

When recorded mail tax notice to:  
Mark S. Soffe  
Diane F. Soffe  
2207 West 790 South  
Payson, Utah 84651

**EASEMENT**

**Finch Family Properties, LLC, a Utah Limited Liability Company,**

Grantor, of Utah County, State of Utah, for \$10 and other consideration received, hereby grants an easement to:

**Mark S. Soffe and Diane F. Soffe, Trustees of The Mark & Diane Soffe Trust u/a/d May 31, 2017,**

Grantee, with mailing address of 2207 West 790 South, Payson, Utah 84651, as to the following real property situated in Utah County, State of Utah:

**See Exhibit "A" Attached Hereto**

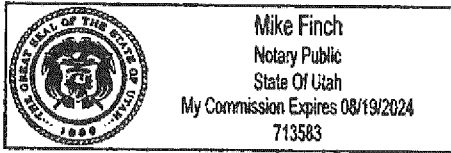
Dated this 13<sup>th</sup> day of November 2023.

Jim Finch  
Jim Finch, Manager

STATE OF UTAH )  
 )  
 )  
COUNTY OF Washington )  
 )

On 13<sup>th</sup> of November 2023, personally appeared Jim Finch, as Manager of Finch Family Properties, LLC, a Utah Limited Liability Company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity.

Mike Finch  
NOTARY SIGNATURE



Dated this 13 day of November 2023.

Marianne F. Tranter  
Marianne F. Tranter, Manager

STATE OF ~~UTAH~~ Oklahoma )  
COUNTY OF Clev )  
SS.

On 11/13/23, personally appeared Marianne F. Tranter, as Manager of Finch Family Properties, LLC, a Utah Limited Liability Company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity.

Kara Ann Tucker  
NOTARY SIGNATURE

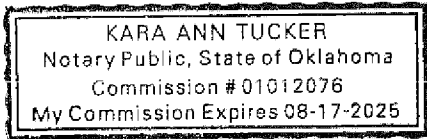


Exhibit A

Easement 1:

A 33.00-FOOT PRIVATE AND FIRE ACCESS AND UTILITY EASEMENT, IN FAVOR OF LOTS 1 AND 2 OF THE RED BRIDGE MEADOW SUBDIVISION:

Beginning at the northwest corner of the “Red Bridge Meadow Subdivision”, which is located South 0°31’25” East 780.78 feet along the measured Section line, and West 1648.48 feet from the found monument, dated 1988, at the East Quarter Corner of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, and running:

thence South 0°27’15” West 33.00 feet along the west line of said subdivision;  
 thence North 89°32’45” West 1015.60 feet, to an existing boundary line;  
 thence North 0°31’12” West 22.69 feet along said boundary line, to a corner thereof;  
 thence North 89°40’40” East 13.19 feet along said boundary line, to a corner thereof,  
 which falls on the measured Quarter Section line;  
 thence South 0°29’09” East 0.78 feet along said boundary line, and said Quarter Section  
 line, to a corner of said boundary;  
 thence South 89°44’05” East 335.86 feet along said boundary line, to a corner thereof;  
 thence North 0°19’05” West 9.80 feet along said boundary line, to a corner thereof;  
 thence South 89°32’45” East 667.06 feet along said boundary line, also following the  
 north line of an existing lane, to the Point of Beginning.

Parcel contains: 29,911 square feet, or 0.69 acres.

Easement 2:

ALONG WITH THE FOLLOWING CROSS-ACCESS EASEMENT, BEING AN EXTENSION OF THE ABOVE-DESCRIBED PRIVATE AND FIRE ACCESS AND UTILITY EASEMENT, AGREED UPON BETWEEN ADJOINING PROPERTY OWNERS, IN FAVOR OF LOTS 1 AND 2 OF THIS PLAT:

Beginning at a point which is located South 0°31’25” East 780.78 feet along the measured Section line, and West 1648.48 feet to the northwest corner of Lot 1 of the “Red Bridge Meadow Subdivision”, and North 89°32’45” West 667.06 feet from the found monument, dated 1988, at the East Quarter Corner of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, and running:

thence South 0°19’05” East 9.80 feet;  
 thence North 89°44’05” West 335.86 feet, to the measured Quarter Section line;  
 thence North 0°29’09” West 10.91 feet along said Quarter Section line;

thence South 89°32'45" East 335.90 feet along the north line of an existing lane, to the Point of Beginning.

Parcel contains: 3,479 square feet, or 0.08 acres.

Easement 3:

ALONG WITH THE FOLLOWING PRIVATE AND FIRE ACCESS AND UTILITY EASEMENT, GRANTED BY LORILEE F. CARSON (Recorded June 7, 2021, under Entry no. 103913:2021):

A parcel of land, to be granted as an Access and Utility Easement, for all vehicular and foot traffic, 14.00 feet in width, situate in the Southwest Quarter of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which is located North 0°29'09" West 1867.61 feet along the measured Quarter Section line and West 13.18 feet from the found monument at the South Quarter Corner of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, and running:

thence South 89°40'40" West 119.89 feet, to the existing easterly edge of asphalt of 5200 / 5250 West Street;

thence North 25°26'27" East 215.55 feet along said edge of asphalt, to the southerly line of the Hiatt property, as established by that survey ordered by them and performed by Ludlow Engineering;

thence North 89°40'40" East 113.08 feet along said surveyed boundary of the Hiatt parcel;

thence South 0°31'12" East 14.00 feet, to the Point of Beginning.

Parcel contains: 1,631 square feet, or 0.04 acres.

Easement 4:

ALONG WITH THE FOLLOWING PRESCRIPTIVE PRIVATE AND FIRE ACCESS AND UTILITY EASEMENT, WHICH FOLLOWS THE EXISTING, LONG-ESTABLISHED GRAVEL ACCESS AREA, FORMALLY ESTABLISHED AS SUCH BY COURT DECREE UNDER CIVIL NO 200400474:

A parcel of land, covered by a prescriptive easement, in favor of the owners of Parcel 29:012:0014 (Finch), and Parcel 29:012:0007 (Fuller), as evidenced by the former occupation of said parcel by the road right-of-way of 10900 South Street and 5200 West Street, and the long, uninterrupted use of said parcel as the solitary access point to the subject properties by the owners thereof.

In the past, according to testimony of long-time residents, and as shown on historical aerial photography contained in the records of the Utah Geological Survey, and available on their website, 5200 West Street continued due South to a T-intersection with 10900 South Street, and 5250 West Street continued due North to an offset T-intersection with said 10900 South Street. At this time, the subject properties had access directly onto 5200 West Street. At some point in the 1940's or 1950's, the roads were re-aligned to form a long S-curve connecting said 5200 West and 5250 West Streets, which then crossed said 10900 South Street at a point about 130 feet West of Westerly boundaries of the subject properties. The triangle-shaped parcel left by said re-alignment was presumably vacated and reverted to the underlying owners, currently the Hiatt Family LC, though there is no recorded documentation to that effect.

Since that time, however, a gravel driveway consisting of the original gravel roadbed, a portion of which was later paved with asphalt, has been maintained and used by the subject property owners to access their properties, and contains utilities servicing those properties. Due to this long and uninterrupted use, it is the opinion of the subject property owners that a Prescriptive Easement has matured, being used for ingress / egress, and for the running of necessary utilities to their properties.

That area defined by long use, and visible on the ground as the worn gravel traveled way, is described in detail below:

A parcel of land, situate in the Southwest Quarter of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at the found nail and washer set at the southeast corner of the Hiatt property in the course of a recent survey ordered by them, and performed by Ludlow Engineering, which is located North  $0^{\circ}29'09''$  West 1881.69 feet along the measured Quarter Section line from the found monument at the South Quarter Corner of Section 13, Township 9 South, Range 1 East, Salt Lake Base and Meridian, and running:

thence South  $89^{\circ}40'40''$  West 126.28 feet along the southerly surveyed line of said Hiatt property, to the existing easterly edge of asphalt of 5200 / 5250 West Street;

thence North  $25^{\circ}26'27''$  East 51.41 feet along said edge of asphalt;

thence South  $9^{\circ}17'48''$  West 12.13 feet along the edge of the established traveled gravel driveway;

thence Southeasterly 34.77 feet along the arc of a 20.00-foot radius tangent curve to the left (center bears South  $80^{\circ}42'12''$  East, and the long chord bears South  $40^{\circ}30'46''$  East 30.56 feet, through a central angle of  $99^{\circ}37'08''$ ), along the edge of said traveled way;

thence North  $89^{\circ}40'40''$  East 45.56 feet, along the edge of said traveled way, running parallel with and 11.00 feet perpendicularly distant northerly from said surveyed southerly boundary of the Hiatt parcel;

thence Northeasterly 53.26 feet along the arc of a 35.00-foot radius tangent curve to the left (center bears North  $0^{\circ}19'20''$  West, and the long chord bears North  $46^{\circ}05'09''$  East 48.27 feet, through a central angle of  $87^{\circ}11'03''$ ), along the edge of said traveled way;

thence North  $2^{\circ}29'37''$  East 32.09 feet, along the edge of said traveled way;

thence Northeasterly 10.36 feet along the arc of a 15.00-foot radius tangent curve to the right (center bears South 87°30'23" East, and the long chord bears North 22°16'12" East 10.15 feet, through a central angle of 39°33'09"), along the edge of said traveled way, to the measured Quarter Section line, and the easterly boundary line of said Hiatt property;

thence South 0°29'09" East 85.70 feet along said Quarter Section line and easterly boundary line, to the Point of Beginning.

Parcel contains: 2,307 square feet, or 0.05 acres.