

AFTER RECORDING, PLEASE RETURN TO:

Douglas C. Waddoups  
Parr Brown Gee & Loveless  
101 South 200 East, Suite 700  
Salt Lake City, Utah 84111-1537

### PARTIAL TERMINATION OF EASEMENT

THIS PARTIAL TERMINATION OF EASEMENT ("Partial Termination") is made effective as of October 16, 2023 (the "Effective Date") by M & H RANCH, L.L.C., a Utah limited liability company ("Grantee").

WHEREAS, Grantee owns real property (the "Benefitted Property") located in Wasatch County, Utah, and more particularly described on Exhibit B attached hereto, that is benefitted by easement rights set forth in that certain Easement Agreement by and between Grantee and SPR, LC, a Utah limited liability company, dated May 16, 2012 and recorded on May 18, 2012 as Entry No. 378957 in Book 1055 on Page 1534 of the official records of the Wasatch County Recorder (the "Easement Agreement").

WHEREAS, the Easement Agreement establishes, among other easement rights set forth in the Easement Agreement, an access and utility easement (the "North Easement") over a portion of that certain real property located in Wasatch County, Utah, and more particularly on Exhibit A attached hereto (the "Burdened Property"), which North Easement burdens that certain portion of the Burdened Property described on Exhibit C attached hereto (the "North Easement Area").

WHEREAS, Grantee desires to terminate its interest in the North Easement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantee, intending to be legally bound hereby, agrees as follows:

1. Partial Termination of Easement Agreement. Grantee hereby terminates and abandons all of its right, title or interest in the North Easement and the North Easement Area. The foregoing termination and abandonment shall not affect any other easement rights of Grantee under the Easement Agreement that do not pertain to the North Easement or the North Easement Area.

2. General Provisions. This Partial Termination shall inure to the benefit of, and be binding upon, the party hereto, his legal representatives, heirs, successors, and assigns. This Partial Termination shall be governed by, and construed and interpreted in accordance with, the laws (excluding the choice of laws rules) of the State of Utah. The recitals and exhibits hereto are hereby incorporated herein.

[Signature Page Follows]

IN WITNESS WHEREOF, Grantee has executed this Partial Termination as of the Effective Date.

GRANTEE:

M & H RANCH, L.L.C.,  
a Utah limited liability company

By: *Milton P. Shipp*  
Name: Milton P. Shipp  
Its: manager

STATE OF Utah )  
 ) :ss  
COUNTY OF Salt Lake )

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of October 2023, by Milton P Shipp, the Manager of M & H Ranch, L.L.C., a Utah limited liability company.

(Seal and Expiration Date)

*Diane G Kunz*  
Notary Public



EXHIBIT A  
TO  
PARTIAL TERMINATION

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Burdened Property

That certain property located in Wasatch County, State of Utah, more particularly described as follows:

A parcel of land situate in portions of sections 17, 18, 19 & 20 of Township 4 South, Range 10 West, Special Uintah Base and Meridian, Wasatch County, Utah, more particularly described as follows:

Beginning at the Southwest corner of Section 19, Township 4 South, Range 10 West, Uintah Special Meridian:

Thence North 00°16'08" West along the West line of said Section 19, 1,642.83 feet to the South boundary of the Melvin Cumming Property; thence North 89°24'35" East along the South boundary line of said Cumming property, 1,320.19 feet; thence North 00°16'10" West along the East line of said Cumming property, 1,626.72 feet to the South boundary of the SPR, LC property conveyed by Warranty Deed recorded October 9, 2007 as Entry Number 326976; thence along the boundary lines of said SPR property the following two courses: (1) South 89°51'13" East, 972.16 feet; (2) North 00°08'47" East, 991.02 feet to the Southeast corner of the SPR, LC property conveyed by Special Warranty Deed recorded July 13, 2011 as Entry Number 370661; thence along the Easterly and Northerly boundary of said SPR, LC property the following two courses (1) North 04°24'47" East, 1008.95 feet to the North line of Section 19; (2) South 89°44'03" West along the North line of Section 19, 1,067.09 feet to the Northwest corner of said SPR, LC property and a point in the Westerly line of the property conveyed to SPR, LC by corrected Warranty Deed recorded February 23, 2006 as Entry Number 297231; thence along the boundaries of said SPR property the following two courses: (1) North 23°08'47" East, 568.73 feet; (2) North 27°08'47" East, 1,253.74 feet to the North line of the South half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of said Section 18; thence North 89°46'44" East along said North line, 503.14 feet to the Northeast corner of said South half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter of said Section 18; thence along the monumented South boundary of the Strawberry Reservoir right of way the following ten courses: (1) North 89°50'04" East 330.13 feet to corner 35; (2) South 00°22'13" East, 1,308.70 feet to corner 36; (3) North 89°45'58" East, 1,322.62 feet to corner 37; (4) North 00°25'28" West, 327.07 feet to corner 38; (5) North 89°44'36" East, 661.09 feet to corner 39; (6) North 00°20'10" West 326.75 feet to corner 40; (7) North 89°45'31" East, 330.73 feet to corner 41; (8) North 88°00'25" East, 322.36 feet to corner 42; (9) South 00°07'55" East, 976.60 feet to corner 43 on the North line of said Section 20; (10) North 88°56'15" East, 990.43 feet to corner 44 being the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 20; thence South 00°32'59" East along the West line of said Northeast Quarter of the Northwest Quarter, 1,311.91 feet to the Southwest corner of said Northeast Quarter of the Northwest Quarter; thence North 88°59'11" East along the South line of said Northeast Quarter of the Northwest Quarter, 1,318.78 feet to the Southeast corner of said Northeast Quarter of the Northwest Quarter; thence South 00°27'35" East along the East line of said Northwest Quarter of said Section 20 and the Southerly line of said Strawberry Reservoir Right of Way, 654.05 feet to corner 54; thence South 00°22'34" East continuing along said East line of said Northwest Quarter

and the Southerly line of said Strawberry Reservoir Right of Way, 327.78 feet to corner 55; thence North 89°00'53" East continuing along said Southerly line of said Strawberry Reservoir Right of Way, 2.74 feet to the Northwest corner of the Subdivision known as "40 Dam Acres"; thence South 15°51'39" West along the West line of said Subdivision, 1,851.77 feet to the Southwest corner of said Subdivision; thence South 83°30'58" East along the South line of said Subdivision, 642.29 feet to the Northwest corner of the land conveyed to Hundley Properties, LC by Warranty Deed recorded September 3, 2002 as Entry Number 248195; thence South 12°27'14" West along the West line of said land conveyed to Hundley properties, 1,120.41 feet to the South line of said Section 20; thence South 89°33'20" West along the South line of said Section 20, 2,505.46 feet to the Southwest corner of said Section 20; thence South 88°56'08" West along the South line of said Section 19, 2,649.53 feet to the South Quarter corner of said Section 19; thence South 89°13'57" West continuing along the South line of said Section 19, 2,629.62 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM THE FOLLOWING: BEGINNING on the North line of Section 19, Township 4 South, Range 10 West, Uintah Special Base and Meridian, at a point 1320 feet North 89°35'16" East from the Northwest Corner of said Section 19; thence South 917.50 feet; thence South 85°20' East 995.30 feet; thence North 4°16' East 1008.95 feet; thence South 89°35'16" West 1067.09 feet to the point of beginning (Lot 43, Plat B, Strawberry Reservoir Estates).

AND LESS AND EXCEPTING THEREFROM THE FOLLOWING: BEGINNING at the Southwest Corner of Lot 43, Plat B, Strawberry Reservoir Estates, which point is 1320.0 feet North 89°35'16" East and 917.50 feet South from the Northwest Corner of Section 19, Township 4 South, Range 10 West, Uintah Special Base and Meridian; thence South 1072.00 feet; thence East 992.00 feet; thence North 991.02 feet; thence North 85°20' West 995.30 feet to the point of beginning.

Being the proposed plat of STRAWBERRY PINES SUBDIVISION.

SERIAL NO.: OWC-3028-1 AND OWC-3045  
TAX PARCEL NO.'S 00-0020-0304 and 00-0010-9830.

SERIAL NO. OWC-3028  
TAX PARCEL NO. 00-0010-9665.

SERIAL NO. OWC-3026  
TAX PARCEL NO. 00-0010-9640

SERIAL NO. OWC-3019  
TAX PARCEL NO. 00-0010-9574

SERIAL NO. OWC-3052  
TAX PARCEL NO. 00-0010-9921

SERIAL NO. OWC-3044

EXHIBIT B  
TO  
PARTIAL TERMINATION

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Benefitted Property

That certain property located in Wasatch County, State of Utah, more particularly described as follows:

PARCEL 1:

BEGINNING at the Northwest corner of Section 19, Township 4 South, Range 10 West, Uintah Special Meridian; and running thence South 908 feet; thence East 1320 feet; thence North 908 feet; thence West 1320 feet to the point of beginning.

Parcel Identification No. OWC-3042.

PARCEL 2:

BEGINNING at a point South 908 feet of the Northwest corner of Section 19, Township 4 South, Range 10 West, Uintah Special Meridian; and running thence South 742 feet; thence East 1320 feet; thence North 742 feet; thence West 1320 feet to the point of beginning.

Parcel Identification No. OWC-3043.

PARCEL 3

BEGINNING at the Southwest Corner of Lot 43, Plat B, Strawberry Reservoir Estates, which point is 1320.0 feet North  $89^{\circ}35'16''$  East and 917.50 feet South from the Northwest Corner of Section 19, Township 4 South, Range 10 West, Uintah Special Base and Meridian; thence South 1072.00 feet; thence East 992.00 feet; thence North 991.02 feet; thence North  $85^{\circ}20'$  West 995.30 feet to the point of beginning.

Parcel Identification No. OWC-3040.

EXHIBIT C

TO

PARTIAL TERMINATION

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North Easement Area

70 foot Access and Utility Easement (North)

Beginning at a point which is South 00°22'32" East 661.04 feet along the westerly section line of Section 20 and East 1275.06 feet from the Northwest Corner of Section 20, Township 4 South, Range 10 East, Uintah Special Meridian.

Said point being along the Westerly Boundary of a 60 foot easement for an existing county road (Forest Road 90); Thence along the centerline of a 70 foot Access and Utility Easement.

Thence North 00°32'59" West 208.53 feet;

Thence North 86°12'09" West 76.48 feet;

Thence South 69°02'57" West 121.99 feet;

Thence North 82°43'46" West 105.16 feet;

Thence South 45°30'27" West 122.38 feet;

Thence South 76°30'44" West 57.06 feet;

Thence South 28°23'39" West 33.05 feet to the northerly property boundary of Strawberry Pines Lot 1.