

Winfield CC
470 E 3900 St #200
A.L.O. UT 84107

702

BOUNDARY LINE AGREEMENT

00199914 BK 00369 Pg 00702-00706
WASATCH CO RECORDER-ELIZABETH M PARCELL
1998 JAN 13 10:04 AM FEE \$21.00 BY NHC
REQUEST: FIRST AMERICAN TITLE

This Boundary Line Agreement is made and entered into this _____ day of _____, 1998, by and between Cornelis B. Vanderhout and Brenda B. Vanderhout, Co-Trustees of the VANDERHOUT FAMILY TRUST and B.C.M.O., Inc.

RECITALS

1. Cornelis B. Vanderhout and Brenda B. Vanderhout, Co-Trustees of the VANDERHOUT FAMILY TRUST is the owner, in fee simple, of the following described parcel of real property, situated in Wasatch, State of Utah, hereinafter referred to as the "Vanderhout Parcel", and being more particularly described by a fence line survey dated December 5, 1997 prepared by Ralph E. Goff, as follows:

(PARCEL 1)

PAGE () INDEX () ABSTRACT () PLAT () CHECK ()

BEGINNING at a point where the North boundary line of Heber City crosses the East boundary of the Grantors property which point is approximately 264 feet West and South 0°48' and West 1980 feet from the Northeast corner of Section 31, Township 3 South, Range 5 East, Salt Lake Base and Meridian; thence running West along the North boundary of Heber City 635 feet to the West boundary of Grantors property; thence South 0°48' West 786 feet, more or less, to the North boundary of 5th North Street of Heber City; thence South 89°12' East along the North boundary of 5th North Street 485 feet to the Southwest corner of the Heber Valley Care center property; thence North 0°48' East 350 feet; thence South 89°12' East 150 feet; thence North 0°48' East 446 feet, more or less, to the place of beginning.

(PARCEL 2 & 3)

BEGINNING at a point 16 rods West and 89 rods South 0°48' West and 8 rods North 89°12' West of the Northeast Corner of Section 31, Township 3 South, Range 5 East, Salt Lake Base and Meridian, and running thence South 0°48' West 31 rods; thence West 32 rods; thence North 0°48' East 31.7/12 rods; thence South 89°13' East 32 rods to the place of beginning.

ALSO: BEGINNING 16 rods West and 89 rods South 0°48' West of the Northeast Corner of Section 31, Township 3 South, Range 5 East, Salt Lake Base and Meridian, and running thence South 0°48' West 31 rods; thence West 8 rods; thence North 0°48' East 31 rods; thence South 89°12' East 8 rods to the place of beginning.

ALSO: BEGINNING 1980 feet South and 884 feet West from the Northeast Corner of Section 31, Township 3 South, Range 5 East, Salt Lake Base and Meridian, and running thence South 0°48' West 786.5 feet; thence South 89°12' East 25 feet; thence North 0°48' East 786.5 feet; thence West 25 feet to the place of beginning.

2. B.C.M.O., INC. is the owner, in fee simple, of the following described parcel of real property, situated in Wasatch, State of Utah, hereinafter referred to as the B.C.M.O. Parcel, and being more particularly described as follows:

(Continued)

BEGINNING at a point 16 rods West and 160.25 rods South 0°48' West from the Northeast corner of Section 31, Township 3 South, Range 5 East, Salt Lake Base and Meridian, and running thence North 89°12' West 150 feet; thence North 0°48' East 350 feet, thence South 89°12' East 150 feet; thence South 0°48' West 350 feet to the place of beginning.

- 3. The B.C.M.O. Parcel lies immediately adjacent to the South of the Vanderhout Parcel.
- 4. The exact location of the boundary between the Vanderhout Parcel and the B.C.M.O. Parcel is in question. In order to eliminate any confusion and to forever determine the issue of the common boundary line between the Vanderhout Parcel and the B.C.M.O. Parcel, the undersigned parties desire to establish said boundary line.

NOW, THEREFORE, in consideration of the above premises, and for other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, and for the purpose of permanently establishing the common legal and physical boundary line between the parcels described herein, it is hereby agreed as follows:

- 5. Vanderhout hereby releases, remises, and quit claims to B.C.M.O. of its right, title and interest in and to any real property lying immediately to the Vanderhout of the common fence line described in the Vanderhout survey, and B.C.M.O. hereby releases, remises, and quit claims to Vanderhout all of its right, title and interest in and to any real property lying immediately to the North of the common fence line described above.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the date hereinabove first mentioned.

B.C.M.O. INC.

C. B. Vanderhout, Trustee
Cornelis B. Vanderhout,
Co-Trustee of
VANDERHOUT FAMILY TRUST

By: _____

Brenda B. Vanderhout, Trustee
Brenda B. Vanderhout,
Co-Trustee of
VANDERHOUT FAMILY TRUST

* * *

(Acknowledgements following page)

Page (2)

BEGINNING at a point 16 rods West and 160.25 rods South 0°48' West from the Northeast corner of Section 31, Township 3 South, Range 5 East, Salt Lake Base and Meridian, and running thence North 89°12' West 150 feet; thence North 0°48' East 350 feet, thence South 89°12' East 150 feet; thence South 0°48' West 350 feet to the place of beginning.

- 3. The B.C.M.O. Parcel lies immediately adjacent to the South of the Vanderhout Parcel.
- 4. The exact location of the boundary between the Vanderhout Parcel and the B.C.M.O. Parcel is in question. In order to eliminate any confusion and to forever determine the issue of the common boundary line between the Vanderhout Parcel and the B.C.M.O. Parcel, the undersigned parties desire to establish said boundary line.

NOW, THEREFORE, in consideration of the above premises, and for other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, and for the purpose of permanently establishing the common legal and physical boundary line between the parcels described herein, it is hereby agreed as follows:

- 5. Vanderhout hereby releases, remises, and quit claims to B.C.M.O. of its right, title and interest in and to any real property lying immediately to the Vanderhout of the common fence line described in the Vanderhout survey, and B.C.M.O. hereby releases, remises, and quit claims to Vanderhout all of its right, title and interest in and to any real property lying immediately to the North of the common fence line described above.

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on the date hereinabove first mentioned.

Cornelis B. Vanderhout,
Co-Trustee of
VANDERHOUT FAMILY TRUST

B.C.M.O. INC
By: Lamar Bangarter Sec.

Brenda B. Vanderhout,
Co-Trustee of
VANDERHOUT FAMILY TRUST

(Acknowledgements following page)

00199914 BK 00369 Pg 00704

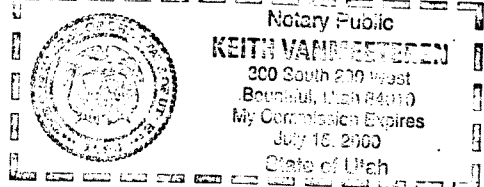
STATE OF UTAH)
COUNTY OF Davis)

On the 9th day of January, 1998, personally appeared before me Lamar Bangertter, who being by me duly sworn, did say that he is the Secretary of B.C.M.O. INC., a corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and the said Secretary acknowledged to me that said corporation executed the same.

WITNESS my hand and official seal.

Keith Vanderstegen
Notary Public
Residing at: Bountiful, Utah

My Commission Expires: 7-15-2000



STATE OF UTAH)
COUNTY OF _____)

On then _____ day of _____, 1998, before me, the undersigned, a notary Public in and for said State, personally appeared Cornelis B. Vanderhout and Brenda B. Vanderhout, Co-Trustees of the VANDERHOUT FAMILY TRUST personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Notary Public

00199914 BK 00369 Pg 00705

STATE OF UTAH)
COUNTY OF _____)

On the _____ day of _____, 1998, personally appeared before me _____, who being by me duly sworn, did say that he is the _____ of B.C.M.O. INC., a corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors, and the said _____ acknowledged to me that said corporation executed the same.

WITNESS my hand and official seal.

Notary Public
Residing at:

My Commission Expires: _____

* * *

STATE OF ~~UTAH~~ Arizona)
COUNTY OF Maricopa)

On then 8th day of JANUARY, 1998, before me, the undersigned, a notary Public in and for said State, personally appeared Cornelis B. Vanderhout and Brenda B. Vanderhout, Co-Trustees of the VANDERHOUT FAMILY TRUST personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

Angelina Pyles

Notary Public

