

WHEN RECORDED, MAIL TO:

Thomas G. Bennett  
Edwards, McCoy & Kennedy  
57 West 200 South, Suite 400  
Salt Lake City, Utah 84101

1750  
4921420  
25 MAY 90 01:41 PM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
ASSOCIATED TITLE  
REC BY: SHARON WEST , DEPUTY

0921264

**RECIPROCAL EASEMENT AGREEMENT**

This Reciprocal Easement Agreement is made and entered into this 18<sup>th</sup> day of May, 1990, by and between LEAH M. WRIGHT and STANLEY R. deWAAL, as TRUSTEES OF THE LEAH M. WRIGHT LIVING TRUST ("Wright") and HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership ("Heartland").

Recitals

A. Wright is the owner of certain real property situated in West Valley City, Salt Lake County, Utah, and more particularly described in Exhibit "A" which is attached hereto and incorporated herein by this reference (the "Wright Property").

B. Heartland is the owner of certain real property and improvements situated in West Valley City, Salt Lake County, Utah, and more particularly described in Exhibit "B" which is attached hereto and incorporated herein by this reference (the "Heartland Property").

C. Each party desires to grant to the other a non-exclusive easement for ingress and egress over a portion of its property, in accordance with the terms and provisions hereof.

NOW, THEREFORE, in consideration of the sum of Ten Dollars and the mutual covenants contained herein, the parties hereto agree as follows:

1. Access Easement to Wright. Heartland hereby grants and conveys to Wright a non-exclusive right-of-way and easement for ingress and egress to and from the Wright Property by pedestrians, automobiles and other vehicular traffic over and across that portion of the Heartland Property described in Exhibit "C" which is attached hereto and incorporated herein by this reference. The above-described right-of-way and easement shall be appurtenant to the Wright Property, as the dominant estate, burdening the above-described property, as the servient estate.

2. Access Easement to Heartland. Wright hereby grants and conveys to Heartland a non-exclusive right-of-way and easement for ingress and egress to and from the Heartland Property by pedestrians, automobiles and other vehicular traffic over and across that portion of the Wright Property described in Exhibit "D"

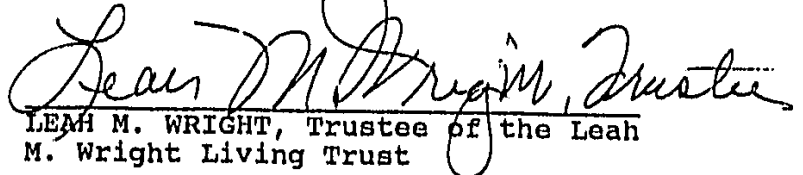
BK 6223 PG 2441

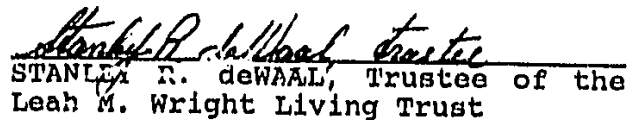
which is attached hereto and incorporated herein by this reference. The above-described right-of-way and easement shall be appurtenant to the Heartland Property, as the dominant estate, burdening the above-described property as the servient estate.

3. Rights and Duties. The easement rights of ingress and egress set forth above shall be for the benefit of the respective parties hereto, their tenants, guests, invitees, successors and assigns. Heartland shall be responsible for all maintenance, upkeep, and repairs, including snow removal, of the easement property described in paragraph 1, above, and Wright shall be responsible for all maintenance, upkeep and repair, including snow removal, of the easement property described in paragraph 2, above. The parties acknowledge that Heartland is in the process of constructing improvements to the Heartland Property, including that portion which is subject to the easement granted hereby. Wright shall not be entitled to exercise any of its easement rights over the Heartland Property until the improvements thereto have been completed, which shall be no later than one year from the date hereof. Wright acknowledges that a building presently leased to The Goodyear Tire & Rubber Company is situated on a portion of Wright's easement granted pursuant to paragraph 1, and may remain in such location for a period of up to two (2) years following the date hereof.

4. Term. The easements granted pursuant to paragraphs 1 and 2 above shall be perpetual in duration and shall run with the land and parcels which are benefitted and burdened thereby, binding upon and inuring to the parties hereto, their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the parties have executed this Reciprocal Easement Agreement as of the day and year first above written.

  
LEAH M. WRIGHT, Trustee of the Leah  
M. Wright Living Trust

  
STANLEY R. deWAAL, Trustee of the  
Leah M. Wright Living Trust

HEARTLAND WEST VALLEY COMMERCIAL LIMITED PARTNERS, a Minnesota limited partnership

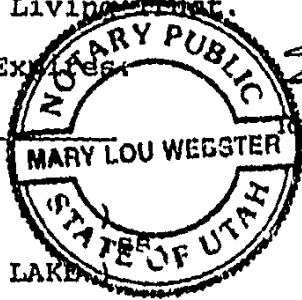
By: West Valley Management Corporation, its general partner

By Michael L. Nielsen  
Michael L. Nielsen  
President

STATE OF UTAH )  
 )  
 ) :ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 18th day of May, 1990, by Leah M. Wright, Trustee of the Leah M. Wright Living Trust.

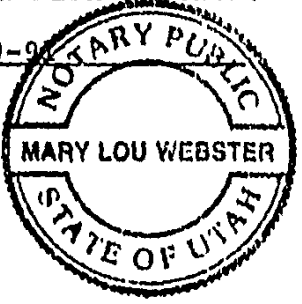
My Commission Expires: 8-19-91  
Mary Lou Webster  
NOTARY PUBLIC  
Residing at Salt Lake County, Utah



STATE OF UTAH )  
 )  
 ) :ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 18th day of May, 1990, by Stanley R. deWaal, Trustee of the Leah M. Wright Living Trust.

My Commission Expires: 8-19-91  
Mary Lou Webster  
NOTARY PUBLIC  
Residing at Salt Lake County, Utah

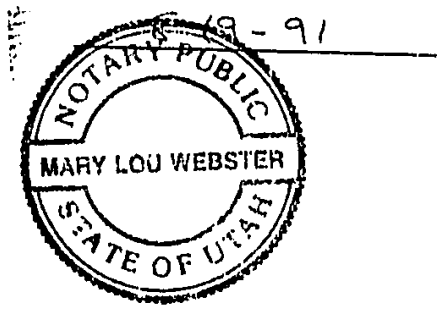


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STATE OF UTAH )  
                  ) :ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 24<sup>th</sup>  
day of May, 1990, by Michael L. Nielsen, President  
of West Valley Management Corporation, General Partner of Heartland  
West Valley Commercial Limited Partners.

My Commission Expires:



Mary Lou Webster  
NOTARY PUBLIC  
Residing at Red Hook County, UT

05/18/90

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EXHIBIT "A"

Description of the Wright Property

Beginning West 218 feet and South 53 feet from the Northeast corner of the Northwest Quarter of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian; and running thence South 110 feet; thence West 112 feet; thence South 65 feet; thence East 280 feet; thence North 155 feet to the Southern most portion of the tract deeded to the Utah Department of Transportation; thence North 45° West 28.28 feet along said Utah Department of Transportation tract; thence West 148 feet to the point of beginning.

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EXHIBIT "B"

Description of the Heartland Property

PARCEL 1:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE MERIDIAN; BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT POINT SOUTH 89°53'20" WEST 330.000 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, AND SOUTH 00°00'44" WEST 48.000 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 33; THENCE SOUTH 00°00'44" WEST 272.000 FEET; THENCE NORTH 89°53'20" EAST 297.000 FEET TO THE WESTERLY RIGHT OF WAY LINE OF 2700 WEST STREET; SAID WESTERLY RIGHT OF WAY LINE BEING 33.000 FEET WESTERLY OF AND PARALLEL TO THE CENTERLINE OF 2700 WEST STREET, SAID CENTERLINE BEING THE NORTH/SOUTH CENTER SECTION LINE OF SAID SECTION 33; THENCE SOUTH 00°00'44" WEST 495.095 FEET; THENCE SOUTH 89°56'30" WEST 498.900 FEET TO THE EASTERLY RIGHT OF WAY LINE OF MARKET STREET; THENCE NORTH 00°00'20" EAST 142.384 FEET TO THE BEGINNING OF A 526.660 FOOT RADIUS CURVE TO THE LEFT BEARING TO RADIUS POINT BEING NORTH 89°59'40" WEST; THENCE ALONG THE ARC OF SAID CURVE 183.992 FEET THROUGH A CENTRAL ANGLE OF 20°01'00" TO THE BEGINNING OF A 466.660 FOOT RADIUS CURVE TO THE RIGHT BEARING TO RADIUS POINT BEING NORTH 69°59'20" EAST; THENCE ALONG THE ARC OF SAID CURVE 163.031 FEET THROUGH A CENTRAL ANGLE OF 20°01'00"; THENCE NORTH 89°53'20" EAST 119.961 FEET; THENCE NORTH 00°00'44" EAST 284.122 FEET; THENCE NORTH 89°53'20" EAST 142.000 FEET TO THE POINT OF BEGINNING. BASIS OF BEARING BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, WHICH HAS A BEARING OF SOUTH 89°56'20" WEST.

PARCEL 2:

A PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:

BEGINNING AT A POINT ON THE EAST LINE OF MARKET STREET, BEING 592.000 FEET SOUTH 89°53'20" WEST AND 273.952 FEET SOUTH 00°00'20" WEST FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION; AND RUNNING THENCE NORTH 89°53'20" EAST 119.968 FEET; THENCE SOUTH 00°00'44" WEST 58.170 FEET; THENCE SOUTH 89°53'20" WEST 119.961 FEET TO SAID EAST LINE; THENCE NORTH 00°00'20" EAST 58.170 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

EXHIBIT "C"

Description of Easement Over Heartland Property

Beginning at a point which is South 0°00'44" West along the Quarter Section Line 228.00 feet and South 89°53'20" West 70.00 feet from the North Quarter Corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian and running thence South 00°00'44" West 247.25 feet; thence South 89°53'20" West 240.50 feet; thence North 00°00'44" East 247.25 feet; thence North 89°53'20" East 240.50 feet to the point of beginning.

EXHIBIT "D"

Description of Easement Over Wright Property

Beginning at a point on the West line of 2700 West which is South 0°00'44" West along the Quarter Section Line 228.00 feet and South 89°53'20" West 50.00 feet from the North Quarter Corner of Section 33, Township 1 South, Range 1 West, Salt Lake Base and Meridian and running thence South 89°53'20" West 280.00 feet; thence North 00°00'44" East 36.00 feet; thence North 89°53'20" East 18.00 feet; thence South 00°00'44" West 18.00 feet; thence North 89°53'20" East 262.00 feet to said West line of 2700 West Street; thence South 00°00'44" West 18.00 feet along said West line to the point of beginning.