



\*W2774938\*

WHEN RECORDED, RETURN TO:

Summit Mountain Holding Group, L.L.C.  
3632 N. Wolf Creek Drive  
Eden, Utah 84310  
Attention: JEFF WEBER

EN 2774938 PG 1 OF 4  
LEANN H KILTS, WEBER COUNTY RECORDER  
21-JAN-16 4:23 PM FEE \$16.00 DEP JKC  
REC FOR: WATTS ENTERPRISES

**TERMINATION OF  
UTILITY ACCESS EASEMENT AGREEMENT**

This TERMINATION OF UTILITY ACCESS EASEMENT AGREEMENT (this “Termination”) is made this 21 day of JAN, 2016, by and between SMHG LANDCO LLC (“Grantor”), as successor in interest to Summit Mountain Holding Group, L.L.C. (“SMHG”), and SMHG PHASE I LLC, a Delaware limited liability company (“Grantee”).

**RECITALS**

A. On January 17, 2014, SMHG executed that certain Utility Access Easement Agreement, recorded on January 27, 2014 as Entry No. 2672964 in the Official Records of Weber County, Utah (“Easement”) in favor of Grantee against the certain real property then owned by SMHG as described in Exhibit “A” attached hereto and incorporated herein by reference (the “Easement Property”).

B. On June 19, 2014, SMHG executed that certain Special Warranty Deed, recorded on June 20, 2014 as Entry No. 2691509 in the Official Records of Weber County, Utah transferring ownership of the Easement Property to Grantor.

C. Grantor and Grantee wish to terminate and abandon the Easement and release the Easement Property as provided herein.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee hereby agree as follows:

**AGREEMENT**

Termination of Easement. Grantor and Grantee hereby permanently and irrevocably terminate and abandon the Easement, and all rights and obligations thereunder are terminated, released, and of no further force and effect. Upon recordation of this Termination in the Official Records of Weber County, the Easement Property shall be deemed to be free and clear of the effect of the Easement to the same extent as if the Easement had never been created. Grantee hereby terminates, releases, relinquishes, surrenders, disclaims and abandons all rights, title, and interest in the Easement and the Easement Property.

*[Signatures on following page.]*

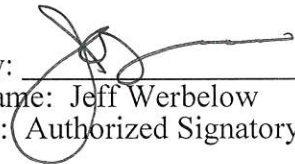
**IN WITNESS WHEREOF**, Grantor and Grantee have executed this Termination of Utility Access Easement Agreement as of the date first indicated above.

**GRANTOR:**

SMHG LANDCO LLC, a Delaware limited liability company

By: Summit Mountain Holding Group, L.L.C., a Utah limited liability company  
Its: Sole Member

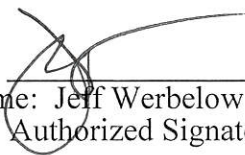
By: Summit Revolution LLC, a Delaware limited liability company  
Its: Sole Member

By:   
Name: Jeff Werbelow  
Its: Authorized Signatory

**GRANTEE:**

SMHG PHASE I LLC, a Delaware limited liability company

By: SMHG Investments LLC, a Delaware limited liability company  
Its: Sole Member

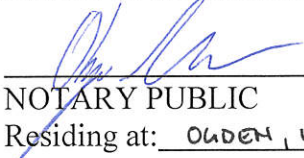
By:   
Name: Jeff Werbelow  
Its: Authorized Signatory

**EXHIBIT "A"****Legal Description of Released Easement Property**

BEGINNING AT NORTHWEST CORNER OF SUMMIT EDEN PHASE 1D, DEVELOPMENT PARCEL D, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF DAYBREAK RIDGE, SAID POINT LIES NORTH 87°49'19" EAST 1557.97 FEET ALONG THE SECTION LINE AND SOUTH 670.54 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS IS NORTH 89°55'51" WEST ALONG THE LINE BETWEEN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND THE WEBER COUNTY MONUMENT AT THE INTERSECTION OF THE WEBER/CACHE COUNTY LINE AND THE SAID SECTION LINE, TIE FROM TOWNSHIP CORNER TO SOUTH QUARTER CORNER SECTION 5 IS SOUTH 53°43'38" EAST 9312.68 FEET) AND RUNNING THENCE ALONG SAID DAYBREAK RIDGE RIGHT OF WAY LINE FOLLOWING TWO (2) COURSES, 1) NORTH 46°01'51" WEST 27.34 FEET, 2) THENCE NORTHERLY ALONG A 23.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 1°01'52" WEST 32.53 FEET), THROUGH A CENTRAL ANGLE OF 90°00'01", A DISTANCE OF 36.13 FEET; THENCE NORTH 46°01'51" WEST 35.23 FEET; THENCE NORTH 43°58'09" EAST 48.63 FEET; THENCE SOUTH 84°48'31" EAST 43.85 FEET; THENCE SOUTH 54°00'29" EAST 137.39 FEET; THENCE NORTH 35°46'11" EAST 8.26 FEET; THENCE SOUTH 53°50'59" EAST 135.68 FEET; THENCE NORTH 35°41'01" EAST 6.12 FEET; THENCE SOUTH 48°41'05" EAST 27.23 FEET; THENCE SOUTH 30°21'56" EAST 61.91 FEET; THENCE SOUTH 36°09'01" WEST 15.00 FEET TO A POINT ON THE EASTERLY LINE OF DEVELOPMENT PARCEL D; THENCE ALONG SAID EASTERLY BOUNDARY FOLLOWING THREE (3) COURSES, 1) NORTH 53°50'59" WEST 246.81 FEET, 2) NORTH 83°27'23" WEST 77.29 FEET, 3) SOUTH 43°58'09" WEST 40.00 FEET, TO THE POINT OF BEGINNING.

STATE OF UTAH )  
:ss.  
COUNTY OF WEBER )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of JANUARY, 2016, by Jeff Werbelow, Authorized Signatory of Summit Revolution LLC, the Sole Member of Summit Mountain Holding Group, L.L.C., the Sole Member of SMHG Landco LLC.

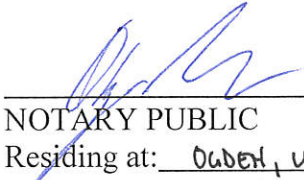
  
\_\_\_\_\_  
NOTARY PUBLIC  
Residing at: OGDEN, UT 84401

My Commission Expires:  
6.18.18



STATE OF UTAH )  
:ss.  
COUNTY OF WEBER )

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of JANUARY, 2016, by Jeff Werbelow, Authorized Signatory of SMHG Investments LLC, the Sole Member of SMHG Phase I LLC.

  
\_\_\_\_\_  
NOTARY PUBLIC  
Residing at: OGDEN, UT 84401

My Commission Expires:  
6.18.18

