

Lorie Leavitt
2601 W. SR 32
Peoa, Ut. 84061

After recording, please return to:

Cortney H. Remund
SKOUBYE NIELSON & JOHANSEN, LLC
999 E. Murray Holladay Road, Suite 200
Salt Lake City, Utah 84117

ENTRY NO. 01128488

03/06/2020 11:56:28 AM B: 2558 P: 1356

Agreement PAGE 1/6

RHONDA FRANCIS SUMMIT COUNTY RECORDER

FEE 40.00 BY LORIE LEAVITT



BOUNDARY LINE AGREEMENT

This Boundary Line Agreement is made and entered by and between So.Pair-A-Dice, LLC, ("Pair-A-Dice") on the one hand, and Kathy G. Garrett, Trustee of the Dean P. and Kathy G. Garrett Revocable Family Trust dated November 20, 2017 ("Garrett") on the other hand.

Recitals

A. So.Pair-A-Dice LLC is the owner of real property in Peoa, Utah described below, said real property being located in Summit County, State of Utah (the "Property"), also identified as Parcel No. CD-119-C and CD-115-116-A;

B. So.Pair-A-Dice LLC's address is: 2601 W. State Road 32, Peoa, Utah 84061.

C. Kathy G. Garrett, Trustee of the Dean P. and Kathy G. Garrett Revocable Family Trust, dated November 20, 2017, is the owner of real property described below, said real property being located in Summit County, State of Utah (the "Garrett Property"), also identified as Parcel No. CD-105;

D. The Garrett's address is: 2503 W. State Road 32, Peoa, Utah 84061.

E. The So.Pair-A-Dice LLC Property and the Garrett Property are collectively referred to as the Properties.

F. The So.Pair-A-Dice LLC property is adjoining and directly South of the Garrett Property. There is an existing fence which is located between the Properties.

G. The recorded legal descriptions for the Properties includes a boundary line between the Properties that is not consistent with the location of the fence. In fact, the recorded legal descriptions of the Properties shows that there is a deed overlap between them.

F. A dispute has arisen with regard to the location of the common boundary line between the So.Pair-A-Dice LLC Property and the Garrett Property, and the parties hereto desire to settle said dispute by fixing said boundary line with certainty.

Witnesseth

NOW THEREFORE, in consideration of the Recitals and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledge by both parties, So.Pair-A-Dice LLC and Garrett agree as follows:

1. Garrett hereby quit-claims and conveys to So.Pair-A-Dice LLC any and all of its rights, title and interest in any portion of the Garrett Property lying approximately South of the existing fence line.
2. So.Pair-A-Dice LLC hereby quit-claims and conveys to Garrett any and all of its rights, title and interest in any portion of the So.Pair-A-Dice LLC property lying approximately North of the existing fence line.
3. The conveyance of portions of the Properties by the parties set forth above is made without warranty of title and subject to: (i) all zoning regulations, restrictions, rules and ordinances, building restrictions and other laws and regulations now in effect or hereafter adopted by any governmental authority having jurisdiction; and (ii) all reservations, easements, rights-of-way, covenants, conditions, restrictions, encroachments, liens, and encumbrances and all other matters of record or enforceable at law or in equity. The parties acknowledge that the property affected by this Boundary Line Agreement is along the boundary line or the parties' parcels and may be subject to easements granted to utility providers and may be improved with utility lines. Neither party may disturb or interfere with any existing utility lines that may be located within the affected property.
5. This Boundary Line Agreement is made for the purpose of setting a disputed boundary line and is intended for that purpose and shall run with the land and inure to the benefit of and be binding upon the heirs, assignees, successors, and transferees of the parties.
6. This Agreement may be executed in multiple counterparts.
7. The So.Pair-A-Dice LLC property is described as follows:

A PARCEL OF LAND LOCATED IN THE NORTHWEST 1/4 OF SEC 24, T1S, R5E, SLB&M, AND HAVING A BASIS OF BEARING TAKEN AS WEST BETWEEN THE NORTH 1/4 COR AND THE NORTHWEST COR OF SAID SEC 24, DESC AS FOLLOWS; BEG AT A PT WEST 1055.65 FT AND SOUTH 706.50 FT FROM THE NORTH 1/4 COR OF SEC 24, T1S, R5E, SLB&M, AND RUN TH SOUTH 76°09'28" EAST 311.89 FT; TH SOUTH 72°23'37" EAST 360.62 FT; TH NORTH 9°11'08" EAST 39.82 FT, M/L TO THE S'LY LN OF PARCEL CD-105-B-1; THE INTENT OF THE FOLLOWING COURSES ARE TO FOLLOW ADJOINING PARCELS LINES A FIELD SURVEY WAS NOT PERFORMED TO LOCATE SAID LINES; TH SOUTH 82°51'32" EAST 128.68 FT; TH SOUTH 78°50'53" EAST 41.13 FT; TH SOUTH 66°52'53" EAST 123.70 FT; TH SOUTH 66°15'07" WEST 28.40 FT; TH SOUTH

65°49'53" EAST 152.42 FT; TH SOUTH 0°27'07" WEST 400.34 FT; TH SOUTH 0°27'07" WEST 1206.17 FT; TH NORTH 89°39'36" WEST 915.73 FT; TH NORTH 0°18'16" EAST 1571.71 FT; TH NORTH 75°20'00" WEST 275.20 FT; TH SOUTH 44°05'00" WEST 231.47 FT; TH NORTH 0°16'15" EAST 427.86 FT; TH SOUTH 87°50'57" EAST FT TO THE PT OF BEG. CONT 39.84 AC 1350-1296 2366-1226-1229. Parcel No. CD-119-C.

A TRACT OF LAND SITUATE IN THE NE1/4 OF SEC 24 T1SR5E SLBM US SURVEY SUMMIT COUNTY UTAH BEING MORE PARTICULARLY DESC AS FOLLOWS: COMM AT THE CENTER 1/4 COR OF SD SEC 24 A REBAR; TH N 00°28'00" E 1206.17 FT ALONG THE 1/4 SEC LINE TO THE TRUE PT OF BEG; TH S 76°50'48" E 718.62 FT; TH N 11°01'48" E 164.06 FT; TH N 10°30'32" E 84.85 FT; TH N 66°44'55" W 689.28 FT; TH N 66°45'00" W 81.04 FT ADJOINING TRACT CD-105-B; TH N 66°45'00" W 55.28 FT ADJOINING TRACT CD-105; TH S 00°28'00" W 400.34 FT ALONG THE 1/4 SEC LINE TO THE PT OF BEG CONT 5.53 AC M/L 1350-1295. Parcel No. CD-115-116-A.

8. The Garrett Property is described as follows:

BEG 849.4 FT S OF NW COR NE1/4 SEC 24 T1SR5E SLBM; TH S 63°39' E 124 FT; TH S 26°21' W 138.8 FT; N 66°45' W 207.7 FT; N 35°20' E 28.4; N 67°48' W 123.7 FT; N 34°21' E 141.8 FT; S 63°39' E 126 FT S 35°20' W 15 FT; S 66°49' E 58.5 FT TO BEG CONT 0.95 AC M26-640 M12-364 1-A520 1081-58 1357-999 1869-1433 2047-1597 2445-1844. Parcel No. CD-105.

9. The new boundary created by this Boundary Line Agreement is found in Exhibit A attached hereto, recorded in Summit County, Utah as filing number S-9977 and is described as follows:

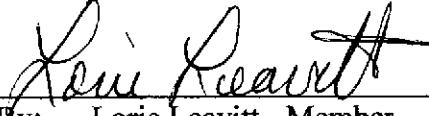
A fence line located in the North Half of Section 24, Township 1 South, Range 5 East, Salt Lake Base and Meridian and having a Basis of Bearing taken as West between the North 1/4 Corner and the Northwest Corner of Section 24, described as follows:

Beginning at a point East 46.96 feet and South 1016.14 feet from the North 1/4 Corner of Section 24, Township 1 South, Range 5 East, Salt Lake Base and Meridian, which point being located at an existing chainlink fence corner, the following seven (7) courses are along said chainlink fence line: thence North 73°39'51" West 24.52 feet, thence North 67°34'18" West 19.59 feet, thence North 68°42'34" West 53.97 feet, thence North 65°47'21" West 35.68 feet; thence North 62°25'15" West 20.35 feet, thence North 56°33'58" West 59.39 feet, thence North 46°10'28" West 9.10 feet; the following two (2) courses follow a panel fence line, thence North 40°44'25" West 48.39 feet; thence North 44°58'15" West 38.07 feet to an older chainlink fence post; thence North 54°26'14" West 20.86 feet to the

base of a 5-inch chainlink metal fence post being the terminus of the herein described line.

IN WITNESS WHEREOF, So.Pair-A-Dice LLC, has caused this instrument to be executed by its proper officers thereunto duly authorized, this ____ day of December, 2019.

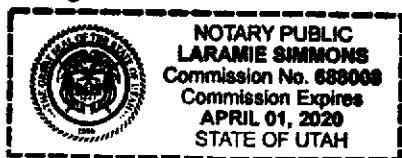
So.Pair-A-Dice LLC


By: Lorie Leavitt - Member

STATE OF UTAH)
: ss.

COUNTY OF SUMMIT)

On this 24 day of ~~December 2019~~, before me, Laramie Simmons, a notary public, personally appeared Lorie Leavitt, a Member of the So.Pair-A-Dice LLC proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that she executed the same.

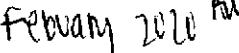


Witness my hand and official seal

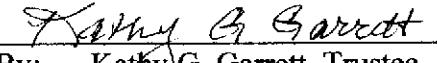


Notary Public

IN WITNESS WHEREOF, Kathy G. Garrett, Trustee have caused this instrument to be executed this 17th day of ~~December 2019~~.



February 2020

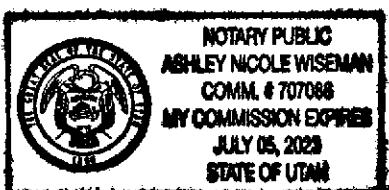


By: Kathy G. Garrett, Trustee

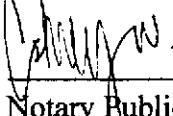
STATE OF UTAH)
: ss.

COUNTY OF SALT LAKE)

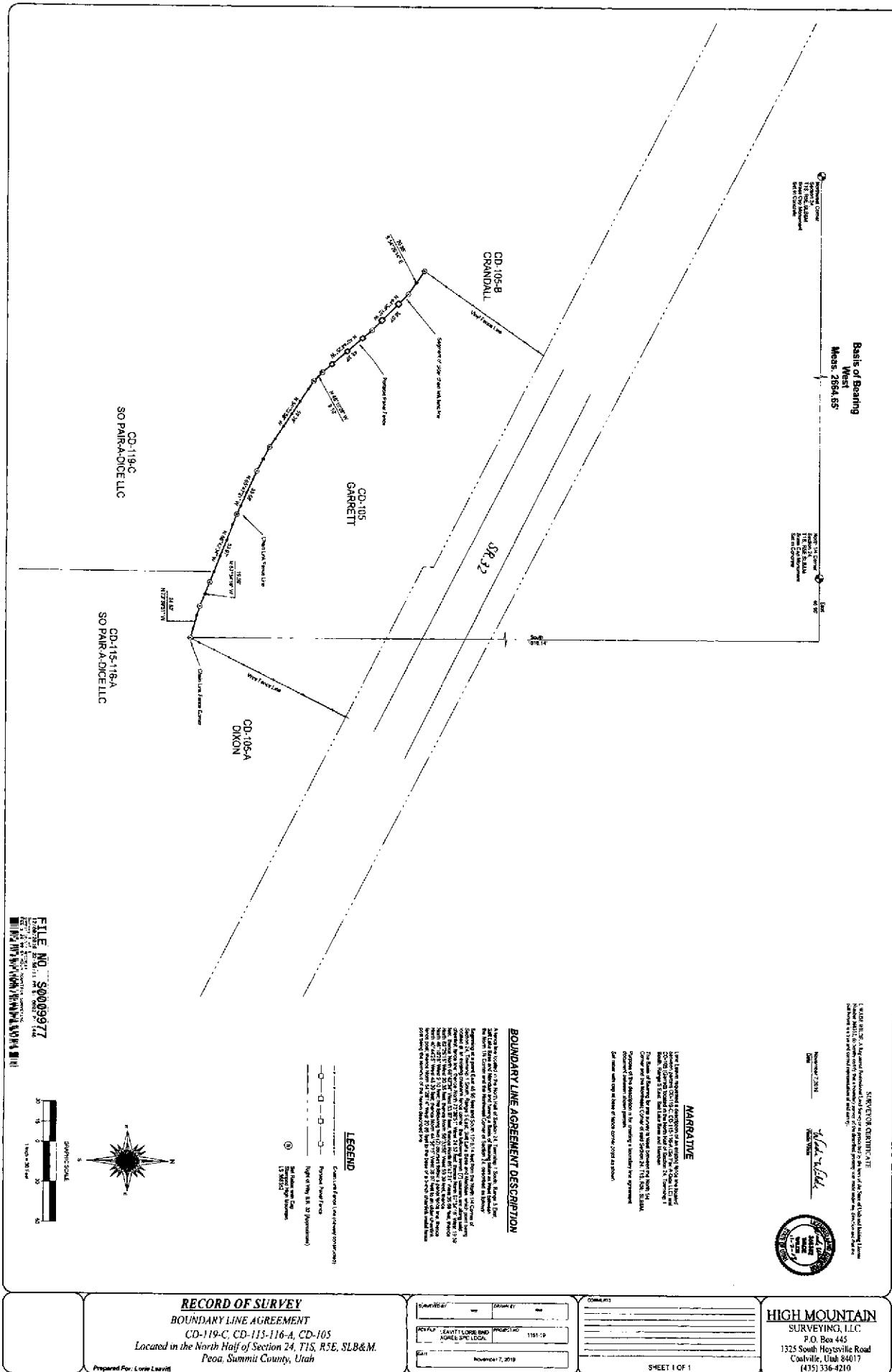
On this 17th day of ~~December 2019~~, before me, ASHLEY NICOLE WISEMAN, a notary public, personally appeared Kathy G. Garrett, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.



Witness my hand and official seal



Notary Public



Beginning at a point that located on the South R.O.W. of State Road No 32 and an existing vinyl fence; Said point lies West along section line (basis of bearing) 165.17 feet and South 755.10 feet from the North Quarter Corner of Section 24, Township One South, Range Five East, Salt Lake Base & Meridian. Said right of way 33 feet wide from center, whose right of way marker is located North 62°59'04" West 320.91 feet from said point of beginning;

Thence South 62° 59' 04" East along a said R.O.W. 33 feet from center a distance of 177.80 feet, Thence South 00° 27' 51" West along $\frac{1}{4}$ section line 7.83 feet at a point with is at the expansion of the R.O.W. now known to be 40 feet wide from center, Thence South 62° 59' 04" East along said R.O.W. a distance of 125.77 feet to the limits of deed as originally conveyed in a Warranty Deed recorded 11-09-1914 Book W page 390 said line is represented and accepted by a chain-link style post with wire fencing, Thence South 26° 52' 16" West a distance of 129.42 feet to a boundary line agreement between Kathleen Garrett and So Pair-A-Dice LLC monument by a Rebar and "Cap" set by High Mountain Surveying, thence as along said agreement and fence line the following courses: Thence North 73° 39' 51" West along a chain-link fence a distance of 24.52 feet, Thence North 67° 34' 18" West along a chain-link fence a distance of 19.59 feet, Thence North 68° 42' 34" West along a chain-link fence a distance of 53.97 feet, Thence North 65° 47' 21" West along a chain-link fence a distance of 35.68 feet, Thence North 62° 25' 15" West along a chain-link fence a distance of 20.35 feet, Thence North 56° 33' 58" West along a chain-link fence a distance of 59.39 feet, Thence North 46° 10' 28" West along a chain-link fence a distance of 9.10 feet, Thence North 40° 44' 25" West along a fence a distance of 48.39 feet, Thence North 44° 58' 15" West along a fence a distance of 38.07 feet, Thence North 54° 26' 14" West along a fence a distance of 20.86 feet to the end of said boundary line agreement at which point is at as described above rebar cap and fence, Thence along the boundary line as described in original conveyance deed Wright To Stewart, Recorded 7-08-70, in Book. 26 at page 640 North 35° 07' 52" East said line is a chain/vinyl fence a distance of 108.08 feet to the point of beginning.

Containing 0.975 Acres