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Utah Department of Transportation
Region Two Permits
2010 South 2760 West
Salt Lake City, Utah 84104

Salt Lake County

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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
UT ST-DEPT OF TRANSPORTATION
2010 S 2760 W
SLC UT 84104
BY: ZJM, DEPUTY - WI 4 P.
Tax ID No.28-01-352-010

AGREEMENT FOR FUTURE SHARED ACCESS FOR

9362 North Little Cottonwood Canyon Rd. (SR-210)

This is an Agreement between the Utah Department of Transportation, hereinafter referred to as UDOT; and Aress Co., L.C., a Utah limited liability company, hereinafter referred to as (Aress), and their successors and assigns.

1. **PREMISE** Aress owns the real property, as described in Exhibit A", hereinafter referred to as Aress Property. The property located adjacent to and directly to the South of Aress Property, as shown in Exhibit A" is known hereafter as "Granite Oaks PUD". Aress has requested access to SR-210 for Aress Property. The owners of Granite Oaks PUD have also requested access to SR-210.

2. **AGREEMENT.** In consideration of the mutual covenants contained herein, and other good and valuable consideration, the parties agree as follows: Aress will be granted access to SR-210 for Aress Property as shown in the submitted site plans and attached hereto with provision that when Granite Oaks PUD is ready to develop, Aress and their successors and assigns will allow the construction of a common access to the properties.

(a) **Easement.** Aress, their successors and assigns will provide for a roadway for the common use of the parties, their successors and assigns for driveway and access purposes. When said construction occurs, the parties will provide for the construction and maintenance of the driveway under separate agreement. Aress hereby grants to the owners of Granite Oaks PUD, their successors and assigns, a perpetual nonexclusive easement for ingress and egress of the property described in Exhibit A, as owned by Aress, as shown in the plans attached and made a part hereof. The easements granted hereunder are created for the purpose of allowing ingress and egress to both properties from SR-210.

(b) **Relinquishment.** When said common access is constructed. Aress agrees to relinquish all prior rights of access from SR-210 to their contiguous property.

(c) **Obstructions.** Aress will keep the roadway clear of any and all obstruction and shall not allow any structures or sign to be placed so close to the roadway as to inhibit free ingress and egress from either property.

Aress shall not allow any vehicles to be parked on the roadway so as to obstruct access. The access is to be used for all purposes reasonably necessary for the full use of the properties.

(d) **Permit.** The access shall be subject to all restrictions specified by the Utah Department of Transportation Highway Encroachment Permit to be issued for the access.

3. **DUPLICATE ORIGINALS.** This agreement shall be executed in duplicate, each copy of which shall be deemed an original.

DATED this 15 of ^{September} ~~August~~ 2005.

Robert Despain
Aress Co., L.C.
Witnessed as to

STATE OF UTAH
COUNTY OF SALT LAKE

The foregoing instrument was acknowledged before me this 15th day of August 2005 by to me or who as produced personally known as identification, and who did (did not) take an oath.

Susan Despain

Notary Public in and for the
State last aforesaid.
My Commission Expires: Aug 13, 2007

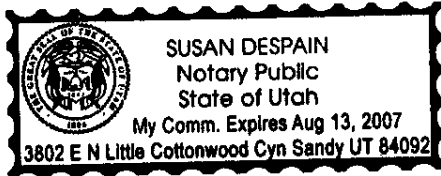


EXHIBIT AA@

DESCRIPTION OF BURDENED PARCEL

(The following property is located in Salt Lake County, Utah)

28-01-352-010

Beginning at a point South 437.4 feet and East 742.1 feet from the West ¼ corner of Section 1, Township 3 South, Range 1 East, Salt Lake Base and Meridian; running thence East 251.5 feet; thence Southeasterly along a 1835.1 foot radius curve to the right 438.1 feet; thence South 2°40' West 1361.6 feet; thence North 79°51' West 585.3 feet; thence south 10°08' West 562.8 feet; thence West 264.3 feet; thence North 517.2 feet; thence North 34°03' East 144.8 feet; thence North 33°55' East 287.6 feet; thence North 21°29' East 163.2 feet; thence North 16°19' East 459.8 feet; thence North 9°41' East 213.6 feet; thence North 8°41' East 328.1 feet; thence East 233.5 feet; thence North 200 feet to the point of beginning.

EXHIBIT AB@

DESCRIPTION OF BENEFITTED PARCEL (The following property is located in Salt Lake County, Utah)

Proposed ^{Granite} Canyon Oaks Subdivision Phase 1 described as:

Beginning at the intersection of the west line of North Little Cottonwood Canyon Road and the section line, said point being South 89°51'03" West 1559.63 feet along the section line from the North Quarter Corner of Section 12, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and running; Thence 319.52 feet along the arc of a 1030.37 foot radius curve to the left, (center bears North 69°38'34" East and long chord bears South 29°14'28" East 318.25 feet, with a central angle of 17°46'04") along the west line of North Little Cottonwood Canyon Road; Thence South 38°07'30" East 183.62 feet along the west line of North Little Cottonwood Canyon Road; Thence South 85°41'58" West 194.22 feet; Thence South 26°13'19" West 204.64 feet; Thence South 63°46'41" East 104.10 feet; Thence South 28°55'38" West 686.70 feet to the north line of The La Caille Subdivision; Thence South 89°18'23" West 3.50 feet along the north line of The La Caille Subdivision; Thence South 47°23'24" West 105.00 feet along the north line of The La Caille Subdivision; Thence South 38°48'00" West 158.00 feet along the north line of The La Caille Subdivision; Thence South 70°26'22" West 43.55 feet along the north line of The La Caille Subdivision; Thence North 49°17'33" West 61.00 feet along the north line of The La Caille Subdivision; Thence North 55°51'00" West 144.52 feet along the north line of The La Caille Subdivision; Thence North 20°22'26" West 193.38 feet along the north line of The La Caille Subdivision; Thence North 50°04'00" West 101.40 feet along the north line of The La Caille Subdivision; Thence North 28°36'10" West 119.50 feet along the north line of The La Caille Subdivision; Thence North 11°19'35" West 79.75 feet along the north line of The La Caille Subdivision; Thence North 09°00'00" West 140.00 feet along the north line of The La Caille Subdivision; Thence North 82°58'30" West 91.90 feet along the north line of The La Caille Subdivision; Thence North 47°24'00" West 69.87 feet along the north line of The La Caille Subdivision to the section line; Thence North 00°38'44" West 726.33 feet along the section line to the Northwest Corner of said Section 12; Thence North 89°51'07" East 467.76 feet along the section line; Thence North 10°08'30" East 526.58 feet Thence South 79°51'30" East 415.84 feet to the west line of the North Little Cottonwood Canyon Road; Thence South 02°33'54" West 39.16 feet along the west line of the North Little Cottonwood Canyon Road; Thence southeasterly 412.22 feet along the arc of a 1030.37 foot radius curve to the left, (center bears South 87°26'06" East and long chord bears South 8°53'46" East 409.47 feet, with a central angle of 22°55'20") along the west line of North Little Cottonwood Canyon Road to the point of beginning.