

When Recorded Mail To:  
Bach Homes, LLC.  
11650 South State Street, Suite 300  
Draper, UT 84020

ENT 9891:2015 PG 1 of 8  
Jeffery Smith  
Utah County Recorder  
2015 Feb 09 04:09 PM FEE 32.00 BY EO  
RECORDED FOR Meridian Title Company  
ELECTRONICALLY RECORDED

MTC File No. 222606

## BOUNDARY AGREEMENT AND GRANT OF LANDSCAPE EASEMENT

This Agreement is made this 5 day of February, 2015 by and between Bach Investments, LLC (herein referred to as "Bach"); and Gables At Saratoga Springs Homeowners Association, Inc. (herein referred to as "Gables HOA"). For Good and Valuable Consideration the adequacy and receipt of which is hereby acknowledged, the parties hereto understand and agree as follows:

1. Bach is the owner of the following described lots situated in Utah County, Utah (herein the Bach Lots):

Lots 1 through 8, inclusive, Plat A, River Heights Subdivision, according to the Plat thereof as recorded in the office of the Utah County Recorder.

Utah County Tax Parcel Nos. 51:544:0001; 51:544:0002; 51:544:0003;  
51:544:0004; 51:544:0005; 51:544:0006; 51:544:0007; 51:544:0008

2. Gables HOA is the owner of the Common Area of the Gables At Saratoga Springs Phase 2A PUD situated in Utah County, Utah: (herein HOA Parcel B):

Parcel 'B' of The Gables At Saratoga Springs Phase 2A PUD, according to the Plat thereof as recorded in the office of the Utah County Recorder.

Utah County Tax Parcel No. 40-456-0234

3. The Bach Lots are situated contiguous to and East of the HOA Parcel B.
4. The Parties hereto acknowledge that the Common Boundary legal descriptions for the River Heights Plat "A" Subdivision and The Gables At Saratoga Springs Phase 2A PUD match without gaps or overlaps. Nevertheless, there has been a historic discrepancy for the descriptions previously used in some of the deeds in the chains of the respective parcels now owned by Bach and the Gables HOA (herein the Common Boundary).

5. Bach and the Gables HOA do hereby agree that the true boundary between their respective parcels is the common boundary described in the respective recorded Subdivision plats of Plat A, River Heights Subdivision and /PUD plats, which line is more particularly described as follows:

Commencing the Northwest corner of River Heights Plat A Subdivision AND the Northeast Corner of the Gables at Saratoga Springs Phase 2A PUD, which point is South  $89^{\circ}51'52''$  West along the Section Line 1337.71 feet and North  $0^{\circ}35'11''$  East ~~24.34~~ feet from the from the Northeast Corner of Section 14, Township 5 South, Rang 1 West, SLB&M, said point being the true point of beginning; running thence South  $0^{\circ}35'11''$  West along the Common Boundary between said Subdivision/PUD 481.56 feet, more or less to the North line of Alhambra Drive, being the point of terminus.

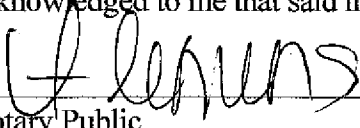
6. In connection with the development of the River Heights Plat "A" Subdivision, Bach constructed a new vinyl fence near, but not on, the West line of River Heights Plat A (the New Bach Vinyl Fence). The New Bach Vinyl Fence is situated approximately 1.31 feet east of the Common Boundary on the South and 2.41 feet east of the Common Boundary on the North. The legal description of the New Bach Vinyl Fence is more particularly described as follows (herein the New Bach Vinyl Fence Line):

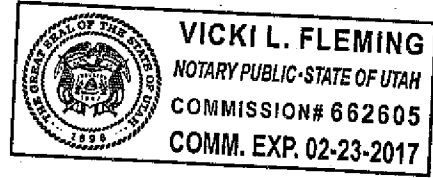
Commencing on the North Line of Lot 8, River Heights Plat A Subdivision at a point which is North  $86^{\circ}32'32''$  East 2.41 feet from the Northwest corner of said Lot 8, said point also being North  $86^{\circ}32'32''$  East 2.41 feet from the Northeast Corner of the Gables at Saratoga Springs Phase 2A PUD, which point is also South  $89^{\circ}51'52''$  West 1,336.18 feet along the Section Line and North  $0^{\circ}42'57''$  East 384.49 feet from the from the Northeast Corner of Section 14, Township 5 South, Township 5 South, Range 1 West, SLB&M, said point being the true point of beginning; thence South  $0^{\circ}42'57''$  West 481.55 feet, more or less to the North line of Alhambra Drive, which point is South  $81^{\circ}03'47''$  East 1.31 feet from the West line of River Heights Plat "A" Subdivision and the East line of the Gables at Saratoga Springs Phase 2A PUD, being the point of terminus.

7. Subsequent to the construction by Bach of the New Bach Vinyl Fence on the Fence Line as described above, The Gables HOA landscaped the HOA Parcel B together with that portion of River Heights Plat "A" situated West of the New Bach Vinyl Fence Line as described above.
8. Bach does hereby grant to Gables HOA Landscape Easement over that portion of River



Rindlisbacher and Brian Rindlisbacher, the Managers of Bach Investments, LLC, who duly acknowledged to me that said instrument was executed by authority.

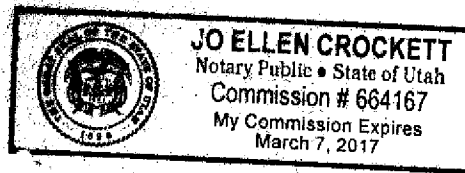
  
\_\_\_\_\_  
Notary Public



STATE OF UTAH )  
 : ss.  
COUNTY OF SALT LAKE )

The foregoing instrument was acknowledged before me this 5th day of February, 2015 by  
Harold Toombs . Being the  
President, respectively of the Gables At Saratoga Springs Homeowners Association, Inc., who duly  
acknowledged to me that said instrument was executed by authority.

Jo Ellen Crockett  
Notary Public



## EXHIBIT "X"

(Attached to Boundary Agreement and Grant of Landscape Easement)

MTC File No. 222606

LEGAL DESCRIPTIONS FOR LANDSCAPE EASEMENT FOR PROPERTY WEST OF THE NEW BACH VINYL F FENCE LINE AS SAID EASEMENT BURDENS THE RESPECTIVE LOTS:

Easement Burdening Lot 1: [Utah County Tax Parcel No. 51:544:0001]

Approximately the West 1.5 feet of Lot 1 of Plat A, River Heights Subdivision more particularly described as follows:

Commencing at the Northwest Corner of said Lot 1 and running  
 thence South 89°17'03" East 1.47 feet;  
 thence South 00°42'57" West 67.36 feet to the South line of said Lot 1;  
 thence South 83°04'18" West 1.33 feet, more or less, to the West line of Lot 1;  
 thence North 00°35'11" East 67.54 feet along the West line of said Lot 1 to the POB.

Easement Burdening Lot 2: [Utah County Tax Parcel No. 51:544:0002]

Approximately the West 1.6 feet of Lot 2 of Plat A, River Heights Subdivision more particularly described as follows:

Commencing at the Northwest Corner of said Lot 2 and running  
 thence South 89°17'03" East 1.47 feet;  
 thence South 00°42'57" West 50.00 feet to the South line of Lot 2;  
 thence North 89°17'03" West 1.58 feet, more or less, to the West line of Lot 2;  
 thence North 00°35'11" East 50.00 feet along the West line of Lot 2 to the POB.

Easement Burdening Lot 3: [Utah County Tax Parcel No. 51:544:0003]

Approximately the West 1.7 feet of Lot 3 of Plat A, River Heights Subdivision more particularly described as follows:

Commencing at the Northwest Corner of said Lot 3 and running  
 thence South 89°17'03" East 1.7 feet;  
 thence South 00°42'57" West 50.00 feet to the South line of Lot 3;  
 thence North 89°17'03" West 1.58 feet, more or less, to the West line of Lot 3;  
 thence North 00°35'11" East 50.00 feet along the West line of Lot 3 to the POB.

Easement Burdening Lot 4: [Utah County Tax Parcel No. 51:544:0004]

Approximately the West 1.8 feet of Lot 4 of Plat A, River Heights Subdivision more particularly described as follows:

Commencing at the Northwest Corner of said Lot 4 and running  
 thence South 89°17'03" East 1.8 feet;  
 thence South 00°42'57" West 50.00 feet to the South line of Lot 4;  
 thence North 89°17'03" West 1.7 feet, more or less, to the West line of Lot 4;  
 thence North 00°35'11" East 50.00 feet along the West line of Lot 4 to the POB.

Easement Burdening Lot 5: [Utah County Tax Parcel No. 51:544:0005]

Approximately the West 1.9 feet of Lot 5 of Plat A, River Heights Subdivision more particularly described as follows:

Commencing at the Northwest Corner of said Lot 5 and running  
 thence South 89°17'03" East 1.9 feet;  
 thence South 00°42'57" West 50.00 feet to the South line of Lot 5;  
 thence North 89°17'03" West 1.8 feet, more or less, to the West line of Lot 5;  
 thence North 00°35'11" East 50.00 feet along the West line of Lot 5 to the POB.

Easement Burdening Lot 6: [Utah County Tax Parcel No. 51:544:0006]

Approximately the West 2.0 feet of Lot 6 of Plat A, River Heights Subdivision more particularly described as follows:

Commencing at the Northwest Corner of said Lot 6 and running  
 thence South 89°17'03" East 2.0 feet;  
 thence South 00°42'57" West 50.12 feet to the South line of Lot 6;  
 thence North 89°17'03" West 1.9 feet, more or less, to the West line of Lot 6;  
 thence North 00°35'11" East 50.12 feet along the West line of Lot 6 to the POB.

Easement Burdening Lot 7: [Utah County Tax Parcel No. 51:544:0007]

Approximately the West 2.3 feet of Lot 7 of Plat A, River Heights Subdivision more particularly described as follows:

Commencing at the Northwest Corner of said Lot 7 and running  
 thence South 71°13'22" East 2.3 feet;  
 thence South 00°42'57" West 70.8 feet to the South line of Lot 7;  
 thence North 89°17'03" West 2.03 feet, more or less, to the West line of Lot 7;  
 thence North 00°35'11" East 71.51 feet along the West line of Lot 7 to the POB.

Easement Burdening Lot 8: [Utah County Tax Parcel No. 51:544:0008]

Approximately the West 2.4 feet of Lot 8 of Plat A, River Heights Subdivision more particularly described as follows:

Commencing at the Northwest Corner of said Lot 8 and running  
thence North  $86^{\circ}32'32''$  East 2.4 feet;  
thence South  $00^{\circ}42'57''$  West 93.28 feet to the Southerly line of Lot 8;  
thence North  $71^{\circ}13'22''$  West 2.3 feet, more or less, to the West line of Lot 8;  
thence North  $00^{\circ}35'11''$  East 92.39 feet along the West line of Lot 8 to the  
POB.