

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right of Way, Fourth Floor
Box 148420
Salt Lake City, Utah 84114-8420

MAIL COPY TO:
Utah Transit Authority
PO Box 30810
Salt Lake City, Utah 84130-0810



ENT 35018:2021 PG 1 of 5
ANDREA ALLEN
UTAH COUNTY RECORDER
2021 Feb 24 2:44 pm FEE 40.00 BY SS
RECORDED FOR HOWELL, STEPHEN P

SCRIVENER'S AFFIDAVIT

Utah County

Tax ID No. 45:487:0001
45:487:0002
Pin No. 10266
Project No. S-0265(23)3
Parcel No. 0265:119:A

I, **Stephen P. Howell**, the undersigned, being of legal age and being duly sworn, hereby depose and say as follows:

1. The Utah Department of Transportation (UDOT) recorded a Special Warranty Deed dated June 29, 2020 wherein UDOT appears as "Grantee", and Boyer Lake Pointe, L.C., a Utah limited liability company appears as "Grantor".
2. Said Special Warranty Deed was recorded in the office of the Utah County Recorder on October 26, 2020 as Entry No. 167347.
3. The non-parenthetical description in said Special Warranty Deed does not close by about a foot due to some typographical errors in a few calls.
4. The new bearings and distances in **bold** correct the closure error of said Special Warranty Deed.

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Corrected Description:

A parcel of land in fee, being part of an entire tract of property, situate in Lots 1 and 2, Plat "B", Lake Pointe Shopping Center Subdivision, according to the official plat thereof recorded June 22, 2010 as Entry No. 51439, Map No. 13268-145, situate in the NW1/4NE1/4 of Section 27, T.6S., R.2E., S.L.B.&M., for the construction of improvements incident to the Provo-Orem Transportation Improvement Project, known as project number S-0265(23)3.

Beginning at a point on the westerly boundary line of said Lot 1, which point is on the easterly right of way line of 400 West Street in Orem, Utah, which point is also 74.75 feet S. 89°08'17" E. along the section line and 25.35 feet South and 484.63 feet S. 00°37'55" E. from the North Quarter Corner of said Section 27; thence along said boundary and right of way line the following two courses: (1) S. 05°39'37" W. 13.37 feet; (2) southeasterly **44.91 feet** (*43.66 feet by record*) along the arc of a 30.00-foot radius curve to the left, through a central angle of **85°46'51"** (*83°23'26" by record*), the chord of which bears **S. 33°40'19" E. 40.84 feet** (*S. 34°34'14" E. 39.91 feet by record*) to the southerly boundary line of said Lot 1 and the northerly right of way and limited access line of State Route 265 (University Parkway); thence along said boundary, right of way and limited access line **S. 89°13'24" E. 454.10 feet** (*S. 89°13'00" E. 454.12 feet by record*) to the southwest corner of Lot 2; thence along the southerly boundary line of said Lot 2 and continuing along said right of way and limited access line **S. 89°13'24" E.** (*S. 89°13'00" E. by record*) 773.38 feet to the southeast corner of said Lot 2; thence along the easterly boundary line of said Lot 2 N. 01°17'43" E. 24.74 feet to a point which is 89.74 feet perpendicularly distant northerly from the control line of said project, opposite approximate Engineer Station 127+65.18; thence S. 89°28'29" W. 32.67 feet to a point which is 89.00 feet perpendicularly distant northerly from the control line of said project, opposite Engineer Station 127+32.53 and is designated as point "1"; thence N. 89°13'24" W. 447.03 feet to a point which is 89.00 feet perpendicularly distant northerly from the control line of said project, opposite Engineer Station 122+85.50 and

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is designated as point "H"; thence N. 89°13'24" W. 33.00 feet to a point which is 89.00 feet perpendicularly distant northerly from the control line of said project, opposite Engineer Station 122+52.50 and is designated as point "B"; thence N. 89°13'24" W. 151.50 feet to a point which is 89.00 feet perpendicularly distant northerly from the control line of said project, opposite Engineer Station 121+01.00; thence N. 00°46'36" E. 5.00 feet to a point which is 94.00 feet perpendicularly distant northerly from the control line of said project, opposite Engineer Station 121+01.00; thence N. 89°13'24" W. 392.12 feet to a point which is 94.00 feet perpendicularly distant northerly from the control line of said project, opposite Engineer Station 117+08.88; thence S. 83°39'05" W. 44.34 feet to a point which is 88.50 feet perpendicularly distant northerly from the control line of said project, opposite Engineer Station 116+64.88; thence N. 89°13'24" W. 80.07 feet to a point which is 88.50 feet perpendicularly distant northerly from the control line of said project, opposite Engineer Station 115+84.81; thence N. 72°14'46" W. 20.55 feet to a point which is 94.50 feet perpendicularly distant northerly from the control line of said project, opposite Engineer Station 115+65.16; thence N. 33°55'51" W. 21.29 feet to a point which is 112.00 feet perpendicularly distant northerly from the control line of said project, opposite Engineer Station 115+53.04 and is designated as point "A"; thence N. 89°13'24" W. 37.52 feet, more or less, to the point of beginning as shown on the official map of said project on file at the office of the Utah Department of Transportation. The above described parcel of land contains 32,982 square feet or 0.757 acre in area, more or less.

(Note: Rotate above bearings counterclockwise 00°14'36" to equal project bearings.)

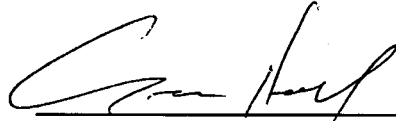
To enable the Utah Department of Transportation to construct and maintain a limited access public highway, as contemplated by Title 72, Chapter 6, Section 117, Utah Code Annotated, 1998, as amended, the Owners of said entire tract of property hereby release and relinquish to said Utah Department of Transportation any and all rights appurtenant to the remaining property of said Owners by reason of the location thereof with reference to said highway, including, without limiting the foregoing, all rights

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of ingress to or egress from said Owner's remaining property contiguous to the lands hereby conveyed to or from said highway between said designated point "A" and said designated point "B", and also between said designated point "H" and said designated point "I", and as shown on the official map of said project on file at the office of the Utah Department of Transportation.

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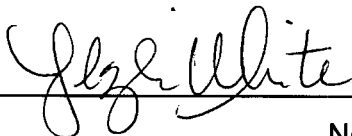
Dated this 24th day of February, A.D. 2021.



Stephen P. Howell, PLS
License Number: 7387065

STATE OF UTAH)
) ss.
COUNTY OF DAVIS)

On the 24th day of February, 2021, personally appeared before me, **Stephen P. Howell**, whose identity is personally known or provided to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.



Notary Public

