07 FEET); THENCE NORTH 49°51'00" WEST 340.46 FEET; THENCE NORTH 443.50 FEET; THENCE EAST 131.76 FEET; THENCE NORTH 04°51'00" EAST 260.77 FEET TO THE POINT OF BEGINNING.

EXHIBIT C

Easement Parcel

The following property located in Utah County, Utah:

Beginning at a point on the west line of said Lot 5 which is 451.60 feet North $89^{\circ}37'36''$ East along the quarter section line and 35.94 feet SOUTH and 827.90 feet South $0^{\circ}19'53''$ West from the West Quarter Corner of Section 30, Township 5 South, Range 2 East, Salt Lake Base and Meridian, said point also being 249.01 feet South $0^{\circ}19'53''$ West from the northwest corner of said Lot 5; running thence EAST 416.16 feet to the east line of said Lot 5; thence South $0^{\circ}22'24''$ East 66.00 feet along said east line; thence North $72^{\circ}57'28''$ West 39.61 feet; thence WEST 378.68 feet to said west line of Lot 5; thence North $0^{\circ}19'53''$ East 26.00 feet along said west line to the point of beginning.

EXHIBIT D

Depiction of Easement

