

# 400826

ENT 26622:2000 PG 1 of 5  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2000 Apr 04 4:35 pm FEE 19.00 BY SS  
RECORDED FOR PROVO LAND TITLE COMPANY

# Party Wall Agreement

Agreement entered into this 3<sup>rd</sup> day of APRIL, 2000, between KELLY HARDMAN AND JEAN HARDMAN of (individually and collectively referred to herein as HARDMAN), and WIK, L.C. of (individually and collectively referred to herein as WIK), and

Whereas, HARDMAN is the owner of the following described parcel of real property situated in Utah county, state of Utah:

## Schedule "A"

Whereas WIK is the owner of the following described parcel of real property situated in Utah county, state of Utah:

## Schedule "B"

Whereas, there is presently situated a BUILDING on said properties, common walls of which are located on approximately the boundary line of schedule "A" herein attached and the boundary line of schedule "B" herein attached: and

Whereas, the parties desire the common walls of such BUILDING shall be and shall remain common party wall.

Now, therefore, in consideration of the mutual promises and agreements contained herein, the parties agree as follows:

1. *Declaration of the party wall.* The dividing wall of the BUILDING, located on said properties and the party wall of which are located on or near the common property line of said properties shall constitute party wall, and HARDMAN and WIK, their heirs, successors and assigns, shall have the joint right to use the party wall as a part of, and for the support of the improvements constructed on said properties.

2. *Maintenance repair and rebuilding.* Should the party wall, or any of them, at any time be damaged by any cause other than the act or omission of either party, such party wall shall be repaired or rebuilt at the joint expense of HARDMAN and WIK, provided that any insurance proceeds received by either party as a result of such damage or destruction shall be first applied to such repair or restoration. Should a party wall be injured by an act or omission of either party, such party wall shall be repaired or rebuilt at such party's expense.

(CONTINUED)



State of Utah )  
SS: )  
County of Utah )

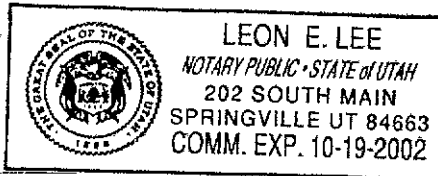
On the 3rd day of APRIL 2000, personally appeared before me

*Ivan L. Keller*

who being by me duly sworn did say, each for himself, that they are the members/managers of the WIK, L.C. a Limited Liability Company and that the within and foregoing instrument was signed on behalf of said Limited Liability Company by authority of its articles of organization and each duly acknowledged to me that said Limited Liability Company executed the same.

*Leon E. Lee*

Notary Public



Commission expires:

Residing in:

## (ATTACHED SCHEDULE A:)

Commencing at a point West line of State Highway 12.80 chains West more or less and North 77 feet from the Southeast corner of the Southwest quarter of Section 28, Township 7 South, Range 3 East, Salt Lake Base and Meridian; West 50 feet; North 6 feet; West 50 feet; North 80 feet; East 100 feet; South 86 feet to beginning.

## (ATTACHED SCHEDULE B:)

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF NORTH MAIN STREET, SPRINGVILLE, UTAH (S.R. 89), WHICH BEGINNING POINT IS LOCATED SOUTH 89 DEG. 52' 05" WEST ALONG THE SECTION LINE 850.33 FEET AND SOUTH 0 DEG. 13' EAST ALONG THE WEST RIGHT OF WAY LINE OF SAID MAIN STREET, 53.42 FEET (BASED UPON THE UTAH STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, BEARINGS OF SECTION LINES) FROM THE SOUTH QUARTER CORNER OF SECTION 28, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG A CHAIN-LINK FENCE LINE ON THE NORTH LINE OF THE GERMAINE SUPER WASH, INC. PROPERTY, AND THE SOUTH LINE OF THE WIK, L.C. PROPERTY, NORTH 89 DEG. 26' 49" WEST 102.74 FEET TO A CONCRETE BLOCK WALL; THENCE ALONG SAID BLOCK WALL, NORTH 0 DEG. 10' 52" EAST 5.2 FEET; THENCE ALONG AN EXISTING CHAIN-LINK FENCE LINE NORTH 0 DEG. 10' 52" EAST 86.87 FEET; THENCE CONTINUING ALONG SAID CHAIN-LINK FENCE LINE NORTH 1 DEG. 06' 11" WEST 39.44 FEET TO A FENCE CORNER; THENCE SOUTH 89 DEG. 46' 16" EAST ALONG AN EXISTING CHAIN-LINK FENCE LINE 50.08 FEET TO A BUILDING WALL; THENCE ALONG THE BUILDING WALL SOUTH 0 DEG. 13' 44" WEST 6.00 FEET, MORE OR LESS, TO THE SOUTH WALL OF A BUILDING AND THE SOUTH PROPERTY LINE OF THE KELLY HARDMAN AND JEAN HARDMAN PROPERTY; THENCE ALONG SAID BUILDING WALL, AND THE EXTENSION OF SAID BUILDING WALL, NORTH 88 DEG. 08' 36" EAST 52.69 FEET TO THE WEST RIGHT OF WAY LINE OF SAID MAIN STREET; THENCE ALONG THE WEST RIGHT OF WAY LINE OF SAID MAIN STREET, SOUTH 0 DEG. 13' EAST 128.00 FEET TO THE POINT OF BEGINNING.