

AGREEMENT REGARDING EASEMENTS

THIS AGREEMENT IS ENTERED INTO THIS 7TH DAY OF JUNE, 2021, BY AND BETWEEN KIRA HOLDINGS, LLC, A UTAH LIMITED LIABILITY COMPANY (KIRA) AND MST 150, LLC, A UTAH LIMITED LIABILITY COMPANY (MST).

RECITALS

- A. KIRA OWNS THE REAL PROPERTY (KIRA PROPERTY) DESCRIBED ON EXHIBIT "A" ATTACHED HERETO.
- B. MST OWNS ALL OR PART OF THE ADJOINING PROPERTIES.
- C. MST AND KIRA EXPECT TO DEVELOP SAID PROPERTIES, 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 KIRA PROPERTY TO THE SAID ADJOINING MST PROPERTY.

AGREEMENT

- 1. KIRA HERBY GRANTS EASEMENTS FOR INGRESS, EGRESS AND UTILITY PURPOSES SHOWN AS EXHIBIT "B".
- 2. IT IS UNDERSTOD 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 THE DEDICATED STREETS AS DESIGNATED IN THE FINAL SUBDIVISON 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 SUBDIVIONS 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 COSTS AND EXPENSES, INCLUDING A REASONABLE ATTORNEY'S FEE, INCURRED ON APPEAL AND IN BANKRUPTCY PROCEEDINGS.

KIRA HOLDINGS, LLC, A UTAH
LIMITED LIABILITY COMPANY

MST 150, LLC, A UTAH
LIMITED LIABILITY COMPANY

Michael E. Olse
BY: Michael E. Olse

Todd Smith
BY: Todd Smith

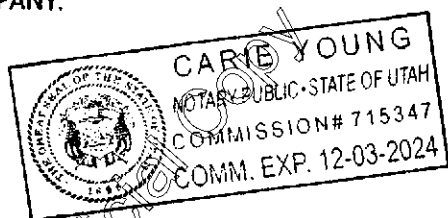
STATE OF UTAH

COUNTY OF ~~WASHINGTON~~ Salt Lake

ON THIS 8 DAY OF June, 2021, MICHAEL OLSON PERSONALLY APPEARED BEFORE ME, THE SIGNER(S) OF THE ABOVE INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE/THEY, EXECUTED THE SAME, FOR AND ON BEHALF OF AND AS MANAGER OF SAID KIRA HOLDINGS, LLC, A UTAH LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

Cari Young
NOTARY PUBLIC



ON THIS 12 DAY OF June, 2021, TODD SMITH PERSONALLY APPEARED BEFORE ME, THE SIGNER(S) OF THE ABOVE INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE/THEY, EXECUTED THE SAME, FOR AND ON BEHALF OF AND AS MANAGER OF SAID MST 150, LLC, A UTAH LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

Robert M. Elliott
NOTARY PUBLIC

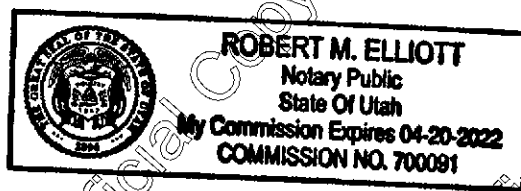


EXHIBIT "A"

A 60 FOOT RIGHT OF WAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT LIES SOUTH 01°03'03" WEST ALONG THE SECTION LINE 154.33 FEET FROM THE EAST QUARTER CORNER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 72°27'57" EAST 109.42 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WASHINGTON FIELDS ROAD; THENCE ALONG SAID LINE THE FOLLOWING TWO (2) COURSES: 1) SOUTH 17°09'54" EAST 72.62 FEET AND 2) SOUTHERLY ALONG 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", A DISTANCE OF 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", A DISTANCE OF 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", A DISTANCE OF 141.80 FEET; THENCE SOUTH 51°45'17" WEST 469.93 FEET; THENCE NORTH 38°14'43" WEST 75.00 FEET; THENCE NORTH 51°45'17" EAST 469.93 FEET; THENCE NORTHEASTERLY ALONG A 455.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 44°05'25" EAST A DISTANCE OF 121.37 FEET), CENTER POINT LIES NORTH 38°14'43" WEST THROUGH A CENTRAL ANGLE OF 15°19'44", A DISTANCE OF 121.73 FEET; THENCE NORTH 36°25'33" EAST 237.49 FEET; THENCE NORTHEASTERLY ALONG A 495.00 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 54°26'45" EAST A DISTANCE OF 306.26 FEET), CENTER POINT LIES SOUTH 53°34'27" EAST THROUGH A CENTRAL ANGLE OF 36°02'24", A DISTANCE OF 311.36 FEET; THENCE NORTH 72°27'57" EAST 282.72 FEET, TO THE POINT OF BEGINNING.

Tax Parcel No. W-5-3-2-2111.

W-5-3-2-340