E 3008054 B 6722 P 38-47 RICHARD T. MAUGHAN DAVIS COUNTY, UTAH RECORDER 3/15/2017 9:41:00 AM FEE \$28.00 Pgs: 10

DEP eCASH REC'D FOR STEWART TITLE INS AC

When recorded, please return to:

Stewart Title
1592 South 500 West, Ste. 100
Bountiful, Utah 84010
01459-24210
pt of Toy Id No. 08 054 0071

pt of Tax Id No. 08-054-0071, 08-054-0056, 08-054-0057, 08-054-0028, and 08-054-0029

BOUNDARY LINE AGREEMENT

This BOUNDARY LINE AGREEMENT (this "Agreement") is made between Douglas V. Wood aka Doug V. Wood and Teresa A. Wood ("Wood"), C. Paul Hatch ("Hatch"), and Pioneer Legacy Properties II, LC, a Utah limited liability company ("Pioneer").

- A. Wood is owner of that certain parcel of real property in Farmington City, Davis County, State of Utah, more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Wood Parcel"). Wood's address is 823 North Main Street, Farmington, Utah 84025.
- B. Pioneer is owner of an adjacent parcel of real property in Farmington City, Davis County, State of Utah, more particularly described on <u>Exhibit B</u> attached hereto and incorporated herein by reference (the "**Pioneer Parcel**"). Pioneer's address is 687 South 75 East, Kaysville, Utah 84037.
- C. Hatch is owner of an adjacent parcel of real property in Farmington City, Davis County, State of Utah, more particularly described on Exhibit C attached hereto and incorporated herein by reference (the "Hatch Parcel"). Pioneer's address is PO Box 32 Downey, Idaho 83234-0032.
- D. On the ground, the Wood Parcel is adjacent to and shares common boundaries with both the Pioneer Parcel and the Hatch Parcel, and the Hatch Parcel and the Pioneer Parcel share a common boundary.
- E. A discrepancy exists between the described boundaries of the Hatch Parcel and portions of the adjacent described boundaries of the Wood Parcel and the Pioneer Parcel.
- F. Wood, Hatch and Pioneer desire to resolve the boundary line discrepancies, as further set forth herein.

NOW, THEREFORE, in consideration of the mutual promises and conveyances contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. <u>Adjustment to Boundary Lines to Resolve Boundary Discrepancies</u>. Wood and Hatch agree that the common boundary line between the Wood Parcel and the Hatch Parcel, and the Hatch Parcel and the Pioneer Parcel, shall be as described on Exhibit D.

From and after the date of this Agreement, the revised description of the Pioneer Parcel shall be as more particularly described on Exhibit E (the "Revised Pioneer Parcel"). The description of the Revised Pioneer Parcel reflects a contiguous boundary line between it and the Wood Parcel, and therefore resolves all boundary discrepancies between the Wood Parcel and the Pioneer Parcel.

From and after the date of this Agreement, the revised description of the Wood Parcel shall be as more particularly described on Exhibit F (the "Revised Wood Parcel"). The description of the Revised Wood Parcel reflects a contiguous boundary line between it and the Pioneer Parcel, and therefore resolves all boundary discrepancies between the Wood Parcel and the Pioneer Parcel.

- 2. <u>Conveyance of Property to Close Gap</u>. As provided in Utah Code section 57-1-45, this Agreement acts as a quitclaim deed of each party's right, title, interest, and estate in property outside the agreed-upon boundary line.
- 3. <u>Waiver</u>. The parties hereby waive any claim that any fence or other land improvement constitutes the legal boundary between the Wood Parcel, the Hatch Parcel, and the Pioneer Parcel, including any claim under the "boundary by acquiescence" doctrine.
- 4. <u>Compliance with Law</u>. Pursuant to Utah Code § 10-9a-103(36), the adjustment of the boundary lines effected hereunder does not constitute a subdivision of real property.
- 5. <u>Incorporation of Exhibits</u>. Each of the exhibits attached hereto are hereby incorporated herein by this reference.
- 6. <u>Miscellaneous</u>. This Agreement contains all of the terms, covenants, conditions, and agreements between the parties hereto with respect to the subject matter treated herein. This Agreement may not be amended or supplemented except through a writing executed by all parties and duly recorded. This Agreement concerns real property located in the State of Utah and shall be governed by and construed in accordance with the laws of the State of Utah. The terms, covenants and conditions herein contained shall be binding upon and inure to the benefit of the heirs, successors-in-title, grantees and assigns of the parties. The rights and obligations provided under this Agreement shall continue indefinitely and shall run with the land.

IN WITNESS WHEREOF the parties have executed this Boundary Line Agreement on the dates indicated below, to be effective as of the date last signed.

HATCH:

Date

C. Paul Hatch

PIONEER: 03/13/2017 Date	Pioneer Legacy Properties II, LC a Utah limited liability company Craig L. Hess Authorized Agent
Wood: 07/13/2017 Date 03/13/2017 Date	Douglas V. Wood aka Doug V. Wood Teresa A. Wood
STATE OF UTAH : SS. COUNTY OF DAVIS The foregoing instrument was acknown Craig L. Hess in his capacity as the authorial BONNIE MOON Notary Public • State of Utah Commission # 675855 COMM. EXP. 05-04-2018	owledged before me this 13 day of March, 2017, by zed agent of Pioneer Legacy Properties II, LC. Notary Rublic
STATE OF UTAH : ss. COUNTY OF DAVIS The foregoing instrument was ackn Douglas V. Wood aka Doug V. Wood and	
	Notary Public

JULIE B. BOYLE
Notary Public
State of Utah
My Commission Expires 10/14/2019
#685565

STATE OF UTAH)
	: SS.
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this <u>19</u> day of March, 2017, by C. Paul Hatch.

Notary Public

BONNIE MOON
Notary Public • State of Utah
Commission # 675855
COMM. EXP: 05-04-2018

Exhibit A

to

Boundary Line Agreement (Legal Description of the Wood Parcel)

Real property situated in Davis County, Utah, more particularly described as follows:

BEG AT A PT 3.3 FT S & S 88^30' E 1129.04 FT & S1^30' W 2.88 CHAINS FR THE NW COR OF THE SE 1/4 OF SEC 13-T3N-R1W, SLM; & RUN TH S 88^30' E 456.3 FT; TH S 25^47' E 12.94 FT; TH S 62.77 FT; TH N 88^30' W 463.9 FT; TH N 1^30' E 74.25 FT TO THE POB. TOGETHER WITH A DESC R/W

BEG ON N LINE OF SELLER'S LAND AT A PT 0.05 CHAINS S & S 88^30' E 10.32 CHAINS & S 1^30' W 2.88 CHAINS & S 88^30' E 447.92 FT & S 88^30' E 456.30 FT & S 25^47' E 12.94 FT FR THE NW COR OF THE N 1/2 OF THE SE 1/4 OF SEC 13-T3N-R1W, SLM; TH N 81^55' E 118.40 FT TO W LINE OF HWY; TH ALG SD HWY S 26^00' E 71.07 FT; TH S 79^06' W 90.43 FT; TH N 88^30' W 59.6 FT; TH N 62.77 FT TO THE POB

APNs: 08-054-0056 and -0057

Exhibit B

to

Boundary Line Agreement (Legal Description of the Pioneer Parcel)

Real property situated in Davis County, Utah, more particularly described as follows:

Beginning at a point 0.05 chains South and South 88°30' East 10.32 chains from the Northwest Corner of the Southeast Quarter of Section 13, Township 3 North, Range 1 West, Salt Lake Base and Meridian, and running thence South 1°30' West 2.88 chains; thence South 88°30; East 904.22 feet, more or less, to the Westerly line of the property conveyed by Deed recorded in Book 390 at Page 691 of Deeds; thence South 25°47' East 12.94 feet along said Westerly line; thence North 81°55' East 118.40 feet along the Northerly line of the property so conveyed to the Westerly line of a Highway; thence North 26° West 205.06 feet along the Westerly line of said Highway to a point South 88°30' East of the point of beginning; thence North 88°30' East of the point of beginning; thence North 88°30' West 1162.51 feet, more or less, to the point of beginning.

APN: 08-054-0071

Exhibit C

to

Boundary Line Agreement

(Legal Description of the Hatch Parcel)

Real property situated in Davis County, Utah, more particularly described as follows:

Beginning 3.3 feet South and South 88°30' East 10.32 chains and South 1°30' West 5.76 chains from the Northwest Corner of the Southeast Quarter of Section 13, Township 3 North, Range 1 West; Salt Lake Meridian: thence North 1°30' East 2.88 chains; thence South 88°30' East 329.29 feet to West line of Farmington City; thence South 26° East 206.62 feet more or less, along said Westerly line to a point South 89°25' East of the point of beginning; thence North 89°25' West 426.98 feet, more or less, to the point of beginning.

Together with and less and excepting any portion affected by Boundary Line Agreement recorded November 13, 2015, as Entry No. 2904806, in Book 6393, at Page 739 of County Records.

Beginning .05 chains South and South 88°30' East 10.32 chains and South 1°30' West 2.88 chains and South 88°30' East 447.92 feet from the Northwest Corner of the Southeast Quarter of Section 13, Township 3 North, Range 1 West; Salt Lake Meridian: thence South 1°30' West 74.25 feet; thence South 88°30' East 523.50 feet; thence North 79°06' East 90.43 feet to the Westerly line of a Highway; thence South 26° East 132.25 feet along said Westerly line; thence North 89°25' West 696.12 feet more or less to the Westerly line of Farmington City; thence North 26° West 206.62 feet along said Westerly line; thence South 88°30' East 118.63 feet more or less to the point of beginning.

Together with and less and excepting any portion affected by Boundary Line Agreement recorded November 13, 2015, as Entry No. 2904806, in Book 6393, at Page 739 of County Records.

APNs: 08-054-0028 and 08-054-0029

Exhibit D

to Boundary Line Agreement

(Legal Description of the common boundary line between the Wood Parcel and the Hatch Parcel, and the Pioneer Parcel and the Hatch Parcel)

Real property situated in Davis County, Utah, more particularly described as follows:

A fence line across a portion of the SE1/4 of Section 13, Township 3 North, Range 1 West, Salt Lake Base & Meridian, Farmington, Utah, more particularly described as follows:

Beginning at a point on the westerly line of State Road 106 (Main Street) located N0°12'53"W (Davis County Survey: N0°16'50"W) along the Section line 2,355.45 feet and West 891.92 feet from the Southeast Corner of Section 13, T3N, R1W, S.L.B.& M., said point is also located by Survey as N89°13'42"E along the 1/4 Section line 1,750.46 feet and South 290.84 feet from a found Davis County Monument marking the Center 1/4 Corner of said Section 13, (said Center 1/4 Corner being located by Survey as N0°12'53"W (Davis County Survey: N0°16'50"W 2,657.60') along the Section line 2,658.29 feet to the East 1/4 Corner and S89°13'42"W (Davis County Survey: S89°07'41"W 2,638.70') along the 1/4 Section line 2,641.33 feet from the Southeast Corner of said Section 13); thence S78°26'00"W along a fence line and extension thereof 88.20 feet; thence N89°26'00"W along the extension of, and along a fence line 184.35 feet; thence N88°58'00"W along a fence line 339.35 feet; thence N0°02'00"W along a fence line 72.82 feet; thence N89°19'00"W along a fence line 295.27 feet; thence N88°25'30"W along a fence line 138.50 feet to a point of terminus located N86°20'02"W 1,076.26 feet from the point of beginning.

APNs: 08-054-0071, 08-054-0056, 08-054-0057, 08-054-0028, & 08-054-0029

Exhibit E

To Boundary Line Agreement (Legal Description of the Revised Pioneer Parcel)

Real property situated in Davis County, Utah, more particularly described as follows:

Parcel 1:

A portion of the SE1/4 of Section 13, Township 3 North, Range 1 West, Salt Lake Base & Meridian, Farmington, Utah, more particularly described as follows:

Beginning at a point on the westerly line of State Road 106 (Main Street) located N0°12'53"W (Davis County Survey: N0°16'50"W) along the Section line 2,418.66 feet and West 923.68 feet from the Southeast Corner of Section 13, T3N, R1W, S.L.B.& M., said point is also located by Survey as N89°13'42"E along the 1/4 Section line 1,718.47 feet and South 227.20 feet from a found Davis County Monument marking the Center 1/4 Corner of said Section 13, (said Center 1/4 Corner being located by Survey as N0°12'53"W (Davis County Survey: N0°16'50"W 2,657.60') along the Section line 2,658.29 feet to the East 1/4 Corner and S89°13'42"W (Davis County Survey: S89°07'41"W 2,638.70') along the 1/4 Section line 2,641.33 feet from the Southeast Corner of said Section 13); thence S81°07'00"W 131.15 feet; thence N26°35'00"W 17.13 feet to the extension of a fence line; thence N89°18'00"W along the extension and along the fence line thereof 440.88 feet; thence S0°02'00"E along a fence line 0.58 feet to a fence line; thence N89°19'00"W along a fence line 133.75 feet; thence N26°48'00"W 204.09 feet to a fence line; thence S89°18'00"E 706.51 feet to the westerly line of said State Road 106; thence southeasterly along said road and along the arc of a 3,470.84 foot radius non-tangent curve (radius bears: S59°13'01"W) to the right 200.31 feet through a central angle of 3°22'26" (chord: S29°05'53"E 200.28 feet) to the point of beginning.

Parcel 2:

A portion of the SE1/4 of Section 13, Township 3 North, Range 1 West, Salt Lake Base & Meridian, Farmington, Utah, more particularly described as follows:

Beginning at a point on a fence line located N0°12'53"W (Davis County Survey: N0°16'50"W) along the Section line 2,420.13 feet and West 1,635.50 feet from the Southeast Corner of Section 13, T3N, R1W, S.L.B.& M., said point is also located by Survey as N89°13'42"E along the 1/4 Section line 1,006.57 feet and South 216.15 feet from a found Davis County Monument marking the Center 1/4 Corner of said Section 13, (said Center 1/4 Corner being located by Survey as N0°12'53"W (Davis County Survey: N0°16'50"W 2,657.60') along the Section line 2,658.29 feet to the East 1/4 Corner and S89°13'42"W (Davis County Survey: S89°07'41"W 2,638.70') along the 1/4 Section line 2,641.33 feet from the Southeast Corner of said Section 13); thence N89°19'00"W along said fence line 161.53 feet; thence N88°25'30"W along said fence line 30.25 feet; thence N89°25'30"W along said fence line 138.50 feet; thence N1°30'00"E 180.93 feet to a fence line; thence S89°18'00"E along said fence line 233.50 feet; thence S26°48'00"E 204.09 feet to the point of beginning.

APN: 08-054-0071

Exhibit F

to Boundary Line Agreement

(Legal Description of the Revised Wood Parcel)

Real property situated in Davis County, Utah, more particularly described as follows:

A portion of the SE1/4 of Section 13, Township 3 North, Range 1 West, Salt Lake Base & Meridian, Farmington, Utah, more particularly described as follows:

Beginning at a point on the westerly line of State Road 106 (Main Street) located N0°12'53"W (Davis County Survey: N0°16'50"W) along the Section line 2,418.66 feet and West 923.68 feet from the Southeast Corner of Section 13, T3N, R1W, S.L.B.& M., said point is also located by Survey as N89°13'42"E along the 1/4 Section line 1,718.47 feet and South 227.20 feet from a found Davis County Monument marking the Center 1/4 Corner of said Section 13, (said Center 1/4 Corner being located by Survey as N0°12'53"W (Davis County Survey: N0°16'50"W 2,657.60') along the Section line 2,658.29 feet to the East 1/4 Corner and S89°13'42"W (Davis County Survey: S89°07'41"W 2,638.70') along the 1/4 Section line 2,641.33 feet from the Southeast Corner of said Section 13); thence southeasterly along said road and along the arc of a 3,470.87 foot non-tangent curve (radius bears:S62°34'47"W) to the right 56.13 feet through a central angle of 0°57'10" (chord: S26°56'38"E 56.13 feet); thence S26°28'08"E along said road 14.71 feet to the remnants of a fence; thence S78°26'00"W along said remnants 88.20 feet; thence N89°26"00"W along said remnants and along a fence line 184.35 feet; thence N88°58'00"W along a fence line 339.35 feet to a fence corner; thence N0°02'00"W 73.40 feet to a fence corner; thence S89°18'00"E along a fence line and extension thereof 440.88 feet; thence S26°35'00"E 17.13 feet; thence N81°07'00"E 131.15 feet to the point of beginning.

APNs: 08-054-0056 and -0057