

Recorded requested by and
when recorded return to:
Robert M. Taylor, Attorney
9565 S Wasatch Blvd.
Salt Lake City, Utah 84092

Tax Nos.:

(Space above for Recorder's Use Only)

GRANT AND RESERVATION OF EASEMENT

Quail Run Development, LLC ("**QRD**"), a Utah limited liability company, and Holladay 2550, LLC ("**H 2550**"), a Utah limited liability company (together, the "**Grantors**") do hereby reserve, make and enter into this GRANT AND RESERVATION OF EASEMENT (the "**Easement Grant**") intending to bind themselves, as well as their assigns and successors in interest, for the benefit of the Grantees identified in 1, below, and the successors in interest and assigns of the Grantees. Capitalized terms employed in this Easement Grant shall have the meanings provided for them in this instrument or in the Declaration.

Preliminary Statement.

- A. QRD is the developer of that certain subdivision development in Sandy City, Utah, identified and known as "Monte Cristo at LaCaille" (the "**Subdivision**"), the plat ("**Plat**") for which was recorded in the records of the Salt Lake County Recorder on November 16, 2022, as Entry #14042899, in Book 2022P at Page 286. The Plat identifies certain parcels as Common Areas to be held and managed for the benefit of the owners of the Lots of the Subdivision (the "**Common Areas**"). Included within those Common Areas is that certain private street identified in the Plat as "**Quail Hill Lane**", which is more particularly described on **Exhibit A**, attached hereto and incorporated herein by this reference.
- B. On the date of this Easement Grant, title to the Common Areas is held by QRD.
- C. After execution and recordation of this Easement Grant, QRD will execute, as Declarant, and cause the Declaration of Covenants, Conditions and Restrictions for the Subdivision (the "**Declaration**") to be recorded in the records of the Salt Lake County Recorder, and will cause Monte Cristo at La Caille Homeowners Association, Inc., a non-profit corporation (herein called the "**Association**") to be organized in the state of Utah.
- D. On the date of this Easement Grant, QRD and H 2550, by separate interests, together hold record title to all of the subdivided Lots (term defined in the Declaration) in the Subdivision, and therefore are all of the owners of Lots of the Subdivision, and in their capacities as the holders of equity interests in the Common Areas.
- E. There are certain lots and parcels of real property situated east of Wasatch Boulevard and west of the Subdivision which are more particularly described on **Exhibit B**, attached hereto and incorporated herein by this reference. Those lots and parcels are separately owned by Kevin P. Gates, Holladay 2550, LLC, a Utah limited liability company, and Chateau LaCaille, LLC, a Utah limited liability company. The lots and parcels described on Exhibit B are together known as and are all associated with "**La Caille™**". The lots and parcels described on Exhibit B are herein called the "**La Caille Estate**". Grantors acknowledge that an easement and private lane across certain portions of the La Caille

Estate was previously granted and reserved to and for the benefit of the owners and lawful occupants and users of Lots in the Subdivision.

- F. Grantors have determined that it is in the best interests of the Association and its members to, and desire hereby to create, grant, convey and reserve certain rights and interests in an easement for access, ingress and egress over Quail Hill Lane for the benefit of owners, occupants and invitees of La Caille Estate properties.

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantors, for themselves and for their successors and assigns, expressly including the Association, agree, make and enter into this Easement Grant as follows:

1. Grantor QRD, in its capacity as the developer of the Subdivision, and on the date of this Easement Grant the holder of title to the Common Areas in the Subdivision, and Grantors QRD and H 2550, together in their capacities as holders of the equitable interests in those Common Areas, do hereby for their successors and assigns (particularly including, but not limited to, the contemplated Association and all future Lot owners) create, grant, and convey a permanent, non-exclusive easement over, across and along Quail Hill Lane, as the servient property, for access, ingress and egress to and from the La Caille Estate properties and the public streets of Sandy City to which it connects, to Kevin P. Gates, an individual, Holladay 2550, LLC, and Chateau LaCaille, LLC, a Utah limited liability company, and their successors in interest, in their capacities as owners of the La Caille Estate properties, and for the benefit of any lawful occupants, guests, contractors, service providers, and other invitees of the La Caille Estate properties (the "Grantees"). In the event of any conflict of interests, the rights and interests of Grantees hereunder shall be secondary and subordinate to those of Grantor QRD, for itself as Developer, the Subdivision Lot owners and the Association. No exercise by Grantees of the foregoing rights and privileges shall be made in a manner that will cause extraordinary wear and tear upon, or damage, Quail Hill Lane, nor made in a manner that interferes with use of Quail Hill Lane by the Grantors, by the Subdivision Lot owners, occupants and/or guests, and/or by the Association. In no event shall the gross weight of any vehicle which exercises a Grantee's easement rights hereunder exceed that of vehicles customarily used in residential construction, including cranes.

2. Grantor QRD, for itself as Developer, and for the Association, as a successor in interest, shall have the exclusive rights and duties to install, maintain, improve, repair, alter, inspect, and/or modify an improved surface thereon suitable for vehicular transportation. Notwithstanding the foregoing, in the event that any material damage or extraordinary wear and tear demonstrably results directly from a Grantee's abuse or misuse of the easement, such Grantee shall be responsible for all reasonable costs and expenses incurred in making repairs.

3. No parking by Grantees, nor or any other form of use of the Easement Property or the property adjacent to Quail Hill Lane – other than for repairs -- which could serve to block or unnecessarily impede passage or permitted uses shall be permitted.

4. The easement granted herein shall be perpetual and shall constitute a covenant which runs with the land and shall be appurtenant to the La Caille Estate properties and each of them, severally, as the dominant properties, and shall not be affected by any future boundary adjustments, subdivisions or reconfigurations of such dominant properties. This Easement Grant is intended to and shall inure to the benefit of and be binding upon the respective heirs, representatives, successors and assigns of the Grantors. If any provision of this Easement Grant or the application of any provision of this Easement Grant to any circumstance shall to any extent be unenforceable, (a) the remainder of this Easement Grant, (b) the application of any such provision in the event such circumstance is changed or otherwise resolved, and/or

(c) the application to circumstances other than those as to which such provision is held invalid or unenforceable -- shall not be affected by such invalidity or unenforceability, and be enforceable to the fullest extent permitted by law.

IN WITNESS WHEREOF, this Easement Grant is made on this 4 day of June, 2024.

Grantor Quail Run Development, LLC
By its Manager, CW Management, Inc.

Christopher K. McCandless
Christopher K, McCandless, its President

Grantor Holladay 2550, LLC
By its Manager, iFreedom Direct Corporation

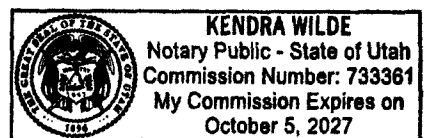
_____, its _____

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 4 day of June, 2024, by Christopher K. McCandless, a person known to me, or who proved to me based on satisfactory evidence that he is the person whose name is subscribed to this instrument, and who further acknowledged to me that he is the President of CW Management, Inc., and that he executed the above instrument in their authorized capacity for the Manager of Grantor Quail Run Development, LLC,.

Kendra Wilde
Notary Public

Residing at:
Commission Exp.




(c) the application to circumstances other than those as to which such provision is held invalid or unenforceable -- shall not be affected by such invalidity or unenforceability, and be enforceable to the fullest extent permitted by law.

IN WITNESS WHEREOF, this Easement Grant is made on this ___ day of _____, 2024.

Grantor Quail Run Development, LLC
By its Manager, CW Management, Inc.

Christopher K, McCandless, its President

Grantor Holladay 2550, LLC
By its Manager, iFreedom Direct Corporation



Kevin P. Gates, its President

STATE OF UTAH)
) ss
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by Christopher K. McCandless, a person known to me, or who proved to me based on satisfactory evidence that he is the person whose name is subscribed to this instrument, and who further acknowledged to me that he is the President of CW Management, Inc., and that he executed the above instrument in their authorized capacity for the Manager of Grantor Quail Run Development, LLC,.

Notary Public

Residing at:
Commission Exp.

STATE OF California)
) ss
COUNTY OF San Diego)

The foregoing instrument was acknowledged before me this 5th day of June, 2024, by Kevin P. Gates, a person known to me, or who proved to me based on satisfactory evidence that he is the person whose name is subscribed to this instrument, who declared that he is currently the President of iFreedom Direct Corporation, a Utah corporation, and that he executed the above instrument in his authorized capacity for the Manager of Holladay 2550, LLC.



Notary Public

Residing at: 800 Orange Ave Coronado CA 92118
Commission Exp. 9-30-26



EXHIBIT A
Quail Hill Lane

All of the common area parcel identified as "Quail Hill Lane (Private Street)" depicted on and according to the official Plat of the MONTE CRISTO AT LA CAILLE SUBDIVISION on file and of record in the office of the Salt Lake County Recorder. (Such Plat was recorded as Entry #14042899, in Book 2022P at Page 286 in the official records of the Salt Lake County Recorder.)

EXHIBIT "B"
Legal Descriptions of La Caille Estate Properties

PARCEL 1: TIN 28-12-177-014

BEGINNING AT A POINT BEING NORTH 89°52'27" EAST 1734.05 FEET ALONG THE SECTION LINE AND NORTH 3°00'00" EAST 863.85 FEET FROM THE WEST QUARTER CORNER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE NORTH 86°00'00" WEST 208.88 FEET; THENCE NORTH 3°00'00" EAST 225.78 FEET TO THE CENTERLINE OF LITTLE COTTONWOOD CREEK; THENCE SOUTH 84°09'44" EAST 68.68 FEET ALONG THE CENTERLINE OF SAID LITTLE COTTONWOOD CREEK; THENCE SOUTH 3°00'00" WEST 179.82 FEET; THENCE SOUTH 86°00'00" EAST 140.27 FEET; THENCE SOUTH 3°00'00" WEST 43.75 FEET TO THE POINT OF BEGINNING.

PARCEL 2: TIN 28-12-179-002

BEGINNING AT A POINT 105.1 RODS EAST AND NORTH 3° EAST 645.05 FEET FROM THE WEST QUARTER CORNER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE SOUTH 87° EAST 432.8 FEET; THENCE NORTH 3° EAST 75 FEET; THENCE NORTH 87° WEST 90 FEET; THENCE NORTH 43°35' WEST 145.5 FEET; THENCE NORTH 87° WEST 237.1 FEET; THENCE SOUTH 3° WEST 175 FEET TO THE POINT OF BEGINNING.

PARCEL 3: TIN 28-12-179-004

BEGINNING AT A POINT 105.1 RODS EAST AND NORTH 3° EAST 720.05 FEET AND SOUTH 87° EAST 342.8 FEET AND NORTH 43°35' WEST 52.5 FEET FROM THE WEST QUARTER CORNER OF SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 43°35' WEST 48 FEET; THENCE NORTH 21°26' EAST 253 FEET, MORE OR LESS, TO THE CENTER OF SAID CREEK SOUTHEASTERLY 13.3 FEET, MORE OR LESS, TO A POINT NORTH 13°10' EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 13°10' WEST 266.2 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 4: TIN 28-12-179-001

Beginning at a point North 89°52'27" East 1734.05 feet along the Section line and North 03°00'00" East 907.60 feet from the West quarter corner of Section 12, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and running thence North 86°00'00" West 140.27 feet; thence North 03°00'00" East 179.82 feet to the centerline of said Little Cottonwood Creek; thence South 84°09'44" East 85.01 feet along the centerline of said Little Cottonwood Creek to the Southwest corner of Rola Acres Phase 1; thence South 73°37'14" East 171.95 feet along the South line of said Rola Acres Phase 1 and being the centerline of said Little Cottonwood Creek; thence South 89°38'04" East 22.09 feet along the South line of said Rola Acres Phase 1 and being the centerline of said Little Cottonwood Creek; thence South 03°00'00" West 106.82 feet;

thence South 67°08'00" West 77.00 feet; thence North 86°00'00" West 64.73 feet to the point of beginning.

PARCEL 5: TIN 28-12-179-005

Commencing at a point 105.1 rods East and North 03°00'00" East 820.05 feet from the West quarter corner of Section 12, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 87°00'00" East 237.1 feet; thence South 43°35'00" East 45.0 feet; thence North 21°26'00" East 253 feet more or less to the center line of Little Cottonwood Creek; thence Northwesterly along the center line of said creek 220 feet more or less to the Northeast corner of Clarence L. and Laura S. Giles property; thence South 03°00'00" West 131.14 feet; thence South 67°08'00" West 77 feet; thence North 86°00'00" West 64.73 feet; thence South 03°00'00" West 86.51 feet to the place of beginning.

PARCEL 6: TIN 28-12-177-015

Commencing 105.1 rods East and North 03°00'00" East 490.05 feet and South 87°00'00" East 455.8 feet and North 03°00'00" East 230 feet from the West quarter corner of Section 12, Township 3 South, Range 1 East, Salt Lake Meridian, and running thence North 87°00'00" West 113 feet; thence North 43°35'00" West 52.5 feet; thence North 13°10'00" East 266.2 feet, more or less, to the center of Little Cottonwood Creek; thence Southeasterly along said creek 106.7 feet, more or less to a point which is North 03°00'00" East from the point of beginning; thence South 03°00'00" West 258 feet, more or less to the point of beginning.

LESS AND EXCEPTING THEREFROM the above described right of way any portion lying within Lots 1, 2, 3 and 4, Little Cottonwood East Subdivision, according to the official plat thereof on file and of record in the Salt Lake County Recorder's Office.

PARCEL 7: TIN 28-12-151-037

Lot 1, THE LA CAILLE SUBDIVISION, according to the official plat thereof on file and of record in the office of the Salt Lake County recorder.

PARCEL 8: TIN 28-12-151-038

Lot 2, THE LA CAILLE SUBDIVISION, according to the official plat thereof on file and of record in the office of the Salt Lake County recorder.

PARCEL 9: TIN 28-12-151-039

Lot 3, THE LA CAILLE SUBDIVISION, according to the official plat thereof on file and of record in the office of the Salt Lake County recorder.

PARCEL 10: TIN 28-12-151-040

BEG N 0°37'45" W 853.335 FT FR W 1/4 COR SEC 12, T 3S, R 1E, SLM; E 183 FT; N 11° E 107.624 FT; S 83° E 26.113 FT; N 0° 18' E 288.56 FT; N 230 FT; W 18.52 FT M OR L; S 24

FT; E 18.52 FT M OR L; S 206 FT M OR L; S 0°18' W 268.56 FT; W 230.96 FT M OR L; S 0°37'45" E 127.55 FT M OR L TO BEG.

PARCEL 11 TIN 28-12-151-041

BEG S 0°37'45" E 1204.50 FT FR NW COR SEC 12, T 3S, R 1E, SLM; E 121.76 FT; S 43 FT; W 121.29 FT; N 0°37'45" W 43.00 FT TO BEG.

PARCEL 12 TIN 28-12-151-002

BEG 1228 FT S & 225 FT E FR NW COR SEC 12, T 3S, R 1E, SL MER, E 18.26 FT; S 206.5 FT; S 0°18' W 268.56 FT; W 16.61 FT; N 475 FT M OR L TO BEG.

PARCEL 13 TIN 28-12-177-013

BEG E 1410.18 FT & S 1997.08 FT FR NW COR SEC 12, T 3S, R 1E, SLM; S 3°14' W 90.18 FT M OR L; N 59°44'04" W 18.37 FT; N 3°14' E 82.05 FT M OR L; S 86° E 16.17 FT TO BEG.

PARCEL 14 TIN 28-12-177-018

LOT 101, MONTE CRISTO AT LACAILLE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

PARCEL 15 TIN 28-12-177-029

BEG N 00°38'44" W 493.34 FT & E 1766.31 FT FR W 1/4 SEC 12, T3S, R1E SLM; N 3°00'57" E 155 FT; N 2°59'01" E 215.27 FT; N 86°00'59" W 79.89 FT; SW'LY ALG 176 FT RADIUS CURVE TO L, 75.56 FT (CHD S 81°41'06" W); S 69°23'11" W 113.87 FT; N 20°36'49" W 38.62 FT; S 62°57'20" W 51.54 FT; N 89°45'02" W 87.71 FT; N 3°13'01" E 68.36 FT; N 7°35'01" E 200 FT; N 89°59'01" E 14.42 FT; S 15°18'15" W 13.18 FT; S 74°50'45" E 64.41 FT; N 70°05'26" E 114.78 FT; S 84°10'43" E 152.38 FT; S 18°29'57" W 6.19 FT; S 78°04'52" E 8.90 FT; S 68°36'25" E 41.55 FT; S 77°13'11" E 43.44 FT; S 83°11'25" E 38.70 FT; S 73°38'13" E 40.39 FT; S 89°39'03" E 142.38 FT; S 66°52'57" E 136.14 FT; S 68°37'37" E 79.14 FT; S 2°59'01" W 263.34 FT; N 87°00'59" W 23.14 FT; S 2°59'01" W 227.51 FT; N 87°00'59" W 432.74 FT TO BEG. LESS & EXCEPT BEG N 86°00'59" W 79.89 FT M OR L & SW'LY ALG 176 FT RADIUS CURVE TO L, 29.79 FT (CHD S 89°16'38" W) M OR L FR NW COR LOT 113 MONTE CRISTO AT LACAILLE: N 86°00'59" W 58.29 FT M OR L; SW'LY ALG 36 FT RADIUS CURVE TO L, 34 FT (CHD S 66°55'30" W); SW'LY ALG 150 FT RADIUS CURVE TO R, 50.11 FT (CHD S 49°34'13" W); N 69°31'51" E 87.30 FT; NE'LY ALG 176 FT RADIUS CURVE TO R 45.77 FT (CHD N 76°58'35" E) M OR L TO BEG. ALSO LESS LOTS & PUBLIC STREET QUAIL VIEW COVE & 3775 E. (BEING PT PRIVATE STREET IN MONTE CRISTO AT LACAILLE SUB).

PARCEL 16 TIN 28-12-177-027

BEG N 86°00'59" W 79.89 FT M OR L & SW'LY ALG 176 FT RADIUS CURVE TO L, 29.79 FT (CHD S 89°16'38" W) M OR L FR NW COR LOT 113 MONTE CRISTO AT LACAILLE: N 86°00'59" W 58.29 FT M OR L; SW'LY ALG 36 FT RADIUS CURVE TO L, 34 FT (CHD S 66°55'30" W); SW'LY ALG 150 FT RADIUS CURVE TO R, 50.11 FT (CHD S 49°34'13" W); N 69°31'51" E 87.30 FT; NE'LY ALG 176 FT RADIUS CURVE TO R 45.77 FT (CHD N 76°58'35" E) M OR L TO BEG.

PARCEL 17 TIN 28-12-177-028

BEG N 89°51'28" E 1372.44 FT & N 827.38 FT FR W 1/4 SEC 12, T3S, R1E, SLM; S 89°45'02" E 87.71 FT; N 62°57'20" E 51.54 FT; S 20°36'49" E 38.62 FT; NE'LY ALG 150 FT RADIUS CURVE TO L, 77.28 FT (CHD N 54°37'35" E); NE'LY ALG 36 FT RADIUS CURVE TO R, 34 FT (CHD N 66°55'30" E); S 86°00'59" E 168.42 FT; S 2°59'01" W 222.38 FT; N 85°44'23" W 225.41 FT; N 3°00'57" E 16.50 FT; N 85°59'03" W 180.71 FT; N 3°13'01" E 144.14 FT TO BEG. LESS ANY PORTION LYING IN MONTE CRISTO AT LACAILLE.

PARCEL 18 TIN 28-12-177-029

BEG N 00°38'44" W 493.34 FT & E 1766.31 FT FR W 1/4 SEC 12, T3S, R1E SLM; N 3°00'57" E 155 FT; N 2°59'01" E 215.27 FT; N 86°00'59" W 79.89 FT; SW'LY ALG 176 FT RADIUS CURVE TO L, 75.56 FT (CHD S 81°41'06" W); S 69°23'11" W 113.87 FT; N 20°36'49" W 38.62 FT; S 62°57'20" W 51.54 FT; N 89°45'02" W 87.71 FT; N 3°13'01" E 68.36 FT; N 7°35'01" E 200 FT; N 89°59'01" E 14.42 FT; S 15°18'15" W 13.18 FT; S 74°50'45" E 64.41 FT; N 70°05'26" E 114.78 FT; S 84°10'43" E 152.38 FT; S 18°29'57" W 6.19 FT; S 78°04'52" E 8.90 FT; S 68°36'25" E 41.55 FT; S 77°13'11" E 43.44 FT; S 83°11'25" E 38.70 FT; S 73°38'13" E 40.39 FT; S 89°39'03" E 142.38 FT; S 66°52'57" E 136.14 FT; S 68°37'37" E 79.14 FT; S 2°59'01" W 263.34 FT; N 87°00'59" W 23.14 FT; S 2°59'01" W 227.51 FT; N 87°00'59" W 432.74 FT TO BEG. LESS & EXCEPT BEG N 86°00'59" W 79.89 FT M OR L & SW'LY ALG 176 FT RADIUS CURVE TO L, 29.79 FT (CHD S 89°16'38" W) M OR L FR NW COR LOT 113 MONTE CRISTO AT LACAILLE: N 86°00'59" W 58.29 FT M OR L; SW'LY ALG 36 FT RADIUS CURVE TO L, 34 FT (CHD S 66°55'30" W); SW'LY ALG 150 FT RADIUS CURVE TO R, 50.11 FT (CHD S 49°34'13" W); N 69°31'51" E 87.30 FT; NE'LY ALG 176 FT RADIUS CURVE TO R 45.77 FT (CHD N 76°58'35" E) M OR L TO BEG. ALSO LESS LOTS & PUBLIC STREET QUAIL VIEW COVE & 3775 E. (BEING PT PRIVATE STREET IN MONTE CRISTO AT LACAILLE SUB).

PARCEL 19 TIN 28-12-177-026

PARCEL B, MONTE CRISTO AT LACAILLE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.

PARCEL 20 TIN 28-12-179-026

PARCEL A, MONTE CRISTO AT LACAILLE SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.