326 West 900 N American FORK, UT \$4003 FENCE PLACEMENT AGREEMENT

THIS AGREEMENT made and entered into this 20th day of July, 2004, by and between Gary D. Twitchell and Lisa Twitchell (hereinafter referred to as "Twitchell") and Daniel E. Nelson, and Tamara Nelson (hereinafter referred to as "Nelson"). WHEREAS;

Twitchell is the owner of a parcel of ground described as Lot 14, Plat "D", GRANITE MOUNTAIN ESTATES SUBDIVISION and Nelson is the owner of a parcel of ground described as Lot 15, Plat "D", GRANITE MOUNTAIN ESTATES SUBDIVISION and whereas both parties mutually desired to place a vinyl fence between the properties, and whereas there currently exists a utility easement five feet in width along each of the properties common boundary line.

It is hereby agreed as follows:

- 1. Twitchell and Nelson have placed the fence approximately eight inches into the Twitchell property(Lot 14) for the purpose of avoiding placing the fence directly over an existing UP&L electric power box.
- 2. Neither party asserts any additional ownership interest due to the fact that the fence is not on the actual boundary line.
- 3. The fence is mutually owned in equal shares between the owners of the properties.
- 4. That this agreement shall run with the land and continue as long as the existing fence is maintained. In the event that the existing fence is removed by mutual consent of both parties the placement of a new fence will either be on the property line or by a new mutual agreement of the then owners of these properties.

State of Utah

: SS.

County of Utah

day of July, A. D. 2004, personally appeared before me Daniel E. Nelson, On the Tamara Nelson, Gary D. Twitchell, and Lisa Twitchell, the signers of the within instrument, who duly acknowledged to me that they executed the same.

Notary Public Residing at: O'lem, UT

My Commission expires: 948-07



I have reviewed, approved and agree to abide by the above agreement.

Tracy Rogers Pogers

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State of Utah

:ss.

County of Utah

On the 30 that of July, A. D. 2004, personally appeared before me Tracy Rogers and Sherri Rogers, the signer of the within instrument, who duly acknowledged to me that the executed the same.

Residing at:

My Commission expires: Jun 11,2007

