

AGREEMENT REGARDING EASEMENTS

THIS AGREEMENT IS ENTERED INTO THIS 24<sup>TH</sup> DAY OF FEBRUARY, 2021, BY AND BETWEEN ROCKWELL HOMES UTAH, INC., A UTAH CORPORATION (ROCKWELL) AND MST 150, LLC, A UTAH LIMITED LIABILITY COMPANY (MST).

RECITALS

- A. ROCKWELL OWNS THE REAL PROPERTY (ROCKWELL PROPERTY) DESCRIBED ON EXHIBIT "A" ATTACHED HERETO.
- B. MST OWNS ALL OR PART OF THE ADJOINING PROPERTIES.
- C. MST AND ROCKWELL EXPECT TO DEVELOP SAID PROPERTIES IN PHASES, BUT TO DO SO WILL REQUIRE GRANTING OF EASEMENTS TO EACH OTHER FOR ACCESS TO SAID PROPERTIES.
- D. THE PARTIES DESIRE TO ENTER INTO AN AGREEMENT PROVIDING FOR THE GRANTING OF EASEMENTS OVER THE ROCKWELL PROPERTY TO THE SAID ADJOINING MST PROPERTY.

AGREEMENT

- 1. ROCKWELL HEREBY GRANTS EASEMENTS FOR INGRESS, EGRESS AND UTILITY PURPOSES SHOWN AS EXHIBIT "B".
- 2. IT IS UNDERSTOOD AND AGREED THAT THE EASEMENTS SHOWN AS EXHIBIT "B" ATTACHED, HAVE BEEN TAKEN FROM THE MASTER PLAN FOR THE DEVELOPMENT OF SAID PROPERTIES.
- 3. IT IS ALSO UNDERSTOOD AND AGREED THAT THE LOCATION OF SAID EASEMENTS MAY HAVE TO CHANGE TO COINCIDE WITH WASHINGTON CITY ORDINANCES AND REQUIREMENTS.
- 4. ALL PARTIES AGREE THAT THE FINAL EASEMENTS SHALL BE IN THE DEDICATED STREETS AS DESIGNATED IN THE FINAL SUBDIVISION PLATS.
- 5. IT IS ALSO UNDERSTOOD AND AGREED THAT WHEN A SUBDIVISION PLAT IS RECORDED ON ANY PORTION OF THE PROPERTY DESCRIBED ON EXHIBIT "A" ATTACHED THE PORTION OF THE EASEMENT, AS SHOWN ON EXHIBIT "B", INCLUDED IN SAID RECORDED SUBDIVISION PLAT, SHALL AUTOMATICALLY ABANDON, AND THE DEDICATED STREETS, IN SAID PLATS, SHALL BE THE FINAL LOCATION OF SAID EASEMENTS, BUT AT NO TIME, SHALL THE ADJOINING PROPERTIES ABOVE DESCRIBED, BECOME LANDLOCKED OR ACCESS REMOVED OR DENIED.
- 6. THIS AGREEMENT SHALL BE RECORDED WITH THE WASHINGTON COUNTY RECORDER. THE OBLIGATIONS DESCRIBED IN THIS AGREEMENT SHALL RUN WITH THE LAND AND SHALL BE BINDING ON AND INURE TO THE BENEFIT OF THE PARTIES HERETO, THEIR HEIRS, SUCCESSORS AND ASSIGNS.
- 7. SHOULD ANY PARTY DEFAULT IN ANY OF THE COVENANTS OR AGREEMENTS HEREIN CONTAINED, THE DEFAULTING PARTY SHALL PAY ALL COSTS, AND EXPENSES, INCLUDING A REASONABLE ATTORNEY'S FEE, WHICH MAY ARISE OR ACCRUE FROM ENFORCING THIS AGREEMENT OR IN PURSUING ANY REMEDY PROVIDED HEREUNDER OR BY THIS OBLIGATION OF THE DEFAULTING PARTY TO PAY COSTS AND EXPENSES INCLUDES, WITHOUT LIMITATION, ALL COSTS AND EXPENSES, INCLUDING A REASONABLE ATTORNEY'S FEE, INCURRED ON APPEAL AND IN BANKRUPTCY PROCEEDINGS.

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**Exhibit "A"**

## PARCEL 1:

BEGINNING AT A POINT THAT LIES SOUTH  $01^{\circ}03'08''$  WEST ALONG THE SECTION LINE 1046.09 FEET AND DUE WEST 1050.47 FEET FROM THE EAST QUARTER CORNER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING SOUTH  $51^{\circ}45'17''$  WEST 224.14 FEET; THENCE SOUTHWESTERLY ALONG A 270.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH  $26^{\circ}14'52''$  WEST A DISTANCE OF 232.53 FEET), CENTER POINT LIES SOUTH  $38^{\circ}14'43''$  EAST THROUGH A CENTRAL ANGLE OF  $51^{\circ}00'49''$ , A DISTANCE OF 240.40 FEET; THENCE SOUTH  $00^{\circ}44'27''$  WEST 220.84 FEET; THENCE NORTH  $89^{\circ}15'33''$  WEST 30.00 FEET; THENCE SOUTH  $00^{\circ}44'27''$  WEST 10.35 FEET; THENCE SOUTHERLY ALONG A 400.00 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH  $13^{\circ}36'51''$  WEST A DISTANCE OF 178.24 FEET), CENTER POINT LIES NORTH  $89^{\circ}15'33''$  WEST THROUGH A CENTRAL ANGLE OF  $25^{\circ}44'47''$ , A DISTANCE OF 179.74 FEET; THENCE NORTH  $63^{\circ}30'45''$  WEST 45.00 FEET; THENCE NORTH  $89^{\circ}15'33''$  WEST 621.15 FEET; THENCE NORTH  $00^{\circ}44'27''$  EAST 100.00 FEET; THENCE NORTH  $00^{\circ}44'27''$  EAST 152.10 FEET; THENCE NORTH  $89^{\circ}15'33''$  WEST 110.00 FEET; THENCE NORTH  $89^{\circ}15'33''$  WEST 50.00 FEET; THENCE NORTH  $89^{\circ}15'33''$  WEST 111.25 FEET; THENCE NORTH  $00^{\circ}44'27''$  EAST 102.10 FEET; THENCE NORTH  $89^{\circ}15'33''$  WEST 24.66 FEET; THENCE NORTH  $00^{\circ}43'12''$  EAST 296.00 FEET; THENCE SOUTH  $89^{\circ}15'33''$  EAST 13.40 FEET; THENCE NORTH  $00^{\circ}44'27''$  EAST 94.00 FEET; THENCE SOUTH  $89^{\circ}15'33''$  EAST 24.51 FEET; THENCE SOUTH  $89^{\circ}17'27''$  EAST 98.12 FEET; THENCE NORTH  $00^{\circ}44'27''$  EAST 3.95 FEET; THENCE SOUTH  $89^{\circ}15'33''$  EAST 778.85 FEET; THENCE SOUTHEASTERLY ALONG A 430.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH  $35^{\circ}48'50''$  EAST A DISTANCE OF 134.23 FEET), CENTER POINT LIES NORTH  $63^{\circ}09'55''$  EAST THROUGH A CENTRAL ANGLE OF  $17^{\circ}57'30''$ , A DISTANCE OF 134.78 FEET; THENCE SOUTH  $44^{\circ}47'35''$  EAST 50.87 FEET; THENCE NORTHEASTERLY ALONG A 345.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH  $45^{\circ}55'53''$  EAST A DISTANCE OF 68.69 FEET), CENTER POINT LIES SOUTH  $49^{\circ}46'54''$  EAST THROUGH A CENTRAL ANGLE OF  $11^{\circ}25'34''$ , A DISTANCE OF 68.80 FEET; THENCE NORTH  $51^{\circ}45'17''$  EAST 224.80 FEET; THENCE SOUTH  $38^{\circ}14'43''$  EAST 75.00 FEET TO THE POINT OF BEGINNING.

W-5-3-2-2111

W-5-3-2-231

## EXHIBIT B

**Easement Description:**

Beginning at a point that is on the west Right of Way line of Washington Fields Road, said point lies South 01°03'08" West 135.98 feet along the Section Line and East 108.42 feet; from the East Quarter Corner of Section 2, Township 43 South, Range 15 West, Salt Lake Base and Meridian; Running thence South 17°09'54" East along said West line 57.62 feet; thence southerly along said West line and a 697.00 foot radius curve to the right, (long chord bears South 17°04'02" East a distance of 2.38 feet, center point lies South 72°50'06" West, through a central angle of 00°11'45") 2.38 feet; thence South 72°27'57" West 391.65 feet; thence southwesterly along a 420.00 foot radius curve to the left, (long chord bears South 54°26'45" West a distance of 259.85 feet, center point lies South 17°32'03" East, through a central angle of 36°02'24") 264.19 feet; thence South 36°25'33" West 237.49 feet; thence southwesterly along a 530.00 foot radius curve to the right, (long chord bears South 44°05'25" West a distance of 141.37 feet, center point lies North 53°34'27" West, through a central angle of 15°19'44") 141.80 feet; thence South 51°45'17" West 694.07 feet; thence southwesterly along a 270.00 foot radius curve to the left, (long chord bears South 26°14'52" West a distance of 232.53 feet, center point lies South 38°14'43" East, through a central angle of 51°00'49") 240.40 feet; thence South 00°44'27" West 231.19 feet; thence southerly along a 430.00 foot radius curve to the right, (long chord bears South 18°55'12" West a distance of 268.31 feet, center point lies North 89°15'33" West, through a central angle of 36°21'29") 272.86 feet; thence South 37°05'57" West 782.06 feet; thence southwesterly along a 430.00 foot radius curve to the right, (long chord bears South 63°46'16" West a distance of 386.04 feet, center point lies North 52°54'03" West, through a central angle of 53°20'39") 400.34 feet; thence North 00°44'27" East 990.60 feet; thence northwesterly along a 15.00 foot radius curve to the left, (long chord bears North 44°15'33" West a distance of 21.21 feet, center point lies North 89°15'33" West, through a central angle of 90°00'00") 23.56 feet; thence North 89°15'33" West 431.12 feet; thence North 01°03'05" East 50.00 feet; thence South 89°15'33" East 439.85 feet; thence northeasterly along a 15.00 foot radius curve to the left, (long chord bears North 45°44'27" East a distance of 21.21 feet, center point lies North 00°44'27" East, through a central angle of 90°00'00") 23.56 feet; thence North 00°44'27" East 666.19 feet; thence South 89°15'33" East 50.00 feet; thence South 00°44'27" West 1,655.37 feet; thence southeasterly along a 15.00 foot radius curve to the left, (long chord bears South 49°43'04" East a distance of 23.13 feet, center point lies South 89°15'33" East, through a central angle of 100°55'02") 26.42 feet; thence northeasterly along a 370.00 foot radius compound curve to the left, (long chord bears North 58°27'41" East a distance of 269.56 feet, center point lies North 10°10'35" West, through a central angle of 42°43'29") 275.90 feet; thence North 37°05'57" East 782.06 feet; thence northerly along a 370.00 foot radius curve to the left, (long chord bears North 18°55'12" East a distance of 230.87 feet, center point lies North 52°54'03" West, through a central angle of 36°21'29") 234.79 feet; thence North 00°44'27" East 231.19 feet; thence northerly along a 330.00 foot radius curve to the right, (long chord bears North 19°13'36" East a distance of 209.26 feet, center point lies South 89°15'33" East, through a central angle of 36°58'16") 212.94 feet; thence northerly along a 15.00 foot radius reverse curve to the left, (long chord bears North 03°32'26" West a distance of 19.78 feet, center point lies North 52°17'16" West, through a central angle of 82°30'19") 21.60 feet; thence North 44°47'35" West 52.51 feet; thence northwesterly along a 430.00 foot radius curve to the right, (long chord bears North 29°35'05" West a distance of 225.60 feet, center point lies North 45°12'25" East, through a central angle of 30°25'00") 228.27 feet; thence northwesterly along a 15.00 foot radius reverse curve to the left, (long chord bears North 51°49'04" West a distance of 18.24 feet, center point lies South 75°37'25" West, through a central angle of 74°52'57") 19.60 feet; thence North 14°50'03" West 51.91 feet; thence northeasterly along a 15.00 foot radius non-tangent curve to the left, (long chord bears North 43°25'02" East a distance of 22.06 feet, center point lies North 00°44'27" East, through a central angle of 94°38'50") 24.78 feet; thence northerly along a 430.00 foot radius reverse curve to the right,

(long chord bears North 01°34'58" West a distance of 34.87 feet, center point lies North 86°05'37" East, through a central angle of 04°38'50") 34.88 feet; thence South 89°15'33" East 60.00 feet; thence southeasterly along a 370.00 foot radius non-tangent curve to the left, (long chord bears South 22°01'34" East a distance of 286.37 feet, center point lies South 89°15'33" East, through a central angle of 45°32'03") 294.05 feet; thence South 44°47'35" East 52.46 feet; thence easterly along a 15.00 foot radius curve to the left, (long chord bears South 86°31'09" East a distance of 19.97 feet, center point lies North 45°12'25" East, through a central angle of 83°27'08") 21.85 feet; thence North 51°45'17" East 184.44 feet; thence northerly along a 15.00 foot radius curve to the left, (long chord bears North 06°45'17" East a distance of 21.21 feet, center point lies North 38°14'43" West, through a central angle of 90°00'00") 23.56 feet; thence North 51°45'17" East 50.00 feet; thence easterly along a 15.00 foot radius non-tangent curve to the left, (long chord bears South 83°14'43" East a distance of 21.21 feet, center point lies North 51°45'17" East, through a central angle of 90°00'00") 23.56 feet; thence North 51°45'17" East 423.93 feet; thence northeasterly along a 470.00 foot radius curve to the left, (long chord bears North 44°05'25" East a distance of 125.37 feet, center point lies North 38°14'43" West, through a central angle of 15°19'44") 125.74 feet; thence North 36°25'33" East 237.49 feet; thence northeasterly along a 480.00 foot radius curve to the right, (long chord bears North 54°26'45" East a distance of 296.98 feet, center point lies South 53°34'27" East, through a central angle of 36°02'24") 301.93 feet; thence North 72°27'57" East 392.04 feet; to the point of beginning, containing 349,703 square feet or 8.03 acres.

**Closure:**

Northing Diff: 0.009588  
 Easting Diff: 0.008245  
 Azimuth: 220°41'43"  
 Error Distance 0.012646  
 Total Distance 12343.620  
 Ratio: 1/976120

