

When Recorded Return To:  
Bach Homes  
ATTN: Brandon Ames  
11650 S. State Street #300  
Draper, UT 84020

**GRANT OF EASEMENT**  
(TEMPORARY TURNAROUND)

Tooele County Tax Parcel No.: a portion of 02-002-0-0058

THIS GRANT OF EASEMENT ("Grant of Easement") is entered into this 25<sup>th</sup> day of June, 2020, by PHOENIX OF COPPER CANYON, LLC, a Utah limited liability company ("Grantor"), whose address is 11650 S. State Street, #300, Draper, Utah, 84020, in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants, sells, bargains, and conveys to Tooele City, a body politic of the State of Utah, whose address is 90 N. Main Street, Tooele, UT 84074 ("Grantee"), a public roadway easement (the "Easement"), located on, over, and across certain real property owned by Grantor in Tooele City, Tooele County, State of Utah and more particularly described in Exhibit "A" attached hereto and as graphically depicted on Exhibit "B" attached hereto (the "Property"), solely for the purpose of constructing, operating and maintaining a public street for vehicle and pedestrian use by the public (the "Turnaround").

This Grant of Easement and the Turnaround shall remain in effect and functional until such time that the property is developed and platted. Upon the recordation of one or more plats upon the Property, and construction and dedication to the City of permanent roadway improvements that replace or improve the Turnaround, the portions of the easements within the platted parcels shall be deemed to be automatically terminated, without the need of recording any instrument. Furthermore, if requested by Grantor, the Grantee hereby agrees to execute and deliver to the Grantor for filing in the Tooele County Recorder's Office a *Termination of Easement* in order to further evidence the termination of this Grant of Easement.

Notwithstanding anything in the Grant of Easement to the contrary, nothing herein shall prohibit the Grantor from using the Property for any lawful purpose, including, but not limited to any development thereon, so long as such use is not incompatible or inconsistent with the quiet enjoyment of the rights of the Grantee as granted herein.

This Grant of Easement shall be deemed to run with the Property as legally described on Exhibit "A" and as graphically depicted on Exhibit "B" attached hereto and shall be binding upon and inure to the benefit of the successors and assigns of the Grantor.

The provisions of this Grant of Easement shall be governed by and construed in accordance with the laws of the State of Utah. If any provisions of this Grant of Easement or the application thereof to any person or circumstance shall be invalid or unenforceable to any extent, the remainder of this Grant of Easement and the application of such provision to the other persons or circumstances shall not be affected thereby and shall be enforced to the extent permitted by applicable law.

The persons signing below hereby represent and warrant that they are authorized to execute this Grant of Easement.

WITNESS the hand of the Grantor this 25 day of JUNE, 2020.

**GRANTOR:**

PHOENIX OF COPPER CANYON, LLC, a Utah limited liability company

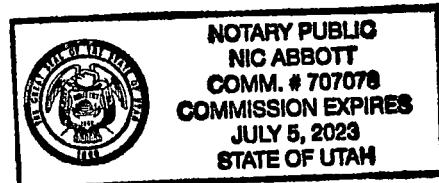
BY: WREN RINDISBACHER

ITS: MANABIND MEMBER

State of Utah )  
:ss.  
County of )

The foregoing instrument was acknowledged before me this 25 day of  
JUNE, 2020 by BRENDAN RINDLUS BACHER the MANAGING MEMBER of  
PHOENIX OF COPPER CANYON, a Utah limited liability company, who duly acknowledged to me  
that said instrument was executed by authority.

Mark Scott  
NOTARY PUBLIC



**EXHIBIT "A"**

A portion of the NE1/4 of Section 20, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point located S00°09'13"E along the Section line 1,521.15 feet and West 5.37 feet from the Northeast Corner of Section 20, Township 3 South, Range 4 West, Salt Lake Base and Meridian (Basis of Bearing: S89°42'47"W along the Section line between the North 1/4 Corner and Northwest Corner of said Section 21); thence Northwesterly along the arc of a 50.00 feet radius non-tangent curve to the right (radius bears: N85°19'58"W) 249.82 feet through a central angle of 286°16'06" (chord: N32°11'55"W 60.00 feet); thence S32°11'55"E 60.00 feet to the point of beginning.

