

BOUNDARY LINE, QUIT CLAIM, AND EASEMENT AGREEMENT

THIS AGREEMENT is made the 10th day of June, 2012, by and between Deerwood Farms, LC, a Utah Limited Liability Company, of 2545 East 6200 South, Salt Lake City, Utah 84121 ("DEERWOOD"), and Marlis L. Thoen, Trustee for Marlis L. Thoen Trust, of 6003 Oakhill Drive, Salt Lake City, Utah 84121 ("THOEN").

WITNESSETH:

WHEREAS, DEERWOOD and THOEN are adjoining property owners, with DEERWOOD owning the property described in Exhibit A, and THOEN owning the property described in Exhibit B; and

WHEREAS, there is a question as to the proper location of the boundary line dividing the DEERWOOD and the THOEN properties at the specified addresses; and

WHEREAS, the parties hereto wish to settle any questions that may exist as to the location of said boundary line and the ownership of a portion of a private road leading into and as a part of the DEERWOOD property by entering into a boundary line agreement in accordance with Utah Code Ann. Section 57-1-45;

NOW, THEREFORE, for and in consideration of the mutual promises and mutual quitclaims hereinafter appearing, and for monetary consideration from DEERWOOD, it is agreed by and between the parties as follows:

1. DEERWOOD and THOEN hereby agree that in order to clear title to their respective properties, THOEN hereby remises, releases, and forever quit-claims to DEERWOOD, its successors or assigns, all rights, title and interest which THOEN may have or claims to have in a parcel located East of THOEN's Easterly fence line. The description of said parcel, as defined by metes and bounds, including the agreed upon

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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
STIRBA & ASSOC
215 S STATE ST STE 750
SLC UT 84111
BY: DDK, DEPUTY - WI 11 P.

boundary line, has been determined by a recent survey carried out in May, 2012 by Bush & Gudgell, Inc. of Salt Lake City, Utah, (attached hereto as "Exhibit C") to be as follows:

Beginning at a point south 89°33'28" East 3.18 feet from the Northeast corner of Lot 28, of the Cottonwood Acres No. 2. Subdivision, according to the official plat thereof, recorded and on file at the Salt Lake County Recorders Office, State of Utah, said point being approximately 1.0 foot East of an existing fence and running thence South 89°33'28" East 17.21 feet; thence South 0°03'16" East 369.02 feet; thence North 69°33'18" West 19.10 feet said point being approximately 1.0 foot East of an existing fence; thence North 1°00'32" West 142.11 feet; thence North 0°44'20" East 220.41 feet to the point of beginning.

2. In accordance with Paragraph 1 hereof, DEERWOOD and THOEN agree that the Western boundary line of the above described parcel (hereinafter the "Boundary Line"), as defined by metes and bounds in Exhibit C, constitutes the boundary line between the DEERWOOD and THOEN properties.

3. In accordance with Paragraph 1 hereof, THOEN hereby remises, releases, and forever quit-claims unto DEERWOOD, its successors or assigns, all rights, title and interest which THOEN may have or claims to have in any property lying East of the aforesaid Boundary Line and agrees that, after the execution of this Boundary Line Agreement and Quit-Claim, THOEN, her heirs, legal representatives, or assigns, shall have and shall claim no right, title, or interest in or to the property East of the aforesaid Boundary Line except pursuant to the easement set forth in Paragraph 4 below; and shall not institute any action or procedure against DEERWOOD, its successors or assigns wherein she claims any right, title, or interest in and to such property to the East of the aforesaid Boundary Line. In accordance with Paragraph 1 hereof, DEERWOOD hereby remises, releases, and forever quit-claims unto THOEN, her successors or assigns, all rights, title and interest which DEERWOOD may have or claims to have in any property

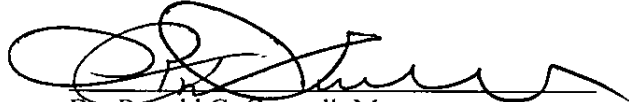
lying West of the aforesaid Boundary Line and agrees that, after the execution of this Boundary Line Agreement and Quit-Claim, DEERWOOD, its heirs, legal representatives, or assigns, shall have and shall claim no right, title, or interest in or to the property West of the aforesaid Boundary Line; and shall not institute any action or procedure against THOEN, her successors or assigns wherein it claims any right, title, or interest in and to such property to the West of the aforesaid Boundary Line.


4. The fence on the easterly side of the THOEN property (the "Fence") is presently in part a solid fence with a concrete foundation, and is in part a chain-link fence. The Fence generally runs north – south, except that part of the chain-link fence is routed westerly around existing trees. DEERWOOD and THOEN acknowledge that it is their mutual intention that the new boundary line is approximately one foot east of the Fence, except where the fence is routed westerly around the existing trees, and that THOEN maintains ownership of the approximate one-foot strip on the east side of the fence, together with additional property where the fence is routed westerly around the existing trees.

5. DEERWOOD hereby grants to THOEN an easement over and across the approximately 20' wide private road on the DEERWOOD Property running from 6200 South north to and including the property described in paragraph 1 above for the purpose of maintaining, repairing, and replacing the Fence at such a time and such a manner as not to impede ingress or egress on the said private road. This easement is appurtenant to the Thoen Property and shall run with the land.

Signed and entered into as of this 18th day of June, 2012.

Deerwood Farms, LC,
a Utah limited liability company


By: Ronald C. Gunnell, Manager

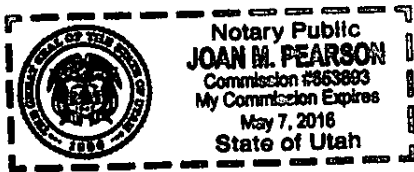

Marlis L. Thoen, Trustee of the
Marlis L. Thoen Trust

STATE OF UTAH)
 :SS
County of Salt Lake)

The foregoing instrument was acknowledged before me this 18th day of June, 2012, by Ron Gunnell in his capacity as the Manager of Deerwood Farms, LC, a Utah limited liability company.




NOTARY PUBLIC



STATE OF UTAH)
 :SS
County of Salt Lake)

The foregoing instrument was acknowledged before me this 7th day of June, 2012, by Marlis L. Thoen in her capacity as trustee of the Marlis L. Thoen Trust.

Wendy Harris

NOTARY PUBLIC

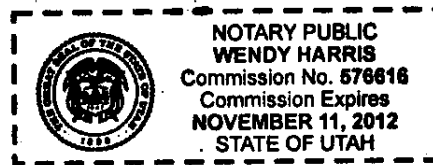


EXHIBIT A
Legal Description of Deerwood Property

See attached.
Tax Parcel 22-15-427-010.

BEG S 892.8 FT M OR L & W 300 FT M OR L FR E 1/4 COR SEC 15,
T 2S, R 1E, SLM; S 259.5 FT M OR L; E 300 FT; S 167.7 FT; W
1066.2 FT; S 1305.7 FT; W 20 FT; N 1- W 1301.1 FT; N 0-22' E
180.25 FT M OR L; S 89-33'30" E 15.33 FT; N 1-18'28" E
146.61 FT M OR L; N 37-01' E 327.25 FT M OR L; S 19-44'50" E
301.7 FT; S 80-00'16" E 255.39 FT; N 71-27' E 118.38 FT; N
21-40'16" W 144.68 FT M OR L; N 89-56'40" E 179.81 FT M OR L
TO BEG. 7.13 AC M OR L. 8372-6032

010

~~BK0550064438~~

Exhibit B
Legal Description of Thoen Property

The following described tract of land in Salt Lake County, Utah:

**All of Lot 28, Cottonwood Acres No. 2, according to the official plat thereof.
Together with that part of Lot 35 of said subdivision abutting said Lot 28.**

Tax Parcel 22-15-426-009-0000

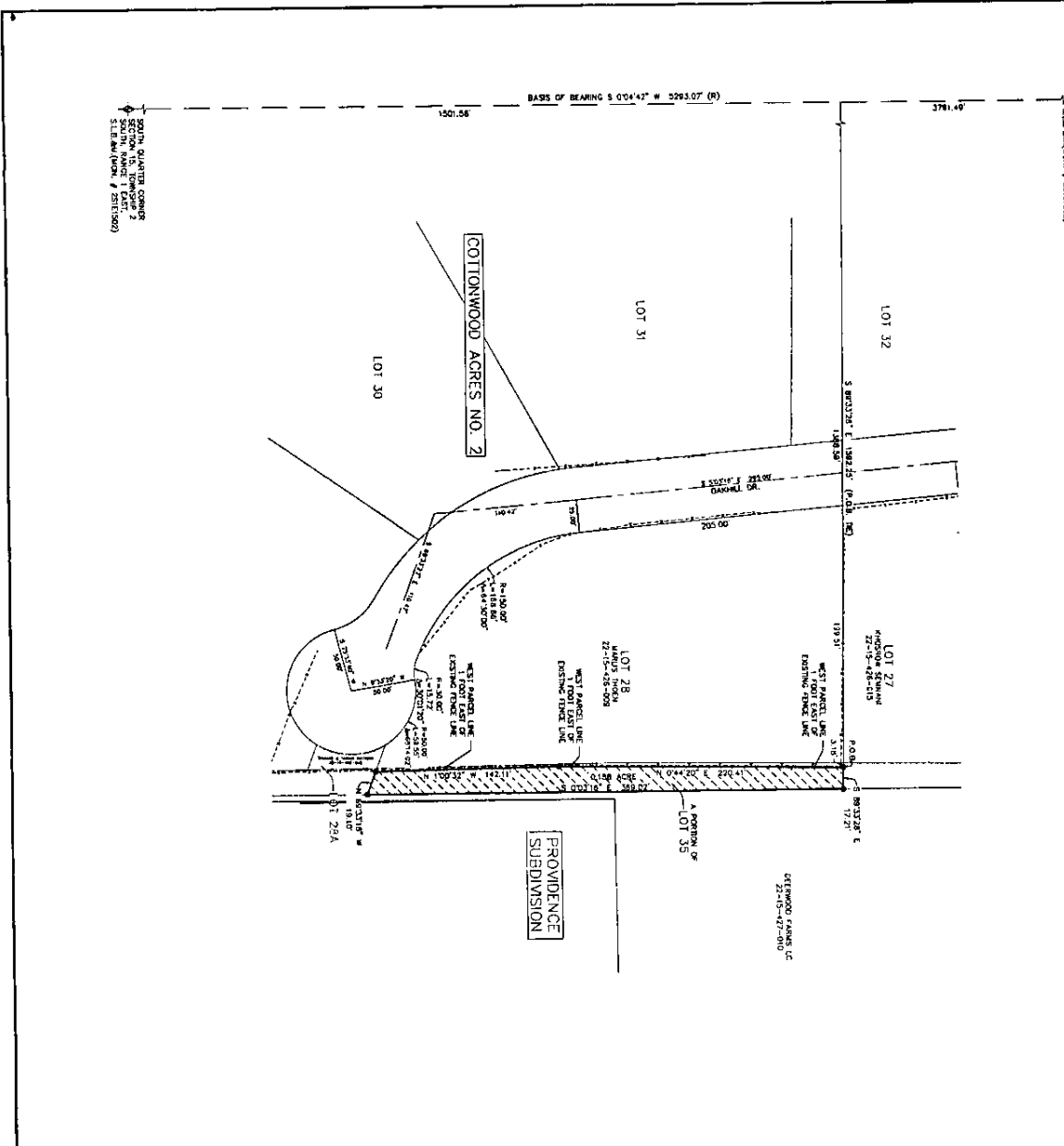
**Exhibit C
Survey**

See Attached

RECORD OF SURVEY PLAT

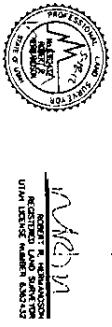
SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 2 SOUTH RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

PREPARED FOR:
RON CUNNELL



SURVEYOR'S CERTIFICATE

I, **ROBERT E. KEENE**, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HAD CONTROL OF RESPECTIVE CORNERS OF SAID PROPERTY AND THAT I HAD BEEN ADVISED BY THE REGISTERED SURVEYOR OF SAID PROPERTY THAT SAID PROPERTY IS SHOWN ON THIS PLAT AND DESCRIBED BELOW TO BE HERETOFORE KNOWN AS:



BOUNDARY DESCRIPTION

BEGINNING AT A POINT SOUTH 85°32'27" EAST 218 FEET FROM THE INTERSECTION CORNER OF LOT 28 OF THE SOUTH 1/4 OF SECTION 15, TOWNSHIP 2 SOUTH RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 85°32'27" EAST 218 FEET TO AN EASTING FENCE AND RUNNING THERE SOUTH 85°32'27" EAST 218 FEET PARALLEL TO FENCE EAST OF SAID FENCE TO A POINT NORTH 12°11'11" WEST 162.11 FEET, BEING NORTH 0°4'23" EAST 220.4 FEET TO THE POINT OF BEGINNING. CONTAINS 8.889 SQ. FT., OR 0.189 ACRES.

NARRATIVE

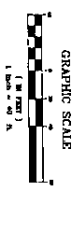
THE PURPOSE OF THIS SURVEY IS TO RE-ESTABLISH THE BOUNDARY CORNERS OF THE ABOVE DESCRIBED PARCEL. THE SURVEY WAS PERFORMED AT THE REQUEST OF CAR CUNELL, THE OWNER OF SAID PARCEL. THE SURVEY WAS PERFORMED ON FEBRUARY 11, 2012. THE BEARINGS AND DISTANCES SHOWN ON THIS PLAT WERE SHOWN ON HIS PLAT.

LEGEND

- SECTIONAL NONADJACENT (FROM: THE, IN, E, AGENCY AND LOCATION ETC. AS SHOWN ON THE PLAT)
- ALL BOUNDARY AND PROPERTY (LOT) CORNERS TO BE SET WITH 5/8" REBAR AND CAP STAMPED BUSH
- BOUNDARIES UNLESS OTHERWISE SPECIFIED ON THE PLAT.
- PROVINCENCE EXISTING FENCE

NOTES

- NO ADJUTANT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING ELEVATION, SIZE, DIRECTION, OR OTHER CHARACTERISTICS OF ANY FENCE OR OTHER STRUCTURE.
- NO ADJUTANT HAS BEEN MADE OR ACCEPTED AS AN INSTRUMENT OF ADJUSTMENT THAT COULD BE MADE IN THE PRESENCE OF ANY DISCREPANCY, CONFLICT, OR OTHER DISCREPANCY BETWEEN THE FIELD WORK AND THE DATA SHOWN ON THIS PLAT.
- ALL CORNERS SHOWN IN ADJUTANT ARE ACCORDING TO RECORD INFORMATION FROM THE RECORD INFORMATION SHOWN ON THIS PLAT.
- THE FIELD WORK WAS PERFORMED ON FEBRUARY 11, 2012.



PLAT NO. 22-15-458-008

RECORD OF SURVEY PLAT

Drawn: 1082	Date: 02/07/2012
Checked: 123456	
Entered: 123456	
Book: 12345	
Page: 1	

LOCATING IN
SE 1/4 OF SECTION 15, T. 2 S., R. 1 E., S. 20 N., M. 11 N., S. 20 N., M. 11 N.
6000 S OAKHILL DR., HOLIDAY CITY, UTAH
PREPARED FOR: RON CUNNELL

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors

605 East 2000 South, Suite 200
Salt Lake City, Utah 84119
Phone: (801) 466-7500 / Fax: (801) 466-4466
www.bush-and-gudgell.com

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