13015936 6/24/2019 4:30:00 PM \$40.00 Book - 10795 Pg - 5440-5442 RASHELLE HOBBS Recorder, Salt Lake County, UT OLD REPUBLIC TITLE DRAPER/OREM BY: eCASH, DEPUTY - EF 3 P.

Recorded at the Request of:

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SLC	, UT	84107	L.	

## MODIFICATION TO LOCATION AND SIZE OF RIGHT OF WAY

For the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Jun Ho Song ("Song") on the one hand, and Matthews F. Fletcher and Rachel V.H. Fletcher (collectively, the "Fletchers") on the other hand, do hereby agree to modify the location and size of a right of way ("Original Right of Way") which has benefitted and burdened their respective properties for many years in accordance with the terms of this Modification to Location and Size of Right of Way ("Modification to Right of Way").

The real property which is currently owned by Song and which is both burdened and benefitted by the Original Right of Way is located at approximately 732 South Green Street, Salt Lake City, Utah ("Song Property") and is more particularly described as follows:

Beginning at a point 2 ½ rods North from the Southwest corner of Lot 6, Block 11, Plat "B", Salt Lake City Survey, and running thence North 2 ½ rods, thence East 8 ½ rods; thence South 2 ½ rods; thence West 8 ½ rods to beginning. (Tax Parcel No. 16-07-232-022)

The real property which is currently owned by the Fletchers and which is both burdened and benefitted by the Original Right of Way is located at approximately 738 South Green Street, Salt Lake City, Utah ("Fletcher Property") and is more particularly described as follows:

Beginning at the Southwest corner of Lot 6, Block 11, Plat "B", Salt Lake City Survey, and running thence north 2 ½ rods; thence East 8 ½ rods; thence South 2 ½ rods; thence West 8 ½ rods to beginning. (Tax Parcel No. 16-07-232-023)

The Original Right of Way is described in that certain Warranty Deed dated April 1, 1981 and recorded with the Salt Lake County Recorder's Office on July 29, 1981, as Entry No. 3589693, in Book 5275, at Page 1016, and also that certain Warranty Deed dated November 27, 2012 and recorded with the Salt Lake County Recorder's Office on November 27, 2012, as Entry No. 11522567, in Book 10081, at Page 4524, and is currently 9 feet in total width and 75 feet in total length. The Original Right of Way, which is located approximately 7 feet in width and 75 feet in length upon the southeast portion of the Song Property and approximately 2 feet in width and 75 feet in length upon the northeast portion of the Fletcher Property, is more particularly described as follows:

Beginning 1 ½ rods West and 2 rods 6 ½ feet North of the Southeast corner of said Lot 6, Block 11, Plat "B", Salt Lake City Survey, and running north 9 feet; thence West 75 feet; thence South 9 feet; thence East 75 feet to beginning.

The modified right of way ("Modified Right of Way") is 8 feet in total width and 75 feet in total length and is located 4 feet in width and 75 feet in length upon the southeast portion of the Song Property and 4 feet in width and 75 feet in length upon northeast portion of the Fletcher Property. The Modified Right of Way is more particularly described as follows:

Beginning 1 ½ rods (total 24.75 feet) West and 2 rods 4 ¼ feet (total 37.25 feet) North of the Southeast corner of said Lot 6, Block 11, Plat "B", Salt Lake City Survey, and running thence North 8 feet; thence West 75 feet; thence South 8 feet; thence East 75 feet to beginning.

Song and the Fletchers hereby agree to modify the dimensions of, and relocate the Original Right of Way, to become the Modified Right of Way, which Modified Right of Way shall be only 8 feet in total width and which shall be equally located upon the Song Property and the Fletchers Property at 4 feet in width and 75 feet in length on each property.

Song and the Fletchers hereby vacate, to the extent necessary, the Original Easement, and grant to the other party and their successors in interest, to the extent necessary, the right of way described in the Modified Right of Way to modify and relocate the new right of way, as described herein, which Modified Right of Way shall run with the land in perpetuity for driveway ingress and egress to Song, the Fletchers, and their respective successors in interest, and which shall benefit and burden both the Song Property and Fletcher Property in perpetuity. Because the Modified Right of Way is equally shared by, and benefits, both the Song Property and the Fletcher Property, Song and the Fletchers do hereby agree to share equally the cost of installing, repairing, improving and maintaining the Modified Right of Way for purposes of a driveway ingress and egress.

(Signature on next page.)

IN WITNESS WHEREOF, Song and the Fletchers have executed this Modification to Location and Size of Right of Way this 30 day of May, 2019.				
Jun Ho Song				
STATE OF UTAH )				
COUNTY OF SALT LAKE ) ss.				
On this <u>30</u> day of <u>May</u> , 2019, personally appeared before me, Jun Ho Song, who acknowledged to me that he executed the foregoing Modification to Location and Size of Right of Way.				
NOTARY PUBLIC JACOB EDUARDO CARDENAS 685070 COMMISSION EXPIRES AUGUST 27, 2019 STATE OF UTAH				
Matthews F. Fletcher Rachel V.H. Fletcher				
STATE OF UTAH )				
COUNTY OF SALT LAKE ) ss.				
On this <u>30th</u> day of <u>May</u> , 2019, personally appeared before me, Matthews F. Fletcher and Rachel V.H. Fletcher, who acknowledged to me that they executed the foregoing Modification to Location and Size of Right of Way.				
NOTARY PUBLIC JACOB EDUARDO CARDENAS 685070 COMMISSION EXPIRES AUGUST 27, 2019 STATE OF UTAH				