| Mail tax notice to Address 17. Youth Maar Appendix UT 84004 WARRANTY DEED BOYD G. HOLBROOK AND HILDA C. HOLBROOK, Trustees of CONVEY and WARRANT to NATHAN TERRY OF TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS OF State of Utah For the sum DOLLAR To the sum DOLLAR STATE OF UTAH, County of SIGNED FOR FOLK OF BOYD G. NO SERVED FOR THE STATE OF UTAH PAGE () INDEX () ABSTRACT OF PLAT () CHECKO SUBJECT TO easements, restrictions, reservations and rights of way appearing of record. TOGETHER WITH all improvements thereon and appurtenances thereunto belongin WITNESS, the hand of said grantor, this April Signed in the Presence of BOYD G. HOLBROOK, Trustee The sum of t | | | | |
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AGREEMENT FOR MODIFICATION OF CONSTRUCTION RESERVATION

THIS AGREEMENT FOR MODIFICATION OF CONSTRUCTION RESERVATION ("Agreement"), is entered into this 13 day of October, 1992, by and between Boyd G. Holbrook and Hilda C. Holbrook, as individuals and as trustees, with full power to sell, encumber, and convey, their successors and assigns (hereinafter collectively "Holbrook"), and Nathan Terry, his successors and assigns (hereinafter collectively "Terry").

RECITALS

- A. On or about March 23, 1992, Holbrook and Terry executed that certain Earnest Money Sales Agreement, whereby Holbrook, as the current owner, agreed to sell, and Terry agreed to purchase Lot 5A K&J Summer Homesites, Wasatch County, Utah ("Lot 5A"). Holbrook owns Lot 4A, K&J Summer Homesites, which is adjacent to Lot 5A;
- B. Holbrook has reserved unto themselves a right which would allow for the construction of a power line, water line, and/or road right of way across the Eastern portion of said property (Lots 4A and 5A);
- C. In order to close the purchase/sale of Lot 5A, Holbrook and Terry wish to enter into this Agreement to modify the subject construction reservation.

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions contained herein, the adequacy and sufficiency of which are hereby acknowledged by the parties, the parties hereto agree as follows:

AGREEMENT

- 1.0 The RECITALS are hereby incorporated by this reference.
- 2.0 Holbrook and Terry hereby agree to modify that certain construction reservation contained in that certain Warranty Deed, dated October 15, 1962, and recorded November 7, 1962, in Book 44, at Page 326, Wasatch County Recorder. The modification shall be as follows:

Holbrook, their successors and assigns, and Terry, his successors and assigns, hereby agree that any such right to construct a power line, water line and/or road across either or both of Lot 4A and Lot 5A, K&J Summer Homesites, as reserved to Holbrook by virtue of the above referenced Warranty Deed, is hereby extended to include

Terry; <u>provided</u>, <u>however</u>, that prior to the exercising of such right by either party, such proposed construction must be first approved, in writing, by both Holbrook and Terry.

- 3.0 The parties hereto agree that this Agreement shall have no affect upon any such roads, power or water lines which currently lie upon, or cross over, either Lot 5A or Lot 4A.
- 4.0 The parties hereto agree that this Agreement shall be appurtenant to, and run with, each of Lot 4A and Lot 5A, K&J Summer Homesites. The parties further agree that a Notice of this Agreement may be recorded as against both Lot 4A and Lot 5A.
- 5.0 The parties hereto agree that this Agreement may not be modified except by a mutually signed instrument for this purpose.

DATED this / day of October , 1992.

HOLBROOK

Boyd G. Halbrook

Histo C. Yochrook

Hilda C. Holbrook

TERRY

Nathan Terry

El Am Notarizing Nathan Turry Signatur

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