

**AFFIDAVIT**

ENT 117834;2004 PG 1 of 2  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2004 Oct 15 2:34 pm FEE 0.00 BY SS  
RECORDED FOR UTAH COUNTY ATTORNEY

Comes now, Buck Rose, and states as follows:

1. That I am the Assistant Director of the Utah County Community Development Department and that my duties include the administration of the zoning and subdivision provisions of the Utah County Zoning Ordinance.
2. That I have been employed by Utah County and have had the duty to administer the provisions of the County zoning ordinances since September, 1971, including the date of March 9, 2004, when that certain document entitled "Declaration of Zoning Lot" was recorded with the Utah County Recorder under Entry #26510:2004 .
3. That the Declaration of Zoning Lot was executed and recorded, purportedly, by its signers to re-combine several parcels of land which had been divided from a larger parcel without the subdivision plat approval required by the zoning ordinance.
4. That the tax identification numbers of the parcels of land to be re-combined were correctly stated on said Declaration of Zoning Lot document to be parcels #20:014:0006, 20:014:0036, 20:014:0038, 20:014:0039, 20:014:0040, 20:014:0042, 20:014:0053, 20:014:0054 (hereinafter referred to as the "Subject Parcels" ) .
5. That said Declaration of Zoning Lot document had a legal description prepared by a member of the Community Development Department staff (who has since left County employ), which legal description was purported to be the legal description of the outer boundary surrounding the Subject Parcels.
6. That said legal description is in error, and includes land other than the land contained in the Subject Parcels, and it omits some of the land contained in the Subject Parcels.
7. That the correct legal description of the outer boundary surrounding the Subject Parcels, based on the legal descriptions on the property records found in the office of the Utah County Recorder for the subject parcels, has been determined by me to be as follows:

Commencing North 89 deg. 49 min. 44 sec. East 2677.19 feet and North 660.16 feet from the Southwest Corner of Section 7, Township 6 South, Range 3 East, Salt Lake Base and Meridian, Utah County, State of Utah; thence as follows:

- West 539.31 feet;
- West 321.27 feet;
- West 92.93 feet;
- West 106.39 feet
- North 14 deg. 05 min. West 45.19 feet;
- North 75 deg. 30 min. 56 sec. West 85.05 feet;
- South 77 deg. 12 min. 05 sec. West 118.81 feet;
- South 77 deg. 12 min. 05 sec. West 138.10 feet;

South 7.85 feet;  
West 57.15 feet;  
South 03 deg. 30 min. 59 sec. West 154.99 feet;  
South 03 deg. 30 min. 59 sec. West 149.8 feet;  
South 81 deg. 28 min. 59 sec. West 34.03 feet;  
South 222.82 feet;  
North 81 deg. 00 min. 24 sec. East 382.29 feet;  
South 85 deg. 21 min. 34 sec. East 325.56 feet;  
South 10 deg. 13 min. 52 sec. East 4.04 feet  
South 84 deg. 10 min. 37 sec. East 356.91 feet;  
East 455.40 feet;  
North 536.26 feet to the point of beginning.

8. That any land which is not described in the legal description found above in paragraph #7 of this Affidavit is, accordingly, not subject to any of the covenants, restrictions, or other provisions of said Declaration of Zoning Lot, as administered by the Utah County Community Development Department.

Further this affiant saith not.

Buck Rose

Buck Rose

Oct. 15, 2004

Date

STATE OF UTAH )

SS

COUNTY OF UTAH )

On the 15<sup>th</sup> day of October, 2004, personally appeared before me the signer of the above instrument, who duly acknowledged to me under oath that its contents are true to the best of his knowledge, that he executed the same.



Karen Fairbanks

Notary Public

Residing at: Utah Co., Utah

My Commission Expires: 4-10-06

Approved as to form: \_\_\_\_\_