

**WHEN RECORDED, RETURN TO:**

The Jeremy H. Day Trust  
8 Shadow Wood Ln.  
Sandy, UT 84092

14297615 B: 11523 P: 5368 Total Pages: 11  
10/07/2024 03:16 PM By csummers Fees \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: THE JEREMY H. DAY TRUST  
8 SHADOW WOOD LN SANDY UT 84092



Parcel No's. 28-14-351-031 & 28-14-351-008

**BOUNDARY LINE AGREEMENT**

**THIS BOUNDARY LINE AGREEMENT** (the "Agreement") is made and entered into as of this 1 day of June, 2024 by and between **Garrett C. Lowe and Jessica Passanante Lowe, Husband and Wife (Owner 1)** and **Jeremy H. Day, as Trustee of "The Jeremy H. Day Trust,"** under a trust instrument dated **February 29, 2012** ("Owner 2"). Owner 1 and Owner 2 are sometimes referred to herein individually as a "Party", and collectively, as the "Parties".

**RECITALS**

- A. Owner 1 is the owner of that certain property located in Salt Lake County, State of Utah described on Exhibit A attached hereto (the "Owner 1 Property").
- B. Owner 2 is the owner of that certain property located in Salt Lake County, State of Utah described on Exhibit B attached hereto (the "Owner 2 Property"). The Owner 2 Property is adjacent to the Owner 1 Property, and the Owner 1 Property and Owner 2 Property are sometimes collectively referred to herein as the "**Parcels**".
- C. Conflicts exist with the occupation of the Parcels and the record boundary lines with respect to the Owner 1 Property and Owner 2 Property.
- D. The Parties desire to eliminate any discrepancy in title with respect to the boundary and division line between their respective Parcels and, by entering into this Agreement, to (i) mutually agree upon and establish the common boundary line between their respective Parcels, and (ii) determine and describe the real property owned by each Party.
- E. On <sup>OCT</sup> ~~April~~ 07, 2024, a Record of Survey was filed with the Salt Lake County Recorder's Office as File No. 52024-10-0646 (the "**Record of Survey**") to mutually establish the common boundary line between the respective Parcels.
- F. The Parties desire to effectuate a parcel boundary adjustment, as defined in Utah Code Ann. §10-9a-103(47), to recognize the common boundary line between the Parcels as shown on the Record of Survey and intend that this agreement constitute a boundary line agreement in accordance with Utah Code Ann. §10-9a-524.
- G. The Parcels are each unsubdivided land and no additional parcel is created by this Agreement.
- H. Pursuant to Utah Code Ann. §10-9a-523(3), this Agreement is not subject to the review of a land use authority.

## AGREEMENT

**NOW, THEREFORE**, in consideration of the foregoing recitals, the mutual promises set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Location of New Boundary. The new boundary line between the Parcels shall be located as described in Exhibit C attached hereto, and as shown on the Record of Survey Plat attached hereto as Exhibit D.

2. Adjusted Parcel Legal Descriptions. The legal description of the Owner 1 Property (after modification pursuant to Section 1 above) is hereinafter referred to as “**Adjusted Owner 1 Property**” and is more particularly described on Exhibit E-1 attached hereto. The legal description of the Owner 2 Property (after modification pursuant to Section 1 above) is hereinafter referred to as “**Adjusted Owner 2 Property**” and is more particularly described on Exhibit E-2 attached hereto.

3. Quitclaim Conveyance from Owner 1. Owner 1 does hereby quitclaim to Owner 2 all of Owner 1’s rights, title, privileges, and interest in and to the Adjusted Owner 2 Property, it being the intent of the Parties that Owner 2 shall own the Adjusted Owner 2 Property in its entirety.

4. Quitclaim Conveyance from Owner 2. Owner 2 does hereby quitclaim to Owner 1 all of Owner 2’s rights, title, privileges, and interest in and to the Adjusted Owner 1 Property, it being the intent of the Parties that Owner 1 shall own the Adjusted Owner 1 Property in its entirety.

5. Establishing Boundary; Rights Run with the Land/Integration. The terms of this Agreement shall determine and forever establish a boundary line between the properties of the Parties hereto and shall: (1) inure to the benefit of and be binding upon the Parties and their successors, successors-in-title, heirs and assigns as to their respective real properties; (2) run with the land; and (3) remain in force and effect, and be unaffected by any change of ownership, or subdivision, any encumbrances, encroachments, liens, judgments or easements. The terms of this Agreement constitute all of the agreements between the Parties. This Agreement may only be amended in a writing signed by the Parties.

6. Recording. This Agreement shall be recorded in the official records of Utah County, Utah.

7. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Utah.

8. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which may be assembled into and will constitute one and the same instrument.

9. Authority. Each signatory of this Agreement represents that he/she/it has all necessary authority to enter into this Agreement and that no other approvals or signatures are needed to give effect to the agreements set forth herein.

*[Signature Pages to Follow]*

DATED as of the date first above mentioned.

OWNER 1.

Garrett C. Lowe and Jessica Passanante Lowe, Husband and Wife

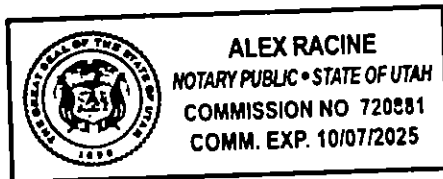
By: [Signature]  
Name: Garrett C. Lowe

By: [Signature]  
Name: Jessica Passanante Lowe

STATE OF Utah )  
COUNTY OF Salt Lake ) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me, a Notary Public, by  
Garrett C. Lowe this 1<sup>st</sup> day of June, 2024.

WITNESS my hand and official seal.

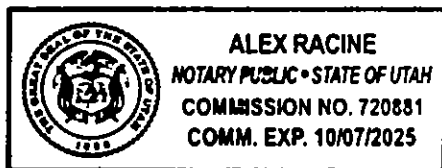


[Signature]  
NOTARY PUBLIC  
My Commission Expires 10/07/2025

STATE OF Utah )  
COUNTY OF Salt Lake ) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me, a Notary Public, by  
Jessica Passanante this 1<sup>st</sup> day of June, 2024.  
Lowe

WITNESS my hand and official seal.



[Signature]  
NOTARY PUBLIC  
My Commission Expires 10/07/2025

DATED as of the date first above mentioned.

**OWNER 2:**

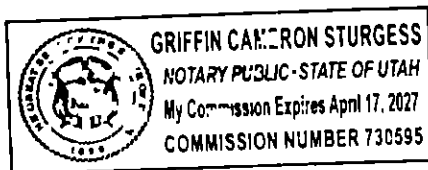
**Jeremy H. Day, as Trustee of "The Jeremy H. Day Trust," under a trust instrument dated February 29, 2012**

By: [Signature]  
Name: Jeremy Day  
Title: \_\_\_\_\_

STATE OF Utah )  
 ) ss.  
COUNTY OF Salt Lake

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me, a Notary Public, by  
Jeremy Day this 28 day of August, 2024.

WITNESS my hand and official seal.



[Signature]  
NOTARY PUBLIC  
My Commission Expires: 4/17/2027

**EXHIBIT A**  
*"Garrett C Lowe & Jessica P Lowe"*

**Parcel No. (28-14-351-008)** - 7 Shadow Wood Lane, Sandy, UT 84092

An entire Lot in Pepperwood Phase 4 recorded August 19, 1976 as Record No. 2846923, Book 76-8, Page 166. Described in that Warranty Deed recorded June 01, 2015 as Entry No. 12062376 Book, 10330 Page, 591 in the Office of the Salt Lake County Recorder. Said tract is located in the Southwest Quarter of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian and is described as follows:

Lot 448, Pepperwood, Phase IV, according to the official plat thereof as recorded in the office of the Salt Lake County Recorder.

Together with a perpetual right of way to use and enjoy those portions of the Pepperwood Subdivision which are identified as Lot "A" being the streets and parks within the subdivision, which are shown on said plats.

Said Lot 448 contains 21,801 Square Feet or 0.500 Acres.

**EXHIBIT B**  
*"The Jeremy H Day Trust"*

**Parcel No. (28-14-351-031)** - 8 Shadow Wood Lane, Sandy, UT 84092

An entire Lot in Pepperwood Phase 4, recorded August 19, 1976 as Record No. 2846923, Book 76-8, Page 166. Described in that Quit Claim Deed recorded February 23, 2022 as Entry No. 13896681 Book, 11308 Page, 9881 in the Office of the Salt Lake County Recorder. Said tract is located in the Southwest Quarter of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian and is described as follows:

Lot 447, PEPPERWOOD PHASE 4, according to the plat thereof as recorded in the office of the Salt Lake County Recorder.

Less and excepting the following: Beginning at the Northeast corner of Lot 442, Pepperwood Phase 4 Subdivision, as found and on file at the Salt Lake County Recorder's Office, in Book 76-8, at Page 166, said point being North 00°11'30" East 400.38 feet and East 98.61 feet from the Southwest corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian and running thence North 70°28'08" East 5.31 feet along the Northerly boundary line of Lot 447 of said Pepperwood Phase 4 Subdivision, to the centerline of an existing fence; thence South 06°40'14" East 28.12 feet along said centerline of an existing fence; thence South 01°54'18" East 47.77 feet along said centerline of an existing fence, thence South 01°05'15" West 31.85 feet along said centerline of an existing fence to the Southerly boundary Line of said Lot 447, thence North 89°48'30" West 9.61 feet along said Southerly boundary Line to the Southwest corner of Lot 447; thence North 00°11'30" East 105.71 feet along the Westerly boundary line of said Lot 447 to the point of beginning.

Less and exception the following: Beginning at a point which is North 00°11'30" East 294.39 feet and East 181.85 feet from the Southwest corner of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian, said point also being South 89°48'30" East 94.76 feet from the Southeast corner of Lot 447, Pepperwood Phase 4 Plat, recorded in Salt Lake County, Utah; thence North 37°36'29" East 17.00 feet; thence North 84°49'37" East 30.89 feet; thence North 89°11'50" East 53.57 feet; to the point of a curve to the right a radial distance of 453.34 feet, a distance of 10.32 feet (chord bears South 00°27'37" East 10.32 feet); thence South 00°11'30" West 7.00 feet; thence North 89°48'30" West 94.76 feet to the point of beginning. Contains 1,433 square feet or 0.03 acres, more or less. Property Address is: 8 South Shadow Wood Lane, Sandy, UT 84092-4910

Prior instrument reference: 12820584

Said Lot 447 contains 20,658 Square Feet or 0.474 Acres

**EXHIBIT C**  
***"Common Boundary Line"***

A common boundary line between the following two (2) entire Parcels of land described in that: 1) Warranty Deed recorded June 01, 2015 as Entry No. 12062376 Book, 10330 Page, 591. 2) Quit Claim Deed recorded February 23, 2022 as Entry No. 13896681 Book, 11308 Page, 9881 in the Office of the Salt Lake County Recorder. Said common boundary line is located in the Southwest Quarter of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian and is described as follows:

**Beginning** at the southeasterly corner of Lot 448 Pepperwood Phase 4, recorded August 19, 1976 as Record No. 2846923, Book 76-8, Page 166 in the Office of said Recorder, said corner also being on the westerly Right-Of-Way of Shadow Wood Lane which is 454.15 feet North and 251.54 feet East from the Southwest Corner of said Section 14; thence S.70°28'08"W. 69.03 feet; thence S.63°02'02"W. 46.54 feet to and along an existing wood fence; thence S.78°57'37"W. 40.79 feet along said existing wood fence to a fence corner and the **Point of Terminus**.

**EXHIBIT "D":** By this reference, made a part hereof.

**BASIS OF BEARING** N. 89°48'28" E. between the street monument at Northridge Way and Pepperwood Dr. and the Southwest Corner of said Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian.





**ATTACHMENT E**  
*"New Descriptions"*

**NEW Garrett C Lowe and Jessica P Lowe Parcel – 28-14-351-008**

Record Owner(s): Garrett C. Lowe and Jessica Passanante Lowe, Husband and Wife

Described as:

A parcel of land being part of Lot 448 and a part of Lot 447 in Pepperwood Phase 4 recorded August 19, 1976 as Record No. 2846923, Book 76-8, Page 166. Being described in that Warranty Deed recorded June 01, 2015 as Entry No. 12062376 Book, 10330 Page, 591 and Quit Claim Deed recorded February 23, 2022 as Entry No. 13896681 Book, 11308 Page, 9881 in the Office of the Salt Lake County Recorder. Said parcel is located in the Southeast Quarter of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian and is described as follows:

**Beginning** at the southeasterly corner of Lot 448 of said Pepperwood Phase 4, said corner also being on the westerly Right-Of-Way of Shadow Wood Lane which is 454.15 feet North and 251.54 feet East from the Southwest Corner of said Section 14; thence S.70°28'08"W. 69.03 feet; thence S.63°02'02"W. 46.54 feet to and along an existing wood fence; thence S.78°57'37"W. 40.79 feet along said existing wood fence to a fence corner; thence S.70°28'08"W. 5.31 feet; thence N.16°25'00"W. 174.28 feet; thence N.85°17'15"E. 113.70 feet to the westerly Right-Of-Way of Shadow Wood Lane; thence along said Right-Of-Way the following three (4) courses; (1) southeasterly 64.47 feet along the arc of a 55.00 foot non-tangent radius curve to the left, having a central angle of 67°09'40", (chord bears S.38°17'19"E. 60.84 feet) Radius point bears N.85°17'31"E. to a point of reverse curve to the right; (2) having a radius of 50.00 feet and a central angle of 48°11'09"; (chord bears S.47°46'34"E. 40.82 feet) thence Southeasterly along the arc, a distance of 42.05 feet; (3) thence S.23°41'00"E. 18.74 feet; (4) southerly 32.71 feet along the arc of a 472.63 foot non-tangent radius curve to the right, having a central angle of 03°57'55", (chord bears S.21°39'29"E. 32.70 feet) Radius point bears S.66°21'34"W to the **Point of Beginning**.

The above-described parcel of land contains 22,050 sq ft in area or 0.506 acres more or less.

**BASIS OF BEARING**

N. 89°48'28" E. between the street monument at Northridge Way and Pepperwood Dr. and the Southwest Corner of said Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian.

## **NEW Jeremy H Day Trust Parcel – 28-14-351-031**

Record Owner(s): Jeremy H. Day, as Trustee of "The Jeremy H. Day Trust," under a trust instrument dated February 29, 2012.

Described as.

A parcel of land being part of Lot 447 in Pepperwood Phase 4 recorded August 19, 1976 as Record No. 2846923, Book 76-8, Page 166. Being described in that Quit Claim Deed recorded February 23, 2022 as Entry No 13896681 Book, 11308 Page, 9881 in the Office of the Salt Lake County Recorder. Said parcel is located in the Southeast Quarter of Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian and is described as follows:

**Beginning** at the southeasterly corner of Lot 448 of said Pepperwood Phase 4, said corner also being on the westerly Right-Of-Way of Shadow Wood Lane which is 454.15 feet North and 251.54 feet East from the Southwest Corner of said Section 14; said corner also being the beginning of a curve to the right, thence Southerly along said westerly Right-Of-Way 145.73 feet along the arc of a 453.34 feet radius curve, having a central angle of 18°25'07" (chord bears S.10°19'19"E. 145.11 feet) Radius point bears S.88°53'15"W.; thence along a line non-tangent to said curve, S.89°11'50"W., a distance of 53.57 feet; thence S.84°49'37"W. 30.89 feet; thence S.37°36'29"W. 17.00 feet; thence N.89°48'30"W. 73.63 feet to and existing wood fence; thence along said existing wood fence the following five (5) courses 1) N.01°05'31"E. 31.85 feet; 2) N.01°54'18"W. 47.77 feet; 3) N.06°40'14"W. 28.12 feet, 4) N.78°57'37"E. 40.79 feet; 5) N.63°02'02"E. 46.54 feet along said existing wood fence and an extension thereof; thence N.70°28'08"E. 69.03 feet to the westerly Right-Of-Way of Shadow Wood Lane and the **Point of Beginning**.

The above-described parcel of land contains 20,398 sq ft in area or 0.468 acres more or less.

### **BASIS OF BEARING**

N. 89°48'28" E. between the street monument at Northridge Way and Pepperwood Dr. and the Southwest Corner of said Section 14, Township 3 South, Range 1 East, Salt Lake Base and Meridian.