

FENCE LINE / BOUNDARY AGREEMENT

THIS FENCE LINE BOUNDARY AGREEMENT IS MADE AND ENTERED INTO THIS _____ DAY OF _____, 2016 BY AND BETWEEN:
 MIKELL BRENT ANDERSON PROPERTY PARCELS 08-037-0137, 08-037-0181, 08-037-0184; LOCATED WITHIN THE SW QUARTER OF SECTION 5, TWN 5 N, RNG 2 W, SLBM, IN WEBER COUNTY, CITY OF WEST HAVEN UTAH.
 AND
 KIRK FAMILY ENTERPRISES LLC PARCEL 08-037-0179; LOCATED WITHIN THE SW QUARTER OF SECTION 5, TWN 5 N, RNG 2 W, SLBM, IN WEBER COUNTY, CITY OF WEST HAVEN UTAH.

- MIKELL BRENT ANDERSON IS THE OWNER, IN FEE SIMPLE, OF PARCELS OF REAL PROPERTY SITUATED IN WEBER COUNTY, STATE OF UTAH, WITH PARCEL NO. 08-037-0137, 08-037-0181, 08-037-0184 AND BEING MORE PARTICULARLY DESCRIBED IN THE WARRANTY DEED RECORDED AS ENTRY 2733559 AND MORE PARTICULARLY DESCRIBED IN THE QUITCLAIM DEED RECORDED AS ENTRY 2738792 IN THE WEBER COUNTY RECORDER'S OFFICE.
- KIRK FAMILY ENTERPRISES LLC IS THE OWNER, IN FEE SIMPLE, OF A PARCEL OF REAL PROPERTY SITUATED IN WEBER COUNTY, STATE OF UTAH, WITH PARCEL NO. 08-037-0179 AND BEING MORE PARTICULARLY DESCRIBED IN THE WARRANTY DEED RECORDED AS ENTRY 2707972 IN THE WEBER COUNTY RECORDER'S OFFICE.
- WHEREAS, ON OR ABOUT JUNE 13, 2016 A FENCE LINE BOUNDARY AGREEMENT BETWEEN THE PROPERTY OWNED BY KIRK FAMILY ENTERPRISES LLC AND MIKELL BRENT ANDERSON SAID AGREEMENT WILL BE FILED IN THE OFFICE OF THE WEBER COUNTY RECORDER OFFICE.
- WHEREAS, IT IS ADVANTAGEOUS TO BOTH OF THE ABOVE-NAMED PARTIES TO AGREE TO A COMMON EXISTING FENCE LINE BOUNDARY BETWEEN THEIR RESPECTIVE PROPERTIES, IN ORDER TO ESTABLISH TITLE LINE OF THE TWO PROPERTIES, AND
- WHEREAS, IT IS THE DESIRE OF THE ABOVE NAMED PARTIES TO REDUCE TO WRITING AN AGREEMENT THAT THE LOCATION OF THE NORTHERLY FENCE/BOUNDARY LINE OF PARCEL NO. 08-037-0179 AND THE SOUTHERLY FENCE/BOUNDARY LINE OF PARCEL NO. 08-037-0137, 08-037-0181, 08-037-0184 THE SUBJECT PROPERTIES IS THE AGREE-UPON THE EXISTING FENCE LINE THAT IS ESTABLISHED ON THE GROUND.

NOW THEREFORE, IN CONSIDERATION OF THE PREMISES, IT IS HEREBY AGREED AND COVENANTED AS FOLLOWS:
 THAT THE FENCE LINE BOUNDARY BETWEEN THE SAID PROPERTIES IS AS DESCRIBED IN THE FOLLOWING FENCE LINE BOUNDARY DESCRIPTION FOR KIRK FAMILY ENTERPRISES LLC PROPERTY, WHICH THE EXISTING NORTHERLY FENCE LINE IS ACKNOWLEDGED AND ACCEPTED AS BEING THE ACCURATE FENCE LINE BOUNDARY BETWEEN THE SUBJECT PROPERTIES:
 BEING AN EXISTING CHAIN FENCE LINE THAT LIES ON OR ABOUT THE NORTHERLY BOUNDARY LINE OF THE KIRK FAMILY ENTERPRISES LLC, LOCATED IN WEST HAVEN CITY, WEBER COUNTY, UTAH, AS SHOWN ON THE MIKELL BRENT ANDERSON RECORD OF SURVEY, JUNE 2016 AND RECORDED IN THE WEBER COUNTY RECORDERS OFFICE.

BEGINNING AT THE SOUTHEAST CORNER OF THE MIKELL BRENT ANDERSON PARCEL, A FOUND REEVE & ASSOCIATES INC REBAR AND CAP, SAID POINT BEING LOCATED SOUTH 00°30'20" WEST ALONG THE SECTION LINE 1081.15 FEET AND NORTH 89°29'40" WEST 96.78 FEET FROM A FOUND BRASS CAP BEING THE CENTER CORNER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN TO THE WEST RIGHT-OF-WAY LINE OF 4700 WEST STREET AND A FOUND REEVE & ASSOCIATES INC PLASTIC CAP; THENCE SOUTH 86°30'07" WEST, ALONG AN EXISTING FENCE LINE, 394.11 FEET, TO A FOUND REEVE & ASSOCIATES INC PLASTIC CAP; THENCE NORTH 00°04'36" EAST, ALONG AN EXISTING FENCE LINE, 149.13 FEET; THENCE NORTH 83°09'01" WEST, 207.86 FEET TO A POINT ON THE EAST BOUNDARY LINE OF THE HAVEN ESTATES SUBDIVISION PHASE 3 RECORDED IN THE WEBER COUNTY RECORDS, SAID POINT LIES SOUTH 37°11'15" WEST, 1167.84 FEET FROM THE CENTER CORNER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, A FOUND BRASS CAP.

- IN ORDER TO FURTHER ESTABLISH THE FENCE LINE BOUNDARY AS DESCRIBED IN THE FENCE LINE BOUNDARY DESCRIPTION IN PARAGRAPH 5 ABOVE AS THE LOCATION OF THE FENCE LINE BOUNDARY BETWEEN THE SUBJECT PROPERTIES AND IN CONSIDERATION OF THIS AGREEMENT, KIRK FAMILY ENTERPRISES LLC HEREBY RELEASES, REMISES TO MIKELL BRENT ANDERSON ALL RIGHT, AND INTEREST IN AND TO THE REAL PROPERTY LYING IMMEDIATELY AND ALONG THE EXISTING FENCE LINE AS DESCRIBED IN THE BOUNDARY LINE DESCRIPTION IN PARAGRAPH 5 ABOVE, AND MIKELL BRENT ANDERSON HEREBY RELEASES, REMISES TO KIRK FAMILY ENTERPRISES LLC ALL RIGHT, AND INTEREST IN AND TO THE REAL PROPERTY LYING IMMEDIATELY AND ALONG THE EXISTING FENCE LINE AS DESCRIBED IN THE FENCE LINE BOUNDARY DESCRIPTION IN PARAGRAPH 5 ABOVE;
- THIS AGREEMENT SHALL BE BINDING UPON THE HEIRS, EXECUTORS, ADMINISTRATORS, OR ASSIGNS OF THE PARTIES HERETO;
- THIS AGREEMENT CONSTITUTES THE ENTIRE FENCE LINE AGREEMENT BETWEEN THE PARTIES, AND ANY PRIOR UNDERSTANDING OR REPRESENTATION OF ANY KIND PRECEDING THE DATE OF THIS AGREEMENT SHALL NOT BE BINDING ON ANY PARTY EXCEPT TO THE EXTENT INCORPORATED IN THIS AGREEMENT;
- ANY MODIFICATION ON THE AGREEMENT OR ADDITIONAL OBLIGATION ASSUMED BY ANY PARTY IN CONNECTION WITH THE AGREEMENT SHALL BE BINDING ONLY IF IN WRITING SIGNED BY EACH PARTY OR ANY AUTHORIZED REPRESENTATIVE OF EACH PARTY;
- THIS AGREEMENT SHALL BE GOVERNED BY, CONSTRUED, AND ENFORCED IN ACCORDANCE WITH THE LAWS OF THE STATE OF UTAH;

IN WITNESS WHEREOF, THE UNDERSIGNED PARTIES HAVE EXECUTED THIS AGREEMENT ON THE DATE HEREINAbove MENTIONED:

Jacob Glen Kirk
 KIRK FAMILY ENTERPRISES, LLC.
 STATE OF UTAH
 COUNTY OF *Weber*
 ON THE *16* DAY OF *July*, 2016 PERSONALLY APPEARED BEFORE ME
Jacob Glen Kirk THE SIGNER(S) OF THE WITHIN INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT EACH EXECUTED THE SAME BY HIS SIGNATURE IN HIS AUTHORIZED CAPACITY FOR THE PURPOSE STATED HEREIN.

Jessica Johnson
 JESSICA JOHNSON
 NOTARY PUBLIC-STATE OF UTAH
 COMMISSION NO. 881768
 COMM. EXP. 09/09/2019
 NOTARY PUBLIC
 MY COMMISSION EXPIRES *02/06/2019*

IN WITNESS WHEREOF, THE UNDERSIGNED PARTIES HAVE EXECUTED THIS AGREEMENT ON THE DATE HEREINAbove FIRST MENTIONED:

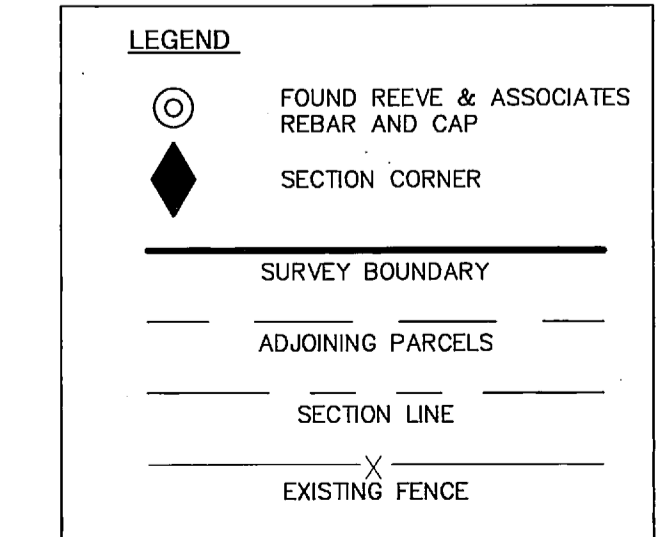
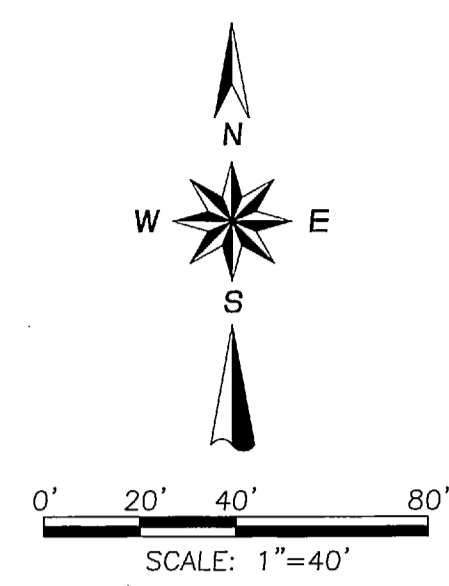
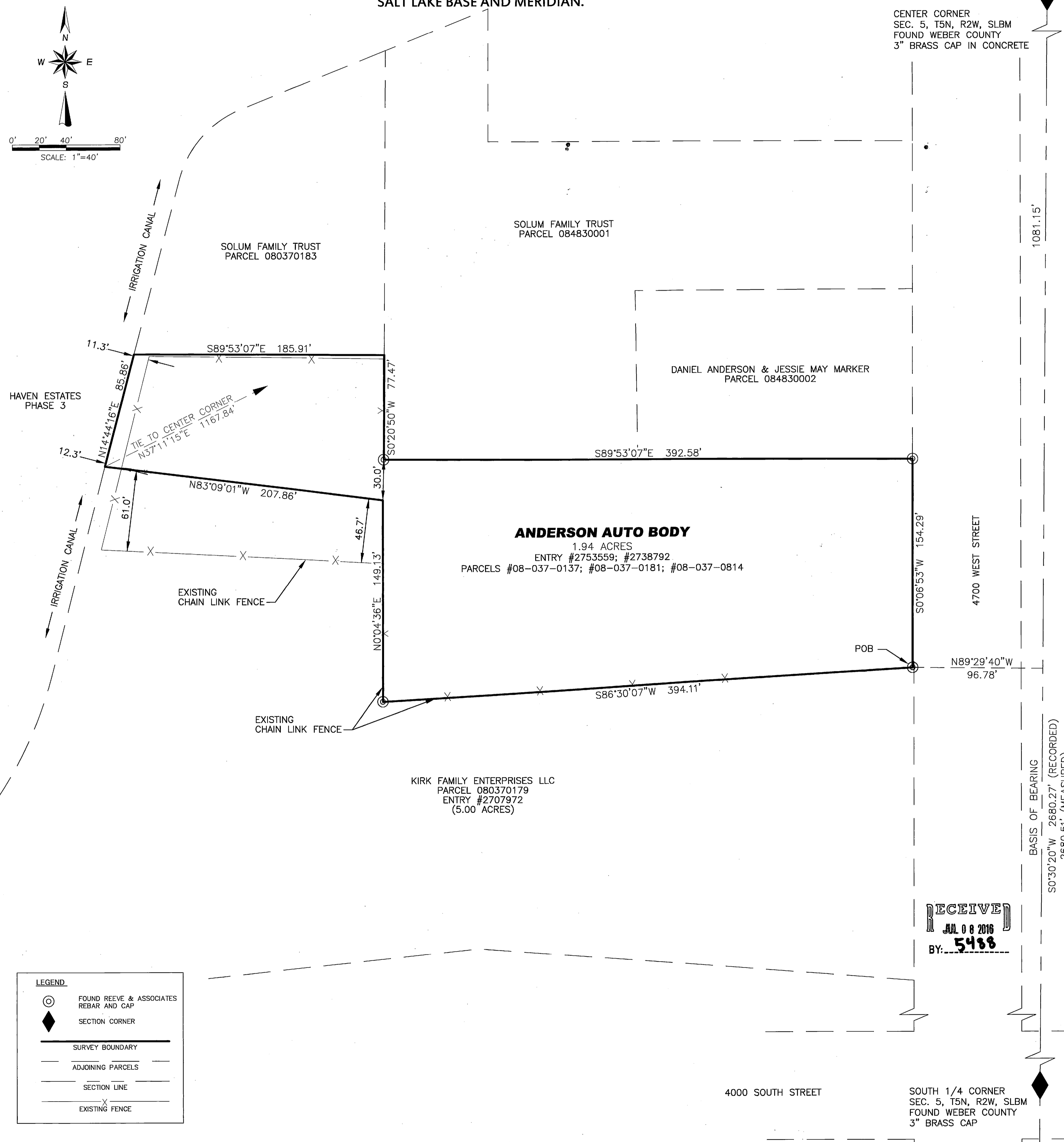
Mikell Brent Anderson
 MIKELL BRENT ANDERSON

STATE OF UTAH
 COUNTY OF *Weber*
 ON THE *16* DAY OF *July*, 2016 PERSONALLY APPEARED BEFORE ME
Mikell Brent Anderson THE SIGNER(S) OF THE WITHIN INSTRUMENT, WHO DULY ACKNOWLEDGED TO ME THAT EACH EXECUTED THE SAME BY HIS SIGNATURE IN HIS AUTHORIZED CAPACITY FOR THE PURPOSE STATED HEREIN.

Jessica Johnson
 JESSICA JOHNSON
 NOTARY PUBLIC-STATE OF UTAH
 COMMISSION NO. 881768
 COMM. EXP. 09/09/2019
 NOTARY PUBLIC
 MY COMMISSION EXPIRES *02/06/2019*

MIKELL BRENT ANDERSON AUTO BODY

RECORD OF SURVEY
 LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN.



CENTER CORNER
 SEC. 5, T5N, R2W, SLBM
 FOUND WEBER COUNTY
 3" BRASS CAP IN CONCRETE

1081.15'

BASIS OF BEARING
 S0°30'20"W 2680.27' (RECORDED)
 2680.51' (MEASURED)

RECEIVED
 JUL 08 2016
 BY: *5488*

4000 SOUTH STREET

SOUTH 1/4 CORNER
 SEC. 5, T5N, R2W, SLBM
 FOUND WEBER COUNTY
 3" BRASS CAP

SURVEY CERTIFICATE

THIS IS TO CERTIFY THAT TO THE BEST OF MY BELIEF, PROFESSIONAL KNOWLEDGE, AND ABILITY OF COOK-SANDERS ASSOCIATES, AT THE REQUEST OF MIKELL BRENT ANDERSON, DURING THE MONTH OF JUNE, I, KYLE A. COOK, PREPARED A RECORD OF SURVEY, BASED ON FIELD WORK PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, OF THE SUBJECT PROPERTY LOCATED IN WEST HAVEN CITY, WEBER COUNTY, UT.
 I ALSO DECLARE THAT UNDER MY SUPERVISION AND TO THE BEST OF MY ABILITY AND PROFESSIONAL JUDGMENT THAT THE RESULTS SHOWN HEREON ARE MADE IN ACCORDANCE WITH THE CURRENT UTAH STATE STANDARDS.

Kyle A. Cook
 KYLE A. COOK - PLS
 DATE *7/7/2016*

SURVEY NARRATIVE

COOK-SANDERS ASSOCIATES WAS ASKED BY MIKELL BRENT ANDERSON TO PERFORM A RECORD OF SURVEY TO COMBINE PARCELS 080370137, 080370181 AND 080370184 INTO A SINGLE PARCEL, FOR FINANCIAL REQUIREMENTS.
 THE PREVIOUS DEEDS ALONG WITH THE HAROLD ANDERSON SURVEY (#002214) AND THE MIKE SOLUM SUBDIVISION (PAGE 483) WERE FOUND ON FILE AND OF RECORD AT THE WEBER COUNTY RECORDERS OFFICE AND ALL BEARINGS AND DISTANCE, IN PARTICULAR THE BASIS OF BEARING ALONG THE SECTION LINE, FROM SAID PLAT WERE USED IN THIS SURVEY.

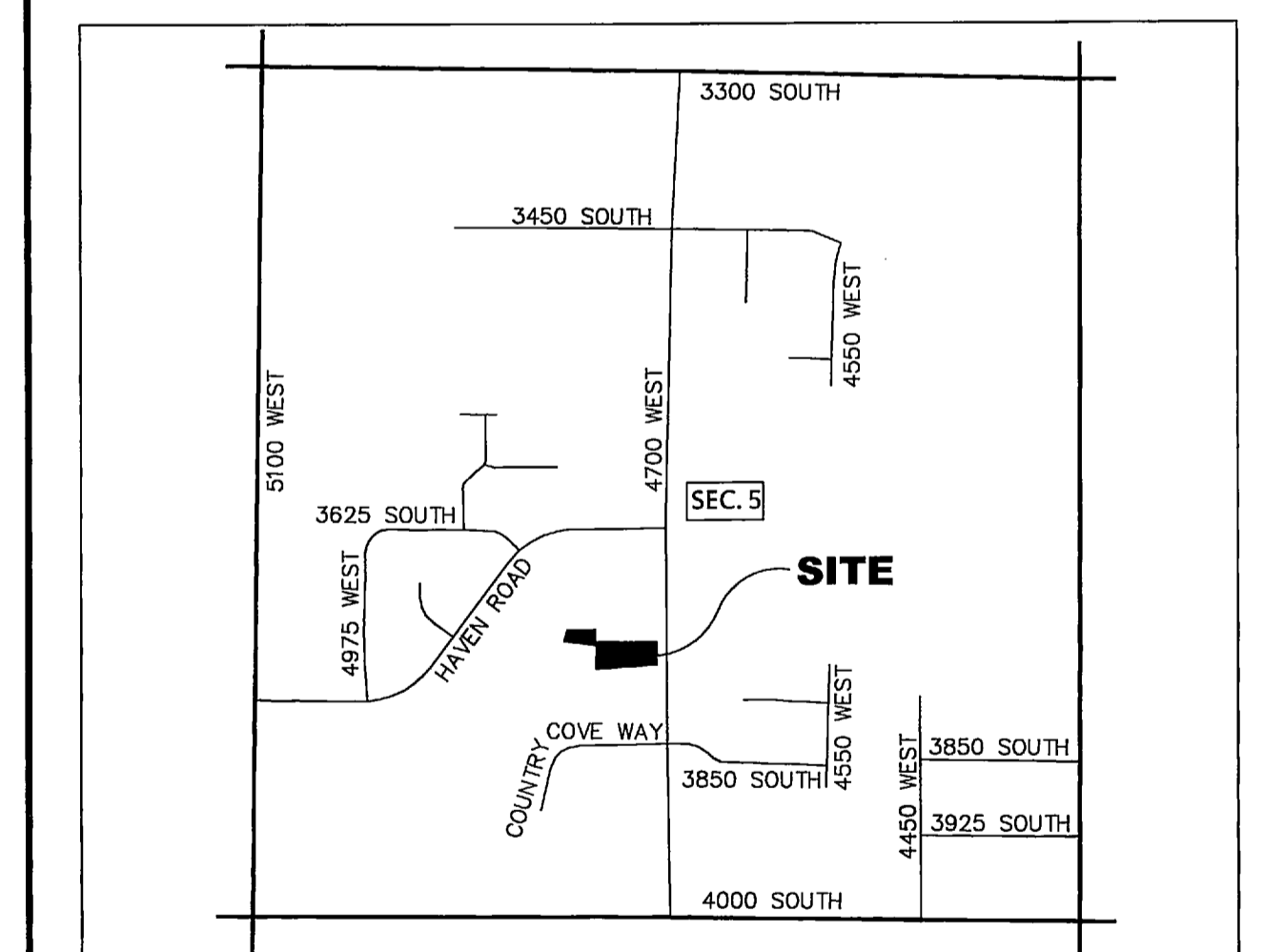
BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF THE MIKELL BRENT ANDERSON PARCEL, A FOUND REEVE & ASSOCIATES INC REBAR AND CAP, SAID POINT BEING LOCATED SOUTH 00°30'20" WEST ALONG THE SECTION LINE 1081.15 FEET AND NORTH 89°29'40" WEST 96.78 FEET FROM A FOUND BRASS CAP BEING THE CENTER CORNER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN TO THE WEST RIGHT-OF-WAY LINE OF 4700 WEST STREET AND A FOUND REEVE & ASSOCIATES INC PLASTIC CAP; THENCE SOUTH 86°30'07" WEST 394.11 FEET; THENCE NORTH 00°04'36" EAST 149.13 FEET; THENCE NORTH 83°09'01" WEST 207.86 FEET TO A POINT ON THE EAST BOUNDARY LINE OF THE HAVEN ESTATES SUBDIVISION PHASE 3; THENCE NORTH 14°44'16" EAST ALONG SAID EAST BOUNDARY LINE 85.86 FEET; THENCE SOUTH 89°33'07" EAST 185.91 FEET; THENCE SOUTH 00°20'50" WEST 77.47 FEET TO A FOUND REEVE & ASSOCIATES INC PLASTIC CAP; THENCE SOUTH 89°53'07" EAST 392.58 FEET TO THE WEST RIGHT-OF-WAY LINE OF 4700 WEST STREET AND A FOUND REEVE & ASSOCIATES INC PLASTIC CAP; THENCE SOUTH 00°06'53" WEST ALONG SAID WEST RIGHT-OF-WAY LINE 154.29 FEET TO THE POINT OF BEGINNING.
 AREA = 1.94 ACRES

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 00°30'20" WEST BETWEEN A FOUND WEBER COUNTY BRASS CAP MARKING THE CENTER CORNER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 2 WEST AND A FOUND BRASS CAP MARKING THE SOUTH 1/4 CORNER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN.

VICINITY MAP



RECORD OF SURVEY

MIKELL BRENT ANDERSON AUTO BODY

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN

PREPARED BY: **CSA** COOK-SANDERS ASSOCIATES INC.
 331 SOUTH RIO GRANDE AVE. SUITE #120
 SALT LAKE CITY, UTAH 84101
 (801) 364-4051
 PREPARED FOR: **MIKELL ANDERSON**
 3769 SOUTH 4700 WEST, WEST HAVEN, UTAH 84401
 DRAWING NUMBER: 16-05-138
 DATE PRINTED: 6/27/16
 CHECKED BY: SRH
 KAC