

Ent 240699 Bk 0541 Pg 0132-0134  
ELIZABETH PARCELL, Recorder  
WASATCH COUNTY CORPORATION  
2002 JAN 14 3:00pm Fee 17.00 MWC  
FOR FOUNDERS TITLE COMPANY

## BOUNDARY AGREEMENT

THIS AGREEMENT made and entered into on the \_\_\_ day of \_\_\_\_\_, 2001, by and between Rodney M. Fitzgerald and Kay L. Fitzgerald, as Trustees of the Mont B. Fitzgerald Family Trust Dated 10/18/95, hereinafter referred to as Fitzgerald, and Zina McDonald, Trustee of the Zina McDonald Trust dated the 27th day of August, 1992, hereinafter referred to as McDonald.

All property hereinafter affected being located in Wasatch County, State of Utah.

Fitzgerald as to that portion of the subject property lying within the following described property:

Beginning South Quarter Corner of Section 20, Township 3 South, Range 5 East, Salt Lake Base and Meridian; thence North 660 feet; thence West 1397.88 feet; thence South 21° East 220.49 feet; thence South 20° 175.56 feet; thence North 60°30' East 66 feet, thence South 24° East 250.8 feet; thence South 73°45' West 290.5 feet; thence South 63°45' West to the point of beginning.

McDonald as to that portion of the subject property lying within the following described property:

Also Beginning 20.16 chains West and 4.45 chains North 24° West from the Southeast corner of the Southwest quarter of Section 20, Township 3 South, Range 5 East, Salt Lake Meridian; thence North 24° West 5.95 chains; thence West 3.10 chains; thence North 2° West 2.64 chains; thence East 6.48 chains; thence South 21°15' East 3.12 chains; thence South 21° West 2.56 chains; thence South 59°40' West 1.39 chains to beginning.

### WITNESSETH:

WHEREAS, on or about October 12, 2000, a survey of one of the subject properties was made by MCM Engineering, Bing Christensen, a licensed land surveyor. Said survey revealed a discrepancy between the physical location of the fence of the subject properties, and the deed descriptions pertaining thereto.

WHEREAS, it is the desire of the above named parties to reduce said agreement to writing in order that the records may show the agreed boundary line.

NOW THEREFORE, in consideration of the premises, it is hereby agreed and covenanted, as follows:\*

1. That the fence line and boundary line as shown in the following description is acknowledged as being a true and accurate boundary between the subject properties, to wit:

Beginning North 00°00'14" East 230.91 feet from the original stone monument for the South one-quarter corner of Section 20, Township 3 South, Range 5 East, Salt Lake Base and Meridian; and running thence South 61°05'50" West 1151.75 feet; thence South 53°18'58" West 339.33 feet to a point on the Easterly right of way line of U.S. Highway 40, said point also being on a non-tangent curve concave to the Southwest from which a radial line bears South 68°33'51" West 2914.90 feet; thence Northwesterly along said curve through a central angle of 04°42'27" a distance of 239.485 feet to a point on the Southerly boundary of the Bonner Fitzgerald property (see entry number 163287; Book 250, Page 268-274); thence along a non tangent line North 56°17'51" East 214.39 feet along the Southerly boundary of the Bonner Fitzgerald property; thence North 21°30'13" West 147.69 feet along the Easterly boundary of said property; thence North 05°51'07" East 159.38 feet along said Easterly boundary; thence North 23°50'00" West 184.00 feet along said Easterly boundary; thence North 20°27'46" West 66.50 feet along an existing fence line; thence North 60°41'37" East 99.44 feet along an existing fence line; thence North 283.22 feet to a point on the Southerly boundary of the BARJIM L.L.C. property (See entry No. 204564, Book 387, Page 144; See also OWC-035-020-0-0881); thence South 89°59'36" East 1247.44 feet along said Southerly boundary and boundary extended to a point on the Section line running between the original Stone

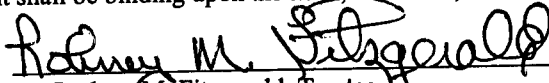
Boundary Line Agreement  
Zina McDonald and Rodney M. Fitzgerald and Kay L. Fitzgerald


Monument for the South one-quarter of Section 20, Township 3 South, Range 5 East, Salt Lake Base and Meridian, and the 1999 Wasatch County reference monument for the North one-quarter corner of said section; thence South 00°00'14" West 436.97 feet along said section line to the point of beginning.

2. In order to establish the above described fence and boundary line as the boundary located on the survey mentioned above in the Northwest corner, and in consideration of this agreement, Rodney M. Fitzgerald and Kay L. Fitzgerald, as Trustees of the Mont B. Fitzgerald Family Trust Dated 10/18/95 conveys and Quit-Claims all right, title and interest in and to the property lying West and Northerly of the boundary line and fence line described above in No. 1 to Zina McDonald, Trustee of The Zina McDonald Trust dated the 27th day of August, 1992.

3. To further establish the above described fence and boundary line located on the survey mentioned above in the Northwest corner, and in consideration of this agreement, the above named Grantees, Zina McDonald, Trustee of The Zina McDonald Trust dated the 27th day of August, 1992, convey and Quit-Claim to Rodney M. Fitzgerald and Kay L. Fitzgerald, as Trustees of the Mont B. Fitzgerald Family Trust Dated 10/18/95, all right title and interest in and to the property lying East and Southerly of the boundary line and fence line described above in No. 1.

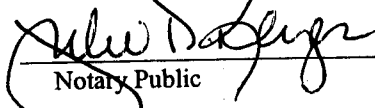
4. This Agreement shall be binding upon the heirs, executors, administrators or assigns of the parties hereto.

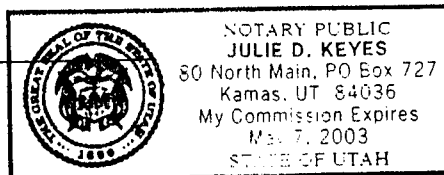
  
Rodney M. Fitzgerald, Trustee

  
Kay L. Fitzgerald, Trustee

STATE OF UTAH     )  
                  : SS  
County of Wasatch )

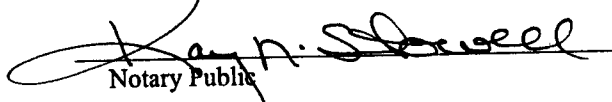
On the 19 day of December, 2001, personally appeared before me, Rodney M. Fitzgerald, as Trustee of the Mont B. Fitzgerald Family Trust Dated 10/18/95, the signers of the within instrument, who duly acknowledged to me that they executed the same.

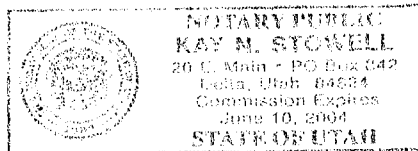
  
Notary Public



STATE OF UTAH     )  
                  : SS  
County of ~~Wasatch~~  
                  Millard

On the 8<sup>th</sup> day of ~~December~~ January, 2002, personally appeared before me, Kay L. Fitzgerald, as Trustee of the Mont B. Fitzgerald Family Trust Dated 10/18/95, the signers of the within instrument, who duly acknowledged to me that they executed the same.

  
Notary Public

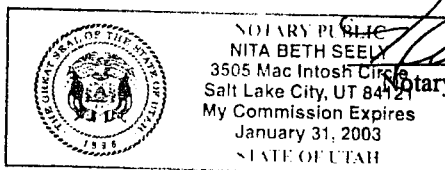


Boundary Line Agreement  
Zina McDonald and Rodney M. Fitzgerald and Kay L. Fitzgerald

Zina McDonald  
Zina McDonald, Trustee

STATE OF UTAH    )  
                  : SS  
County of Wasatch )

On the 27 day of December, 2001, personally appeared before me, Zina McDonald, Trustee of The Zina McDonald Trust dated the 27th day of August, 1992, the signers of the within instrument, who duly acknowledged to me that they executed the same.



Nita Beth Seely  
Notary Public