



After recording, return to:
Kaskade Homes
78 West 13775 South, Suite 3
Draper, UT 84020

ENT 70890:2023 PG 1 of 6
ANDREA ALLEN
UTAH COUNTY RECORDER
2023 Oct 27 04:57 PM FEE 40.00 BY TM
RECORDED FOR KASKADE HOMES

Space above for County Recorder's use

PROPERTY BOUNDARY LINE AGREEMENT

(Affects Utah County Tax Parcels 13:044:0146, 13:044:0023 and 13:044:0151)

This *Property Boundary Line Agreement* (this "Agreement") is made pursuant to Utah Code Ann. Sections 57-1-45 and 10-9a-524 on this 26th day of October, 2023, by the following parties:

- (i) Kaskade Homes, LLC ("Kaskade Parcel"), as owner of the parcel of property located at 162 West 400 South, American Fork, UT, and identified as Utah County Tax Parcel Nos. 13:044:0146 and 13:044:0023 ("Parcel A"); and
- (ii) Roberts MFG, Inc. (the "Roberts Parcel"), as owner of the parcel of property located at 320 South 100 West, American Fork, UT, and identified as Utah County Tax Parcel No. 13:044:0151 ("Parcel B").

RECITALS

A. The parties to the agreement are adjoining landowners of properties separated by a common boundary line and desire to adjust their common boundary line.

B. Prior to the recordation of this Agreement, the legal descriptions of each Parcel were as set forth collectively in Exhibit A hereto (the "Prior Descriptions").

C. The desired adjustment of the common boundary line between the subject parcels will not create a new or additional parcel.

D. The subject parcels are not lots in a recorded subdivision plat. Accordingly, no plat amendment is required to effectuate this boundary line adjustment.

AGREEMENT

NOW, THEREFORE, in consideration of the representations, warranties, covenants and agreements contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties covenant and agree as follows:

1. **Recitals.** The above Recitals are incorporated herein and made part of this Agreement.
2. **Record of Survey Map.** In accordance with Utah Code Ann. Section 10-9a-524(2)(c), the

properties were included in a Record of Survey Map dated October 10, 2023, prepared and signed by Kagan M. Dixon, a licensed Professional Land Surveyor (License No. 9061091). The file number of said survey map is 23-342 in the office of the Utah County Surveyor. An exhibit showing this proposed boundary line adjustment (the east and north lines of said survey) is attached hereto as Exhibit B.

3. **New Common Boundary Line.** The new common boundary line between the subject parcels shall be, and is hereby adjusted to be, as follows:

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 03°29'19" EAST BETWEEN THE REFERENCE TO THE WEST QUARTER CORNER AND THE NORTHWEST CORNER OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT WHICH IS EAST 2231.68 FEET AND SOUTH 134.25 FEET FROM THE WEST QUARTER OF SAID SECTION 23, MORE PARTICULARLY BEING EAST 2373.45 FEET AND SOUTH 166.34 FEET FROM THE REFERENCE TO THE WEST QUARTER CORNER OF SAID SECTION 23, SAID POINT ALSO BEING ON THE PROLONGATION OF AN EAST-WEST FENCE LINE, AND RUNNING THENCE SOUTH 89°01'03" EAST ALONG SAID FENCE LINE AND A PROLONGATION THEREOF A DISTANCE OF 249.94 FEET TO A POINT ON A PROLONGATION OF THE WEST FACE OF A RETAINING WALL; THENCE SOUTH 00°02'56" WEST ALONG SAID WEST FACE A DISTANCE OF 86.50 FEET TO THE PROLONGATION OF A FENCE LINE; THENCE SOUTH 01°06'00" WEST ALONG SAID FENCE LINE AND A PROLONGATION THEREOF A DISTANCE OF 27.94 FEET TO THE POINT OF TERMINATION.

4. **Map of New Parcel Boundaries.** After giving effect to the new common boundary line under this Agreement, the boundaries of the subject parcels shall be as shown in the map attached hereto as Exhibit B.

5. **New Boundaries/Legal Description of Parcel A.** The new/adjusted boundary line description of Parcel A (Kaskade Parcel) is:

A TRACT OF LAND BEING SITUATE IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, HAVING A BASIS OF BEARINGS OF NORTH 03°29'19" EAST BETWEEN THE REFERENCE TO THE WEST QUARTER AND THE NORTHWEST CORNER OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 578.93 FEET AND SOUTH 89°13'09" EAST 2383.76 FEET FROM THE REFERENCE TO THE WEST QUARTER OF SAID SECTION 23, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOEFLER PARK TWIN HOMES SUBDIVISION, PLAT "A", ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP NO. 15224, AND RUNNING THENCE ALONG SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES, 1) NORTH 00°44'00" EAST 433.40 FEET, 2) WEST 15.64 FEET, 3) NORTH 11.71 FEET TO THE PROLONGATION OF A FENCE LINE; THENCE SOUTH 88°01'03" EAST ALONG SAID FENCE LINE AND PROLONGATION THEREOF A DISTANCE OF 249.94 FEET TO A POINT ON A PROLONGATION OF THE WEST FACE OF A RETAINING WALL; THENCE SOUTH 00°02'56" WEST ALONG SAID WEST FACE A DISTANCE OF 86.50 FEET TO THE PROLONGATION OF A FENCE LINE; THENCE SOUTH 01°06'00" WEST ALONG SAID FENCE AND PROLONGATION THEREOF A DISTANCE OF 257.53 FEET; THENCE NORTH 89°13'09" WEST 75.00 FEET; THENCE SOUTH 01°06'00" WEST 100.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 400 SOUTH STREET; THENCE NORTH 89°13'09" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 157.90 FEET TO THE POINT OF BEGINNING. CONTAINING 96,752 SQUARE FEET OR 2.221 ACRES, MORE OR LESS.

6. New Boundaries/Legal Description of Parcel B. The new/adjusted boundary line description of Parcel B (Roberts Parcel) is:

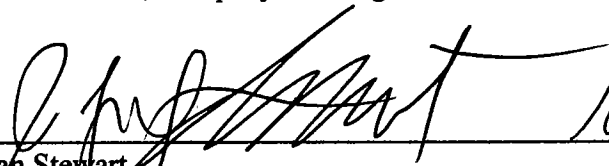
Commencing at a point on a fence line which is East 2016.58 feet and South 126.28 feet from the West quarter corner of Section 23, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 0°44'00" East 434.3 feet along a fence to the South line of a road; thence Southeasterly around a curve 729.5 feet, more or less and parallel to the South line of The D. & R. G. Railroad Right of Way; thence South 42°54'00" East 93.27 feet to the West line of First West Street; thence South 0°44'00" West 45.0 feet along said West line; thence West 201.04 feet to a fence; thence North 0°44'00" East 115.95 feet to a fence corner; thence North 88°53' West 445.37 feet along a fence to the place of beginning.

A TRACT OF LAND BEING SITUATE IN THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, HAVING A BASIS OF BEARINGS OF NORTH 03°29'19" EAST BETWEEN THE REFERENCE TO THE WEST QUARTER AND THE NORTHWEST CORNER OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

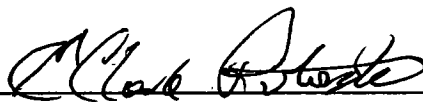
BEGINNING AT A POINT WHICH IS SOUTH 578.93 FEET AND SOUTH 89°13'09" EAST 2383.76 FEET FROM THE REFERENCE TO THE WEST QUARTER OF SAID SECTION 23, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOEFLER PARK TWIN HOMES SUBDIVISION, PLAT "A", ON FILE WITH THE OFFICE OF THE UTAH COUNTY RECORDER AS MAP NO. 15224, AND RUNNING THENCE ALONG SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES, 1) NORTH 00°44'00" EAST 433.40 FEET, 2) WEST 15.64 FEET, 3) NORTH 11.71 FEET TO THE PROLONGATION OF A FENCE LINE; THENCE SOUTH 88°01'03" EAST ALONG SAID FENCE LINE AND PROLONGATION THEREOF A DISTANCE OF 249.94 FEET TO A POINT ON A PROLONGATION OF THE WEST FACE OF A RETAINING WALL; THENCE SOUTH 00°02'56" WEST ALONG SAID WEST FACE A DISTANCE OF 86.50 FEET TO THE PROLONGATION OF A FENCE LINE; THENCE SOUTH 01°06'00" WEST ALONG SAID FENCE AND PROLONGATION THEREOF A DISTANCE OF 257.53 FEET; THENCE NORTH 89°13'09" WEST 75.00 FEET; THENCE SOUTH 01°06'00" WEST 100.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 400 SOUTH STREET; THENCE NORTH 89°13'09" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 157.90 FEET TO THE POINT OF BEGINNING.

WHEREFORE, this Property Boundary Line Agreement is effective upon recordation with the Utah County Recorder's Office, State of Utah.

In witness whereof, each party to this agreement has caused it to be Executed on the date indicated below.



Dan Stewart
Kaskadee Homes, LLC
10-26-2023
Date

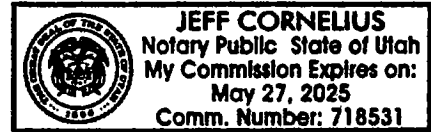


E. Clark Roberts
Roberts MFG., Inc.
10/26/2023
Date

STATE OF UTAH)
)
) :ss
COUNTY OF Utah)

On this 26 day of October, in the year 2023, personally appeared before me, Dan Stewart, who duly acknowledged to me that he is the president, of Kaskade Homes, LLC, and is authorized to execute the foregoing instrument on its behalf and that he executed it in such capacity.

Notary Public _____
My Commission Expires: 5/27/25 Residing at: Utah



STATE OF UTAH)
)
) :ss
COUNTY OF Utah)

On this 26 day of October, in the year 2023, personally appeared before me, E. Clark Roberts, who duly acknowledged to me that he is the President, of Roberts MFG., Inc., and is authorized to execute the foregoing instrument on its behalf and that he executed it in such capacity.

Notary Public _____
My Commission Expires: 5/27/25 Residing at: Utah

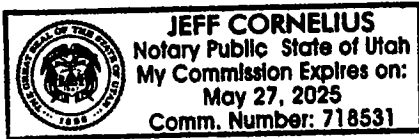


EXHIBIT A

PRIOR LEGAL DESCRIPTIONS OF THE SUBJECT PARCELS

Prior to the recordation of this Property Boundary Line Agreement, the legal descriptions of the subject parcels were as follows (in Salt Lake County, State of Utah):

Parcel A

BEGINNING 6.47 CHAINS WEST AND 8.95 CHAINS SOUTH OF THE CENTER OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, THENCE EAST 60 FEET; THENCE NORTH 148.50 FEET; THENCE WEST 60 FEET; THENCE SOUTH 148.50 FEET TO THE PLACE OF BEGINNING.

ALSO:

COMMENCING AT A POINT ON THE NORTH FENCE LINE OF 400 SOUTH STREET WHICH IS 367 FEET WEST AND 591 FEET SOUTH OF THE CENTER OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH 148.5 FEET, THENCE WEST 60 FEET; THENCE NORTH 299.34 FEET ALONG THE FENCE TO A POINT ON THE NORTH FENCE LINE, THENCE EAST 238.67 FEET ALONG THE FENCE TO A POINT ON THE EAST FENCE LINE, THENCE SOUTH 0°44' WEST ALONG THE FENCE TO A POINT ON THE NORTH FENCE LINE OF 400 SOUTH STREET, THENCE WEST 173 FEET ALONG THE NORTH FENCE LINE OF 400 SOUTH STREET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THAT PORTION CONVEYED IN BOUNDARY LINE AGREEMENT RECORDED MAY 28, 2015 AS ENTRY NO: 45732:2015.

Parcel B

Commencing at a point on a fence line which is East 2016.58 feet and South 126.28 feet from the West quarter corner of Section 23, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence North 0°44'00" East 434.3 feet along a fence to the South line of a road; thence Southeasterly around a curve 729.5 feet, more or less and parallel to the South line of The D. & R. G. Railroad Right of Way; thence South 42°54'00" East 93.27 feet to the West line of First West Street; thence South 0°44'00" West 45.0 feet along said West line; thence West 201.04 feet to a fence; thence North 0°44'00" East 115.95 feet to a fence corner; thence North 88°53' West 445.37 feet along a fence to the place of Beginning.

Less and Excepting therefrom that portion deeded to The Utah Transit Authority in that Warranty Deed recorded January 28, 2011 as Entry No. 8765:2011.

EXHIBIT B
BOUNDARY LINE ADJUSTMENT MAP

