

**Effective 5/14/2019**

**Superseded 5/5/2021**

**57-1-45 Boundary line agreements.**

- (1) If properly executed and acknowledged as required under this chapter, and when recorded in the office of the recorder of the county in which the property is located, an agreement between adjoining property owners of land that designates the boundary line between the adjoining properties acts as a quitclaim deed to convey all of each party's right, title, interest, and estate in property outside the agreed boundary line that had been the subject of the boundary line agreement or dispute that led to the boundary line agreement.
- (2) Adjoining property owners executing a boundary line agreement described in Subsection (1) shall:
  - (a) ensure that the agreement includes:
    - (i) a legal description of the agreed upon boundary line;
    - (ii) the name and signature of each grantor that is party to the agreement;
    - (iii) a sufficient acknowledgment for each grantor's signature;
    - (iv) the address of each grantee for assessment purposes;
    - (v) the parcel or lot each grantor owns before the boundary line is changed;
    - (vi) a statement citing the file number of a record of a survey map, as defined in Sections 10-9a-103 and 17-27a-103, that the parties prepare and file, in accordance with Section 17-23-17, in conjunction with the boundary line agreement; and
    - (vii) the date of the agreement if the date is not included in the acknowledgment in a form substantially similar to a quitclaim deed as described in Section 57-1-13; and
  - (b) prepare an amended plat in accordance with Title 10, Chapter 9a, Part 6, Subdivisions, or Title 17, Chapter 27a, Part 6, Subdivisions.
- (3) A boundary line agreement described in Subsection (1) that complies with Subsection (2) presumptively:
  - (a) has no detrimental effect on any easement on the property that is recorded before the date on which the agreement is executed unless the owner of the property benefitting from the easement specifically modifies the easement within the boundary line agreement or a separate recorded easement modification or relinquishment document; and
  - (b) relocates the parties' common boundary line for an exchange of consideration.
- (4) Notwithstanding Title 10, Chapter 9a, Part 6, Subdivisions, Title 17, Chapter 27a, Part 6, Subdivisions, or the local entity's ordinances or policies, a boundary line agreement is not subject to:
  - (a) any public notice, public hearing, or preliminary platting requirement;
  - (b) the local entity's planning commission review or recommendation; or
  - (c) an engineering review or approval of the local entity.