

WHEN RECORDED, RETURN TO:

Westside Land Holdings LLC
881 West State Street, Suite 140-204
Pleasant Grove, UT 84062

ENT96245:2022 PG 1 of 11
Andrea Allen
Utah County Recorder
2022 Aug 31 11:07 AM FEE 0.00 BY LT
RECORDED FOR Metro National Title Associates
ELECTRONICALLY RECORDED

Tax Parcel ID No.'s: 21:033:0016 and 21:034:0107

**PARCEL BOUNDARY ADJUSTMENT AND
BOUNDARY LINE AGREEMENT**

This Parcel Boundary Adjustment and Boundary Line Agreement ("Agreement") is executed by and between WESTSIDE LAND HOLDINGS LLC, a Utah limited liability company ("Owner 1"), with an address of 881 West State Street, Suite 140-204, Pleasant Grove, UT 84062, and PROVO CITY CORPORATION, a Municipal Corporation ("Owner 2"), with an address of 445 West Center, Provo, UT 84601 (Owner 1 and Owner 2 are collectively referred to herein as the "Owners" and individually as an "Owner").

Recitals

A. Owner 1 is the recorded owner of that certain real property located in Utah County, Utah, consisting of the parcel described in Exhibit A attached hereto (the "Original Parcel 1").

B. Owner 2 is the recorded owner of that certain real property located in Utah County, Utah, consisting of the parcel described in Exhibit B attached hereto (the "Original Parcel 2").

C. Original Parcel 1 and Original Parcel 2 are collectively referred to herein as the "Parcels".

D. There is an overlap in the legal descriptions of Original Parcel 1 and Original Parcel 2 contained within the vesting deed for Original Parcel 1 to Owner 1 and the vesting deed for Original Parcel 2 to Owner 2.

E. Owners desire to eliminate any discrepancy in title as pertaining to the boundary and division line between the Parcels and to mutually agree upon and establish the common boundary line between the Parcels as shown on that certain Record of Survey plat ("Record of Survey Plat") filed on [August 30, 2022], as [# 22-403], and pursuant to Utah Code Ann. Section 10-9a103(47), and authorized by Utah Code Ann. Section 10-9a-524. This Agreement also constitutes a boundary line agreement pursuant to Utah Code Ann. Section 57-1-45.

F. The Parcels are each unsubdivided land, and no additional parcel is created by this Agreement.

G. Pursuant to Utah Code Ann. Section 10-9a-523(3), this Agreement is not subject to the review of a land use authority.

Agreement

In consideration of the provisions hereof, and for other good and valuable consideration, Owners agree as follows:

1. Location of New Boundary. The new boundary line between Original Parcel 1 and Original Parcel 2 shall be located as described in Exhibit C attached hereto, and as shown on the Record of Survey Plat attached hereto as Exhibit D. Furthermore, in consideration of the mutual benefits brought by this Agreement, each Owner hereby claims title to its respective Parcel of land only up to the above described boundary line and does hereby quitclaim to the other Owner any right, title and interest the quitclaiming Owner may have in and to lands of the other Owner extending in and beyond the above described boundary line.

2. New Parcel Legal Descriptions. The legal description of Original Parcel 1 (after modification pursuant to Section 1 above is hereinafter referred to as "Parcel 1"), is set forth in Exhibit E attached hereto, and the legal description of the Original Parcel 2 (after modification pursuant to Section 1 above is hereinafter referred to as "Parcel 2"), is set forth in Exhibit F attached hereto.

3. Termination of Existing Agreements. This Agreement terminates and restates in its entirety the following agreement: Fence Line Agreement between Mark L. Layton and Dana L. Layton and Ernest Durrant and John Henry Durrant, Successor Co-Trustees of the Winifred H. Durrant Revocable Trust dated November 27, 2002, recorded with the Utah County Recorder on August 27, 2018 as document number 81372:2018.

4. Modification. This Agreement and the new boundary line shall not be modified or amended except by a written agreement executed by Owners.

5. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the successors, legal representatives, and assigns of the Owners.

Dated this 30 day of August, 2022.

(Signature pages follow)

EXHIBIT A

ORIGINAL PARCEL 1

Parcel No. 21:033:0016

An entire tract of land described in that Warranty Deed recorded February 11, 2022 as Entry No. 19237:2022 in the Office of the Utah County Recorder. Said entire tract is located in the South Half of Section 4 & North Half of Section 9, Township 7 South, Range 2 East, Salt Lake Base and Meridian and is described as follows:

Commencing North 8.52 chains and West 35.18 chains from corner common to Section 3, 4, 9, 10, Township 7 South, Range 2 East Salt Lake Meridian; South 12.84 chains; West 13.24 chains; North 2.84 chains; West 1.60 chains; North 10 chains; East 14.84 chains to beginning.

Subject to the effects of that Boundary Line Agreement recorded October 16, 2007 as Entry No. 148900:2007, of Official Records.

Also subject to the effects of that Boundary Line Agreement (Survey Line) recorded October 30, 2019, of Official Records.

EXHIBIT B**ORIGINAL PARCEL 2**

Parcel No. 21:034:0107 - 351 W CENTER ST PROVO, UT 84601-4338

An entire tract of land described in that Warranty Deed recorded May 20, 2020 as Entry No. 68526:2020 in the Office of the Utah County Recorder. Said entire tract is located in the South Half of Section 4 & North Half of Section 9, Township 7 South, Range 2 East, Salt Lake Base and Meridian and is described as follows:

Commencing South 272.23 feet and West 3180.33 feet from the Northeast Corner of Section 9, Township 7 South, Range 2 East, Salt Lake Base and Meridian; thence North 89° 51' 00" East 1533.74 feet; thence South 4° 40' 00" East 310.08 feet; thence North 78° 04' 51" West 395.45 feet; thence South 6 ° 13' 03" West 832.18 feet; thence South 88° 55' 45" West 685.37 feet; thence North 81°00'57" West 274.72 feet; thence North 84°51'50" West 121.98 feet; thence North 0°13'00" West 1009.64 feet to beginning.

EXHIBIT C**LEGAL DESCRIPTION OF NEW BOUNDARY LINE**

A common boundary line between the following two entire tracts of land: 1) Warranty Deed recorded February 11, 2022 as Entry No. 19237:2022 and; 2) Warranty Deed recorded May 20, 2020 as Entry No. 68526:2020 in the Office of the Utah County Recorder. Said common boundary line is located in the North Half of Section 9, Township 7 South, Range 2 East, Salt Lake Base and Meridian and is described as follows:

Beginning at an existing rebar and wire fence corner, which is 267.71 feet South and 2319.52 feet West from the Southeast Corner of said Section 4; thence S. 89°53'48" W. 859.71 feet along said existing wire fence to a northeasterly corner of that Boundary Line Agreement recorded October 16, 2007 as Entry No. 148900:2007 in the Office of said Recorder and shown on that Record of Survey filed as 09-122 in the Office of said Surveyor being the **Point of Terminus**.

BASIS OF BEARING N. 00°12'19" W. along the Section line between the Southeast Corner and the East Quarter Corner of said Section 4, Township 7 South, Range 2 East, Salt Lake Base and Meridian.

EXHIBIT D

RECORD OF SURVEY PLAT

[see attached]

EXHIBIT E**PARCEL 1 (New)**

Parcel - 21:033:0016

Record Owner(s): Westside Land Holdings LLC, a Utah limited liability company

Described as:

A parcel of land being part of an entire tract of land described in that Warranty Deed recorded February 11, 2022 as Entry No. 19237:2022 in the Office of the Utah County Recorder. Said parcel is located in the South Half of Section 4 and the North Half of Section 9, Township 7 South, Range 2 East, Salt Lake Base and Meridian and is described as follows:

Beginning at an existing rebar and wire fence corner, which is 267.71 feet South and 2319.52 feet West from the Southeast Corner of said Section 4; thence S. 89°53'48" W. 875.40 feet along said existing wire fence to an existing fence corner marking the interior corner of that Boundary Line Agreement recorded October 16, 2007 as Entry No. 148900:2007 in the Office of said Recorder and shown on that Record of Survey filed as 09-122 in the Office of said Surveyor; thence along said Boundary Line Agreement and existing fence the following three (3) courses: 1) N. 00°09'24" W. 186.99 feet; 2) N. 89°19'50" W. 105.53 feet; 3) N. 00°11'31" W. 631.21 feet to a rebar and cap stamped "Oak Hills Surveying LS 317443"; thence along an existing fence the following three (3) courses: 1) N. 89°15'37" E. 793.37 feet; 2) N. 83°22'48" E. 68.24 feet; 3) N. 88°35'48" E. 118.23 feet to and existing rebar and cap stamped "LS147089" marking the northwesterly corner of "Parcel 1" of that Boundary Line Agreement recorded October 30, 2019 as Entry No. 112773:2019 in the Office of said Recorder and shown on that Fence Line Survey filed as 19-209 in the Office of the Utah County Surveyor; thence S. 00°17'30" E. 838.87 feet along said existing fence and Boundary Line Agreement and extension thereof to said existing rebar and the **Point of Beginning**.

The above-described parcel of land contains 789,983 sq ft in area or 18.135 acres more or less.

BASIS OF BEARING

N. 00°12'19" W. along the Section line between the Southeast Corner and the East Quarter Corner of said Section 4, Township 7 South, Range 2 East, Salt Lake Base and Meridian.

EXHIBIT F**PARCEL 2 (New)**

Parcel - 21:034:0107

Described as:

An entire tract of land described in that Warranty Deed recorded May 20, 2020 as Entry No. 68526:2020 in the Office of the Utah County Recorder. Said entire tract is located in the South Half of Section 4 & North Half of Section 9, Township 7 South, Range 2 East, Salt Lake Base and Meridian and is described as follows:

Commencing South 272.23 feet and West 3180.33 feet from the Northeast Corner of Section 9, Township 7 South, Range 2 East, Salt Lake Base and Meridian; thence North 89° 51' 00" East 1533.74 feet; thence South 4° 40' 00" East 310.08 feet; thence North 78° 04' 51" West 395.45 feet; thence South 6 ° 13' 0311 West 832.18 feet; thence South 88° 55' 45" West 685.37 feet; thence North 81°00'57" West 274.72 feet; thence North 84°51'50" West 121.98 feet; thence North 0°13'00" West 1009.64 feet to beginning.