

WHEN RECORDED RETURN TO:

John Crofts
363 South Valley View Drive
St. George, Utah 84770

00509200 Bk00986 Pg00887-00891

PATSY CUTLER - IRON COUNTY RECORDER
2005 AUG 10 11:04 AM FEE \$19.00 BY PTC
REQUEST: BRIAN HEAD RESORT LTD

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Brian Head Resort, Ltd. ("Grantor"), for Ten Dollars (\$10) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants, conveys, bargains and sells unto M.R. Crofts Associates, LLC, whose address is 363 South Valley View Drive, St. George, Utah 84770 ("Grantee"), its successors and assigns, a thirty five (35) foot wide, nonexclusive easement for ingress, egress and installation and maintenance of underground utilities across the real property located in Iron County, Utah described on Exhibit "A" attached hereto and incorporated herein by this reference.

This easement is granted for the ingress, egress and installation and maintenance of underground utilities for the benefit of one private, single-family residence owned by the Grantee and for no other purpose. The easement is appurtenant to Grantee's property, which is described on Exhibit "B" attached hereto and incorporated herein by this reference. Grantor makes no guarantees as to the condition of the road described in Exhibit "A" and Grantee accepts condition of the easement property "as is."

The Grantee agrees to defend, indemnify and hold harmless Grantor and its heirs, successors, assigns, employees and agents from any claim, loss, liability or expense of any nature incurred in connection with any activities of the Grantee, or any other person

or entity, during the term of this easement or related to the use of said easement. This indemnification shall cover all acts and omissions of any party relating in any way to this easement. The parties stipulate and agree that Grantor has no duty or obligation of any kind in relation to the easement and thus shall have no liability in relation thereto. This indemnification shall include all costs, attorney's fees and expenses incurred by Grantor in defending any and all claims.

The easement is subject to the following restrictions and agreements which are binding on Grantee and upon its successors and assigns as covenants running with the land:

A. Grantee may install a private road from Burt's Road to his property at a distance of approximately four hundred eighty-six (486) feet, but in doing so shall create minimal disturbance to the property within the easement.

B. Any installation or maintenance of utilities shall be done so as to create minimal disturbance to the property within the easement.

C. Any disturbance (except for the actual roadway) shall be restored as nearly as reasonable to original condition immediately on completion of the improvements.

D. This easement and Grantee's property shall be used only for one private single family residence by Grantee to be located as mutually agreed, and neither Grantee or its successors and assigns shall be allowed to extend this easement without a written agreement between both parties.

E. The easement may be relocated by Grantor in its discretion upon written notice to Grantee to a different location or route on Grantor's property, if necessary or convenient to the future development of Grantor's property.

In the event Grantee or its successors or assigns breaches these covenants, then Grantor shall be entitled to: (i) terminate this easement by recording a notice thereof; (ii) recover damages for the breach; (iii) enjoin any further or continuing breach; or (iv) exercise any other remedy allowed by law. Grantor may also recover all attorney's fees and expenses incurred in determining, protecting or enforcing its rights hereunder. These remedies shall be cumulative and may be exercised by Grantor in its sole and absolute discretion.

DATED this 3rd day of August, 2005.

BRIAN HEAD RESORT, LTD.

By Brian Head Resort, Inc., General Partner

By [Signature]
Its Vice President

M.R. CROFTS ASSOCIATES LLC.

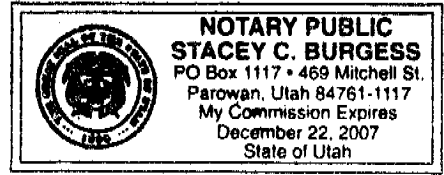
By [Signature]
Its Manager and duly Registered Agent

STATE OF UTAH)
: SS.
COUNTY OF Iron)

On the 3 day of August, 2005, personally appeared before me Henry Hornberger, the duly authorized vice president of Brian Head Resort Inc. who acknowledged to me that he executed the foregoing instrument on behalf of Brian Head Resort, Ltd.

[Signature]
Notary Public

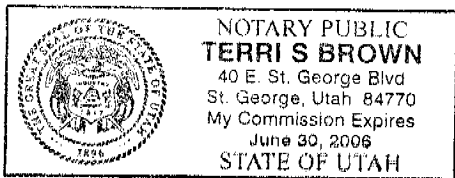
STATE OF UTAH)
: SS.
COUNTY OF Washington)



On the 27th day of July, 2005, personally appeared before me Marcia

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R. Crofts, who acknowledged to me that she executed the foregoing instrument as Manager and duly Registered Agent of the M.R. Crofts Associates LLC.



Terri S Brown
Notary Public

EXHIBIT "A"

A THIRTY FIVE (35) FOOT WIDE INGRESS, EGRESS & UTILITIES EASEMENT, SAID EASEMENT BEING 17.5 FEET ON EITHER SIDE OF THE DESCRIBED CENTERLINE:

BEGINNING ON THE GRANTEES SOUTH PROPERTY LINE AT A POINT N89°32'21" W, 73.99 FEET ALONG THE 1/16 SECTION LINE FROM THE S.E. CORNER OF THE NW ¼ SW ¼ OF SECTION 35, T35S, R9W, SLM; RUNNING THENCE S49°29'30" E, 72.49 FEET; THENCE S26°43'00" E, 38.58 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A DISTANCE OF 71.08 FEET; THENCE S26°55'00" W, 175.94 FEET; THENCE S5°24'00" E, 64.13 FEET OF AN EXISTING ROADWAY.

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EXHIBIT B

Beginning at a point which is situated N. 51°44'37" E. 6744.69 feet from the Southwest Corner of Section 35, Township 35 South, Range 9 West, SLB&M, thence S. 62°34'22" W. 32.35 feet, thence S. 75°23'09" W. 62.02 feet, thence N. 52°53'06" W. 182.82 feet to a point of curve, thence around the arc of a curve to the left with a radius of 247.50 feet a distance of 87.48 feet (the chord of said curve bears N. 63°00'37" W. 87.02 feet), thence S. 16°51'52" W. 45.00 feet to a point of curve, thence around the arc of a curve to the left with a radius of 202.50 feet a distance of 234.87 feet (the chord of said curve bears S. 73°38'14" W. 221.93 feet), thence S. 40°24'35" W. 256.53 feet to a point of curve, thence around the arc of a curve to the right with a radius of 227.50 feet a distance of 66.95 feet (the chord of said curve bears S. 48°50'25" W. 66.71 feet), thence S. 57°16'16" W. 248.00 feet to a point of curve, thence around the arc of a curve to the right with a radius of 227.50 feet a distance of 10.69 feet (the chord of said curve bears S. 58°37'04" W. 10.69 feet), thence S. 59°57'51" W. 151.34 feet to a point of curve, thence around the arc of a curve to the left with a radius of 172.50 feet a distance of 17.45 feet (the chord of said curve bears S. 57°04'00" W. 17.44 feet), thence S. 54°10'09" W. 157.89 feet to a point of curve, thence around the arc of a curve to the left with a radius of 172.50 feet a distance of 22.02 feet (the chord of said curve bears S. 50°30'42" W. 22.01 feet), thence S. 46°51'14" W. 587.21 feet, thence S. 47°24'20" W. 632.89 feet to a point of curve, thence around the arc of a curve to the right with a radius of 427.50 feet a distance of 10.16 feet (the chord of said curve bears S. 48°05'10" W. 10.16 feet), thence S. 48°46'00" W. 407.71 feet to a point of curve, thence around the arc of a curve to the right with a radius of 227.50 feet a distance of 52.73 feet (the chord of said curve bears S. 55°24'26" W. 52.62 feet), thence S. 62°02'51" W. 156.00 feet to a point of curve, thence around the arc of a curve to the left with a radius of 372.50 feet a distance of 9.70 feet (the chord of said curve bears S. 61°18'07" W. 9.70 feet), thence S. 60°33'22" W. 136.03 feet to a point of curve, thence around the arc of a curve to the right with a radius of 227.50 feet a distance of 28.43 feet (the chord of said curve bears S. 64°08'12" W. 28.41 feet), thence S. 67°43'02" W. 79.05 feet to a point of curve, thence around the arc of a curve to the right with a radius of 227.50 feet a distance of 20.86 feet (the chord of said curve bears S. 70°20'39" W. 20.85 feet), thence S. 72°58'15" W. 228.27 feet to a point of curve, thence around the arc of a curve to the left with a radius of 448.50 feet a distance of 402.76 feet (the chord of said curve bears S. 47°14'40" W. 389.36 feet), thence S. 21°31'05" W. 240.35 feet to a point of curve, thence around the arc of a curve to the right with a radius of 227.50 feet a distance of 25.96 feet (the chord of said curve bears S. 24°47'13" W. 25.94 feet), thence S. 28°03'21" W. 479.21 feet, thence S. 27°50'29" W. 538.78 feet to a point of curve, thence around the arc of a curve to the right with a radius of 355.00 feet a distance of 134.37 feet (the chord of said curve bears S. 38°41'06" W. 133.57 feet), thence S. 49°31'43" W. 251.09 feet to a point of curve, thence around the arc of a curve to the left with a radius of 498.50 feet a distance of 331.95 feet, (the chord of said curve bears S. 30°27'08" W. 325.85 feet), thence S. 11°22'32" W. 294.64 feet to a point of curve, thence around the arc of a curve to the right with a radius of 501.50 feet a distance of 95.17 feet (the chord of said curve bears S. 16°48'44" W. 95.03 feet), thence S. 22°14'55" W. 191.26 feet to a point of curve, thence around the arc of a curve to the right with a radius of 501.50 feet a distance of 65.70 feet (the chord of said curve bears S. 26°00'06" W. 65.65 feet), thence S. 29°45'18" W. 356.45 feet to a point of curve, thence around the arc of a curve to the left with a radius of 498.50 feet a distance of 34.04 feet (the chord of said curve bears S. 27°47'54" W. 34.04 feet), thence S. 25°50'31" W. 474.38 feet to a point of curve, thence around the arc of a curve to the left with a radius of 246.50 feet a distance of 156.53 feet (the chord of said curve bears S. 7°39'03" W. 153.91 feet), thence S. 10°32'26" E. 697.41 feet, thence S. 15°55'39" E. 206.98 feet to a point of curve, thence around the arc of a curve to the right with a radius of 89.00 feet a distance of 80.02 feet (the chord of said curve bears S. 7°45'17" W. 77.36 feet), more or less to a point on the northeasterly right-of-way line of State Highway U-143 which is situated S. 11°17'24" E. 2276.05 feet from the Southwest Corner of Section 35, Township 35 South, Range 9 West, SLB&M, said point being the end of the easement.

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