

The Order of the Court is stated below:

Dated: December 02, 2024 **/s/** **CHRISTINE JOHNSON**
10:24:27 AM **District Court Judge**



ENT 84938 : 2024 PG 1 of 6

ANDREA ALLEN
UTAH COUNTY RECORDER
2024 Dec 03 12:10 PM FEE 40.00 BY AS
RECORDED FOR Integrated Title Insurance
ELECTRONICALLY RECORDED

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*Attorney for Nancy B. Clark, individually and as Trustee,
The Carl S. and Nancy B. Clark Trust, dated the 5th of
May, 2021, and Split Ranch, L.L.C.*

**FOURTH DISTRICT COURT
UTAH COUNTY, STATE OF UTAH**

JEFFREY C. DICKSON, MELISSA J.
DICKSON,

Plaintiffs and Counterclaim
Defendants,

v.

Nancy B. Clark, The Carl S. and Nancy B.
Clark Trust, and Split Ranch, LLC,

Defendants and Counterclaimants.

**STIPULATED FINAL DECLARATORY
JUDGMENT**

Case No. 230403785

Judge Christine Johnson
Discovery Tier 2

Pursuant to Rule 58A(a) of the Utah Rules of Civil Procedure, and in furtherance of the settlement of disputed claims in this case reached by the parties, the Court hereby enters this Stipulated Final Declaratory Judgment, adjudging and declaring as follows:

1. All claims and the rights and liabilities of all parties in this matter have been adjudicated.
2. Nancy B. Clark, Trustee,¹ The Carl S. and Nancy B. Clark Trust, dated the 5th day

¹ Carl S. Clark, Trustee, The Carl S. and Nancy B. Clark Trust, dated the 5th day of May, 2021, passed away in 2022, and Nancy B. Clark is now the sole Trustee of The Carl S. and Nancy B.

of May, 2021 (the “**Clark Trust**”), is the record owner of certain real property with an address of 9227 West 7750 North, Lehi, UT 84043, located in Utah County, Utah, identified as Parcel ID No. 13-029-0136, as reflected by the documents recorded with the Utah County Recorder (the “**Clark Property**”).

3. Jeffrey C. Dickson and Melissa J. Dickson, husband and wife, as joint tenants, are the record owners of certain real property with an address of 7609 North 9150 West, Lehi, UT 84043, located in Utah County, Utah, identified as Parcel ID No. 13-029-0118, as reflected by the documents recorded with the Utah County Recorder (the “**Dickson Property**”).

4. The common boundary line between the south side of the Clark Property and the north side of the Dickson Property is at the fence line where these two properties are adjacent to one another and is particularly described as:

Beginning at the Southeast Corner of South Creek Plat “A”, said point being located North 3020.44 feet and East 2257.36 feet from the Southwest Corner of Section 19, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence South 88°59'47" East 14.03 feet; thence along a fence line the following three courses and distances: 1) North 70°02'29" East 10.20 feet, 2) North 89°08'15" East 49.89 feet, and 3) South 87°40'24" East 399.42 feet to the point of terminus.

(the “**Common Boundary Line**”). The Common Boundary Line in the form of the fence line is shown on the survey prepared by Focus Engineering and Surveying, LLC and certified by Justin Lundberg, a licensed Professional Land Surveyor, signed September 5, 2023, Survey No. 24-008, on file in the Official Records of Utah County, Utah.

5. The new legal description for the Clark Property using the Common Boundary

Clark Trust, dated the 5th day of May, 2021.

Line set forth in paragraph 4 above is:

Beginning at the Southeast Corner of South Creek Plat "A", said point being located North 3020.44 feet and East 2257.36 feet from the Southwest Corner of Section 19, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence along the easterly boundary of South Creek Plat "A" the following four courses and distances: 1) North 1°39'47" East 33.34 feet, 2) North 13°46'34" East 41.63 feet, 3) North 7°28'39" East 20.00 feet, and 4) North 0°01'58" West 537.09 feet; thence East 524.54 feet; thence South 0°25'51" West 342.03 feet; thence North 89°37'52" West 62.61 feet; thence South 0°00'39" East 301.29 feet; thence along a fence line the following three courses and distances: 1) North 87°40'24" West 399.42 feet, 2) South 89°08'15" West 49.89 feet, and 3) South 70°02'29" West 10.20 feet; thence North 88°59'47" West 14.03 feet to the point of beginning.

Area = 7.201 Acres

Basis of Bearing is North 0°08'54" West 5305.50 from the Southwest Corner of Section 19, Township 5 South, Range 1 East Salt Lake Base and Meridian to the Northwest Corner of said Section 19.

Coordinate System is NAD83.

Parcel ID No. 13-029-0136

(the "**As Surveyed Clark Property**")

6. The new legal description for the Dickson Property using the Common Boundary

Line set forth in paragraph 4 above is:

Beginning at the Southeast Corner of South Creek Plat "A", said point being located North 3020.44 feet and East 2257.36 feet from the Southwest Corner of Section 19, Township 5 South, Range 1 East, Salt Lake Base and Meridian; thence South 88°59'47" East 14.03 feet; thence along a fence line the following five courses and distances: 1) North 70°02'29" East 10.20 feet, 2) North 89°08'15" East 49.89 feet, 3) South 87°40'24" East 401.63 feet, 4) South 86°26'32" East 104.55 feet, and 5) South 89°26'24" East 77.69 feet; thence South 335.64 feet; thence North 87°54'42" West 275.82 feet; thence South 30.38 feet; thence South 89°36'49" West 519.50 feet; thence South 0°25'51" West 0.09 feet; thence along the northerly boundary of Meadows at Lakeside Phase 1 the following two courses and distances: 1) South 89°37'35" West 398.40, and 2)

North 0°00'46" East 59.13 feet; thence along the southerly boundary of South Creek Plat "A" the following four courses and distances: 1) South 87°21'58" East 22.86 feet, 2) North 35°02'57" East 51.61 feet, 3) North 55°24'19" East 497.92 feet, and 4) South 88°59'47" East 74.32 feet to the point of beginning.

Area = 8.397 Acres

Basis of Bearing is North 0°08'54" West 5305.50 from the Southwest Corner of Section 19, Township 5 South, Range 1 East Salt Lake Base and Meridian to the Northwest Corner of said Section 19.

Coordinate System is NAD83.

Parcel ID No. 13-029-0118

(the "**As Surveyed Dickson Property**").

7. Nancy B. Clark, individually, and the Clark Trust have no right, title, or interest in the real property lying immediately to the south of the Common Boundary Line, including no access or easement rights over or on the As Surveyed Dickson Property. Any existing access or easement rights of any kind that Nancy B. Clark, individually, and the Clark Trust may have over or on the As Surveyed Dickson Property are hereby terminated.

8. The Dicksons have no right, title, or interest in the real property lying immediately north of the Common Boundary Line, including no access or easement rights over or on the As Surveyed Clark Property. Any existing access or easement rights of any kind that the Dicksons may have over or on the As Surveyed Clark Property are hereby terminated.

9. Title to the As Surveyed Clark Property is quieted in the Clark Trust as against the Dicksons.

10. Title to the As Surveyed Dickson Property is quieted in the Dicksons as against

Nancy B. Clark, individually, and the Clark Trust.

11. Any claims remaining in the Complaint and Counterclaim are hereby dismissed with prejudice, including but not limited to those brought by or against Split Ranch, L.L.C.

12. This Final Declaratory Judgment may be recorded in the Official Records of Utah County, Utah.

The Court's signature appears at the top of the first page of this Final Stipulated Declaratory Judgment.

END OF DOCUMENT

Approved as to form:

/s/Bradley N. Roylance
Bradley N. Roylance

CERTIFICATE OF SERVICE

I certify that on November 26, 2024, I caused the foregoing proposed STIPULATED FINAL DECLARATORY JUDGMENT to be served in the manner indicated to the following parties at the addresses listed below:

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| <p>David T. Gustin Bradley N. Roylance GUSTIN LAW FIRM, P.C. 38 West 13775 South, Suite 300 Draper, UT 84020 david@gustinlaw.com brad@gustinlaw.com <i>Attorneys for Plaintiffs and Counterclaim</i> <i>Defendants</i></p> | <p><input type="checkbox"/> Hand Delivery <input type="checkbox"/> First Class, United States Mail, Postage Prepaid <input checked="" type="checkbox"/> E-filing via GreenFiling <input type="checkbox"/> E-filing via CM/ECF <input type="checkbox"/> Email</p> |
|--|--|

/s/Sara E. Bouley
Sara E. Bouley