E# 3211398 PG 1 OF 8 LEANN H KILTS, WEBER COUNTY RECORDER 18-JAN-22 1156 AM FEE \$40.00 DC REC FOR: NOAL HOLDINGS LLC

WEBER COUNTY
County Planner
Steve Burton

W3211398

Weber County Zoning Division

2380 Washington Ogden, Utah

Phone: (801) 399-8794

PERPETUAL BUILDING	MAINTENANCE	AGREEMENT
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This DECLARATION is made this 13th	day of January ,	20 <u>22</u> by and
between Noal Holdings, LLC	(Property Owner referr	ed to as
"Developer"), having an address of		
Roughly 4706 E 2650 S, Eden UT 84310	0 - APN 22-040-0036	, and
Levanta LLC	("Adjacent Property Owner"	
address of Roughly 4704 E 2650 S, Ed	den UT 84310 - APN 22-040-0037	<u> </u>

WITNESSETH

WHEREAS, Developer is the owner in fee simple of the real property (the "Property") described on attached Exhibit A and the Adjacent Property Owner owns the adjacent parcel described on attached Exhibit B.

WHEREAS, Developer, pursuant to Sec 104-20-4, of the Weber County Land Use Code (LUC) intends to reduce side and rear setbacks.

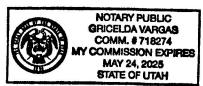
NOW, THEREFORE, in consideration of the premises and mutual covenants herein contained, Develop hereby declares the following:

- 1. Developer must promptly maintain the exterior buildings facing the Adjacent Property Owner.
- 2. Adjacent Property Owner will allow Developer to access the property described on attached Exhibit B, upon request by the Developer, in order to perform such maintenance and repairs.
- 3. Developer will be responsible for any damage that results to Adjacent Property Owner's land including fencing that may result as a product of the

- maintenance of the Developer's buildings as referenced above herein, or the falling of debris or snow from the buildings of Developer.
- 4. Developer's buildings will be situated on Developer's land so as to not cause any part of any building to extend beyond the property line, including but not limited to roof overhangs, poles, lights, footings or any other fixture or structure on the property.
- 5. Developer grants to Adjacent Property Owner the perpetual right to allow any livestock of Adjacent Property Owner to graze up to Developer's building structure, and will not require a fence to be placed along the property line in places where the building would serve as an adequate means to keep the livestock contained. Adjacent Property owner agrees to promptly perform any repairs or damage caused by livestock.
- 6. Developer grants to Adjacent Property Owner, upon request, the right to access Developer's land to the extent it is necessary to maintain Adjacent Property Owner's livestock.
- 7. Attorney fees will be awarded to any party prevailing on a claim that originates from this agreement.

IN WITNESS WHEROF, this Declaration of Building Maintenance Agreement has been signed by the Developer and Adjacent Property Owner the day and year first above set forth.

DEVELOPER:	
Witnesses:	
Signature Jeffrey Allan	
Printed Name Noal Holdings, LLC	
Company Name 858-204-2131	
Phone Number	
NOTARY PUBLIC INFORMATION: STATE OF COUNTY	UTHAT OF WEBER
The foregoing instrument was acknowledged be physical presence or [] online notarization, this	efore me and by means of [] s \\ \ \ \ day of \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
2022 by Jeffrey Allan Ir	name of person acknowledging).
He/she is personally known to me or has produced type of identification (type of identification).	fication) as identification and
(Name – type, stamp or print Clearly)	(Signature)
My Commission Expires on: MAY 24, 202.	5 NOTARY'S SEAL OR STAMP



ADJACENT PROPERTY OWNER:	
Witnesses:	
Signature	
Kody Holker	
Printed Name	
Levanta LLC	
Company Name	
612-518-7629	
Phone Number	
COUNTY	MWNESOTA FUTHAT OF WEBER HENNETIN
The foregoing instrument was acknowledged by physical presence or [] online notarization, the	nis 19 day of January
2022 by Kooy Hower	(name of person acknowledging).
He/she is personally known to me or has prod	uced ification) as identification and
did/did not take an oath (circle response).	1
KART MOREW SECRY	2 000 7
(Name – type, stamp or print Clearly)	(Signature)
My Commission Expires on:	

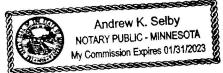


Exhibit A

Legal Description of Property

Beginning at the Northmost Corner of Kimbers Subdivision, recorded as Entry 1353660 in Book 40 at Page 22 in the Office of the Weber County Recorder, said point lies South 89°35'03" East 208.621 feet along the Section Line and South 169.464 feet from the Northwest Corner of Section 34, Township 7 North, Range 1 East, Salt Lake Base and Meridian and running thence along said Kimbers Subdivision South 81°27'25" West 62.291 feet to the Northeast Corner of Lo1 of said Kimbers Subdivision; thence along said Lot 1 the following (2) courses: 1) South 00°22'55" West 290.569 feet; 2) South 81°31'22" West 150.002 feet to the West Line of the Northwest Quarter of said Section 34; thence along said West Line South 00°22'55" West 16.015 feet; thence South 79°54'11" West 128.141 feet; thence North 00°22'55" East 292.378 feet; thence South 89°56'34" West 33.393 feet; thence North 215.793 feet; thence South 89°22'45" East 75.774 feet; thence North 00°31'13" East 325.000 feet; thence South 89°31'00" East 101.354 feet to the centerline of a canal; thence along said canal the following (5) courses: 1) South 53°09'00" East 42.500 feet; 2) South 89°31'00" East 80.800 feet; 3) South 46°15'00" East 100.140 feet; 4) South 07°49'00" East 159.240 feet; 5) South 06°04'39" West 164.530 feet; thence South 01°56'52" West 54.280 feet to the point of beginning.

Property contains 5.458 acres.

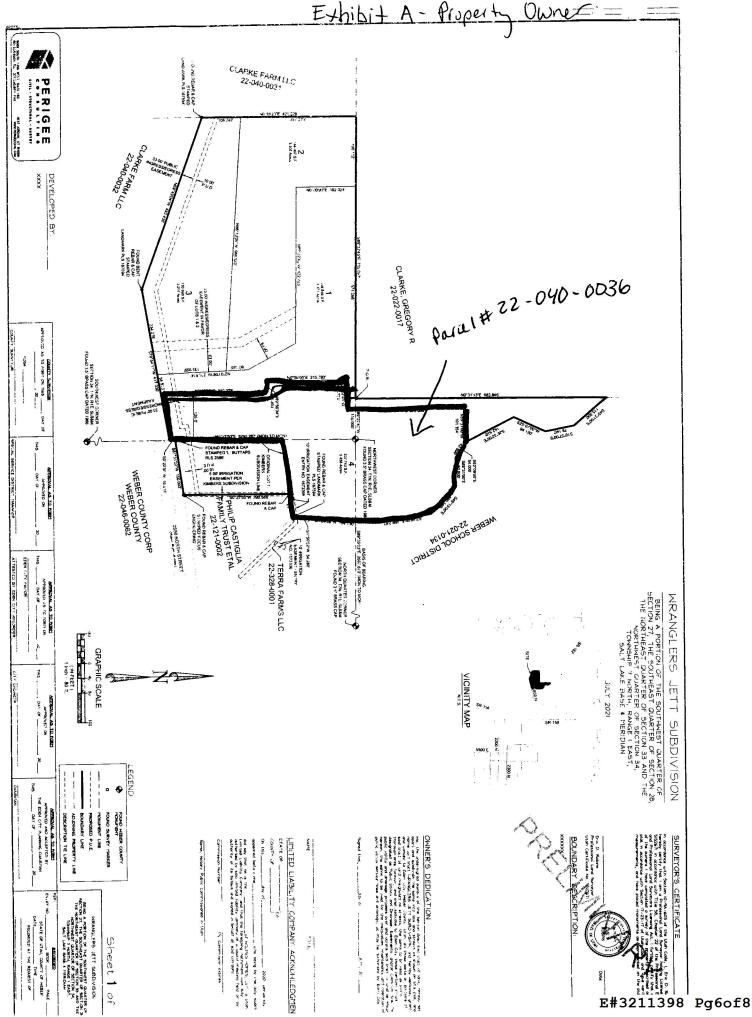


Exhibit B- Leased Parcel SON BARBON ICL BOX SEC SON FAR CLARKE FARM LLC 22-040-0031 PERIGEE CLARKE FARM LLC 22.00.0032 LC 2 3.306 Acres Parcel # 22-040-0037 XXXX DEVELOPED BY 189"2Z 45"W 422 723 CLARKE, GREGORY R 22-022-0017 148,848 S.F. 3,371 Acres FED AS TO FORM ON THIS _____ DAY OF _____ SOUTHWEST CORNER SECTION 34, 17N, RIE, SUBSM WEBER COUNTY WEBER COUNTY WEBER COUNTY 22-046-0062 PHILIP CASTIGLIA FAMILY TRUST ETAL 22-121-0002 TOWNER JOOHOZ PABSW 2650 NORTH STREET 6ASIS OF BEARING S89'35'03'E 2667.570' (MON TO MON) TERRA FARMS LLC 22-328-0001 NORTH QUARTER CORNER SECTION 34, 17N, R1E, SLBAM FOUND 3,5" BRASS CAP EDEN CITY PLAYOR ATTESTED BY EDEN CITY RECORDER APPROVAL AS TO FORM ON DAY OF BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 27, THE SOUTHEAST QUARTER OF SECTION 28, THE NORTHEAST QUARTER OF SECTION 34, AND THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 7 NORTH, RAKE I EAST, SALT LAKE BASE 4 MERIDIAN WRANGLERS GRAPHIC SCALE

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1 Inch. 28 0 1. VICINITY MAP JULY 2021 JETT SUBDIVISION 2300 N APPROVED AND ACCEPTED BY.
THE EDGN CITY PLANNING CHARTMAN DAY OF ADJOHNAG PROPERTY LINE FOUND SURVEY MARKER SURVEYOR'S CERTIFICATE OWNER'S DEDICATION COUNTY OF STATE OF INITED LIABILITY COMPANY ACKNOWLEDGMEN eared before me. MRANGLERS JETT SUBDIVISION BEING APPRING OF THE SOUTHWEST GUARTEE OF SECTION 27, THE SOUTHWEST GUARTEE OF SECTION 31, AND THE MORTHLESS GUARTEE OF SECTION 31, AND THE MORTHLESS GUARTEE OF SECTION 31, TOWN 1 AND THE SECTION 31, TOWN 1 AND THE SECTION 31, TOWN 1 AND THE SECTION 31. STATE OF UTAH, COUNTY OF HEBER
DATE. THE RECORDED AT THE REGULEST OF Sheet 1 of

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Exhibit C-maintenana Area 9089 5047H (Jod) WEST, SANTE 140 801828-600+ PD, 401250 5611 FAX CLARKE FARM LLC 22-040-0031 PERIGEE WEST JORGAN, UT BYGGE WEST PERIODED IN, COM CLARME FARM LLC 22.000.0032 LC 2 3.114 Acres XXX DEVELOPED BY CLARKE, GREGORY R 22-022-0017 maintenance agreement COUNTY SHEVETTAR SCOUNTAINEST COPINER.
SECTION 34. T7N, RTE. SLBAM
FOUND 3.5" BRASS CAP DATED 1986 MORTHWEST CORNER SECTION 34, 17N, RTE, SLBAM FOUND 3.5' BRASS CAP DATED 19 WEBER COUNTY WEBER COUNTY WEBER COUNTY 22-046-0062 BPHILIP CASTIGLIA FAMILY TRUST ETAL 22-121-0002 TOWNER JOOHOE PERSW 2850 NORTH STREET BASIS OF BEARING MON TO MON) ─ TERRA FARMS LLC
─ 22-328-0001 NORTH QUARTER CORNER -SECTION 34. TZN, RIE. SLB&M FOUND 3.5" BRASS CAP BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 28, THE SOUTHEAST QUARTER OF SECTION 28, THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 7 NORTH, RANGE I EAST, SALT LAKE BASE 4 MERIDIAN WRANGLERS JETT SUBDIVISION GRAPHIC SCALE

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(N FEET)
1 hom × 90 ft. VICINITY MAP JULY 2021 2300 N - BOUNDARY LINE
- ADJOHNING PROPERTY LINE
- DESCRIPTION TIE LINE FOUND SURVEY TARKER HONUTENT LINE BOUNDARY DESCRIPTION: SURVEYOR'S CERTIFICATE IMITED LIABILITY COMPANY ACKNOWLEDGMEN eared before me_ Notary Public Commissioned in Utah MRANGLERS JETT SUBDIVISION
RENG APRICE OF THE SURFINESS CAMPIES OF
SECTION 27, THE SOUTHWAST CAMPIES OF SECTION 30, THE MORTHWAST CAMPIES OF SECTION 30, AND THE MORTHWAST CAMPIES OF SECTION 45, TOMBER TO MORTHWAST CAMPIES OF SECTION 45, TOM BOX PAGE

STATE OF UTAH, COARTY OF MEBUR

DATE

RECORDED AT THE REQUEST OF Sheet 1 of E#3211398 Pg8of8