

DECLARATION

OF

THOMAS G. NOKES

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I, THOMAS G. NOKES, make the following declaration in accordance with Utah Code § 78B-18a-106:

1. I reside at 12040 S. 2160 W., Riverton, Utah 84065.
2. I am the owner of Nokes Corporation, Inc., doing business as Nokes Concrete.
3. In July 2022, I performed work for Tim Anderson, at his home located at 3737 N. Foothill Drive, Provo, Utah 84604.
4. The work I was asked to perform involved, among other things, pouring and finishing a concrete patio and stairs on the north side of his property.
5. The forms for the patio and stairs were already constructed by Tim Anderson. My job was to pour the concrete into the forms and then to finish the concrete surfaces.
6. My work was performed over a period of three days.
7. On the day I began my work, a man that I understood to be Tim Anderson's neighbor was present. I understand that his name is Ronald Bohannon.
8. In my presence, Mr. Bohannon pointed to a string line that extended from the east to the west on the north side of Tim Anderson's property.
9. Mr. Bohannon said in my presence to Tim Anderson that the string line was the boundary between the two properties and that as long as the concrete patio and stairs were on the south side of the string line they would not be on Mr. Bohannon's property.

10. The forms that Tim Anderson had placed for the concrete patio and stairs were on the south side of the string line. Based on what Mr. Bohannon told Tim Anderson, I understood that the forms for the patio and stairs were on Tim Anderson's property.

11. At Tim Anderson's request, I proceeded to do my work of pouring concrete into the forms and then doing the finish work.

12. It took approximately three days to complete the work. On at least two occasions, Mr. Bohannon came out to the string line near where I was working. Each time he commented that the work looked nice. He did not complain or say that the concrete patio and stairs were on his property.

13. Throughout the time I performed my work, the forms and the concrete I poured into those forms were on the south side of the string line. Based on what Mr. Bohannon told Tim Anderson in my presence, I understood that the finished concrete patio and stairs were on Tim Anderson's property.

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Signed on the 2nd day of December, 2023, at Riverton, Utah.



THOMAS G. NOKES