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Ph3a

WHEN RECORDED, PLEASE RETURN TO:

CW COPPER RIM 1, LLC  
1222 West Legacy Crossing Blvd., Suite 6  
Centerville, Utah 84014

13509440  
12/22/2020 04:15 PM \$40.00  
Book - 11086 Pg - 1936-1940  
RASHELLE HOBBS  
RECORDER, SALT LAKE COUNTY, UTAH  
COTTONWOOD TITLE  
1996 E 6400 S #120  
SLC UT 84121  
BY: NGA, DEPUTY - MI 5 P.

Portions of APN: 20-26-101-007-0000  
20-26-151-002-0000  
20-26-176-002-0000  
20-26-176-003-0000  
20-26-326-015-0000  
20-26-326-019-0000  
20-26-326-021-0000

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**TEMPORARY PUBLIC UTILITY EASEMENT  
(Copper Rim Phase 3A)**

CW COPPER RIM 1, LLC, a Utah limited liability company, is the owner (the "Owner") of that tract of land described in Exhibit "A", attached hereto and by this reference incorporated herein (the "Property"), and the Owner hereby grants a Public Utility Easement over, under, across and through the Property for use by all suppliers of public utilities or other necessary public services; provided, however, that the Owner reserves unto itself the right to use, and the right to grant unto others the right to use, the Property for all purposes not inconsistent with the rights herein granted.

**This Temporary Easement shall automatically expire and terminate when each City approved adjoining subdivision phase adequately dedicates platted public utility easements over the property described herein.**

IN WITNESS WHEREOF, Owner has executed this instrument as of this 6th day of November, 2020.

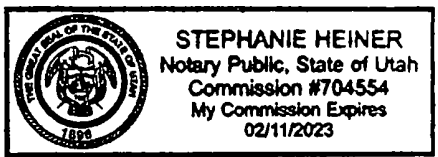
CW COPPER RIM 1, LLC, a Utah limited liability company

Courtney  
 By: \_\_\_\_\_  
 Its: \_\_\_\_\_  
*Courtney*  
*Manager*

STATE OF Utah )  
 ) : SS.  
 COUNTY OF Davis )

On this 6th day of November, 2020, personally appeared before me Colin H. W, who being by me duly sworn did say that s/he is the Manager of CW COPPER RIM 1, LLC, a Utah limited liability company, and that the foregoing instrument was duly authorized by said limited liability company at a lawful meeting held or by authority of its bylaws and signed in behalf of said company.

Stephanie Heiner  
 NOTARY PUBLIC  
 My Commission Expires: 02/11/2023  
 Residing in Layton, Utah



LENDER CONSENT AND SUBORDINATION

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the undersigned, as the beneficiary and holder of those certain Deeds of Trust filed in the official records of the Salt Lake County Recorder under Entry No. 12698422, in Book 10638, at Page 8656, and Entry No. 13181433, in Book 10890, at Page 1734, and Entry No. 13384535, in Book 11012, at Page 9210, respectively (the "Trust Deeds"), which Trust Deeds encumber real property owned by Grantor (the "Grantor's Property"), hereby: (1) consents to the execution and delivery of the within and foregoing Easement by Grantor affecting the Grantor's Property; and (2) subordinates all of its rights, title and interests under the Trust Deeds in and to the Grantor's Property to the rights, title, interests, obligations and benefits created by, or arising under, the within and foregoing Easement, so that the Easement shall unconditionally be and remain at all times an interest in real property prior and superior to the Trust Deeds. Nothing contained herein shall be construed to impose upon the undersigned any obligation created by the Easement, unless and until the undersigned has acquired fee title to all or a portion of the Grantor's Property.

MOUNTAIN WEST REIT, LLC,  
a Delaware limited liability company

By: [Signature]  
Its: Authorized Agent

STATE OF Nevada )  
COUNTY OF Clark ) : ss.

On this 6th day of November, 2020, personally appeared before me Andrew Mentore, who being by me duly sworn did say that s/he is the Authorized Agent of MOUNTAIN WEST REIT, LLC, a Delaware limited liability company, and that the foregoing instrument was duly authorized by the limited liability company at a lawful meeting held or by authority of its bylaws and signed in behalf of said limited liability company.

[Signature]  
NOTARY PUBLIC  
My Commission Expires: 8/8/2021  
Residing in Clark County, Nevada

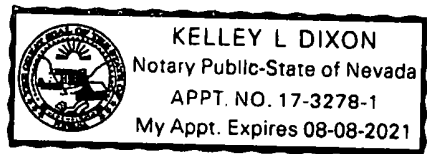


Exhibit "A"  
(the "Property")

**COPPER RIM-PHASE 3A 10' PUBLIC UTILITY EASEMENT**

BEGINNING AT A POINT NORTH 0°43'42" WEST 106.01 FEET AND SOUTH 89°44'35" WEST 3198.78 FEET FROM THE EAST CORNER OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 32°38'46" EAST 10.00 FEET; THENCE NORTH 57°33'42" WEST 164.44 FEET; THENCE NORTH 30°21'18" WEST 9.99 FEET; THENCE NORTH 55°17'21" WEST 36.01 FEET; THENCE NORTH 88°16'48" WEST 10.35 FEET; THENCE NORTH 57°27'50" WEST 175.65 FEET; THENCE NORTH 41°02'22" WEST 110.22 FEET; THENCE NORTH 48°35'46" WEST 38.51 FEET; THENCE NORTH 87°43'08" WEST 26.69 FEET TO A POINT ON A CURVE, CENTER BEARS NORTH 7°36'19" EAST; THENCE NORTHWESTERLY ALONG A 50.32 FOOT RADIUS CURVE TO THE RIGHT 40.09 FEET, HAVING A CENTRAL ANGLE OF 45°38'52" (CHORD N59°34'15"W, 39.04') TO A POINT ON A CURVE, CENTER BEARS NORTH 49°08'25" EAST; THENCE NORTHWESTERLY ALONG A 79.52 FOOT RADIUS CURVE TO THE RIGHT 54.12 FEET, HAVING A CENTRAL ANGLE OF 38°59'39" (CHORD N21°21'45"W, 53.08') TO A POINT ON A CURVE, CENTER BEARS SOUTH 84°05'55" WEST; THENCE NORTHWESTERLY ALONG A 29.11 FOOT RADIUS CURVE TO THE LEFT 43.36 FEET, HAVING A CENTRAL ANGLE OF 85°21'24" (CHORD N48°34'47"W, 39.46') TO A POINT OF TANGENCY; THENCE SOUTH 89°22'11" WEST 104.00 FEET; THENCE SOUTH 85°17'01" WEST 17.15 FEET TO A POINT ON A CURVE, CENTER BEARS SOUTH 11°20'52" EAST; THENCE SOUTHWESTERLY ALONG A 60.00 FOOT RADIUS CURVE TO THE LEFT 26.01 FEET, HAVING A CENTRAL ANGLE OF 24°50'08" (CHORD S66°14'04"W, 25.80'); THENCE SOUTH 87°40'13" WEST 76.71 FEET TO A POINT ON A CURVE, CENTER BEARS NORTH 88°42'10" EAST; THENCE SOUTHEASTERLY ALONG A 555.00 FOOT RADIUS CURVE TO THE LEFT 284.48 FEET, HAVING A CENTRAL ANGLE OF 29°22'07" (CHORD S15°58'54"E, 281.38') TO A POINT ON A REVERSE CURVE; THENCE SOUTHWESTERLY ALONG A 9.00 FOOT RADIUS CURVE TO THE RIGHT 13.41 FEET, HAVING A CENTRAL ANGLE OF 85°20'50" (CHORD S12°00'28"W, 12.20') TO A POINT ON A REVERSE CURVE; THENCE SOUTHWESTERLY ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT 15.71 FEET, HAVING A CENTRAL ANGLE OF 90°00'00" (CHORD S9°40'53"W, 14.14') TO A POINT OF TANGENCY; THENCE SOUTH 35°19'07" EAST 53.50 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT 15.71 FEET, HAVING A CENTRAL ANGLE OF 90°00'00" (CHORD S80°19'07"E, 14.14') TO A POINT ON A REVERSE CURVE; THENCE SOUTHEASTERLY ALONG A 9.00 FOOT RADIUS CURVE TO THE RIGHT 13.41 FEET, HAVING A CENTRAL ANGLE OF 85°20'50" (CHORD S82°38'23"E, 12.20') TO A POINT ON A REVERSE CURVE; THENCE SOUTHEASTERLY ALONG A 554.98 FOOT RADIUS CURVE TO THE LEFT 168.30 FEET, HAVING A CENTRAL ANGLE OF 17°22'32" (CHORD S48°40'05"E, 167.66') TO A POINT OF TANGENCY; THENCE SOUTH 57°18'54" EAST 42.14 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A 9.00 FOOT RADIUS CURVE TO THE RIGHT 14.14 FEET, HAVING A CENTRAL ANGLE OF 89°59'59" (CHORD S12°21'15"E, 12.73') TO A POINT ON A REVERSE CURVE; THENCE SOUTHEASTERLY ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT 15.71 FEET, HAVING A CENTRAL ANGLE OF 89°59'58" (CHORD S12°21'14"E, 14.14') TO A POINT OF TANGENCY;

THENCE SOUTH 57°21'13" EAST 53.50 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT 15.71 FEET, HAVING A CENTRAL ANGLE OF 90°00'02" (CHORD N77°38'46"E, 14.14') TO A POINT ON A REVERSE CURVE; THENCE NORTHEASTERLY ALONG A 9.00 FOOT RADIUS CURVE TO THE RIGHT 14.14 FEET, HAVING A CENTRAL ANGLE OF 90°00'01" (CHORD N77°38'45"E, 12.73') TO A POINT OF TANGENCY; THENCE SOUTH 57°21'14" EAST 200.64 FEET; THENCE NORTH 32°38'46" EAST 10.00 FEET; THENCE NORTH 57°21'14" WEST 200.64 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A 19.00 FOOT RADIUS CURVE TO THE LEFT 29.85 FEET, HAVING A CENTRAL ANGLE OF 90°00'01" (CHORD S77°38'45"W, 26.87') TO A POINT ON A LINE; THENCE NORTH 57°21'13" WEST 53.50 FEET TO A POINT ON A CURVE, CENTER BEARS NORTH 57°21'15" WEST; THENCE NORTHWESTERLY ALONG A 19.00 FOOT RADIUS CURVE TO THE LEFT 29.84 FEET, HAVING A CENTRAL ANGLE OF 89°59'59" (CHORD N12°21'15"W, 26.87') TO A POINT OF TANGENCY; THENCE NORTH 57°18'54" WEST 42.13 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A 545.00 FOOT RADIUS CURVE TO THE RIGHT 165.28 FEET, HAVING A CENTRAL ANGLE OF 17°22'32" (CHORD N48°40'06"W, 164.64') TO A POINT ON A REVERSE CURVE; THENCE NORTHWESTERLY ALONG A 19.00 FOOT RADIUS CURVE TO THE LEFT 28.30 FEET, HAVING A CENTRAL ANGLE OF 85°20'50" (CHORD N82°38'42"W, 25.76') TO A POINT ON A LINE; THENCE NORTH 35°19'07" WEST 53.50 FEET TO A POINT ON A CURVE CENTER BEARS NORTH 35°19'07" WEST; THENCE NORTHEASTERLY ALONG A 19.00 FOOT RADIUS CURVE TO THE LEFT 28.30 FEET, HAVING A CENTRAL ANGLE OF 85°20'50" (CHORD N12°00'28"E, 25.76') TO A POINT ON A REVERSE CURVE; THENCE NORTHWESTERLY ALONG A 545.00 FOOT RADIUS CURVE TO THE RIGHT 269.53 FEET, HAVING A CENTRAL ANGLE OF 28°20'10" (CHORD N16°29'52"W, 266.80') TO A POINT ON A LINE; THENCE NORTH 87°40'13" EAST 70.00 FEET TO A POINT ON A CURVE CENTER BEARS SOUTH 39°31'41" EAST; THENCE NORTHEASTERLY ALONG A 50.00 FOOT RADIUS CURVE TO THE RIGHT 24.04 FEET, HAVING A CENTRAL ANGLE OF 27°32'44" (CHORD N64°14'45"E, 23.81') TO A POINT ON A LINE; THENCE NORTH 85°17'01" EAST 16.19 FEET; THENCE NORTH 89°22'11" EAST 103.70 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A 19.11 FOOT RADIUS CURVE TO THE RIGHT 28.21 FEET, HAVING A CENTRAL ANGLE OF 84°35'18" (CHORD S49°06'39"E, 25.71') TO A POINT ON A REVERSE CURVE; THENCE SOUTHEASTERLY ALONG A 89.52 FOOT RADIUS CURVE TO THE LEFT 60.17 FEET, HAVING A CENTRAL ANGLE 38°30'44" (CHORD S21°22'38"E, 59.05') TO A POINT ON A CURVE, CENTER BEARS NORTH 52°54'24" EAST; THENCE SOUTHEASTERLY ALONG A 60.32 FOOT RADIUS CURVE TO THE LEFT 48.18 FEET, HAVING A CENTRAL ANGLE 45°45'47" (CHORD S59°58'30"E, 46.91') TO A POINT; THENCE SOUTH 87°43'08" EAST 23.58 FEET; THENCE SOUTH 48°35'46" EAST 34.30 FEET; THENCE SOUTH 41°02'22" EAST 111.00 FEET; THENCE SOUTH 57°27'50" EAST 179.85 FEET; THENCE SOUTH 88°16'48" EAST 10.14 FEET; THENCE SOUTH 55°17'21" EAST 30.84 FEET; THENCE SOUTH 30°21'18" EAST 10.19 FEET; THENCE SOUTH 57°33'42" EAST 166.82 FEET TO THE POINT OF BEGINNING.