

WHEN RECORDED RETURN TO:
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RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
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BY: MZA, DEPUTY - WI 7 P.

Space above for County Recorder's use

BOUNDARY LINE AGREEMENT
Salt Lake County – Limited Liability Company

Tax Serial No.(s): 15-36-278-029,
15-36-427-019 & 15-36-427-035
County Project: Harmony Park
Surveyor WO:W082819016

THIS BOUNDARY LINE AGREEMENT (the "Agreement") is entered into as of this ___ day of September, 2020, by and between SALT LAKE COUNTY, a body corporate and politic of the State of Utah (the "County") and HARMONY SQUARE LIVING, LLC, a Utah limited liability company (the "Developer").

RECITALS

A. The County is the fee owner of certain real property know as Harmony Park located at approximately 3760 South Main Street, South Salt Lake, Utah, which property is currently more particularly described in the official records of Salt Lake County in the manner set forth in Attachment A attached hereto (the "County Property").

B. The Developer is the fee owner of certain real property located at 3839 South West Temple, in Salt Lake County, State of Utah, which property is currently more particularly described in the official records of Salt Lake County as set forth in Attachment A attached hereto (hereinafter the "Development Property").

C. The County and the Developer's predecessors in interest entered into a Boundary Line Agreement in 1999 to resolve a dispute over the common boundary between them, which was recorded in the Salt Lake County Recorder's Office on June 11, 1999, as Entry No. 7383468 in Book 8285 at Page 7337 (the "1999 Agreement").

D. Despite the 1999 Agreement, there has continued to be some confusion regarding the location of the boundary between the County Property and the Development Property, which resulted in an alleged encroachment by the Developer onto the County Property.

E. To resolve any confusion regarding the boundary between the County Property and the Development Property and to address the alleged encroachment, the County and the Developer have negotiated the terms of this Agreement to clearly establish the common boundary between them.

F. Pursuant to Section 57-1-45(2)(vi) of the Utah Code, the new common boundary line is set forth on that Record of Survey Plat filed by Patrick M. Harris, a licensed professional Land Surveyor (License No. 286882) as Map No. S2020-09-0676 in the office of the Salt Lake County Surveyor. The new common boundary line is more particularly described in Attachment B.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereby agree as follows,

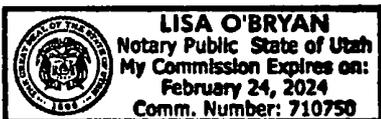
1. The parties hereby agree that the common boundary line between the County Property and the Development Property shall be that as set forth in Attachment "B" attached hereto.
2. In addition, the parties acknowledge this Agreement constitutes an exchange of title in accordance with Section 57-1-45 of the Utah Code in accordance with the new common boundary line set forth in Attachment B.
3. Therefore, the parties hereby mutually quit-claim to each other all property lying on the adjacent owner's respective side of the described common boundary line.

Tax Serial No.(s): 15-36-278-029,
15-36-427-019 & 15-36-427-035
County Project: Harmony Park
Surveyor WO: W082819016

[Acknowledgements continued from preceding page]

STATE OF UTAH)
)ss
COUNTY OF SALT LAKE)

On this 26 day of October, 2020, personally appeared before me Sherrie Swensen, who being by me duly sworn, did say and acknowledge that she is the Clerk of Salt Lake County, and that the foregoing Property Boundary Line Agreement was signed by her on behalf of Salt Lake County by authority of a Resolution of the Salt Lake County Council.



Lisa O'Bryan
NOTARY PUBLIC
Residing in Salt Lake County, Utah

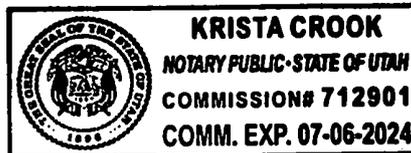
HARMONY SQUARE LIVING, LLC, ACKNOWLEDGEMENT

STATE OF Utah)
)ss.
COUNTY OF Salt Lake)

On the date first above written personally appeared before me Jeffrey Duke, and _____, who, being by me duly sworn said that he/she/they is/are the Manager and _____ of HARMONY SQUARE LIVING, L.L.C., a Utah Limited Liability Company, and that the within and foregoing instrument was signed in behalf of said company by authority of its Operating Agreement, and said Jeffrey Duke, and _____ acknowledged to me that said company executed the same.

WITNESS my hand and official stamp the date in this certificate first above written:

Notary Public Krista Crook
My Commission Expires: 7-6-24
Residing in Salt Lake County



Tax Serial No.(s): 15-36-278-029,
15-36-427-019 & 15-36-427-035
County Project: Harmony Park
Surveyor WO: W082819016

ATTACHMENT A
Current Descriptions

Record Owner(s): SALT LAKE COUNTY

Parcel Identification No.: 15-36-278-029

Address: 3760 South Main Street

Vesting Deed: Warranty Deed recorded on July 25, 1945 as Entry No. 1006568 in Book 431 at Page 157 in the office of the Salt Lake County Recorder

Described as:

~~Commencing at a point 13.04 feet South of the Northwest corner of Lot 3, Block 16, Ten Acre Plat "A", Big Field Survey, and running thence East 726 feet, more or less, to the West side of Main Street; thence South 561.16 feet to the South line of said Lot 3; thence West 726 feet, more or less, to the Southwest corner of said Lot 3; thence North 561.16 feet to the place of beginning.~~

The boundary of the above described parcel was adjusted by that Boundary Line Agreement recorded on June 11, 1999 as Entry No. 7383468 in Book 8285 at Page 7337 in the office of said Recorder

AND,

Record Owner(s): HARMONY SQUARE LIVING LLC

Parcel Identification No.: 15-36-427-037

Address: 3839 South West Temple Street

Vesting Deed: Described as Parcels 2 and 4 in that Special Warranty Deed recorded on July 3, 2017 as Entry No. 12569075 in Book 1057 at Page 5996 in the office of the Salt Lake County Recorder.

Described as:

PARCEL 2:

Beginning at a point on the East right of way line of West Temple Street, said point being North 00°01'33" West along said East line 589.6 feet from the Southwest corner of Lot 2, Block 16, Ten Acre Plat "A", Big Field Survey and running thence North 89°45'58" East 299.19 feet; thence South 00°14'02" East 154.99 feet; thence South 89°58'27" West 299.75 feet to the East right of way line of West Temple Street; thence North 00°01'33" West along said East line 153.91 feet to the point of beginning.

TOGETHER WITH AND SUBJECT TO the following described right-of-way:

Beginning at a point on the North right of way line of 3900 South Street, said point being North 89°44'50" East 188.98 feet from the Southwest corner of Lot 2, Block 16, Ten Acre Plat "A", Big Field Survey and running thence North 00°01'33" West 245.86 feet; thence South 89°58'27" West 188.98 feet to the East right of way line of West Temple Street; thence North 00°01'33" West along said East line 20.00 feet; thence North 89°58'27" East 188.98 feet; thence North 00°01'33" West 142.20 feet; thence South 89°58'27" West 172.01 feet; thence North 53°32'34" West 21.10 feet to said East line; thence North 00°01'33" West along said East line 28.66 feet; thence North 53°29'28" East 21.10 feet; thence North 89°58'27" East 192.01 feet; thence South 00°01'33" East 324.43 feet; thence North 89°57'00" East 49.57 feet; thence North 00°03' West 110.03 feet; thence South 89°52'28" East 20.00 feet; thence South 00°03' East 129.97 feet; thence South 89°57'00" West 69.58 feet; thence South 00°01'33" East 117.31 feet to the North right of way line of 3900 South Street; thence South 89°44'50" West along said North line 20.00 feet to the point of beginning.

ALSO

PARCEL 4:

Beginning at a point on the West line of Main Street, said point being North 89°47'03" East along the block line 726.29 feet and North 00°01'37" West along said West line of Main Street 574.59 feet from the Southwest corner of Lot 2, Block 16, Ten Acre Plat "A", Big Field Survey (which point of beginning is the Northeast corner of the land conveyed to 3815 South Corp., a Utah Corporation, in that certain Corrective Special Warranty Deed recorded April 17, 1998 as Entry No. 6932726 in Book 7949 at Page 1131 of the official records of the Salt Lake County Recorder) and running thence along said West line of Main Street South 00°01'37" East 97.15 feet, more or less, to a point on the Easterly extension of a chain-link fence; thence along said Easterly extension and said fence line and its Westerly extension South 89°44'53" West 265.19 feet, more or less, to the Westerly boundary line of the land conveyed to Ion Laser Technology, Inc., a Utah corporation, in that certain Special Warranty Deed recorded April 12, 1991 as Entry No. 5050534 in Book 6305 at Page 1969 of the official records of the Salt Lake County Recorder; thence along said Westerly line South 00°01'15" East, prorated (prior record = South) 181.63 feet to the Southwest corner of said Ion Laser Technology, Inc. land; thence along a Southerly line of the land conveyed to the said 3815 South Corp., South 89°45'21" West 43.20 feet; thence South 00°01'30" East 5.56 feet; thence South 89°45'21" West 102.23 feet; thence South 00°18'36" East 5.00 feet; thence South 89°45'21" West 25.00 feet; thence South 00°18'36" East 38.25 feet; thence North 89°52'28" West 32.03 feet; thence South 00°03'00" East 120.03 feet to a point which has been described as being North 89°44'50" East 258.60 feet and North 00°03'00" West 127.14 feet from the Southwest corner of Lot 2, Block 16, Ten Acre Plat "A", Big Field Survey; thence South 89°57'00" West 69.56 feet; thence North 00°01'33" West 307.56 feet; thence North 89°58'27" East 110.77 feet; thence North 00°14'02" West 140.35 feet, more or less, to the Northwest corner of the land conveyed to the said 3815 South Corp.; thence along the North line of said land, North 89°45'58" East 427.03 feet, more or less, to the West line of said Main Street and the point of beginning.

TOGETHER WITH property lying Southerly of the following described line, as conveyed by that certain Boundary Line Agreement recorded June 11, 1999 as Entry No. 7383468 in Book 8285 at Page 7337 of official records:

Beginning at a point on a fence line located on the South line of the Salt Lake County Park, said point being North 00°01'33" West 589.60 feet and North 89°19'55" East 299.19 feet, more or less, from the Southwest corner of Lot 2, Block 16, Ten Acre Plat A, Big Field Survey and running thence North 89°45'58" East along said fence line 427.04 feet, more or less, to the West line of Main Street.

TOGETHER WITH AND SUBJECT TO the following described right-of-way:

Beginning at a point on the North right of way line of 3900 South Street, said point being North 89°44'50" East 188.98 feet from the Southwest corner of Lot 2, Block 16, Ten Acre Plat "A", Big Field Survey and running thence North 00°01'33" West 245.86 feet; thence South 89°58'27" West 188.98 feet to the East right of way line of West Temple Street; thence North 00°01'33" West along said East line 20.00 feet; thence North 89°58'27" East 188.98 feet; thence North 00°01'33" West 142.20 feet; thence South 89°58'27" West 172.01 feet; thence North 53°32'34" West 21.10 feet to said East line; thence North 00°01'33" West along said East line 28.66 feet; thence North 53°29'28" East 21.10 feet; thence North 89°58'27" East 192.01 feet; thence South 00°01'33" East 324.43 feet; thence North 89°57'00" East 49.57 feet; thence North 00°03'00" West 110.03 feet; thence South 89°52'28" East 20.00 feet; thence South 00°03'00" East 120.03 feet; thence South 89°57'00" West 69.58 feet; thence South 00°01'33" East 117.31 feet to the North right of way line of 3900 South Street; thence South 89°44'50" West along said North line 20.00 feet to the point of beginning.

The boundary of the above described parcels were adjusted by that Boundary Line Agreement recorded on June 11, 1999 as Entry No. 7383468 in Book 8285 at Page 7337 in the office of said Recorder

ATTACHMENT B

New Common Boundary Line Description

A boundary line agreement along the southerly line of an entire tract of Salt Lake County land, known as Parcel 15-36-278-029, as described in that Warranty Deed recorded on July 25, 1945 as Entry No. 1006868 in Book 431 at Page 157 in the office of the Salt Lake County Recorder; and the northerly line of two entire tracts of Staker-Harmony Limited LLC land, known as Parcels 15-36-427-019 and 15-36-427-035, and described as parcels 2 and 4 in that Special Warranty Deed recorded on July 3, 2017 as Entry No. 12569075 in Book 1057 at Page 5996 in the office of said Recorder. Said boundary lines were established by that Boundary Line Agreement recorded June 11, 1999 as Entry No. 7383468 in Book 8285 at Page 7337 in the office of said Recorder. The new boundary line is located in Block 16, Ten Acre Plat "A", Big Field Survey in the Southeast Quarter of Section 36, Township 1 South, Range 1 West SLB&M and is described as follows:

Beginning at the southwesterly corner of said Salt Lake County Parcel 15-36-278-029 and the northwesterly corner of said Staker-Harmony Limited LLC Parcel 15-36-427-019 established by said Boundary Line Agreement at the intersection of the Easterly Right of Way Line of West Temple Street with the Westerly projection of the southerly edge of an existing concrete mow strip, said point being North 00°01'33" West 586.55 from the Southwest Corner of Lot 2, Block 16, Ten Acre Plat "A", Big Field Survey, said Southwest Corner Lot 2 being North 89°44'50" East 33.00 feet and North 00°01'33" West 32.98 feet from the Street monument at 3900 South Street and West Temple Street; thence Easterly along said southerly line of an existing concrete mow strip and projections thereof, the following five (5) courses:

- 1) North 89°35'05" East 141.04 feet;
- 2) North 89°40'24" East 143.69 feet;
- 3) North 89°35'23" East 208.37 feet;
- 4) North 89°44'19" East 107.44 feet;
- 5) North 89°37'49" East 125.76 feet to the Westerly Right of Way line of Main Street, being the point of terminus.

Basis of Bearing is N. 89°44'50" E along the monument line of 3900 South Street between the intersections of West Temple Street and Main Street.

ATTACHMENT C

New Descriptions

NEW PARCEL 1

Record Owner(s): SALT LAKE COUNTY

Described as:

A parcel of land being all of an entire tract described in that Warranty Deed recorded on July 25, 1945 as Entry No. 1006568 in Book 431 at Page 157 in the office of the Salt Lake County Recorder and modified by that Boundary Line Agreement recorded on June 11, 1999 as Entry No. 7383468 in Book 8285 at Page 7337 in the office of said Recorder Said entire tract is located in Block 16, Ten Acre Plat "A", Big Field Survey in the Southeast Quarter of Section 36, Township 1 South, Range 1 West SLB&M and is described as follows:

Beginning at the new southwesterly corner of said entire tract established by this boundary line agreement, at the intersection of the Easterly Right of Way Line of West Temple Street with the Westerly projection of the southerly edge of an existing concrete mow strip, said point being North 00°01'33" West 586.55 from the Southwest Corner of Lot 2, Block 16, Ten Acre Plat "A", Big Field Survey, said Southwest Corner Lot 2 being North 89°44'50" East 33.00 feet and North 00°01'33" West 32.98 feet from the Street monument at 3900 South Street and West Temple Street; thence N. 00°01'33" W. (Record = North) 531.95 feet, more or less, along said easterly right of way line, to the northwesterly corner of said entire tract; thence East 726 feet, more or less, along the northerly boundary line to the northeasterly corner of said entire tract and the westerly right of way line of Main Street; thence S. 00°01'37" E. (Record = South) 531.95 feet, more or less, along said easterly right of way line to intersect the easterly projection of said southerly line of an existing concrete mow strip; thence Westerly along said southerly line of an existing concrete mow strip, and projections thereof, the following five (5) courses: 1) S. 89°37'49" W. 125.76 feet; 2) S. 89°44'19" W. 107.44 feet; 3) S. 89°35'23" W. 208.37 feet; 4) S. 89°40'24" W. 143.69 feet; 5) S. 89°35'05" W. 141.04 feet to the point of beginning.

AND,

NEW PARCEL 2

Record Owner(s): HARMONY SQUARE LIVING, LLC

Described as:

Revised Harmony Square Subdivision

Beginning at the Southwest Corner Lot 2, Block 16, TEN ACRE PLAT "A", BIG FIELD SURVEY, said point being the Easterly Right-of-Way of West Temple Street, said point also being North 89°44'50" East 33.00 feet and North 0°01'33" West 32.98 feet from the Street monument at 3900 South Street and West Temple Street; and running

thence North 00°01'33" West 586.55 feet along the Easterly Right-of-Way of West Temple Street; thence Easterly along said southerly line of an existing concrete mow strip and projections thereof, the following five (5) courses:

- 1) North 89°35'05" East 141.04 feet;
- 2) North 89°40'24" East 143.69 feet;
- 3) North 89°35'23" East 208.37 feet;
- 4) North 89°44'19" East 107.44 feet;
- 5) North 89°37'49" East 125.76 feet to the Westerly Right of Way line of Main Street;

thence South 00°01'37" East 111.01 feet along said Right-of-Way;

thence South 89°44'58" West 265.53 feet;

thence South 00°01'15" East 181.63 feet;

thence South 89°44'49" West 43.20 feet;

thence South 00°01'30" East 5.17 feet;

thence South 89°45'21" West 102.20 feet;

thence South 00°18'36" East 5.00 feet;

thence South 89°45'21" West 25.00 feet;

thence South 00°18'36" East 38.25 feet;

thence North 89°52'28" West 32.03 feet;

thence South 00°03'00" East 110.03 feet;

thence South 89°57'00" West 95.11 feet;

thence South 00°15'11" East 137.47 feet to the Northerly Right-of-Way of 3900 South Street;

thence South 89°44'50" West 164.00 feet along said Right-of-Way to the point of beginning.

Contains 229,505 Square Feet or 5.269 Acres