

When Recorded, Mail To:
Eaglepointe Development, L.C.
C/O SKY Properties, Inc.
585 West 500 South, Suite #110
Bountiful, Utah 84010

5415165
01-389-1312 and 01-389-1313

Space above this line for Recorder's use only

DECLARATION OF EASEMENT

EAGLEPOINTE DEVELOPMENT, L.C., a Utah limited liability company (the "Declarant"), hereby creates the following easements (the "Entry Statement Easements"):

1. A permanent easement encumbering the twelve (12') foot strip of land on Lots 1312R and 1313R of Eaglepointe Estates Phase 13, closest to Parkway Drive for the following purposes:
 - (a) installation of an Entry Statement within the twelve (12') foot easement area on each of Lots 1312R and 1313R;
 - (b) access to maintain and repair the entry statement; and
2. A temporary construction easement for ingress and egress across all of Lots 1312R and 1313R of Eaglepointe Estates Phase 13 that shall expire upon installation of the Entry Statement and shall be for the purpose of ingress and egress for pedestrian and vehicular traffic necessary for the construction and installation of the entry statement.

This Easement shall be over and across the parcel of real property located in Davis County and more particularly described in Exhibit "A" as the "Burdened Parcels". This Easement shall be for the benefit of the parcels of real property located in Davis County and more particularly described in Exhibit "B" as the Benefitted Parcels.

The respective owners of each of the Burdened Parcels shall be solely responsible for maintaining the landscaping within the easement area on each of their parcels. Furthermore, the owners of the Burdened Parcels shall not allow their landscaping or any other items installed on their

respective parcels to block the view of the Entry Statement from Parkway Drive. The owners of the Benefitted Parcels shall have the right to enter onto the Burdened Parcels to maintain the landscaping within the easement area if necessary.

The owners of the Benefitted Parcels shall be responsible for the repair and maintenance of the Entry Statement. Should the Entry Statement located on their parcel be damaged or in a state of disrepair the owner of the Burdened Parcel may notify the owners of the Benefitted Parcels in writing of such damage or disrepair, and if the owners of the Benefitted Parcels do not repair the Entry Statement within sixty (60) days of receipt of the written notice, the owner of the Burdened Parcel may, at their own cost, remove the Entry Statement and this Easement shall expire with respect to the Burdened Parcel(s) which had the Entry Statement removed therefrom.

DATED this 14th day of October, 2011.

DECLARANT:
EAGLEPOINTE DEVELOPMENT, L.C.,
a Utah limited liability company

By: Its Manager
Excel Investment Corporation,
a Utah corporation

By: W. Scott Kjar
W. Scott Kjar, its Vice President

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On this 14th day of October, 2011, personally appeared before me **W. SCOTT KJAR**, and who, being by me duly sworn, says that he is the Vice President of **EXCEL INVESTMENT CORPORATION**, which corporation is the manager of **EAGLEPOINTE DEVELOPMENT, L.L.C.**, the limited liability company that executed the above and foregoing instrument and that said instrument was signed by him by authority of its by-laws, (or by authority of a resolution of its board of directors, as the case may be) in behalf of said corporation in its capacity of manager of said limited liability company.

Marilyn W. Carr
Notary Public

Declaration of Easement

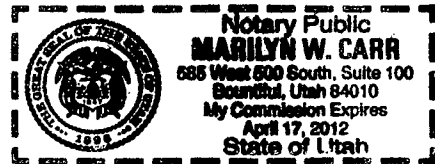


Exhibit "A"
To
Declaration of Easement

Legal Description of the Burdened Parcels

All of Lots 1312R and 1313R, EAGLEPOINTE ESTATES, PHASE 13, according to the official plat thereof, on file and of record in the Davis County Recorder's Office.

Said property is also known by the street addresses of: 855 and 881 South Parkway Drive, North Salt Lake, Utah 84054.

Exhibit "B"
To
Declaration of Easement

Legal Description of the Benefitted Parcels

All of Lots 1312R and 1313R, EAGLEPOINTE ESTATES, PHASE 13, according to the official plat thereof, on file and of record in the Davis County Recorder's Office.

Also the following

All of Lots 1601 through 1614, EAGLEPOINTE ESTATES, PHASE 16, according to the official plat thereof, on file and of record in the Davis County Recorder's Office.