

27/5

When Recorded Return to:  
Meridian Title Company  
64 East 6400 South, Suite 100  
Salt Lake City, Utah 84107

ENT 122759; 2003 PG 1 of 5  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2003 Aug 05 4:40 pm FEE 27.00 BY SFS  
RECORDED FOR MERIDIAN TITLE COMPANY

MTC FILE NO. 96173

Accom 030804

## BOUNDARY LINE AGREEMENT AND QUIT CLAIM

THIS AGREEMENT is made this 28 day of July, 2003, by and between the following described parties: (a) Sundial Incorporated, Trustee for Lue Wana Gordon Trust dated 12/2/2000; Chrysalis Company; and Jordan Landing Investments, L.C., hereinafter referred to as Sundial/Chrysalis/Jordan Landing; and (b) Fay T. Dearden, Donna W. Dearden, Alan W. Dearden and John F. Dearden, Trustees of the Fay T. Dearden Trust; and Donna Dearden, Fay T. Dearden, Alan W. Dearden and John F. Dearden, Trustees of the Donna W. Dearden Trust, hereinafter referred to as the Deardens.

### RECITALS

**WHEREAS**, Sundial Incorporated, Trustee for Lue Wana Gordon Trust dated 12/2/2000; Chrysalis Company; and Jordan Landing Investments, L.C. are the owners or have an ownership interest in the following described property located in Utah County, Utah (herein referred to as the Sundial/Chrysalis/Jordan Landing property), to-wit:

Beginning at a point which is South 1514.85 feet and West 1210.41 feet from the Northeast corner of Section 13, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence South 00 degrees 07'00" East 769.78 feet; thence North 89 degrees 32'00" West 458.70 feet; thence South 00 degrees 57'00" West 757.02 feet to a fence line; thence North 89 degrees 17'01" West along said fence line 2296.76 feet; thence leaving said fence line North 00 degrees 46'56" East 298.34 feet; thence North 36 degrees 45'11" West along the extended line of a fence and along said fence line 455.25 feet; thence leaving said fence line North 56 degrees 42'35" East 106.32 feet; thence North 69 degrees 46'38" East 164.47 feet; thence North 39 degrees 55'46" East 65.41 feet; thence North 57 degrees 02'06" East 151.40 feet; thence North 03 degrees 56'07" West 4.80 feet; thence South 86 degrees 03'53" West 0.50 feet; thence North 01 degrees 26'26" West 609.06 feet; thence South 89 degrees 16'51" East 558.72 feet to a point of curvature with a 25.23 foot radius curve to the left; thence along the arc of said curve 46.34 feet through a central angle of 105 degrees 13'52", the chord of which bears South 39 degrees 26'50" West 40.09 feet; thence South 03 degrees 10'14" West 404.85 feet; thence South 89 degrees 19'36" East 1055.54 feet; thence North 00 degrees 05'22" West 435.90 feet; thence South 89 degrees 23'13" East 1072.97 feet to the point of beginning. (Being the proposed Plat "A" of Jordan Willows Subdivision.)

58-028-008 / 58-028-0010 / 58-030-0052  
58-029-0010 / 58-029-0006

THIS DOCUMENT IS BEING RECORDED SOLELY  
AS A COURTESY AND MERIDIAN TITLE COMPANY  
ASSUMES NO LIABILITY FOR THE ACCURACY OR  
CONTENTS OF SAID DOCUMENT.

**WHEREAS**, Donna Dearden, Fay T. Dearden, Alan W. Dearden and John F. Dearden, Trustees of the Donna W. Dearden Trust; and Fay T. Dearden, Donna W. Dearden, Alan W. Dearden and John F. Dearden, Trustees of the Fay T. Dearden Trust are the owners or have an ownership interest in the following described property located in Utah County, Utah (herein referred to as the Dearden property), to-wit:

Beginning at a point which is located 1052.15 feet North and 1206.23 feet West from the East quarter corner of Section 13, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence North 76 degrees 42' East 371.76 feet; thence South 89 degrees 34' East 427.51 feet to a fence line; thence North 00 degrees 08'28" East 1.72 feet along said fence line; thence North 89 degrees 40'54" West 788.55 feet along an existing fence line which fence line is the Southerly fence line of State Highway 73; thence South 00 degrees 29'19" West along an existing fence line 88.40 feet to the point of beginning.

Also:

Commencing at a point which is South 574.2 feet and West 423.6 feet from the East quarter corner of Section 13, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence South 89 degrees 13' West 672 feet; thence South 23' East 650 feet; thence South 01 degree 41' West 91.7 feet; thence South 89 degrees 08' West 608.9 feet; thence North 57' East 1709 feet; thence South 89 degrees 32' East 458.7 feet; thence North 07' West 678.8 feet; thence North 76 degrees 42' East 382.9 feet; thence South 89 degrees 34' East 415.8 feet; thence South 10' East 1708.7 feet to beginning.

**WHEREAS**, there has heretofore been an uncertainty and discrepancy in the actual boundary between the deed descriptions of the two properties owned by the parties as described above. Said uncertainty and discrepancy has been based on mesne deeds of record in the chain of the title of the respective parties hereto, as well as the actual location of an existing fence between the two properties.

**WHEREAS**, Sundial/Chrysalis/Jordan Landing have caused a survey to be made of the Sundial/Chrysalis/Jordan Landing property and the West Boundary of the Donna Dearden Property. Said property survey was done by RB&G Engineering, Inc.

**WHEREAS**, the parties hereto have reached an agreement with regard to the actual location of the common boundary between the two properties described above and desire to reduce said agreement to writing.

### **AGREEMENT**

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the adequacy of which is hereby acknowledged the parties hereto STIPULATE AND AGREE AS FOLLOWS:

1. The parties agree that the Common Boundary between their respective parcels of property as described above is the following described line:

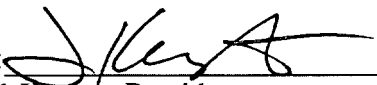
Beginning at a point which is South 1514.85 feet and West 1210.41 feet from the Northeast corner of Section 13, Township 5 South, Range 1 West, Salt Lake Base and Meridian; thence South 00 degrees 07'00" East 769.78 feet; thence North 89 degrees 32'00" West 458.70 feet; thence South 00 degrees 57'00" West 757.02 feet to a fence line.

2. Deardens do hereby stipulate and agree that Sundial/Chrysalis/Jordan Landing are the owners in fee simple of the property described above on Exhibit "A" and referred to as the Sundial/Chrysalis/Jordan Landing parcel; and Deardens do hereby remise, release and forever Quit-Claim to Sundial/Chrysalis/Jordan Landing all of the Sundial/Chrysalis/Jordan Landing property, all of which lies West of the above-described Boundary Line, including any and all property acquired after the execution and/or recording of this instrument under the doctrine of "after-acquired title".

3. Sundial/Chrysalis/Jordan Landing do hereby stipulate and agree that Deardens are the owners in fee simple of the property described above on Exhibit "B" and referred to as the Dearden parcel and Sundial/Chrysalis/Jordan Landing do hereby remise, release and forever Quit-Claim to Deardens all of their right, title and interest in and to all of the Dearden property, all of which lies East of the above-described Boundary Line, including any and all property acquired after the execution and recording of this instrument under the doctrine of "after-acquired title".

4. This agreement is made for the purposes of establishing a boundary line and is intended for that purpose and shall be binding upon the heirs, assignees and successors of the parties hereto.

Sundial Incorporated, Trustee for  
Lue Wana Gordon Trust dated 12/2/2000

By:   
Joel Kester, President

Chrysalis Company

By:   
Joel Kester, General Partner



