

ENTRY NO. 01205322

06/05/2023 11:57:01 AM B: 2783 P: 0405

Boundary Line Agreement PAGE 1/5
RHONDA FRANCIS, SUMMIT COUNTY RECORDER
FEE 40.00 BY MICAELA RICHINS

WHEN RECORDED, RETURN TO:

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

BOUNDARY LINE AGREEMENT

This Boundary Line Agreement is made and entered into this 5 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 Vaughn B. Staples and Nelda L. Staples, Trustees of the Vaughn B. & Nelda L. Staples Family Trust, established May 15, 2019, (Staples)

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 (SEE AFF 2197-1643 & WD 2197 -1641 ERROR IN LEGALDESC RECITES WRONG RANGE)

2. **Staples** is the owner, in fee simple, of a parcel of real property situated in Summit County, State of Utah, with serial number NS-395-1 and being more particularly described in the Warranty Deed recorded as Entry 01145791 in Summit County Records as follows:

BEGINNING 2.5 CHAINS EAST OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; THENCE EAST 4.5 CHAINS; THENCE SOUTH 22.18 CHAINS; THENCE NORTH 73°0' WEST 1.12 CHAINS; THENCE NORTH 0.523 CHAINS; THENCE NORTH 73°0' WEST 3.475 CHAINS; THENCE NORTH 20.39 CHAINS TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING SOUTH OF THE CENTERLINE OF A COUNTY ROAD KNOWN AS CHALK CREEK ROAD SITUATED IN SUMMIT COUNTY, STATE OF UTAH.

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 to be recorded at a future date.

WHEN RECORDED, RETURN TO:

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:

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°16'06"W 138.84 FEET TO AND ALONG A FENCELINE; THENCE N00°36'14"W 1204.05 FEET ALONG A FENCELINE 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 **Staples** all right, title, and interest in and to the real property lying immediately and adjacent to the East of the common property line as described in the boundary description in paragraph 5 above, and **Staples** 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 West 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;

WHEN RECORDED, RETURN TO:

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 **Staples** property after the boundary line agreement is as follows:

BEGINNING 162.75 FEET S89°47'12"E ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN; THENCE EAST 4.5 CHAINS; THENCE SOUTH 22.18 CHAINS; THENCE NORTH 73°0' WEST 1.12 CHAINS; THENCE NORTH 0.523 CHAINS; THENCE NORTH 73°0' WEST 220.15 FEET MORE OR LESS TO A POINT ON THE EXTENSION OF A FENCELINE; THENCE N01°16'06"W 139.43 FEET TO AND ALONG A FENCELINE; THENCE N00°36'14"W 1204.05 FEET ALONG A FENCELINE MORE OR LESS TO A POINT ON THE SECTION LINE AND THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION LYING SOUTH OF THE CENTERLINE OF A COUNTY ROAD KNOWN AS CHALK CREEK ROAD SITUATED IN SUMMIT COUNTY, STATE OF UTAH.

13. The new description for the Richins property is the same as the description used in item 5.

WHEN RECORDED, RETURN TO:

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the date hereinabove 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)

Garvin Richins

Printed name

[Signature]

Signed

Micaela Richins

Printed name

[Signature]

Signed

STATE OF Utah)
) ss.
COUNTY OF Summit)

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

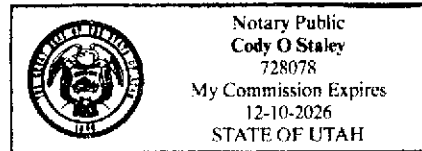
WITNESS my hand and official stamp:

[Signature]

Notary Public

6/2/23

Date



WHEN RECORDED, RETURN TO:

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

Vaughn B. Staples and Nelda L. Staples, Trustees of the Vaughn B. & Nelda L. Staples Family Trust, established May 15, 2019, (Staples)

Vaughn B. Staples
Printed name

[Signature]
Signed

Nelda L. Staples
Printed name

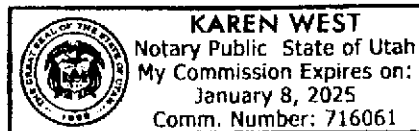
[Signature]
Signed

STATE OF Utah)
COUNTY OF Summit) ss.

On the date first above written personally appeared before me, Vaughn Staples Nelda Staples, who, being by me duly sworn, acknowledged to me that they signed the within and foregoing instrument in accordance with the authority as Trustees given under the instrument creating said Trust, and that as Trustees they executed the same.

Karen West
Notary Public

WITNESS my hand and official stamp



Karen West
Notary Public

6/5/2023
Date