

When Recorded, Mail To:  
 BACKMAN TITLE SERVICES  
 801 NORTH 500 WEST # 101  
 BOUNTIFUL, UTAH 84010

Order No. 5-006154

9451694  
 08/04/2005 10:58 AM \$27.00  
 Book - 9169 Pg - 3763-3769  
 GARY W. OTT  
 RECORDER, SALT LAKE COUNTY, UTAH  
 BACKMAN TITLE SERVICES  
 BY: ZJM, DEPUTY - WI 7 P.

## BOUNDARY LINE AGREEMENT

THIS AGREEMENT is entered into this 3 day of AUGUST, 2005, by and between HARRISON W. JUSTICE and NORA J. JUSTICE (collectively referred to hereafter as the "Justices") and LLOYD FELTON and TONI FELTON (collectively referred to hereafter as the "Feltons").

### RECITALS

- A. The Justices own three contiguous parcels of real property located in Salt Lake County, State of Utah (The "Justice Property"). The Justice Property is more particularly described as follows:

**See attached Exhibit A**

- B. Parcel 1 of the Justice Property (as described in the attached Exhibit A) abuts certain real property owned by the Feltons, which property is also located in Salt Lake County, State of Utah (the "Felton Property"), and which property lies directly North of Parcel 1, and West of Parcels 2 and 3 of the Justice Property. The Felton Property is more particularly described as follows:

**See attached Exhibit B**

- C. The parties desire to establish an existing fence line separating Parcel 1 of the Justice Property and the Felton Property as the common boundary line of the parties, thereby resolving the boundary and title issues raised in the quiet title action filed by the Justices on or about May 24, 2005, in the Third Judicial District Court of Salt Lake County, Salt Lake Department, case no. 050909513 (the Honorable J. Dennis Frederick presiding).

### AGREEMENT

NOW THEREFORE, FOR TEN DOLLARS (\$10.00), AND IN CONSIDERATION OF THE MUTUAL BENEFIT TO ESTABLISH A CLEAR AND DEFINITE TITLE LINE, AND FOR OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. The fence line on the North line of Parcel 1 of the Justice Property, where it touches the Felton Property, is hereby deemed the common boundary line between the Felton Property and Parcel 1 of the Justice Property (the "Existing Fence Line"). **The Existing Fence Line is more particularly described as follows:**

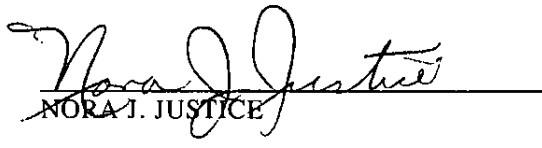
Beginning at a point South 89° 59' 47" West 90.60 feet along the Section line, and North 473.796 feet, more or less to an existing fence, from the Northeast Corner of Section 16, Township 1 North, Range 1 West, Salt Lake Base and Meridian; and running thence East along said fence 432.125 feet, more or less, to the west line of the S.L.C. No. 2 Drain Ditch, to end.

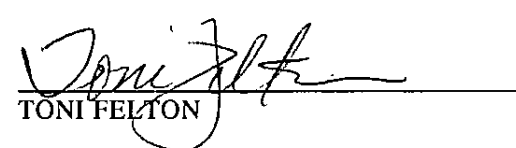
2. The fence and the Existing Fence Line are owned by the Feltons.
3. The Feltons hereby convey, quit-claim, and release to the Justices, as joint tenants with rights of survivorship, all of the Feltons' right, title, claim, estate and interest in the Justice Property lying South of the Existing Fence Line.
4. The Justices hereby convey, quit-claim, and release to the Feltons, as joint tenants with rights of survivorship, all of Justices' right, title, claim, estate and interest in the Felton Property lying North of the Existing Fence Line.
5. All provisions of this Agreement, including the benefits and burdens, shall run with the land and are binding upon and inure to the benefit of the parties, their heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT THE DAY AND YEAR FIRST WRITTEN ABOVE.

  
HARRISON W. JUSTICE

  
LLOYD FELTON

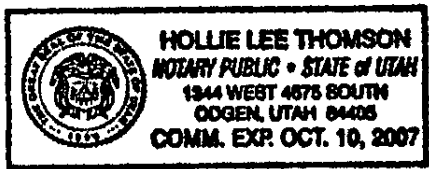
  
NORA J. JUSTICE

  
TONI FELTON

STATE OF UTAH            )  
  )SS.  
COUNTY OF SALT LAKE    )

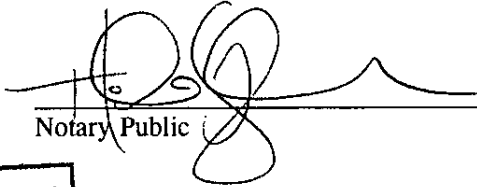
The foregoing instrument was acknowledged before me this 26 day of July, 2005 by Harrison W. Justice and Nora J. Justice.

  
Notary Public



STATE OF UTAH                    )  
  )SS.  
COUNTY OF SALT LAKE        )

The foregoing instrument was acknowledged before me this 26 day of July, 2005 by Lloyd Felton and Toni Felton.

  
\_\_\_\_\_  
Notary Public



STATE OF Utah )  
County of SALT LAKE ) SS.

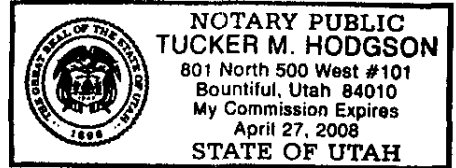
The foregoing instrument was acknowledged before me this 3 day of AUGUST 20 05  
By HARRISON W. JUSTICE AND NORA T. JUSTICE

Tucker M. Hodgson  
NOTARY PUBLIC

Commission Expires:

Residing at

Bountiful, Utah



**EXHIBIT A**  
**THE JUSTICE PROPERTY**

**Parcel 1:**

Beginning at a point which is South 229.42 feet and West 90.6 feet, more or less, from the Northeast corner of Section 16, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and running thence North 703.21 feet, thence East 413.71 feet to the Southwest boundary of the Salt Lake City Drainage Canal, thence Southeast along said boundary line 62.79 feet to the Westerly line of Interstate Highway 215; thence Southerly 74 feet, more or less, along the arc of a 2999.79 foot radius curve to the left to a point 135 feet perpendicularly distant Westerly from the line of survey of said Highway at Engineer Station 864 plus 10.34; thence Southwesterly along said Highway right of way line 612.85 feet, thence West 262.2 feet to the point of beginning.

**Less and Excepting:**

Beginning at a point South 229.42 feet and West 90.6 feet from the Northeast Corner of Section 16, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and running thence North 0 degrees 02'10" West 8.00 feet; thence North 89 degrees 57'50" East 117.95 feet; thence North 0 degrees 04'00" West 209.00 feet; thence North 89 degrees 57'50" East 208.61 feet to the West right of way line of I-215; thence South 16 degrees 32'14" West along said West right of way line 226.41 feet; thence South 89 degrees 57'50" West 261.86 feet to the point of beginning.

Parcel I.D. No: 08-10-300-008.

**Parcel 2:**

Beginning 82 rods East and 25.24 rods North from Southeast corner of Section 9, Township 1 North, Range 1 West, Salt Lake Meridian, West 953 feet; North 45 degrees 34' West 638 feet; East 1884.765 feet to River Southwesterly along said River to Beginning, less State Road, Jordan River Parkway Authority, and Canal Property.

**Less and Excepting:**

Beginning on the original Meander Line of the Jordan River at a point 52.77 rods North and 190.41 rods East, more or less, from the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 9, Township 1 North, Range 1 West, Salt Lake Base and Meridian, and running thence West 700 feet, more or less, to the Easterly line of the Freeway, known as Highway Project #215-9, as conveyed by Order of Condemnation recorded in Book 2305 at Page 643 as Entry No. 2068847; thence Southwesterly along the Easterly line of said Freeway 495 feet, more or less, to a point given as being 25.24 rods North of the South line of Section 10, Township 1 North, Range 1 West, Salt Lake Base and Meridian; thence East 700 feet, more or less, to the original Meander Line of the Jordan River; thence Northeasterly 42.2 rods, more or less, along the original West Meander Line of the Jordan River to the Point of Beginning.

Parcel I.D. No: 08-10-300-003.

**Parcel 3:**

Commencing at a point North 00 degrees 03' 34" East 870.705 feet along the centerline of 2200 West Street and South 89 degrees 56'26 East 1257.467 feet from the Southwest Corner of the Southeast Quarter of the Southeast Quarter of Section 9, Township 1 North, Range 1 West, Salt Lake Base and Meridian and running thence North 45 degrees 34'00" West 78.223 feet along the West line of the Salt Lake City No. 2 Drain Ditch, an eighty foot wide right of way (Salt Lake City Drainage Canal, recorded by Grant of Right of Way Entry Number 621973, Book 43, Page 85, of the Salt Lake County Recorder's Office); thence South 89 degrees 51'55" East 693.951 feet along an old fence marking the South line of the Eunice F. Rudy Property to the Westerly right of way line of I-215; thence Southwesterly 66.915 feet along said right of way, a 2999.790 radius curve to the left (delta=01 degrees 16'41" and chord bears South 27 degrees 31'44" West 66.913 feet); thence West 600.835 feet along the North line of the Justice property as recorded by Warranty Deed Entry Number 5050189, Book 6305, Page 1245 of the Salt Lake County Recorder's Office to the West line of said Drain Ditch; thence North 45 degrees 34'00" West 8.865 feet along last said West line to the point of beginning.

Parcel I.D. No: 08-10-300-009

Less and excepting from all Parcels property condemned by the State of Utah for Interstate 215.

**EXHIBIT B**  
**THE FELTON PROPERTY**

*Beginning at the center of a 4 rod street, 52.77 rods North from the Southwest Corner of the Southeast Quarter of the Southeast Quarter of Section 9, Township 1 North, Range 1 West, Salt Lake Base and Meridian; and running thence East 1257 feet, more or less, to the West line of the Salt Lake City No. 2 Ditch; thence South 45°34' East along said West line, 638 feet, more or less; thence West 837 feet, more or less, to an irrigation ditch; thence North along said ditch 280 feet; thence West 550 feet; thence North 140 feet; thence West 333 feet to the center of said 4 rod street; thence North along the center of said street 32.24 feet to the point of beginning.*

Parcel I.D. No. 08-09-476-003