

Memorandum

Whereas, Parcel CD-751-A-4 is owned by Evergreen Acres Trust, and Parcel CD-751-A-4-A is owned by Edmund C. Evans, and such ownership and legal descriptions are recorded in the Summit County Recorder's Office, and attached to this memorandum.

Whereas, Book 309 Page 757-769 approves and describes four (4) "lots of record" as outlined in the Eastern Summit County Development Code, prior to the lot line adjustment, and; **(Exhibit A)**

Whereas, three (3) of the four (4) "lots of record" have structures built upon them.

Whereas, the requested lot line adjustment will not result in any remnant pieces of land and will not change the density allowed on the parcels and;

Whereas, the lot line adjustment will result in three (3) new boundaries for Evergreen Acres Trust property and a new boundary for Edmund C Evans property, as shown on the attached survey. **(Exhibit B)**

Now Therefore, be it known that the Eastern Summit County Planning Commission will accept, that when the descriptions that are now assessed under tax serial numbers CD-751-A-4 and CD-751-A-4-A are changed by a document of conveyance, to the new descriptions described herein, the development rights of the four (4) "lots of record" as set forth in Book 309 Pages 757-769 will be preserved as permitted under the Eastern Summit County Development Code. Specifically, the remaining undeveloped building lot (Lot 3 on the attached survey) will retain the same rights to build/develop in its adjusted form as those rights existed prior to the date of this Memorandum for the Lot 3 described in Book 309 Pages 757-769.

STATE OF UTAH)
) : ss
COUNTY OF Salt Lake)

RECORDER'S NOTE

LEGIBILITY OF WRITING, TYPING OR PRINTING UNSATISFACTORY IN THIS DOCUMENT WHEN RECEIVED.

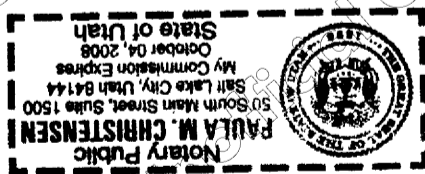
* Edmund C. Evans
Evergreen Acres Trust

1 June 06
Date

On the 1st day of June, 2006, personally appeared before me Edmund C. Evans, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

My Commission Expires:

Paula M. Christensen
NOTARY PUBLIC, Residing at:
At Lake, County, State of Utah




STATE OF UTAH)
COUNTY OF Salt Lake) : ss

Edmund C. Evans
Edmund C. Evans

1 June 06
Date

On the 1st day of June, 2006, personally appeared before me Edmund C. Evans, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

My Commission Expires:
 Notary Public
PAULA M. CHRISTENSEN
50 South Main Street, Suite 1500
Salt Lake City, Utah 84144
My Commission Expires
October 04, 2008
State of Utah

Paula M. Christensen
NOTARY PUBLIC, Residing at:
Salt Lake County, State of Utah

STATE OF UTAH)
COUNTY OF Summit) : ss.


Tiffany R. Northrup
Tiffany R. Northrup, Planner

June 22, 2006
Date

On the 22 day of June, 2006, personally appeared before me Tiffany R. Northrup, the signer of the foregoing instrument, who duly acknowledged to me that she executed the same.

My Commission Expires: 2/3/2008

Vicki Geary
NOTARY PUBLIC, Residing at:
Summit County, State of Utah

 NOTARY PUBLIC
VICKI GEARY
60 No. Main, PO Box 128
Coalville, Utah 84017
My Commission Expires
February 3, 2008
STATE OF UTAH

Summit County
State of Utah

COMMISSIONERS
BILL WALLIN
GERALD E. YOUNG
CARL T. OVAND

COALVILLE, UTAH
81017

REED D. PAGE, COUNTY CLERK
DONNA W. FROST, TREASURER
WANDA Y. SPRIGGS, RECORDER
ROBERT ADKINS, ATTORNEY
RONALD R. ROBINSON, SHERIFF
LEO D. PHAZIEN, ASSESSOR

April 25, 1979

David F. Evans
PO Box 11808
Salt Lake City, UT 84147

Dear David:

This is to certify action taken by the Board of Commission and the Planning Commission of Summit County at their regular meeting of April 24, 1979.

The Board approved your petition for a zone change request for your 30 acre parcel located in N $\frac{1}{2}$ Section 26, T1N, R5E, S18&N. The property has been rezoned from AC-1 to R-5 (Recreation, 5 acre minimum).

The Planning Commission approved your request for permission to create a four lot subdivision in accordance with Section 13.3 of the Development Code of Summit County (October 1978). The subdivision as approved is described on the attached sheets consisting of 5 pages.

Accordingly Summit County will issue building permits for the four lots subject to the approval of water and sanitary system for each dwelling.

Under the current Development Code any additional subdividing of the parcels is not authorized until 12 years from the date of the subdivision approval. At that time, each newly created lot would be subject to the size requirements of the zone.

Please contact me if you have any questions in this matter.

Sincerely,

Stan
Stan Strabel
Summit County Planning Office

SS:jr

BOOK 309 PAGE 764

Exhibit "B"

BK1799 PG1298

Exhibit A

APOSHIAN CONSULTING ENGINEERS, Inc.
1444 EAST 3300 SOUTH
SALT LAKE CITY, UTAH 84109

DESCRIPTION FOR DAVID EVANS

PARCEL 1

Beginning at a point which is N 89°54'58" W 1311.34 feet along the Section line and S 0°40'29" E 162.34 feet along the 40 acre line from the North Quarter corner of Section 26, Township 1 North, Range 0 East, Salt Lake Base and Meridian; thence East 564.79 feet; thence S 31°15' E 295.68 feet; thence S 0°44' E 408.35 feet; thence S 85°55' E 1341.14 feet; thence South 250.0 feet; thence West 669.70 feet; thence North 250.0 feet; thence West 722.80 feet; thence North 506.39 feet; thence West 645.70 feet; thence S 0°40'29" E 688.0 feet; thence S 49°40'59" E 83.50 feet; thence S 0°40'29" E 50.0 feet to the approximate centerline of a Forest Service road; thence N 49°40'59" W 110.0 feet along said road; thence N 0°40'29" W 971.08 feet to the point of beginning. Containing 10.0 acres.

*for submission approved by P.C.
4-24-79.*

RE: Aposhian's Job 19047

BOOK 309 PAGE 765

BK1799 PG1299

APOSHIAN CONSULTING ENGINEERS, Inc.
1414 EAST 3000 SOUTH
SALT LAKE CITY, UTAH 84106

DESCRIPTION FOR DAVID IVANS

PARCEL 2
Beginning at a point in the approximate centerline of a Forest Service road which point is: N 89°54'58" W 1311.34 feet along the Section line and S 0°40'29" E 1133.42 feet along the 40 acre line and S 49°40'59" E 110.0 feet from the North Quarter corner of Section 26, Township 1 North, Range 8 East, Salt Lake Base and Meridian; thence N 0°40'29" W 50.0 feet; thence N 49°40'59" W 83.50 feet; thence N 0°40'29" W 688.0 feet; thence EAST 250.0 feet; thence South 750.0 feet; thence East 73.50 feet; thence South 217.82 feet to the approximate centerline of a Forest Service road; thence N 69°33'18" W along said centerline 83.60 feet; and N 49°40'59" W 226.641 feet to the point of beginning. Containing 5.0 acres.

RE: Aposhian Job #9047

BOOK 309 PAGE 766

BK1799 PG1300

APOSHIAN CONSULTING ENGINEERS, Inc.
1444 EAST 2320 SOUTH
SALT LAKE CITY, UTAH 84106

DESCRIPTION FOR DAVID EVANS

PARCEL 3

Beginning at a point in the approximate centerline of a Forest Service road which point is N 89°54'58" W 1311.34 feet along the section line and S 0°40'29" E 1133.42 feet along the 40 acre line, and S 49°40'59" E 336.64 feet and S 69°33'18" E 83.6 feet from the North Quarter corner of Section 26, Township 1 North, Range 8 East, Salt Lake Base and Meridian; thence North 217.82 feet; thence West 73.50 feet; thence North 750 feet; thence East 395.70 feet; thence South 506.39 feet; thence West 76.20 feet; thence South 250.0 feet; thence East 230.0 feet; thence South 302.32 feet; thence S 25°58'36" W 180.11 feet to the approximate centerline of a Forest Service Road; thence N 64°01'24" W 37.00 feet; thence N 46°19'42" W 239.73 feet; thence N 69°33'18" W 202.68 feet to the point of beginning. Containing 10.0 acres.

RE: Aposhian's Job 19047

BOOK 309 PAGE 767

BK1799 PG1301

APOSHIAN CONSULTING ENGINEERS, Inc.
1414 EAST 3300 SOUTH
SALT LAKE CITY, UTAH 84106

DESCRIPTIONS FOR DAVID EVANS

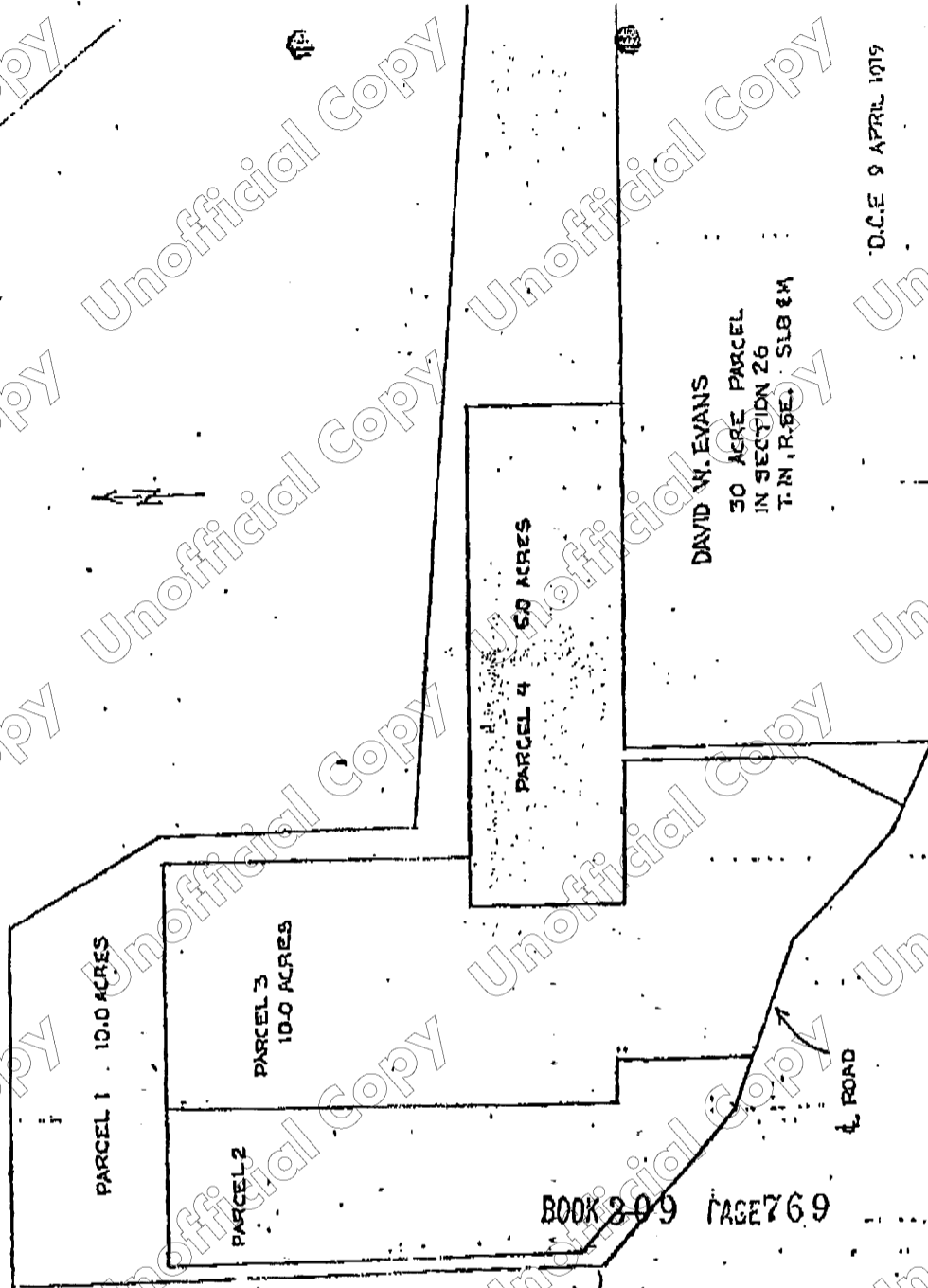
PARCEL 4

Beginning at a point in the centerline of a Forest Service Road which point is South 1167.0 feet and West 467.0 feet and South 512.41 feet from the North Quarter corner of Section 26, Township 1 North, Range 8 East, Salt Lake Base and Meridians; thence N 64°01'24" W along said centerline 110.0 feet; thence N 25°58'36" E 180.11 feet; thence North 302.32 feet; thence West 230.0 feet; thence North 250.0 feet; thence East 799.3 feet; thence South 250.0 feet; thence West 549.0 feet; thence South 512.41 feet to the point of beginning. Containing 5 acres.

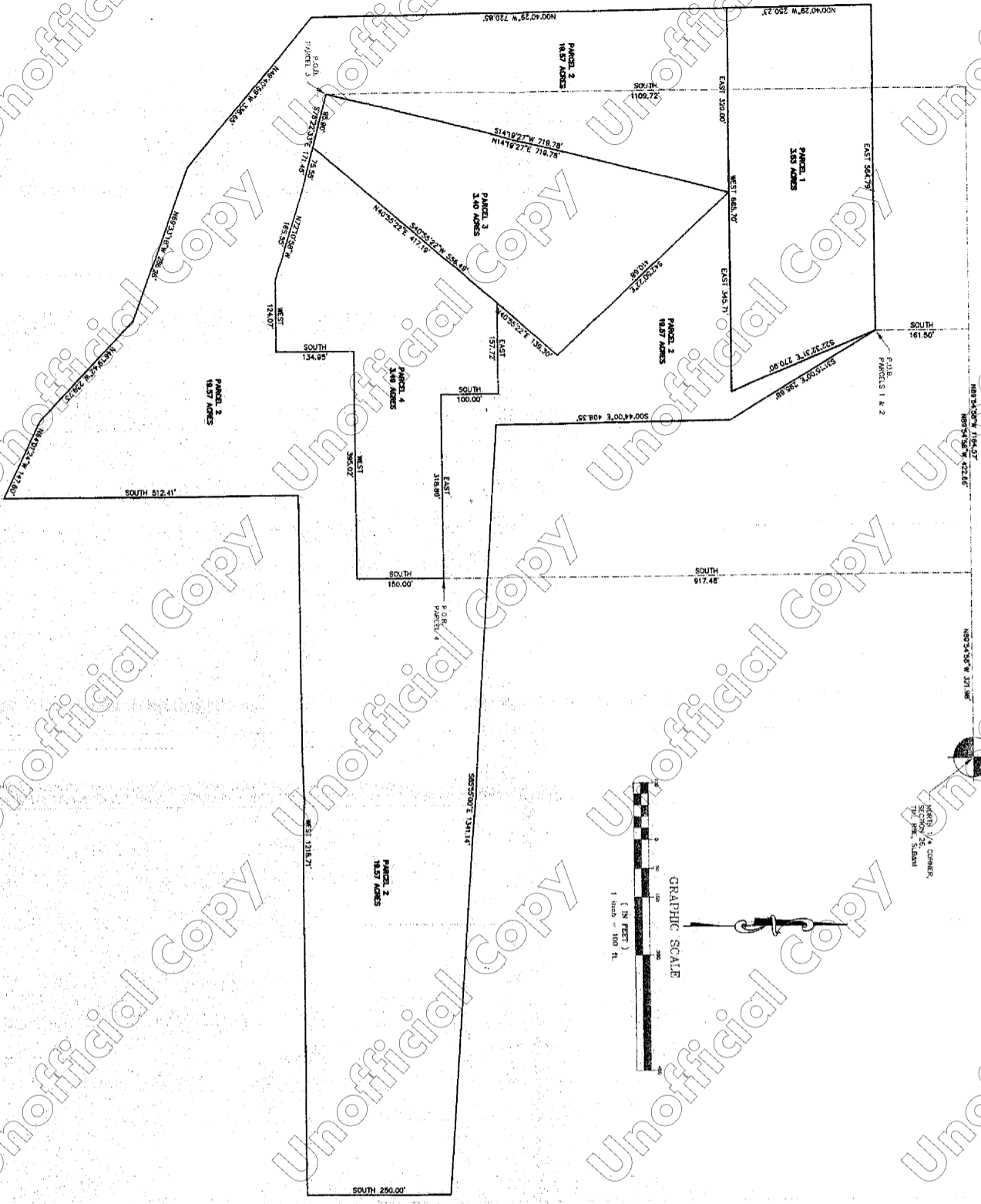
RE: Aposhian's Job 19047

BOOK 809 PAGE 768

BK1799 PG1302



D.C.E 9 APRIL 1019



BK 1799 PG 1304

PARCEL 1 LEGAL DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 87°54'56" WEST 744.88 FEET ALONG THE SECTION LINE AND SOUTH 18°10'00" WEST 119.00 FEET TO THE NORTH ONE-QUARTER CORNER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 8 EAST, SALT LAKE BASIN AND MERIDIAN; THENCE NORTH 87°54'56" WEST 744.88 FEET TO THE POINT OF BEGINNING.

PARCEL 2 LEGAL DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 87°54'56" WEST 744.88 FEET ALONG THE SECTION LINE AND SOUTH 18°10'00" WEST 119.00 FEET TO THE NORTH ONE-QUARTER CORNER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 8 EAST, SALT LAKE BASIN AND MERIDIAN; THENCE NORTH 87°54'56" WEST 744.88 FEET TO THE POINT OF BEGINNING.

PARCEL 3 LEGAL DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 87°54'56" WEST 744.88 FEET ALONG THE SECTION LINE AND SOUTH 18°10'00" WEST 119.00 FEET TO THE NORTH ONE-QUARTER CORNER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 8 EAST, SALT LAKE BASIN AND MERIDIAN; THENCE NORTH 87°54'56" WEST 744.88 FEET TO THE POINT OF BEGINNING.

PARCEL 4 LEGAL DESCRIPTION

BEGINNING AT A POINT WHICH IS NORTH 87°54'56" WEST 744.88 FEET ALONG THE SECTION LINE AND SOUTH 18°10'00" WEST 119.00 FEET TO THE NORTH ONE-QUARTER CORNER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 8 EAST, SALT LAKE BASIN AND MERIDIAN; THENCE NORTH 87°54'56" WEST 744.88 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S NARRATIVE

PARCELS 1, 2, 3 AND 4 ARE PART OF A SURVEY OF THE NW 1/4 OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 8 EAST, SALT LAKE BASIN AND MERIDIAN, AND ARE BEING SURVEYED FOR THE PURPOSE OF DIVIDING THE SURVEY INTO FOUR PARCELS. THE SURVEY WAS CONDUCTED ON 02/15/2006 AND THE LEGAL DESCRIPTIONS WERE PREPARED ON 02/15/2006.

BK1799 PG1304

Exhibit B

PREPARED FOR: TED EVANS	UPPER WEBER PROPERTY SUMMIT COUNTY IN THE NW 1/4 OF SEC 26, T1N, R8E, S18&M	DATE: REVISED 02/15/2006 DRAWN BY: BEC REVIEWED BY: BEC APPROVED BY: BEC FILE NAME: LOS-110 LEGALS	55 WEST CENTER ST. PO BOX 176 HEALING SPRINGS, UT 84032 PHONE: 435.654.9229 FAX: 435.654.9231 SUMMIT COUNTY PLANNING MAR 27 2006
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