

WHEN RECORDED, RETURN TO:

Micaela Richins
627 E Chalk Creek Rd.
Coalville, UT 84017

ENTRY NO. 01205321

06/05/2023 11:57:01 AM B: 2783 P: 0400

Boundary Line Agreement PAGE 1/5

RHONDA FRANCIS, SUMMIT COUNTY RECORDER

FEE 40.00 BY MICAELA RICHINS



BOUNDARY LINE AGREEMENT

This Boundary Line Agreement is made and entered into this 2 day of June 2023 by and between GAVIN BRETT RICHINS AND MICAELA WILLOUGHBY RICHINS, AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP, 625 East Chalk Creek Road, Coalville, Summit County, Utah 84017, (Richins) and Jeffrey Louder and Jennifer Homer, as Trustees of the Raymond M. Louder and Dorothy H. Louder Irrevocable Family Trust, (Louder)

RECITALS

1. **Richins** is the owner, in fee simple, of two parcel of real property situated in Summit County, State of Utah, with serial number NS-376 and NS-375-A and being more particularly described in the Warranty Deed recorded as Entry 01094319 and in the Warranty Deed recorded as Entry 01094318 in Summit County Records as follows:

NS-376:

BEG AT A PT WH IS 15.89 CHS S & 2.50 CHS E & 4.39 CHS S & 20 FT N
73*W FROM THE NW COR OF NE ¼ OF SEC 10 T2NR5E SLBM; TH N
73* W 100 FT; TH N 80 FT; TH S 73* E 100 FT; TH S 80 FT TO BEG
CONT 0.18 AC TWD-259 (NOTE: TWD-259 ERROR IN TP OF BEG)

NS-375-A:

BEG 82.5 FT S 89*49' E FR N ¼ SEC COR SEC 10 T2NR5E,SLBM TH S
1230.26 FT; N 73* W 18.29 FT; S 80 FT; S 73 * E 104.56 FT; N 1338.48
FT; N 89*49' W 82.5 FT TO BEG CONT 2.46 ACRES (LESS 0.18 ACRES
NS-376) BAL 2.28 ACRES VWD-10 2197-1633-1641 (SEEAFF 2197-1643
& WD 2197 -1641 ERROR IN LEGALDESC RECITES WRONG RANGE)

2. **Louder** is the owner, in fee simple, of a parcel of real property situated in Summit County, State of Utah, with serial number NS-375-B and being more particularly described in the Quit Claim Deed recorded as Entry 01046957 in Summit County Records as follows:

(1) BEGINNING AT THE NORTH¼ CORNER OF SECTION 10,
TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE AND
MERIDIAN AND RUNNING THENCE SOUTH 1126.23 FEET, THENCE
WEST 28.69 FEET, THENCE SOUTH 158.77 FEET, THENCE EAST 28.69
FEET, THENCE SOUTH 3.04 FEET, THENCE SOUTH 73°00'00" EAST
67.97 FEET, THENCE NORTH 80.00 FEET, THENCE SOUTH 73°00'00"
EAST 18.29 FEET, THENCE NORTH 1233.00 FEET, THENCE NORTH
89°49'00" WEST 82.49 FEET TO THE POINT OF BEGINNING. TAX
IDENTIFICATION NUMBER: NS-375-B

3. WHEREAS, on or about April, 2023 a property survey by Chad A Anderson, a professional land surveyor holding Utah license #7736336 was performed on property now owned by **Richins** said survey is to be filed at a future date.

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4. WHEREAS, it is advantageous to both of the above-named parties to agree to a revised common boundary line between their respective properties,
5. WHEREAS, it is the desire of the above-named parties to reduce to writing an agreement regarding the true location of the boundary line between the subject properties.

NOW THEREFORE, in consideration of the premises, it is hereby agreed and covenanted as follows:

That the common boundary line between the subject properties is the agreed-upon boundary line as described in the following description, which common boundary line is acknowledged and accepted as being the true and accurate boundary between the subject properties to wit (the boundary line between the properties is underlined in the following description):

BEGINNING AT A POINT 82.65 FEET S89°47'12"E ALONG THE SECTION LINE FROM THE NORTH QUARTER CORNER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE & MERIDIAN, (BASIS OF BEARINGS BEING N89°43'58"W MEASURED BETWEEN SAID NORTH QUARTER AND THE NORTHWEST CORNER OF SAID SECTION 10); AND RUNNING THENCE S00°14'56"E 1204.29 FEET; THENCE S00°44'47"E 31.24 FEET; THENCE N86°55'30"W 9.71 FEET; THENCE S05°08'11"W TO AND ALONG A FENCE AND THE EXTENSION THEREOF 75.60 FEET MORE OR LESS TO THE NORTHERLY RIGHT OF WAY LINE OF CHALK CREEK ROAD; THENCE S72°54'55"E 111.61 FEET ALONG SAID RIGHT OF WAY LINE TO AN EXTENSION OF A FENCELINE; THENCE N01°16'6"W 138.84 FEET TO AND ALONG A FENCELINE; THENCE N00°36'14"W 1204.05 FEET TO A POINT ON THE SECTION LINE; THENCE N89°47'12"W 80.10 FEET TO THE POINT OF BEGINNING.

6. In order to further establish the boundary line as described in the surveyed boundary description in paragraph 5 above as the true location of the boundary line between the subject properties, and in consideration of this agreement, **Richins** hereby releases, remises, and quit claims to **Louder** all right, title, and interest in and to the real property lying immediately and adjacent to the West of the common property line as described in the boundary description in paragraph 5 above, and **Louder** hereby releases, remises, and quit claims to **Richins** all right, title, and interest in and to the real property lying immediately and adjacent to the East of the common line as described in the boundary description in paragraph 5 above;
7. This Agreement shall be binding upon the heirs, executors, administrators, or assigns of the parties hereto;
8. This Agreement constitutes the entire agreement between the parties, and any prior understanding or representation of any kind preceding the date of this agreement shall not be binding on any party except to the extent incorporated in this Agreement;
9. Any modification on the Agreement or additional obligation assumed by any party in connection with the Agreement shall be binding only if in writing signed by each party or any authorized representative of each party;

10. In the event any action is filed in relation to this Agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that any party may be called on to pay, a reasonable sum for the successful party's attorney fees;
11. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Utah;
12. The description of the **Louder** property after the boundary line agreement is as follows:

(1) BEGINNING AT THE NORTH¼ CORNER OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 1126.23 FEET, THENCE WEST 28.69 FEET, THENCE SOUTH 158.77 FEET, THENCE EAST 28.69 FEET, THENCE SOUTH 3.04 FEET, THENCE SOUTH 73°00'00" EAST 75.16 FEET TO THE EXTENSION OF A FENCELINE, THENCE N05°08'11"E 75.01 FEET; THENCE S86°55'30"E 9.71 FEET TO THE EXTENSION OF A FENCELINE; THENCE N00°44'47"W 31.24 FEET; THENCE N00°14'56"W 1204.29 FEET TO A POINT ON THE SECTION LINE; THENCE NORTH 89°47'12" WEST 82.65 FEET TO THE POINT OF BEGINNING.
TAX IDENTIFICATION NUMBER: NS-375-B
13. The new description for the **Richins** property is the same as the description used in item 5.
14. The long standing agreement between Raymond M. and Dorothy Louder and Earl and Joy Willoughby, (Dorothy and Joy being sisters), and continued between Gavin and Micaela Richins (Micaela being the heir of the Earl and Joy Willoughby property) and Jeffrey Louder and Jennifer Homer, trustees of the Raymond and Dorothy Louder Irrevocable Family Trust, shall be converted to the same agreement in writing, signed by both parties, to continue to give access to the property described in the Raymond and Dorothy Louder Irrevocable Family Trust (623 E. Chalk Creek Road) from the driveway of the Gavin and Micaela Richins adjacent property (625 and 627 E Chalk Creek Road) in perpetuity.

Gavin and Micaela Richins hereby grant to the Raymond and Dorothy Louder Irrevocable Family Trust a twelve-foot right-of-way and easement on property NS-376 and NS-375A, which is situated on the easterly boundary of NS-375A running north/south the full length of said property, and then easterly/westerly across NS-376, which is on the southern portion of NS-376. Such right-of-way and easement is located on the properties, which has been used for said purposes for over seventy years.

WHEN RECORDED, RETURN TO:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the date herein above first mentioned;

GAVIN BRETT RICHINS AND MICAELA WILLOUGHBY RICHINS, AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP, 625 East Chalk Creek Road, Coalville, Summit County, Utah 84017, (Richins)

Gavin Richins
Printed name

[Signature]
Signed

Micaela Richins
Printed name

[Signature]
Signed

STATE OF Utah)
COUNTY OF Summit) ss.

On the date first above written personally appeared before me, Gavin & Micaela Richins, who, being by me duly sworn, and acknowledged to me that said executed the same.

WITNESS my hand and official stamp:

[Signature]
Notary Public
6/2/23
Date



