

WHEN RECORDED, RETURN TO:
TITLE INSURANCE AGENCY

29th

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15 OCTOBER 93 04:43 PM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
TITLE INSURANCE AGENCY
REC BY: SHARON WEST , DEPUTY

5631641

RIGHT OF WAY AGREEMENT

This agreement entered into this 13th day of October, 1993, by and between David A., McPhie and Annette C. McPhie, Trustees for Melissa Ann McPhie, Jonathan David McPhie, Elizabeth Ann McPhie and Marianne McPhie, hereinafter designated as "McPhie"; Alma G. Peterson hereinafter designated as "Peterson" and Wendell B. Affleck and June H. Affleck, hereinafter designated as "Affleck".

WITNESSETH

WHEREAS, McPhie is the owner of property situate in Salt Lake County, State of Utah, more particularly described in Exhibit "A" attached hereto and by reference made a part of this agreement; and

WHEREAS, Peterson is the owner of property situate in Salt Lake County, State of Utah, more particularly described in Exhibit "B" attached hereto and by reference made a part of this agreement; and

WHEREAS, Affleck is the owner of property situate in Salt Lake County, State of Utah, more particularly described in Exhibit "C" attached hereto and by reference made a part of this agreement; and

WHEREAS, the parties desire to grant to each other rights of way over property situate in Salt Lake County, State of Utah, more particularly described in Exhibit "D" attached hereto and by reference made a part of this agreement.

WHEREFORE

In consideration of the mutual covenants and considerations contained herein and other good and valuable considerations the receipt of which is hereby acknowledged, the parties agree as follows:

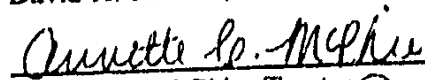
- a. McPhie hereby grants to Peterson and Affleck a right of way for ingress and egress over that portion of property on Exhibit "D" owned by McPhie. Said right of way traverses that property owned by McPhie described in Exhibit "A".
- b. Affleck hereby grants to Peterson and McPhie a right of way for ingress and egress over that portion of property on Exhibit "D" owned by McPhie. Said right of way traverses that property owned by McPhie described in Exhibit "C".

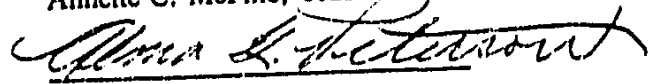
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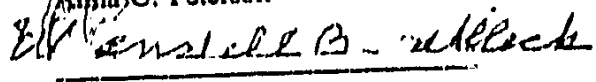
- c. It is agreed by the parties that all parties to this agreement can use the right of way described in Exhibit "D" for ingress and egress and the construction of water lines and power cables from the Aspen Road to their respective properties described in Exhibits A, B and C.

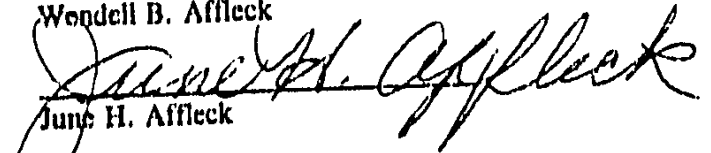
IN WITNESS WHEREOF, the undersigned have executed this Agreement the day and year first above written.


David A. McPhie, Trustee


Annette C. McPhie, Trustee


Alma G. Peterson


Wendell B. Affleck


June H. Affleck

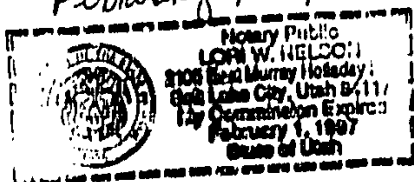
BK6778F60538

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

On the 12th day of October, 1993, personally appeared before me DAVID A. McPHIE and ANNETTE C. McPHIE, Trustees, who being duly sworn, acknowledged to me that they executed the same.

John W. Nelson
Notary Public
Residing at:


My Commission Expires:
February 1, 1997



BK6778F60539

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On the *13th* day of *October*, 1993, personally appeared before me
WENDELL B. AFFLECK and JUNE H. AFFLECK, who being duly sworn, acknowledged
to me that they executed the same.

 Notary Public
SHIRLEY T. REDROW
376 East 400 South #363
Salt Lake City, Utah 84111
My Commission Expires *12/31/94*
State of Utah


Shirley T. Redrow

Notary Public
Residing at: *Salt Lake City, Utah*

BK6778P60540

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

On the *13th* day of *October*, 1993, personally appeared before me ALMA G. PETERSON, who being duly sworn, acknowledged to me that he executed the same.

My Commission Expires  Commission Expires
Notary Public
SHIRLEY T. REDNOUR
376 East 400 South #306
Salt Lake City, Utah 84111
March 20, 1994
State of Utah

Shirley T. Rednour
Notary Public
Residing at *Salt Lake City, Utah*

BK6778P60541

EXHIBIT "A"

Commencing 1351.94 feet West and 879.38 feet South from the re-located North quarter corner Section 22, Township 1 South, Range 2 East, Salt Lake Base and Meridian, thence North $22^{\circ}30'$ West 300 feet North $67^{\circ}30'$ East 220 feet South $22^{\circ}30'$ East 340 feet to the Northerly line of Aspen Road; thence South $66^{\circ}02'$ West 36 feet, South $75^{\circ}06'$ West 109.95 feet South $88^{\circ}52'$ West 81.52 feet to beginning.

BK 6778P60542

EXHIBIT "B"

Beginning at a point on the Southerly side of a spur road which extends Westerly from Aspen Circle Road, which beginning point is South 596.42 feet and West 761.40 feet from the North quarter corner of Section 22, Township 1 South, Range 2 East, Salt Lake Base and Meridian, as said North quarter corner of Section 22 was established during the 1927 Government Resurvey of Section 22, Township 1 South, Range 2 East, Salt Lake Base and Meridian, as said North quarter corner of Section 22 was established during the 1927 Government Resurvey of Section 22, Township 1 South, Range 2 East, Salt Lake Base and Meridian, and running thence from said beginning point North 68°36' East 48.05 feet to a point on the Westerly side of the Aspen Circle Road; thence South 60°00' East 77.50 feet; thence South 78°50' East 58.44 feet to a point on the Northerly boundary line of the Aspen Road, which point is South 630.37 feet and West 592.72 feet from the North quarter corner of said Section 22, Township 1 South, Range 2 East, Salt Lake Meridian as said North Quarter corner of said Section 22 was established on the 1927 Government Resurvey of said Section 22; thence South 56°55' West 93.10 feet; thence South 72°13' West 226.24 feet; thence South 64°24' West 20 feet to a point on said Northerly boundary line of the Aspen Road which is South 749.74 feet and West 891.63 feet from said North quarter corner of said Section 22; thence North 34°37' West 103.39 feet to a point which is South 664.66 feet and West 950.39 feet from the North quarter corner of Section 22, Township 1 South, Range 2 East, Salt Lake Meridian, as said North quarter corner was established on the 1927 Government Resurvey of said Section 22; thence North 21°25' West 40 feet; thence North 20°04' West 307.5 feet; thence North 69°20' East 200.00 feet; thence South 20°04' East 350.0 feet to the point of beginning.

BK6778PB0543

EXHIBIT "C"

Commencing 891.63 feet West and 719.74 feet South from the re-located North quarter corner of Section 22, Township 1 South, Range 2 East, Salt Lake Meridian and running thence North 34°37' West 103.39 feet; thence North 21°25' West 40 feet; thence North 20°04' West 210 feet; thence South 64°30' West 235 feet; thence South 22°30' East 340 feet to the Northerly line of Aspen Road; thence North 66°02' East 65.39 feet; thence North 81°05' East 89.64 feet; thence North 64°24' East 101.33 feet to beginning.

BR 5778 PG 0544

EXHIBIT "D"

A 16 foot right of way for ingress and egress the centerline of which is described as follows:

Beginning at a point in the center of a paved roadway called the Aspen Road; said point being South 905.127 feet and West 1314.71 feet from the North quarter corner of Section 22, Township 1 South, Range 2 East, Salt Lake Base and Meridian as re-established in the U. S. Government re-survey of 1927; running thence North $21^{\circ}22'46''$ West 25.762 feet; thence North $07^{\circ}43'32''$ West 15.561 feet; thence North $23^{\circ}05'04''$ East 13.062 feet; thence North $47^{\circ}44'06''$ East 18.231 feet; thence North $50^{\circ}50'04''$ East 54.834 feet; thence North $55^{\circ}49'42''$ East 52.519 feet; thence North $50^{\circ}11'37''$ East 52.125 feet; thence North $41^{\circ}38'55''$ East 55.619 feet; thence North $53^{\circ}03'41''$ East 41.926 feet; thence North $47^{\circ}59'58''$ East 53.161 feet; thence North $40^{\circ}48'29''$ East 47.491 feet; thence North $51^{\circ}35'44''$ East 34.432 feet; thence North $59^{\circ}55'40''$ East to a point on the Westerly boundary of property described in Exhibit "B".

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