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AFTER RECORDING, MAIL TO:

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03 AUGUST 92 02:35 PM  
KATIE L. DIXON  
RECORDER, SALT LAKE COUNTY, UTAH  
FIRST AMERICAN TITLE  
REC BY: REBECCA GRAY, DEPUTY

**EASEMENT AGREEMENT**

This **EASEMENT AGREEMENT** is made and entered into as of the 31st of July, 1992, by **GFI-WEST JORDAN INVESTMENTS LIMITED PARTNERSHIP**, a Utah limited partnership (hereinafter "**GFI**").

FIRST AMERICAN TITLE  
RMP# 265673

**GFI** is the owner of a certain 30-foot access drive ("Access Drive") intersecting with and commencing at 9000 South Street and running in a northerly direction for approximately 330 feet which Access Drive is more particularly described in Exhibit "A" attached hereto and incorporated herein and is located adjacent to and is a part of a larger parcel ("**Kmart Parcel**") to be developed as a retail shopping facility and leased to **Kmart Corporation**.

For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **GFI**, for itself and its respective heirs, successors, and assigns, hereby grants and conveys to **SPRATLING INVESTMENT CORPORATION**, a Utah corporation, and **RONALD N. SPRATLING, JR., AS TRUSTEE OF THE RONALD N. SPRATLING, JR. TRUST, DATED JULY 6, 1990** and **RONALD N. SPRATLING, JR., TRUSTEE OF THE RONALD N. SPRATLING, JR. PROFIT SHARING PLAN AND TRUST** (hereinafter collectively "**Spratlings**"), as the owners of the properties located adjacent to the Access Drive consisting of approximately 3.4 acres and .52 acres respectively, and more particularly described in

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Exhibit "B-1" and "B-2" attached hereto and incorporated herein ("Spratling Land"), and their respective successors and assigns, (and includes all lessees, sublessees, employees, customers, visitors, invitees, licensees, and patrons of the Spratlings, their respective successors and assigns), for the benefit of the Spratling Land, a permanent non-exclusive easement of ingress, egress and access over and across the Access Drive by vehicular and pedestrian traffic to and from the Spratling Land at those access points reasonably designated by Spratlings along the boundaries between the Spratling Land and the Access Drive and approved by GFI, which approval cannot be unreasonably withheld if said access point does not materially interfere with the traffic flow and access with respect to the adjacent Kmart Parcel.

Grantor, shall at its own expense, develop and construct in accordance with the requirements of the City of West Jordan and Kmart Corporation, the Access Drive and shall thereafter assume responsibility for the maintenance of the Access Drive.

The easements and covenants contained herein are appurtenant to and run with the land described herein and are binding upon and inure to the benefit of the parties hereto, and their respective successors and assigns.

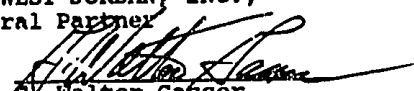
Vol 1563

IN WITNESS WHEREOF, GFI has duly executed this Easement Agreement.

GFI:


GFI-WEST JORDAN INVESTMENTS LIMITED PARTNERSHIP, a Utah Limited Partnership

BY: WGA-WEST JORDAN, INC.,  
General Partner

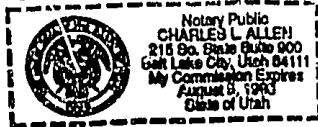
By:   
G. Walter Gasser  
Its: President

STATE OF UTAH            )  
                                  )ss.  
COUNTY OF DAVIS        )

On the 31st day of July, 1992, the foregoing instrument was acknowledged before me by G. Walter Gasser, the signer of the foregoing Declaration, who being by me duly sworn did say that he is the President of WGA-West Jordan, Inc., the General Partner of GFI-West Jordan Investments Limited Partnership, a Utah Limited Partnership, and that he was authorized to, and did, execute the foregoing Declaration as General Partner in said partnership.

  
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NOTARY PUBLIC

[SEAL]



**ACCESS DRIVE**

Beginning at a point on the North line of 9000 South Street which point is North 89°50'20" West along the quarter section line 684.27 feet and North 0°13'39" East 73.00 feet from the East 1/4 corner of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence North 0°13'39" East 330.00 feet; thence South 89°50'20" East 30 feet; thence South 0°13'39" West 330.00 feet; thence North 89°50'20" West 30.00 feet to the point of beginning.

Area = 0.227 acres  
9,900 square feet

**EXHIBIT "A"**

PARCEL NO. 1

BEGINNING at a point that lies South 89°53'45" West 682.2 feet and North 0°02'16" West 73.0 feet from the East quarter corner of Section 3, Township 3 South, Range 1 West, SLB & M and running thence South 89°53'45" West 2.07 feet; thence North 0°02'16" West 385.0 feet; thence North 89°53'45" East 2.07 feet; thence South 0°02'16" East 385.0 feet to the point of BEGINNING. (Sidwell # 27-03-278-012-0000).

PARCEL NO. 2

BEGINNING at a point that lies South 89°53'45" West 680.0 feet and North 0°02'16" West 73.0 feet from the East quarter corner of Section 3, Township 3 South, Range 1 West, SLB & M and running thence South 89°53'45" West 2.2 feet; thence North 0°02'16" West 385.0 feet; thence North 89°53'45" East 2.2 feet; thence South 0°02'16" East 385.0 feet to the point of BEGINNING. (Sidwell # 27-03-278-013-0000).

PARCEL NO. 3

BEGINNING at a point that lies 599 feet West and 73 feet North from the Southeast corner of the Southeast quarter of the Northeast quarter of Section 3, Township 3 South, Range 1 West, SLB & M and running thence North 385.0 feet; thence West 81.0 feet; thence South 385.0 feet; thence East 81.0 feet to the point of BEGINNING. (Sidwell # 27-03-278-010-0000).

EXCEPTING FROM parcels 1, 2, & 3 the following described parcel:

BEGINNING at a point on the North line of 9000 South Street which point is North 89°50'20" West along the quarter section of line 684.27 feet and North 0°13'39" East 73.00 feet from the East 1/4 corner of Section 3, Township 3 South, Range 1 West, Salt Lake Base and meridian; thence North 0°13'39" East 330.00 feet; thence South 89°50'20" East 30 feet; thence South 0°13'39" West 330.00 feet; thence North 89°50'20" West 30.00 feet to the point of BEGINNING.

PARCEL NO. 4

BEGINNING at a point that lies 318 feet West and 73 feet North from the Southeast corner of the Southeast quarter of the Northeast quarter of Section 3, Township 3 South, Range 1 West, SLB & M and running thence West 281.0 feet; thence North 385.0 feet; thence East 281.0 feet; thence South 385.0 feet to the point of BEGINNING. (Sidwell # 27-03-278-002-0000).

**PAD 1**

Beginning at a point on the north line of 9000 South Street which is North 89°50'20" West along the quarter section line 684.27 feet and North 0°13'39" East 73.00 feet from the East 1/4 corner of Section 3, Township 3 South, Range 1 West, Salt Lake Base and Meridian; thence North 0°13'39" East 150.00 feet; thence North 89°51'00" West 150.00; thence South 0°13'39" West 150.51 feet to the said North line of 9000 South Street; thence along the arc of a 11,512.16 foot radius curve to the right and along said north line 109.67 feet through a central angle of 0°32'45", RHE chord of which bears North 89°53'18" East 109.67 feet; thence South 89°50'20" East along said North line 40.30 feet to the point of beginning.

Area = 0.52 acres  
22,519 square feet

**EXHIBIT "B-2"**