

Joint Wall Agreement

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RETURNS  
JAN 28 2004

THIS AGREEMENT is made this 21 day of January, 2004, by and between JULIE W. ALLAN and W.L. ALLAN ("Allan") and WILSON PROPERTIES & ASSOCIATES L.C. ("Wilson") in consideration of the payment of nine hundred Dollars (\$900) and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**1.0 Recitals.**

1.1 Allan is the owner of certain real property, situated in Davis County, Utah, and more particularly described under Item 1 on the attached Exhibit "A" (the "Real Property").

1.2 Wilson is the Owner of certain parcels of real property (the "Adjacent Property"), which border the Real Property on the North and East, and particularly described in item 2 on Exhibit "A".

1.3 Allan and Wilson (the "Parties") desire to provide for their respective rights and duties regarding the possible construction of a wall along the boundary between the Real Property and the Adjacent Property. Said wall to be one of the walls of a proposed building on the Adjacent Property.

**2.0 The Wall.**

2.1 Wilson and/or its contractors shall have the right to demolish and remove the existing entire wooden fence or any portion thereof, along the boundary between the Real Property and the Adjacent Property at its sole expense.

2.2 Wilson and/or its contractors shall have the right to construct a wall along the boundary between the Real Property and the Adjacent Property at its sole expense, which wall's footings shall extend onto each side of the boundary approximately fourteen inches (14"). In doing this work, Wilson shall replace any lawn or sod which abuts the new wall on the Real Property that it damages.

2.3 The Parties agree that Wilson shall have the sole right and responsibility for the maintenance of the wall at its own expense, and Allan shall have no right to decorate, paint, damage, or otherwise modify the wall.

**3.0 The Mutual Covenants and Grants.**

3.1 Allan hereby grants to Wilson, its heirs and assigns, the perpetual easement and right in the Real Property to build and maintain the wall, together with reasonable rights of access for the purpose of construction and maintenance.

3.2 Allan, moreover, quitclaims and releases any claim they may have in and to the property North of the existing wooden fence, which they agree hereby demarcates the northern boundary of the Real Property, which property is more specifically described in Item 3 on the attached Exhibit "A".

ALLAN:

Julie W. Allan  
Julie W. Allan

Wayne Lance Allan  
W.L. Allan aka. W. Lance Allan  
W. Lance Allan

WILSON:

[Signature]  
Wilson Properties & Associates L.C.  
Manager

E 1957241 B 3464 P 1164  
RICHARD T. MAUGHAN, DAVIS CNTY RECORDER  
2004 JAN 28 3:31 PM FEE 19.00 DEP MEC  
REC'D FOR WILSON PROPERTIES

EXHIBIT A

SUBSCRIBED AND SWORN TO BEFORE ME this 21 day of JANUARY, 2004, by the above-described Allan (Julie W. Allan and W.L. Allan) and that Allan executed the foregoing. *aka W. Lance Allan*

*Debby Jentzsch*  
Notary Public

My Commission:

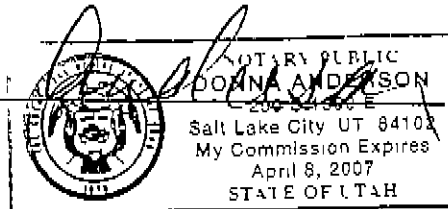
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SUBSCRIBED AND SWORN TO BEFORE ME this 21 day of JANUARY, 2004, *Sharon W. Smart*, the above-described manager of the Wilson Properties & Associates L.C., who stated he executed the foregoing under authority of Wilson's operating documents, or a binding resolution of its governing board.

*Donna Anderson*  
Notary Public

My Commission: *April 8, 2007*



*Incorrectly  
repeated*

**ITEM 1**

BEG AT A PT ON N LN OF A 66 FT COUNTY ROAD 1500 SO STR, WHICH IS S 89°45'45" W 173 FT FR CEN LN OF A COUNTY ROAD (800 WEST STR) SD PT BEING ALSO S 0°14'54" W 1326.89 FT ALG 1/4 SEC LN & S 89°45'45" W (Serial #06:050:0056)

**ITEM 2**

**PARCEL DIRECTLY EAST OF SAID REAL PROPERTY**

Beginning at a Point which is South 89°40'28" West 212.65 Feet to the centerline of 800 West street and south 00°05'48" West 1360.05 Feet to the Monument marking the intersection of 800 West and 1500 South Street and South 89°44'23" West 173.97 Feet along the monument line of 1500 South Street and North 00°12'50" East 33.00 Feet from the center of Section 25, Township 2 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah and running thence North 00°12'50" East along a fence line and fence line extended 204.24 feet, more or less, to the south line of the property conveyed to Floyd Earl Meads as recorded in the Davis County Recorder's office, Entry No. 1394864, Book 2269, page 836, of Official records; thence North 89°15' East 140.56 Feet, more or less, to the west line of 800 West Street; Thence South 00°05'48" West 205.44 Feet, more or less, along said West line to the North line of said 1500 South street; Thence South 89°44'23" West 140.97 Feet along said North line to the point of Beginning.

*SW 25 27-14*

*06-050-0122*

**PARCEL DIRECTLY NORTH OF SAID REAL PROPERTY**

Beginning on the West line of a four rod highway at a point 1047 94 Feet South and 245.52 feet West of the Northeast corner of the Southwest Quarter of section 25, Township 2 North, range 1 West, Salt Lake Base and Meridian, in the town of Woods Cross, and running thence South 75 feet, more or less, to the North line of the land conveyed to Aileen Keller by deed, dated June 15, 1938, and recorded July 16, 1938, in Book "1-P" of deeds, page 386, thence South 89°15' West 304.5 feet along the North line of said land; thence North 75 Feet to a point South 89°15' West of the point of beginning; thence North 89°15' East 304.5 Feet to the point of beginning.

*06-050-0053*

ITEM 3

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The small strip of ground, which in width is approximately 14 to 25 inches wide, located North of the North fence of the Real Property identified on the attached survey, and referred to as a gap in certain old legal descriptions of the Adjacent Property:

Beginning at a point on the South line of the Grantee's property said point being South  $89^{\circ}40'28''$  West 212.65 feet to the Centerline of 800 West Street and South  $0^{\circ}05'48''$  West 1360.05 feet to the monument marking the intersection of 800 West and 1500 South Streets and South  $89^{\circ}44'23''$  West 173.97 feet along the monument line of 1500 South Street and North  $0^{\circ}12'50''$  East 236.22 feet from the Center of Section 25, Township 2 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah and running thence South  $89^{\circ}20'48''$  West 62 feet, more or less, to the Grantor's West property line; thence South  $0^{\circ}05'23''$  West 1.5 feet along said West property line to a fence line; thence North  $89^{\circ}50'40''$  East 62 feet, more or less to the Grantor's East property line; thence North  $0^{\circ}12'50''$  East 2.1 feet, more or less along said line to the point of beginning.

gap

06-050-00526 - pt  
0053

