

WHEN RECORDED, MAIL TO:  
 Utah Department of Transportation  
 Region Two Permits  
 2010 South 2760 West  
 Salt Lake City UT, 84104

10357569  
 02/26/2008 02:14 PM \$17.00  
 Book - 9574 Pg - 6327-6330  
 GARY W. OTT  
 RECORDER, SALT LAKE COUNTY, UTAH  
 UT ST-DEPT OF TRANSPORTATION  
 2010 S 2760 W  
 SLC UT 84104  
 BY: ZJM, DEPUTY - W 4 P.

1-1  

Salt Lake County

Tax ID No. 16-07-104-007-0000

**AGREEMENT FOR FUTURE SHARED ACCESS FOR**  
**735 South State Street (SR-89)**

This is an Agreement between the Utah Department of Transportation, hereinafter referred to as UDOT; and Mountain America Credit Union and their successors and assigns.

1. **PREMISE** Mountain America Credit Union owns the real property, as described in "Exhibit A", hereinafter referred to as Metro Branch. The property located adjacent to and directly to the South of Metro Branch as shown in "Exhibit B" is known hereafter as "Property B". Mountain America Credit Union has requested access to State Route (SR-89) for Metro Branch. "Property B" does not currently have intentions to construct or to reconstruct access to "Property B", but may desire to do so in the future.

2. **AGREEMENT**. In consideration of the mutual covenants contained herein, and other good and valuable considerations, the parties agree as follows: Mountain America Credit Union will be granted access to State Route (SR-89) for Metro Branch as shown in the submitted site plans and attached hereto with the provision that when "Property B" is ready to develop or redevelop, Mountain America Credit Union and their successors and assigns will allow the construction or reconstruction of a common access to the properties.

(a) **Easement**. Mountain America Credit Union and Metro Branch, their successors and assigns will provide for a driveway for the common use of the parties, their successors and assigns for driveway and access purposes. When said construction occurs, the parties will provide for the construction and maintenance of the driveway under separate agreement. Mountain America Credit Union and Metro

Branch hereby grants to "Property B", their successors and assigns, a perpetual nonexclusive easement for ingress and egress over the northerly 25 feet of the Mountain America Credit Union and Metro Branch Property, as shown in the plans attached and made a part hereof. The easements granted hereunder are created for the purpose of allowing ingress and egress to both properties from State Route (SR-89).

(b) Relinquishment. When said common access is constructed, Mountain America Credit Union and Metro Branch Property agrees to relinquish all prior rights of access to his/her respective properties.

(c) Obstructions. Mountain America Credit Union and Metro Branch will keep the driveway clear of any and all obstructions and shall not allow any structures or sign to be placed so close to the driveway as to inhibit free ingress and egress from either property. Mountain America Credit Union and Metro Branch shall not allow any vehicles to be parked on the driveway so as to obstruct access. The access is to be used for all purposes reasonably necessary for the full use of the properties.

(d) Permit. The access shall be subject to all restrictions specified by the Utah Department of Transportation Highway Encroachment Permit to be issued for the access.

3. DUPLICATE ORIGINALS. This agreement shall be executed in duplicate, each copy of which shall be deemed an original.

DATED this 26 of Feb, 2008

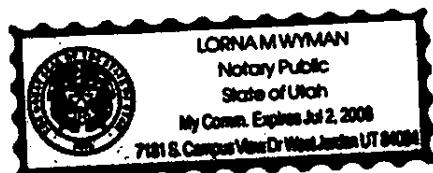
Howard A. Kurant  
Owner  
Amy Smith  
Witnessed as to

\_\_\_\_\_  
Owner

STATE OF UTAH  
COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of Feb, 2008 by to me or who as produced personally known as identification, and who did (did not) take an oath.

Lorraine Wyman  
Notary Public in and for the  
State last aforesaid.  
My Commission Expires: 7/2/08

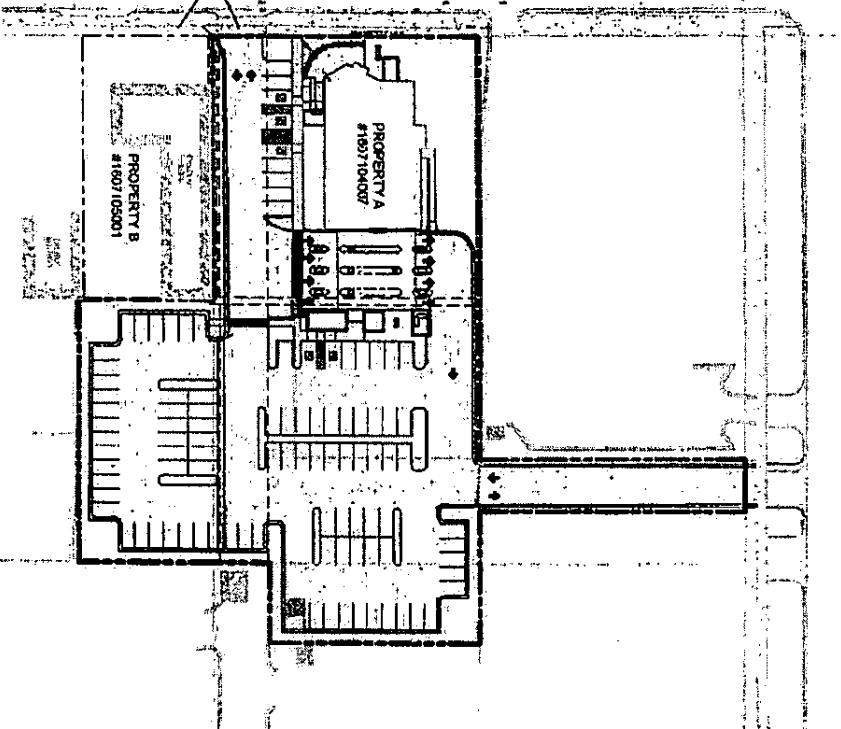


**EXHIBIT A**

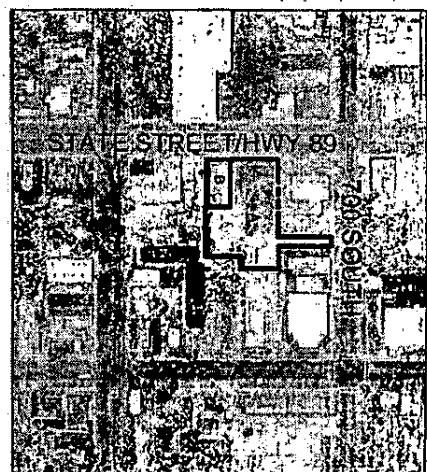
Commencing at the Southwest Corner of Lot 4, Block 17, Plat "A", Salt Lake City Survey; thence North 10 rods; thence East 264 feet; thence North 10 rods; thence East 33 feet; thence South 10 rods; thence East 5 rods; thence South 130 feet; thence West 3 rods; thence South 117.5 feet; thence West 10 rods; thence North 5 rods; thence West 10 rods to the point of beginning.

Together with a right of way over: Commencing at the Southeast Corner of Lot 7, Block 17, Plat "A", Salt Lake City Survey, and running thence North 35 feet; thence West 330 feet; thence South 35 feet; thence East 330 feet to the place of beginning. (Right of Way is commonly known as Lowell Avenue)

STATE STREET/HWY 89



700 SOUTH



MOUNTAIN AMERICA CREDIT UNION

METRO BRANCH  
735 S. State Street, Salt Lake City, UT 84111

MOUNTAIN AMERICA CREDIT UNION

EXHIBIT B

SEARCHED  
INDEXED  
SERIALIZED  
FILED  
APR 22 1988  
FBI - SALT LAKE CITY  
FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE

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