

WHEN RECORDED, RETURN TO:

Peter C. Huckleberry and
Debi R. Huckleberry
2594 South 4050 West
Ogden, Utah 84401

BOUNDARY LINE AGREEMENT

This BOUNDARY LINE AGREEMENT (this "Agreement") is entered into as of this ____ day of _____ 20__, by and among the following PETER C. HUCKLEBERRY and DEBI R. HUCKLEBERRY, as joint tenants with full rights of survivorship, herein after referred to as "Huckleberry", and SUSAN J. WILKINS, Trustee, under the SUSAN HUCKLEBERRY TRUST, dated July 23, 1991, herein after referred to as "Trust", Huckleberry and Trust are sometimes referred to herein singularly as a "Party" and collectively as the "Parties," with respect to the following:

RECITALS

A. Huckleberry owns that certain parcel of real property commonly referred to as 4003 West 2550 South, Ogden, Utah 84401, Weber County, Utah (the "Huckleberry Parcel"). The Huckleberry Parcel is identified in the official records of the Weber County Recorder as Tax Parcel No.: 15-091-0009 and recorded as Entry No. 1506349 & 1727948.

A part of the Northeast Quarter of the Northwest Quarter of Section 33, Township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at the Northeast Corner of Lot 24, Valley Green estates No. 2, Weber County, Utah and running thence North 75°30' West 281.49 feet to the east line of 4050 West Street, thence two courses along said street as follows: Northerly along the arc of a 538.92 foot radius curve to the right of 81.10 feet, and North 29°02'45" East 68.90 feet, thence South 87°08'15" East 206.36 feet, thence South 195 feet more or less to the place of beginning.

A part of the Northeast Quarter of the Northwest Quarter of Section 33, Township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning 653.5 feet West from the Northeast Corner of said Northwest Quarter, thence South 234 feet, thence North 87°08'15" West 206.36 feet, thence North 29°02'45" East 214.70 feet, thence West 68.63 feet, thence South 29°02'45" West to a point 216.5 feet West and South 26°23'16" West 270 feet and South from the point of beginning thence North to a point 216.5 feet West and South 26°23'16" West 270 feet from point of beginning thence North 26°23'16" East 270 feet to the north Section Line thence East 216.5 feet to beginning.

B. Trust owns that certain parcel of real property located to the east of the Huckleberry Parcel commonly referred to as 3977 W. 2550 S., Ogden, Utah 84401, Weber County, Utah (the "Trust Parcel"). The Trust Parcel is identified in the official records of the Weber County Recorder as Tax Parcel No.: 15-091-0019 and recorded as Entry No. 2623724.

Part of the East half of the Northeast Quarter of the Northwest Quarter of Section 33, Township 6 North, Range 2 West, Salt Lake Base and Meridian U.S. Survey: Beginning at a point 445.5 feet West of the Northeast Corner of Said Quarter Section and running thence West 92 feet, thence South 231 feet, thence West 116 feet, thence South 127 feet, more or less, thence East 310.68 feet, more or less, thence North $0^{\circ}16'30''$ East 187.75 feet., thence West 102.88 feet, thence North 173.25 feet to the point of beginning.

Also: Part of the East Half of the Northeast Quarter of the Northwest Quarter of Section 33, Township 6 North, Range 2 West, Salt Lake Base and Meridian U.S. Survey: Beginning at a point 653.5 feet West and 358 feet South of the Northeast Corner of said Quarter Section, running thence South 60 feet, thence East 505.65 feet, thence North 249.75 feet, thence West 194.32 feet, thence [South $0^{\circ}16'30''$] West 310.68 feet, more or less, to the point of beginning.

Less and excepting any portion lying within 2500 South Street.

Together with right of way for ingress and egress as reserved in that quit claim deed, recorded November 25, 1997 as Entry No. 1506349, in Book 1893 at page 1508 in the Office of the Weber County Recorder, and being described as follows:

A part of the Northeast Quarter of the Northwest Quarter of Section 33, Township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, Beginning at the Northeast Corner of Lot 24, Valley Green Estates No. 2, Weber County Utah and running thence North $75^{\circ}30'$ West 281.49 feet to the East Line of 4050 West Street, thence two courses along said street as follows: Northerly along the arc of a 538.92 foot radius curve to the right 81.10 feet and North $29^{\circ}02'45''$ East 68.90 feet, thence South $87^{\circ}08'15''$ East 206.36 feet, thence South 195 feet, more or less to the place of beginning.

Also: Part of the East Half of the Northeast Quarter of the Northwest quarter of Section 33, Township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point 653.5 feet West and 358 feet South of the Northeast Corner of said Quarter Section, and running thence South 516.5 feet, thence East 637 feet, thence West 8 rods, thence North 189.7 feet, thence West 194.32 feet, thence South $0^{\circ}16'30''$ West 187.75 feet, thence West 310.68 feet to beginning.

Less and excepting therefrom the following:

Part of the east Half of the Northeast Quarter of the Northwest Quarter of Section 33, township 6 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point 653.5 feet West and 358 feet South of the Northeast Corner of said Quarter Section, running thence South 60 feet, thence East 505.65 feet, thence North 249.75 feet, thence West 194.32 feet, thence South $0^{\circ}16'30''$ West 187.75 feet, thence West 310.68 feet, more or less to the point of beginning. (as per Boundary Line Agreement Entry No.

2141497)

C. The parties desire to establish the boundary line between their respective properties which is identified below in Exhibit A.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and based upon the mutual covenants and promises hereinafter set forth, the Parties agree as follows:

AGREEMENT

1. Recitals. The recitals set forth above are true, correct and complete in all material respects, and the Parties hereto incorporate the above Recitals by this reference.
2. New Boundary Line. The Parties hereby establish the New Boundary Line as set forth on Exhibit A as the common and shared boundary line between the Huckleberry Parcel and the Trust Parcel. Huckleberry hereby quit claims to Trust the real property located to the East of the New Boundary Line and Trust hereby quit claims to Huckleberry the real property located to the West of the New Boundary Line.
3. Duration; Rights Run With the Land; Binding Effect. Each of the agreements and rights contained in this Agreement shall (i) inure to the benefit of and be binding upon the Parties and their respective successors, successors-in-title, heirs and assigns as to their respective Parcel, or any portion of their respective Parcel, each of whom shall be an intended beneficiary (whether third party or otherwise) of the rights and agreements granted hereunder; (ii) run with the land; and (iii) remain in full force and effect and shall be unaffected by any change in the ownership of, or any encumbrances, lien, judgment, Right of Way, lease or other right affecting, the Parcels, or any portion of the Parcels, or any change of use, demolition, reconstruction, expansion or other circumstances.
5. Counterparts. This agreement may be signed in more than one counterpart, and all of the signed counterparts, taken together, shall constitute one signed original.

[Signatures to follow on next page]

IN WITNESS WHEREOF, the Parties have executed this Boundary Line Agreement as of the day and year first given.

Huckleberry:

PETER C. HUCKLEBERRY and DEBI R. HUCKLEBERRY

By: _____
Title: Peter C. Huckleberry

By: _____
Title: Debi R. Huckleberry

STATE OF:)
 : ss.
COUNTY OF:)

On this ____ day of _____, 20____, before me a Notary Public, personally appeared Peter C. Huckleberry and Debi R. Huckleberry known to me to be the persons whose names are subscribed to this instrument, and acknowledged to me that they executed the same.

Notary Public
My commission expires: _____
Residing at: _____

Trust:

SUSAN J. WILKINS, Trustee of the SUSAN
HUCKLEBERRY Trust, Dated July 23, 1991

By: _____
Title: Susan J. Wilkins

STATE OF _____)
: ss.
COUNTY OF _____)

On this ___ day of _____, 20___, personally appeared before me Susan J. Wilkins, known or satisfactorily proved to me to be the person whose name is subscribed to this instrument, and acknowledged to me that said Susan Huckleberry Trust executed the same.

Notary Public
My commission expires: _____
Residing at: _____

EXHIBIT A

Boundary Line Agreement:

PART OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY BOUNDARY LINE OF THE SUSAN J. WILKINS, TRUSTEE OF THE SUSAN HUCKLEBERRY TRUST PARCEL; SAID POINT BEING NORTH 89°33'35"W 599.32 FEET ALONG THE SECTION LINE, AND SOUTH 00°26'25"W 231.01 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 33, AND RUNNING THENCE SOUTH 00°43'02" WEST 208.12 FEET; THENCE NORTH 75°03'35" WEST 56.37 FEET TO THE NORTHEAST CORNER OF LOT 24, VALLEY GREEN ESTATES NO. 2 SUBDIVISION.