

16496

RECORDED AT THE REQUEST OF

ASSOCIATED TITLE

1985 JUN 12 AM 10:19

UTAH COUNTY RECORDER
NIELSON, NIELSON, GARDNER
FURT
16496
16464
134
2224

16496
AGREEMENT

IT IS AGREED by the parties hereto that there is granted to Glenn W. Nielson, Yvonne H. Nielson, Ronald G. Gardner, and Shereen Gardner, Grantees in that certain Warranty Deed recorded as Instrument No. 16464, on June 11, 1985, at Book 2224, Page 134, records of the Utah County Recorder, a right of way over and through the property described as:

Parcel 1: Commencing at a point located South 89°21'39" West along the Section line 896.79 feet and North 34.21 feet from the South one-quarter corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°14'42" West 355.56 feet; thence North 0°45'18" West along a fence line 490.50 feet; thence North 89°14'42" East 354.89 feet; thence South 0°50'01" East 490.50 feet to the point of beginning.

allowing and providing ingress and egress to and from that certain property granted to the said Grantees by the said Warranty Deed, such right of way to be in such location and of such dimension as the Grantees in the attached Deed* and the Grantees in that certain Warranty Deed recorded as Instrument No. 16464, on June 11, 1985, at Book 2224, Page 134, records of the Utah County Recorder, may agree and as required to comply with building, zoning, or other codes and governmental requirements with reference to the property described in the attached Deed and that certain property * described as:

Parcel 2: Commencing at a point located South 89°21'39" West along the Section line 566.81 feet and North 435.34 feet from the South one-quarter corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 39°09'59" West 326.54 feet; thence North 0°50'01" West 40.50 feet; thence South 89°14'42" West 354.89 feet; thence North 0°45'18" West along a fence line 138.74 feet; thence South 89°14'42" West along a fence line 342.26 feet; thence North 0°03'02" West along the Westerly boundary of Interstate Road #15 171.89 feet; thence North 89°55'13" East 625.03 feet; thence South 49°52'42" East 524.59 feet to the point of beginning.

ATC - 15252

BOOK 2224 PAGE 185

This Agreement is binding on the Grantor and Grantees of the attached * Deed and that certain Warranty Deed recorded as Instrument No. 16464, on June 11, 1985, at Book 2284, Page 134, records of the Utah County Recorder.

Provided, however, that if the location and/or dimensions of the right of way as generally described in the attached Deed are not determined by * mutual agreement within five years from the date of the said Deed, that the location and dimension thereof will be determined by a three member arbitration board constituted by the following method: the fee owner(s) of that parcel described as:

Parcel 1: Commencing at a point located South 89°21'39" West along the Section line 886.79 feet and North 34.21 feet from the South one-quarter corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°14'42" West 355.56 feet; thence North 0°45'10" West along a fence line 490.50 feet; thence North 89°14'42" East 354.89 feet; thence South 0°50'01" East 490.50 feet to the point of beginning.

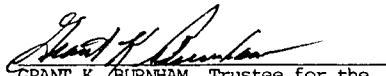
and the fee owner(s) of that parcel described as:

Parcel 2: Commencing at a point located South 89°21'39" West along the Section line 566.81 feet and North 435.34 feet from the South one-quarter corner of Section 32, Township 5 South, Range 2 East, Salt Lake Base and Meridian; thence South 39°09'59" West 326.54 feet; thence North 0°50'01" West 40.50 feet; thence South 89°14'42" West 354.89 feet; thence North 0°45'18" West along a fence line 138.74 feet; thence South 89°14'42" West along a fence line 342.26 feet; thence North 0°03'02" West along the Westerly boundary of Interstate Road #15 171.89 feet; thence North 89°55'13" East 625.03 feet; thence South 49°52'42" East 524.59 feet to the point of beginning.

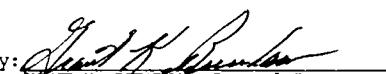
will each choose one person and the two persons thus chosen will then by mutual agreement choose a third person. The costs and expenses of such three

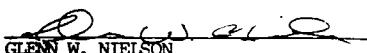
member board will be equally born by the owners of the said parcels. The arbitration board will then determine the location and dimension of the right of way.

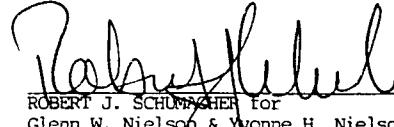
DATED this 12 day of April, 1985.

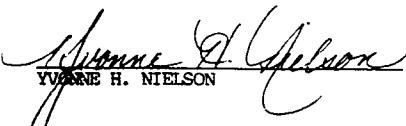

GRANT K. BURNHAM, Trustee for the
Norma S. Taylor Trust and the
George H. Taylor Trust

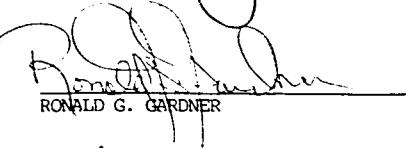
BURNHAM-TAYLOR PARTNERSHIP:

By: 
GRANT K. BURNHAM, General Partner


GLENN W. NIELSON


ROBERT J. SCHUMACHER for
Glenn W. Nielson & Yvonne H. Nielson


YVONNE H. NIELSON


RONALD G. GARDNER


SHEREEN GARDNER

* "Attached Deed", as used herein means That certain Deed of March 29, 1985, recorded as Entry No. 16464 at Book 2224 Page 134 in the Utah County Recorder's Office.

STATE OF UTAH
COUNTY OF UTAH

On June 12, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared Grant K. Burnham, Trustee for the Norma S. Taylor Trust and the George H. Taylor Trust, known to me to be the person whose name subscribed to the within instrument and acknowledged that executed the same.

My commission Expires: 3-1-87
Residing Orem, Ut.

Lee Francis
Notary Public

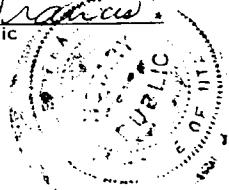


STATE OF UTAH
COUNTY OF UTAH

On June 12, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared Glenn W. Nielson, known to me to be the person whose name subscribed to the within instrument and acknowledged that executed the same.

My commission Expires: 3-1-87
Residing Orem, Ut.

Lee Francis
Notary Public

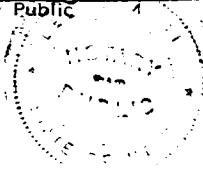


STATE OF UTAH
COUNTY OF UTAH

On June 12, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared Yvonne H. Nielson, known to me to be the person whose name subscribed to the within instrument and acknowledged that executed the same.

My commission Expires: 3-1-87
Residing Orem, Ut.

Lee Francis
Notary Public



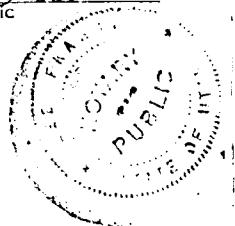
BOOK 22224 PAGE 188

STATE OF UTAH
COUNTY OF UTAH

On June 12, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared Ronald G. Gardner, known to me to be the person whose name is subscribed to the within instrument and acknowledged that _____ executed the same.

My commission Expires: 3-1-87
Residing Deem, UT

Lee Francis
Notary Public

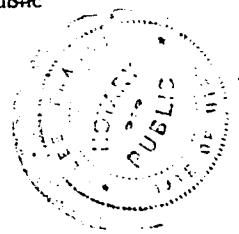


STATE OF UTAH
COUNTY OF UTAH

On June 12, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared Shereen Gardner, known to me to be the person whose name is subscribed to the within instrument and acknowledged that _____ executed the same.

My commission Expires: 3-1-87
Residing Deem, UT

Lee Francis
Notary Public



16496