

E 2592589 B 5245 P 213-215
RICHARD T. MAUGHAN
DAVIS COUNTY, UTAH RECORDER
04/05/2011 11:23 AM
FEE \$0.00 Pgs: 3
DEP RTT REC'D FOR FRUIT HEIGHTS CI
TY

AFFIDAVIT

**11-119-0006, 0130, 0108, 0109, 0111, 0003
0082, 0128, 0134, 0136,
0084, 0039, 0119, 0120,
0057, 0115, 0055, 0054
0053, 0050**

11-120-0003, 0012, 0015, 0024

11-302-0001

11-545-0001, 0002, 0003

AFFIDAVIT

COUNTY OF DAVIS]
STATE OF UTAH]

COMES NOW the affiant, MAX B. ELLIOTT, who, being duly sworn and by these presents does hereby affirm and attest as follows:

1. I am a resident of Davis County, in the State of Utah, being over the age of 21 years, and being fully competent and in every respect qualified to attest to the matters herein, and
2. I am the duly elected County Surveyor of Davis County, Utah, and a licensed and registered professional Land Surveyor, under the laws of the State of Utah, and by these presents,
3. Am acting under authority of Utah Code Annotated, Title 17-23-1-vii , and as the said duly elected County Surveyor in and for the County of Davis, State of Utah, do hereby state that:

The Mountain Road Street Dedication Fruit Heights, Davis County, Utah A Part of the West Half of Section 36, Township 4 North, Range 1 West, S.L.B. & M was prepared using NAD 83 Bearings therefore the Davis County surveyors Office has written the description of the same using Davis County bearings so that the road location is on the same bearing base as the adjacent subdivisions and property descriptions. The description based on Davis County bearings reads as follows:

MOUNTAIN ROAD RIGHT OF WAY DESCRIPTION

A PART OF THE WEST HALF OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT LOCATED SOUTH $0^{\circ}01'00''$ WEST 2027.88 FEET ALONG THE WEST LINE OF SAID SECTION AS CURRENTLY MONUMENTED AND N $89^{\circ}39'38''$ E 713.65 FEET FROM THE NORTHWEST CORNER OF SAID SECTION; RUNNING THENCE SOUTH $26^{\circ}10'02''$ EAST 351.71 FEET; THENCE ALONG THE ARC OF A NON TANGENT 567.00 FOOT RADIUS CURVE TO THE LEFT 73.41 FEET HAVING A CENTRAL ANGLE OF $07^{\circ}25'05''$, CHORD BEARS SOUTH $39^{\circ}26'50''$ EAST 73.36 FEET; THENCE SOUTH $43^{\circ}09'22''$ EAST 632.62 FEET; THENCE ALONG THE ARC OF A NON TANGENT 1187.31 FOOT RADIUS CURVE TO THE RIGHT 177.26 FEET, HAVING A CENTRAL ANGLE OF $08^{\circ}33'15''$, CHORD BEARS SOUTH $37^{\circ}58'20''$ EAST 177.10 FEET; THENCE SOUTH $33^{\circ}20'55''$ EAST 626.99 FEET; THENCE ALONG THE ARC OF A 2534.00 FOOT RADIUS CURVE TO THE RIGHT 311.66 FEET, HAVING A CENTRAL ANGLE OF $07^{\circ}02'49''$, CHORD BEARS SOUTH $29^{\circ}49'31''$ EAST 311.46 FEET; THENCE SOUTH $26^{\circ}18'07''$ EAST 1274.85 FEET; THENCE ALONG THE ARC OF A 1022.40 FOOT RADIUS CURVE TO THE RIGHT 357.55 FEET, HAVING A CENTRAL ANGLE OF $20^{\circ}02'14''$ CHORD BEARS SOUTH $16^{\circ}17'00''$ EAST 355.73 FEET; THENCE SOUTH $6^{\circ}15'54''$ EAST 5.91 FEET; THENCE SOUTH $89^{\circ}07'17''$ WEST 68.30 FEET THENCE ALONG THE ARC OF A 954.40 FOOT RADIUS CURVE TO THE LEFT 333.27 FEET, HAVING A CENTRAL ANGLE OF $20^{\circ}00'26''$ CHORD BEARS NORTH $16^{\circ}17'54''$ WEST 331.58 FEET; THENCE NORTH $26^{\circ}18'07''$ WEST 1274.85 FEET; THENCE ALONG THE ARC OF A 2466.00 FOOT RADIUS CURVE TO THE LEFT 303.29 FEET, HAVING A CENTRAL ANGLE OF $07^{\circ}02'49''$, CHORD BEARS NORTH $29^{\circ}49'31''$ WEST 303.10 FEET; THENCE NORTH $33^{\circ}20'55''$ WEST 626.99 FEET; THENCE ALONG THE ARC OF A NON TANGENT 1119.31 FOOT RADIUS CURVE TO THE LEFT 129.39 FEET; HAVING A CENTRAL ANGLE OF $06^{\circ}37'23''$, CHORD BEARS NORTH $37^{\circ}01'40''$ WEST 129.32 FEET, THENCE NORTH $42^{\circ}12'39''$ WEST 195.65 FEET; THENCE NORTH $43^{\circ}09'22''$ WEST 280.71 FEET; THENCE NORTH $43^{\circ}09'25''$ WEST 192.68 FEET; THENCE ALONG THE ARC OF A 659.79 FOOT RADIUS CURVE TO THE RIGHT 98.28 FEET, HAVING A CENTRAL ANGLE OF $08^{\circ}32'05''$, CHORD BEARS NORTH $38^{\circ}42'28''$ WEST 98.19 FEET; THENCE NORTH $27^{\circ}09'01''$ WEST 5.10 FEET; THENCE SOUTH $69^{\circ}48'01''$ WEST 1.42 FEET; THENCE NORTH $27^{\circ}08'59''$ WEST 341.17 FEET; THENCE NORTH $63^{\circ}50'01''$ EAST 74.96 FEET TO THE POINT OF BEGINNING, CONTAINING 5.930 ACRES.

LESS AND EXCEPTING THEREFROM:

BEGINNING AT A POINT LOCATED SOUTH $0^{\circ}01'00''$ WEST 2027.88 FEET ALONG THE WEST LINE OF SAID SECTION AS CURRENTLY MONUMENTED AND N $89^{\circ}39'38''$ E 713.65 FEET AND SOUTH $63^{\circ}50'01''$ W 74.96 FEET AND SOUTH $27^{\circ}08'59''$ E 341.17 FEET AND NORTH $69^{\circ}48'01''$ EAST 1.42 FEET AND SOUTH $27^{\circ}09'01''$ EAST 5.10 FEET AND ALONG THE ARC OF A 659.79 FOOT RADIUS CURVE TO THE LEFT A LENGTH OF 98.28 FEET HAVING A CENTRAL ANGLE OF $08^{\circ}32'05''$, CHORD BEARS SOUTH $38^{\circ}42'28''$ EAST 98.19 FEET AND SOUTH $43^{\circ}09'25''$ EAST 192.68 FEET AND SOUTH $43^{\circ}09'22''$ EAST 280.71 FEET AND

SOUTH 42°12'39" EAST 102.92 FEET TO THE NORTH BOUNDARY LINE OF THE THOMAS I. CHASE PROPERTY, DAVIS COUNTY TAX PARCEL 11-119-0019, FROM THE NORTHWEST CORNER OF SAID SECTION 36 AND RUNNING THENCE ALONG SAID THOMAS I. CHASE BOUNDARY THE FOLLOWING THREE COURSES; (1) NORTH 69°33'01" EAST (NORTH 69°33' EAST BY RECORD) 8.10 FEET TO A POINT DESCRIBED OF RECORD AS BEING LOCATED SOUTH 89°39' EAST 1267.85 FEET ALONG THE QUARTER SECTION LINE AND SOUTH 211.40 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION; (2) SOUTH 42°14'16" EAST (SOUTH 42°14'17" EAST BY RECORD: 92.75 FEET (3) SOUTH 69°33'01" WEST (SOUTH 69°33' WEST BY RECORD) 8.15 FEET; THENCE NORTH 42°12'39" WEST 92.73 FEET TO THE POINT OF BEGINNING. CONTAINING 700 SQUARE FEET OR 0.016 ACRES. NET DEDICATION AREA BEING 5.914 ACRES.

4. This affidavit is given to perfect notice in the public records of Davis County, Utah of the matters stated herein.

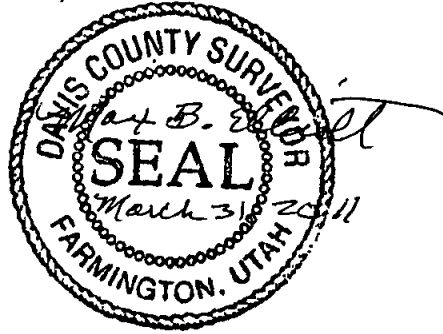
Witness the hand of the signer herein, MAX B. ELLIOTT, who does hereby ATTEST to the matters herein, and by these presents does set his hand this 31st day of March, 2011.

Max B. Elliott

MAX B. ELLIOTT, DAVIS COUNTY SURVEYOR

WITNESS:

Ronda May



COUNTY OF DAVIS]

STATE OF UTAH]

Personally appeared before me, (*J Buckley*) a Notary Public in and for the State of Utah, on this 31st day of March, 2011, MAX B. ELLIOTT, Davis County Surveyor, who, being duly sworn, does hereby acknowledge by his hand his capacity as a duly licensed and registered Professional Land Surveyor, and his authority as duly elected County Surveyor of Davis County, Utah, to attest and affirm the matters herein stated.

J Buckley

Notary Public

Residing at: *Farmington Utah*

My commission number is: *575747*

My commission expires: *9/5/12*

