



**ROAD MAINTENANCE AGREEMENT**

\*W1963488\*

UT 1963488 BK2418 PG1967  
DOUG CROFTS, WEBER COUNTY RECORDER  
05-AUG-03 501 PM FEE \$28.00 DEP JPM  
REC FOR: J.FLINDERS

WHEREAS, Doris H. Flinders, Steven C. and Shawna C. Flinders, The Family Trust of Colyn P. and Barbara B. Flinders, Colyn P. Flinders and Barbara B. Flinders Trustees, and Troy O. and Julianne Flinders, hereinafter referred to collectively as "the Parties") do intend to provide for the joint and several maintenance of a road (hereinafter referred to as "the Road") to be shared and used equally by them and agree to the following terms and conditions:

**1. Description of Road.** The road to be maintained is known as Flinders Lane, and is more fully described as:

The private road that begins on the North side of the Doris H. Flinders home, located at 1058 S. 3500 W. (attachment A), and runs in an Easterly to Northeasterly direction through the properties owned by Steven C. and Shawna C. Flinders (attachment B) and Colyn P. and Barbara B. Flinders (attachment C), and ending in a Northerly direction on the property owned by Troy O. and Julianne Flinders (attachment D).

**2. Ownership.** Ownership of the Road is held jointly by the Parties, and is recorded in the land records of Weber County, State of Utah.

**3. Duties.** Each of the Parties shall be jointly and severally responsible for the maintenance of said Road, including but not limited to the resurfacing, grading, removal or installation of culverts and drainage pipes, and removal of any obstructions of the road. Said maintenance shall include equal responsibility of the Parties for all costs involved.

**4. Use of the Road.** The Parties agree that the use of the road shall be shared equally and none shall have the right to interfere with the use of the road by the other. Further, the Parties agree that each and the other may extend the right of use of the Road to guests and visitors.

**5. Term.** This agreement shall extend from and after the date of signing by all Parties as long as the Road shall remain dedicated as a Private Road and shall never be terminated by the Parties.

**6. Addresses of Parties.** The addresses of the respective Parties to this Agreement for notice purposes are as follows:

**Doris H. Flinders**  
4002 W. 900 S.  
West Weber, UT 84404

**Steven C. and Shawna C. Flinders**  
1056 S. 3500 W.  
West Weber, UT 84404

**Colyn P. and Barbara B. Flinders**  
1040 S. 3500 W.  
West Weber, UT 84404

**Troy O. and Julianne Flinders**  
3840 W. 900 S.  
West Weber, UT 84404

**7. Successors in interest.** The Parties agree that this Agreement shall run with the land as a covenant and shall be binding upon their successors in interest, assigns, heirs and personal representatives.

**8. Applicable Law.** The Parties agree that this Agreement shall be subject to and construed in accordance with the laws of the State of Utah.

**9. Severability.** The Parties agree that in the event that any of the terms or conditions of this Agreement are found to be invalid by a court of competent jurisdiction, then the remainder of the Agreement shall be accorded the fullest effect feasible under then existing circumstances.

**10. Road Improvement.** The Parties agree that no further dwellings can be approved until the road has been fully

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improved to the standards set by Weber County for a Private Road.

**11. Road Realignment.** The Parties agree that the Road will be realigned to allow the proper set backs from the existing homes along the road at the time when the Road is improved to the standards set by Weber County for a Private Road.

WITNESS our signatures, this the 15 day of July 2003 A.D.

Doris H. Flinders  
Doris H. Flinders

Steven C. Flinders  
Steven C. Flinders

Colyn P. Flinders, Trustee  
Colyn P. Flinders, Trustee

Shawna C. Flinders  
Shawna C. Flinders

Barbara B. Flinders, Trustee  
Barbara B. Flinders, Trustee

Troy O. Flinders  
Troy O. Flinders

Julianne Flinders  
Julianne Flinders

STATE OF UTAH,

County of Weber } ss

On the 15 day of July, A.D. two thousand and three, personally appeared before me the signers of the foregoing instrument, who duly acknowledged to me that he/she executed the same.

Tami J. Hull  
Notary Public

My Commission Expires 11-19-06



# Attachment A

DESCRIPTION OF PROPERTY SERIAL NUMBER 15 060 0022 <sup>100</sup> TAXING UNIT

OWNER FLINDERS, OREN W & WF 4002 W 900 S 53  
DORIS H FLINDERS OGDEN UT  
84404

DESCRIPTION OF PROPERTY ORIG ACRES; 0

PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH,  
RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY:  
BEGINNING ON THE SOUTH LINE OF THE GRANTOR'S PROPERTY AT THE  
EAST LINE OF THE COUNTY ROAD, 473.88 FEET SOUTH AND 235.94  
FEET, MORE OR LESS, EAST FROM THE NORTHWEST CORNER OF SAID  
QUARTER SECTION; RUNNING THENCE EAST 217 FEET, MORE OR LESS,  
TO A POINT 250 FEET EAST FROM CENTER OF SAID COUNTY ROAD;  
THENCE NORTH 100 FEET; THENCE WEST 239.6 FEET TO NORTHEASTERLY  
LINE OF SAID ROAD; THENCE SOUTH 52D15' EAST 28.58 FEET ALONG  
ROAD; THENCE SOUTH ALONG EASTERLY LINE OF ROAD 82.5 FEET TO  
THE PLACE OF BEGINNING.

## COMMENTS

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E: 1963488 BK2418 PG1969

Attachment "B"

DESCRIPTION OF PROPERTY	SERIAL NUMBER	15	060	0132	TAXING UNIT
OWNER FLINDERS, PERCY & RETA H FLINDERS TRUSTEES	1056 S 3500 W OGDEN UT 84404				53

DESCRIPTION OF PROPERTY	1995	ORIG	ACRES;	0
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PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING ON THE SOUTH LINE OF GRANTOR'S PROPERTY AT A POINT WHICH IS 473.88 FEET SOUTH AND 625.94 FEET EAST, FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION, RUNNING THENCE NORTH 190 FEET, MORE OR LESS, TO THE SOUTH LINE OF AN EXISTING 33 FOOT RIGHT OF WAY, THENCE WESTERLY ALONG THE SOUTH LINE OF SAID RIGHT OF WAY TO ITS INTERSECTION WITH THE EAST LINE OF THE COUNTY ROAD, WHICH POINT IS THE NORTHWEST CORNER OF THE PROPERTY CONVEYED TO OREN W FLINDERS AND WIFE DORIS H FLINDERS IN BOOK 666 OF RECORDS, PAGE 115; THENCE EAST ALONG THE NORTH LINE OF SAID OREN W FLINDERS PROPERTY 239.6 FEET; THENCE SOUTH 100 FEET; THENCE EAST TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO A 2 ROD RIGHT OF WAY FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PARCEL: THE CENTERLINE OF SAID EASEMENT IF MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 270.6 FEET AND SOUTH 52D15' EAST 241.56 FEET FROM THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, AND RUNNING THENCE EASTERLY AND NORTHEASTERLY ALONG THE COUNTOUR OF A CERTAIN SLOUGH TO A POINT THAT IS NORTH 55 FEET AND EAST 627 FEET FROM THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 22 (1570-1429).

COMMENTS

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Et 1963488 BK2418 PG1970

# Attachment "C"

DESCRIPTION OF PROPERTY SERIAL NUMBER 15 043 0055 <sup>100</sup> TAXING UNIT

OWNER FLINDERS, COLYN P & 1040 S 3500 W 53  
BARBARA B FLINDERS TRUSTEES OGDEN UT  
84401

DESCRIPTION OF PROPERTY 1995 ORIG ACRES; 0

PART OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT ON AN EXISTING FENCE, WHICH POINT IS DESCRIBED AS BEING EAST 627 FEET AND NORTH 233.70 FEET AND EAST 949.40 FEET FROM THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, RUNNING THENCE SOUTH 23D33' WEST 206.47 FEET; THENCE SOUTH 51D26' WEST 68.0 FEET, MORE OR LESS, THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE EAST ALONG SAID SOUTH LINE 90.0 FEET, MORE OR LESS, TO THE EAST LINE OF THE PERCY FLINDERS PROPERTY; THENCE NORTH 22D EAST ALONG SAID EAST LINE 260.00 FEET, MORE OR LESS, TO A POINT EAST OF THE POINT OF BEGINNING, THENCE WEST TO THE POINT OF BEGINNING.

COMMENTS  
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# Attachment "C"

DESCRIPTION OF PROPERTY	SERIAL NUMBER	15	060	0052	TAXING UNIT
OWNER FLINDERS, COLYN P & BARBARA B FLINDERS TRUSTEES	1040 S 3500 W OGDEN UT 84401				53

DESCRIPTION OF PROPERTY	2003	R/P	ACRES;	14.56
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PART OF THE SOUTHWEST QUARTER OF SECTION 15 AND PART OF THE NORTHWEST QUARTER OF SECTION 22, AND PART OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 2 WEST SALT LAKE BASE & MERIDIAN, U S SURVEY; BEGINNING NORTH 89D32'39" WEST 171.30 FEET AND SOUTH 35D04'29" EAST 24.58 FEET FROM THE NORTHWEST CORNER OF SECTION 22 SAID POINT BEING ON THE EAST LINE OF 3500 WEST STREET, THENCE ALONG SAID STREET SOUTH 35D04'29" EAST 204.90 FEET TO THE SECTION LINE THENCE SOUTHEASTERLY ALONG 3500 WEST STREET TO THE NORTHWEST CORNER OF OREN W FLINDERS PROPERTY (666-115) THENCE NORTHEASTERLY TO A POINT THAT IS DESCRIBED AS BEING 502 FEET SOUTH AND 633 FEET EAST AND 190 FEET NORTH OF THE NORTHWEST CORNER OF SAID SECTION 22, THENCE SOUTH 190 FEET TO AN EXISTING FENCE, THENCE EAST 129.53 FEET TO A FENCE CORNER AT THE EDGE OF SLOUGH, THENCE NORTH 56D35' EAST 372.46 FEET, MORE OR LESS, TO A POINT THAT IS SOUTH 53D02' WEST 191.90 FEET AND SOUTH 70 FEET FROM THE NORTH SECTION LINE, THENCE NORTH 53D02' EAST 191.90 FEET AND NORTH 70 FEET TO SECTION LINE, THENCE EAST ALONG SAID SECTION LINE 125.0 FEET, MORE OR LESS, TO AN EXISTING FENCE LINE, THENCE NORTH 51D26' EAST 68.0 FEET, THENCE NORTH 23D33' EAST 206.579 FEET, THENCE WEST 864.38 FEET, MORE OR LESS, THENCE SOUTH 0D48'58" WEST 202.90 FEET, THENCE SOUTH 89D18'13" EAST 98.84 FEET, THENCE SOUTH 0D48'58" WEST 50.00 FEET, THENCE NORTH 89D19'36" WEST 810.83 FEET, THENCE NORTH 89D32'39" WEST 156.90 FEET TO BEGINNING.

## COMMENTS

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Et 1963488 BK2418 PG1972

# Attachment "D"

DESCRIPTION OF PROPERTY SERIAL NUMBER 15 043 0031 TAXING UNIT

OWNER FLINDERS, TROY O & WF  
JULIANNE FLINDERS

979 S 3500 W  
OGDEN UT  
84404

53

DESCRIPTION OF PROPERTY 1995 ORIG ACRES; 11.11

PART OF THE SOUTHWEST QUARTER SECTION 15, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, U.S. SURVEY: BEGINNING AT A POINT EAST 627 FEET AND NORTH 233.70 FEET AND EAST 949.40 FEET, MORE OR LESS, FROM THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION, SAID POINT OF BEGINNING BEING A POINT ON AN EXISTING FENCE; RUNNING THENCE WEST 949.40 FEET, MORE OR LESS, TO THE WEST LINE OF THE PERCY FLINDERS PROPERTY; THENCE NORTH ALONG THE WEST LINE 487.3 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID PERCY FLINDERS' PROPERTY; THENCE EAST ALONG THE NORTH LINE OF SAID PERCY FLINDERS' PROPERTY 982.0 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID PERCY FLINDERS' PROPERTY; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID PROPERTY SOUTH 49D EAST 208 FEET; THENCE SOUTH 23D15' WEST 185.6 FEET; THENCE SOUTH 22D WEST ALONG SAID EAST LINE TO A POINT EAST OF THE POINT OF BEGINNING; THENCE WEST TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO AN EXISTING 2 ROD RIGHT OF WAY FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PARCEL: THE CENTERLINE OF SAID EASEMENT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS SOUTH 270.6 FEET AND SOUTH 52D15' EAST 241.56 FEET FROM THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY AND RUNNING THENCE EASTERLY AND NORTHEASTERLY ALONG THE CONTOUR OF A CERTAIN SLOUGH TO A POINT THAT IS NORTH 233.70 FEET AND EAST 627 FEET FROM THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 22. (1570-1429) ENTRY #1380788 BOOK 1785 PAGE 2926).

## COMMENTS

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E# 1963488 BK2418 PG1973