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AUG 28 1989

JOINT RIGHT OF WAY AGREEMENT FOR MUIR, PRESCOTT

BIFI 2+3-4-A

THIS AGREEMENT, made and executed this 21st day of September, A.D. 1988, by and between PAUL B. ALLEN, and FRANK H. DELOST and CAL E. CHRISTENSEN, and PRESCOTT MUIR, and TROPIC ENTERPRISES, a Utah Corporation, all owners of adjacent tracts of land situated in Bountiful, Davis County, Utah.

WITNESSETH that the parties hereto are the owners and possessors of adjoining tracts of land situated in Bountiful, Utah, lying on the North side of 500 South Street and on the South side of 400 South Street, which property is now and has been in the process of development for commercial purposes, and it has become apparent to the parties hereto that it is for the best mutual interests of the parties hereto to establish a joint right of way for ingress and egress by the parties hereto, their customers, clients, invitees, successors and assigns, and for the installation and maintenance of utilities to be used in common by the parties hereto, and their designees, and

AND FOR MUTUAL CONVEYANCE OF STORAGE AND DRAINAGE TO CITY STORMWATER DRAINAGE SYSTEM

NOW, THEREFORE, for and in consideration of the premises and of the mutual benefit of the parties hereto, and in further consideration of the payment of the sum of \$10.00 by each party to the other, the receipt of which is hereby acknowledged, it is hereby understood and agreed that there shall be, and hereby is, established for the mutual benefit of the parties hereto, for themselves, their customers, clients, invitees, tenants, successors and assigns, a joint right of way for ingress and egress, and for the installation, repair, replacement, and maintenance of any and all utilities which may be or become necessary or convenient for the servicing of the remaining properties of the parties to this instrument adjacent and contiguous to the hereinafter described right of way, which right of way and easement is described as being 3.0 feet on the West and 12.0 feet on the East of the following described centerline: Beginning on the North line of a street at a point 301.0 feet West of the Southeast corner of Lot 4, Block 4, Block 4, Plat A, Bountiful Townsite Additional Survey, in the City of Bountiful, and running thence North 279.29 feet to the South line of 400 South Street in said City.

Improvement and maintenance of said right of way shall be as agreed by and between the parties hereto, however in the event of any delay in such an agreement being enacted, any person or party using or utilizing said right of way shall have the obligation to the other parties hereto of restoring the surface of such right of way and easement to its best possible condition, equivalent to or better than the condition as it was prior to the use and/or utilization thereof by that party.

pt. 03-033-0066
0086
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0060

[Handwritten signatures]

WITNESS the hands of said parties this 21 day of September, A.D. 1988.

EA 867552 BK 1309 PG 303

Frank H. DeLost
FRANK H. DELOST
Cal E. Christensen
CAL E. CHRISTENSEN

Paul B. Allen
PAUL B. ALLEN

Prescott Muir
PRESCOTT MUIR

TROPIC ENTERPRISES, a Utah Corporation

BY: Prescott Muir President
PRESCOTT MUIR, PRESIDENT

BY: Speros Bavelas vicepres.
SPEROS BAVELAS, VICE PRESIDENT

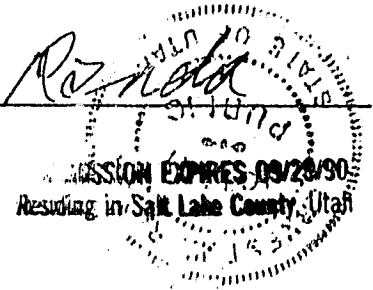
BY: William J. Bavelas Sec. & Treas.
WILLIAM BAVELAS, SEC. & TREAS.

STATE OF UTAH X
 X S.S..
COUNTY OF DAVIS X

On the 21st day of September, A.D. 1988, personally appeared before me PRESCOTT MUIR and SPEROS BAVELAS, and WILLIAM BAVELAS, who being by me duly sworn, did say, that TROPIC ENTERPRISES, is a Utah Corporation authorized to conduct a corporate business under the laws of the State of Utah, and that he, Prescott Muir is the President, he, the said Speros Bavelas is the Vice President, and he William Bavelas is the Secretary-Treasurer of said Corporation, that they signed the within instrument for and on behalf of said corporation by authority of a resolution of its board of directors, and that the said corporation executed the same.

Ernest Ronald
NOTARY PUBLIC

Residing at: _____
My Com. Expires: _____



NOTE: AFFIX A SEPARATE NOTARIZATION FOR EACH INDIVIDUAL OR GROUP OF INDIVIDUAL SIGNATURES.