Ivins City Staff Report
City Council Meeting 11/16/2017

Agenda Item: Discuss and consider right-of-way vacations and property exchange revised agreements for 600 West from Old Highway 91 to 400 South

Submitted by: Thomas Jorgensen, P.E., Assistant Public Works Director

Recommended City Council Action:
Approve proposed right-of-way vacation and property exchange revised agreements for 600 West and 400 South

BACKGROUND:

600 West 400 South Area

As the Council may be aware, the City is currently working on realigning 600 West so that it will intersect with Old Highway 91 at a perpendicular angle. Having this configuration provides a significant enhancement to the current intersection configuration, both from a safety and traffic flow stand point. By realigning 600 West it also requires that 400 South be realigned to intersect with 600 West at a perpendicular angle. The new alignment for these two roadways passes through multiple properties and staff has been working on acquiring the necessary right of way.

Phillips Bush Exchange

Staff has been working with Gary Phillips and Nancy Bush, the owners of the property on the southwest corner of 600 W and 400 S intersection, Parcel I-SB-52-B, to negotiate an exchange between right of way that the City owns within 600 W for a portion of his property that the future alignment would pass through. Exhibit A within the agreement shows the exchange diagram. Ivins would abandon 0.477 acres of 600 West, while keeping back a temporary drainage easement and a future permanent 15-foot drainage easement, and exchange it for 0.566 acres plus the 30-foot landscape buffer along Old Highway 91.

The last agreement that we had before council included the following language: "The City will hold back and keep public drainage easement on the 0.477 acre 600 West abandoned ROW. For future development, Gary Phillips may request to encroach into the easement and the City will consider it if the proposed encroachment does not impact any of the existing utilities."

The language for this section will be revised to say the following: "The City will hold back and keep a temporary public drainage easement on the 0.477 acre 600 West abandoned ROW. When the property is developed in the future, the City will hold back a permanent 15-foot public drainage easement on the east edge of the 0.477 acre 600 West abandoned ROW. For future development, Gary Phillips may request to encroach into that 15-foot easement and the City will consider it if the proposed encroachment does not impact the function of the drainage easement."

Staff has been working with Gary Phillips on this agreement and feel that this change is acceptable and will still meet the City's need for drainage through the property.

The City would still be vacating less property than is being deeded by the properties. The exchange appears to be in favor of the City.

FINDINGS AND ANALYSIS:
Staff finds these exchanges and the revised agreement to be reasonable and sufficient to provide the necessary compensation for the road vacation.

SUPPORT MATERIALS:

- Property Exchange Agreement for 600 West ROW for 600 West Realignment and Old Highway 91 - Phillips-Bush

FINANCIAL IMPACT:
There will be no impact financially since the property acquisition will be through exchanges.

Respectfully Submitted:

Thomas Jorgensen, P.E., Assistant Public Works Director

Content Review:

Dale Coulam, City Manager

Property Exchange Agreement for Abandoned 600 West ROW for 600 West Realignment and Old Highway 91

This agreement is made and entered into effective this _____ day of _____, 2017, by and between Phillips, Gary and Bush, Nancy, that is a property owner in Ivins, and Ivins City, a Utah Municipality, ("City").

Whereas:

1. Phillips, Gary and Bush, Nancy own a property identified by Washington County parcel (WC parcel) numbers as I-SB-52-B.
2. Ivins City owns 0.477 acres of dedicated ROW on 600 West from approximately 400 S to Old Hwy 91 as shown in Exhibit A that is no longer necessary for a street but is necessary for a drainage corridor for existing drainage facilities.
3. Both parties acknowledge the realignment of 600 West/Kwavasa per the City's transportation master plan which identifies a 108-foot-wide street corridor for 600 West/Kwavasa Drive for future transportation needs.
4. Both parties acknowledge that the City's transportation master plan identifies a 160-foot-wide street corridor for Old Hwy 91 for future transportation needs. This agreement will convey 30 feet of the street to Ivins.

Now, therefore, in consideration of the mutual agreements herein contained, the parties covenant and agree for themselves and their heirs, successors and assigns to exchange properties as follows:

1. City Deeding of 600 West: The City will abandon and quit-claim deed the dedicated right-of-way of 600 West, "Area 5", 0.477 acres as shown in the map identified as Exhibit A and described in Exhibit B to Phillips, Gary and Bush, Nancy.

2. Phillips, Gary and Bush, Nancy Deeding "Area 4": Phillips, Gary and Bush, Nancy will convey by warranty deed "Area 4", 0.566 acres, as shown in Exhibit A and described in Exhibit B. Ivins City will purchase the title insurance for this deed.

3. Phillips, Gary and Bush, Nancy Deeding "Area 6": Phillips, Gary and Bush, Nancy will convey by warranty deed "Area 6", the 30-foot landscape buffer along Old Highway 91, 0.289 acres, as shown in Exhibit A and described in Exhibit B. Ivins City will purchase the title insurance for this deed.

4. Drainage Easement: The City will hold back and keep a temporary public drainage easement on the 0.477 acre 600 West abandoned ROW. When the property is developed in the future, the City will hold back a permanent 15-foot public drainage easement on the east edge of the 0.477 acre 600 West abandoned ROW. For future development, Phillips, Gary and Bush, Nancy may request to encroach into that 15-foot easement and the City will consider it if the proposed encroachment does not impact the function of the drainage easement.

5. Future Access: RT Marten guarantees access through the intersection (old alignment) of 400 South and 600 West to the adjacent property south, identified as parcel #I-SB-52-B, currently owned by Phillips, Gary and Bush, Nancy.

This agreement shall run with the land and apply to the successors of both parties.

IN WITNESS WHEREOF, the parties have executed this Easement Agreement the day and year first above written.

IVINS CITY:

Attest:

By:_____
Chris Hart, Mayor

By:_____
Kari Jimenez, Ivins City Recorder

STATE OF UTAH
County of Washington

On this ___ day of _____, 2017, before me personally appeared Chris Hart and Kari Jimenez whose identities are personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that they are respectively the Mayor and Recorder of Ivins City, and that the foregoing document was signed by them by authority, and they acknowledged before me that Ivins City executed the document and the document was the act of Ivins City for its stated purpose.

_____
Notary Public

Phillips, Gary and Bush, Nancy:

By:_____
Phillips, Gary

STATE OF UTAH
County of Washington

On this ___ day of _____, 2017, before me personally appeared Phillips, Gary whose identity is personally known to or proved to me on the basis of satisfactory evidence to be the person whose name is signed on the preceding document, and acknowledged before me that he signed it voluntarily for its stated purpose.

_____
Notary Public

By:_____
Bush, Nancy

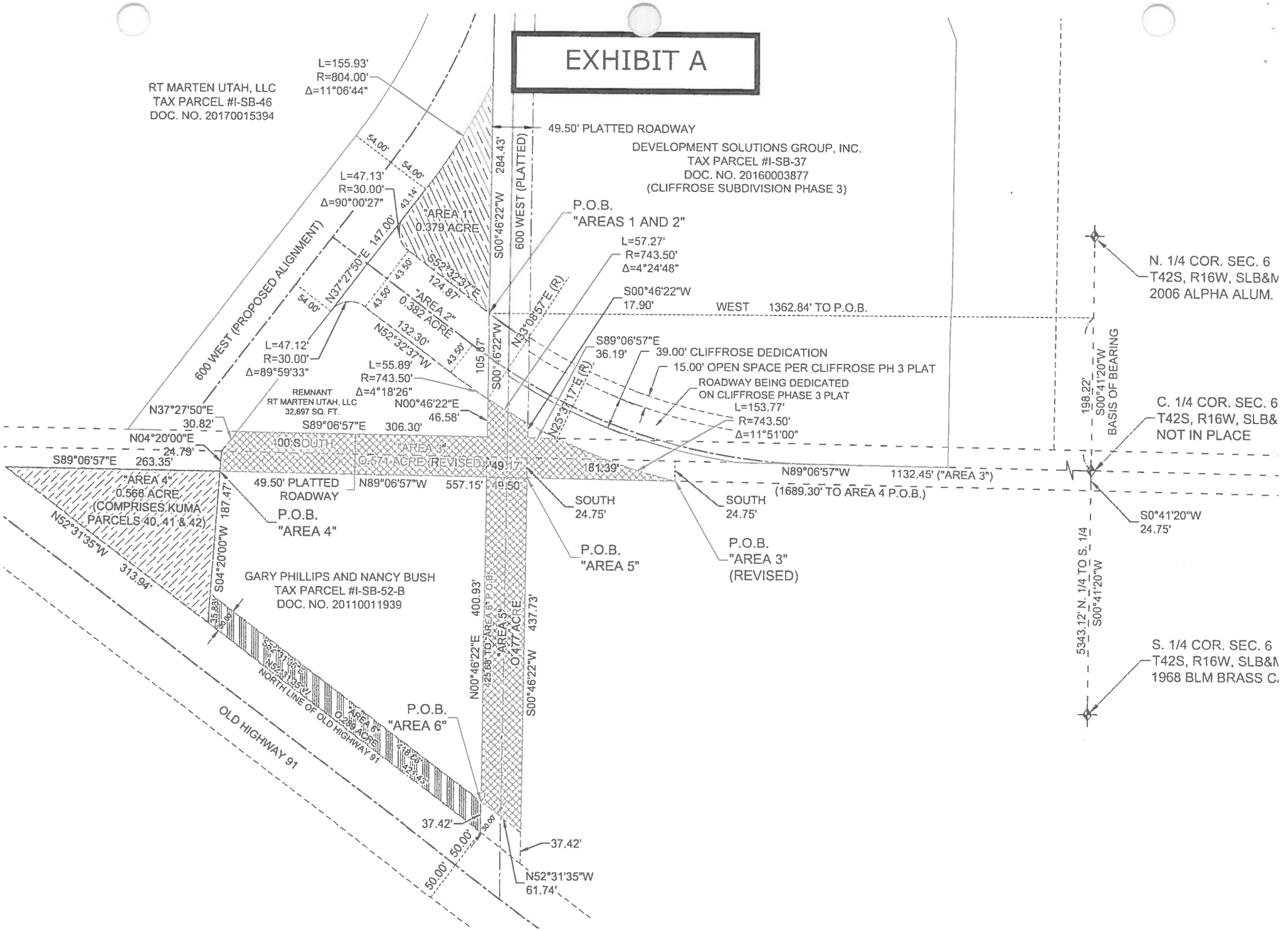
STATE OF UTAH
County of Washington

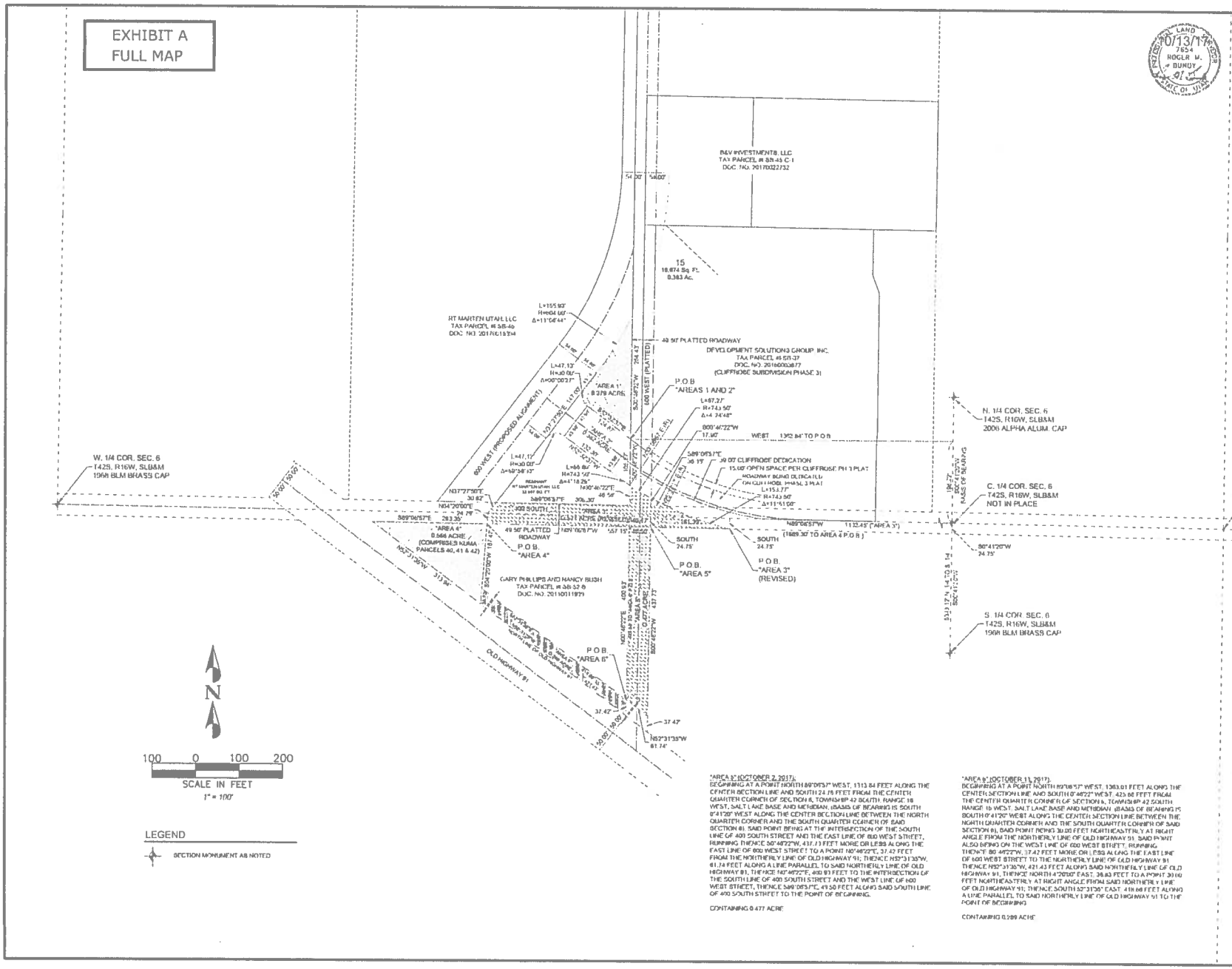
On this ___ day of _____, 2017, before me personally appeared Bushy, Nancy whose identity is personally known to or proved to me on the basis of satisfactory evidence to be the person whose name is signed on the preceding document, and acknowledged before me that he signed it voluntarily for its stated purpose.

_____
Notary Public

EXHIBIT A
AREA MAP

EXHIBIT A


RT MARTEN UTAH, LLC
TAX PARCEL #I-SB-46
DOC. NO. 20170015394
L=155.93'
R=804.00'
Δ=11°06'44"
49.50' PLATTED ROADWAY
DEVELOPMENT SOLUTIONS GROUP, INC.
TAX PARCEL #I-SB-37
DOC. NO. 20160003877
(CLIFFROSE SUBDIVISION PHASE 3)
600 WEST (PROPOSED ALIGNMENT)
600 WEST (PLATTED)
284.43'
S00°46'22"W
"AREA 1"
0.379 ACRE
P.O.B.
"AREAS 1 AND 2"
L=47.13'
R=30.00'
Δ=90°00'27"
54.00'
43.14'
147.00'
N37°27'50"E
S52°32'37"E
124.87'
"AREA 2"
0.382 ACRE
L=57.27'
R=743.50'
Δ=4°24'48"
S00°46'22"W
17.90'
WEST 1362.84' TO P.O.B.
N. 1/4 COR. SEC. 6
T42S, R16W, SLB&M
2006 ALPHA ALUM.
L=47.12'
R=30.00'
Δ=89°59'33"
N52°32'37"W
132.30'
105.87'
N33°08'57"E (R)
S89°06'57"E
36.19'
39.00' CLIFFROSE DEDICATION
15.00' OPEN SPACE PER CLIFFROSE PH 3 PLAT
ROADWAY BEING DEDICATED
ON CLIFFROSE PHASE 3 PLAT
L=153.77'
R=743.50'
Δ=11°51'00"
N25°31'17"E (R)
198.22'
S00°41'20"W
BASIS OF BEARING
C. 1/4 COR. SEC. 6
T42S, R16W, SLB&
NOT IN PLACE
L=55.89'
R=743.50'
Δ=4°18'26"
REMNANT
RT MARTEN UTAH, LLC
32,697 SQ. FT.
N00°46'22"E
46.58'
N37°27'50"E
30.82'
S89°06'57"E
306.30'
N04°20'00"E
24.79'
S89°06'57"E
263.35'
100 SOUTH
"AREA 3"
0.471 ACRE (REVISED)
49.17'
181.39'
N89°06'57"W
1132.45' ("AREA 3")
(1689.30' TO AREA 4 P.O.B.)
"AREA 4"
0.566 ACRE
(COMPRISES KUMA
PARCELS 40, 41 & 42)
49.50' PLATTED
ROADWAY
N89°06'57"W
557.15'
49.50'
SOUTH
24.75'
SOUTH
24.75'
S0°41'20"W
24.75'
P.O.B.
"AREA 4"
P.O.B.
"AREA 5"
P.O.B.
"AREA 3"
(REVISED)
N52°31'35"W
313.94'
S04°20'00"W
187.47'
GARY PHILLIPS AND NANCY BUSH
TAX PARCEL #I-SB-52-B
DOC. NO. 20110011939
400.93'
N00°46'22"E
125.68' TO AREA 6 P.O.B.
"AREA 5"
0.477 ACRE
437.73'
S00°46'22"W
5343.12' N. 1/4 TO S. 1/4
S00°41'20"W
S. 1/4 COR. SEC. 6
T42S, R16W, SLB&M
1968 BLM BRASS C.
P.O.B.
"AREA 6"
"AREA 6"
0.299 ACRE
NORTH LINE OF OLD HIGHWAY 91
OLD HIGHWAY 91
37.42'
50.00'
37.42'
N52°31'35"W
61.74'



SURVEYOR'S CERTIFICATE

I, ROGER M. BUNDY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE No. 7854 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT I HAVE PREPARED THE HEREON BOUNDARY DESCRIPTIONS FROM RECORD DEEDS, SUBDIVISION PLATS, ETC. AND THAT THIS IS A TRUE AND CORRECT REPRESENTATION OF SAID RECORD INFORMATION.

BOUNDARY DESCRIPTIONS

"AREA 1"
BEGINNING AT A POINT NORTH 0°41'26" EAST, 186.22 FEET ALONG THE CENTER SECTION LINE AND WEST, 1,662.64 FEET FROM THE CENTER QUARTER CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE WEST LINE OF 600 WEST STREET, RUNNING THENCE NORTH 52°32'17" WEST, 124.87 FEET TO THE POINT OF CURVE OF A 30.00 FOOT RADIUS CURVE TO THE RIGHT, THENCE NORTHERLY 47.12 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", THENCE NORTH 37°27'50" EAST, 41.14 FEET TO THE POINT OF CURVE OF AN 804.00 FOOT RADIUS CURVE TO THE LEFT, THENCE NORTHEASTERLY 153.91 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°06'44" TO A POINT ON THE WEST LINE OF 600 WEST STREET, THENCE SOUTH 0°46'22" WEST, 264.43 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

CONTAINING 0.378 ACRE.

"AREA 2"
BEGINNING AT A POINT NORTH 0°41'26" EAST, 186.22 FEET ALONG THE CENTER SECTION LINE AND WEST, 1,662.64 FEET FROM THE CENTER QUARTER CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE WEST LINE OF 600 WEST STREET, RUNNING THENCE SOUTH 0°46'22" WEST, 108.67 FEET ALONG SAID WEST LINE TO A POINT ON A 743.50 FOOT RADIUS NON TANGENT CURVE TO THE RIGHT, RADIUS POINT BEARS NORTH 33°08'57" EAST, THENCE NORTHWESTERLY 95.99 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 7°23'50" THENCE NORTH 52°32'17" WEST, 132.36 FEET TO THE POINT OF CURVE OF A 30.00 FOOT RADIUS CURVE TO THE LEFT, THENCE WESTERLY 47.12 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'33", THENCE NORTH 37°27'50" EAST, 144.09 FEET TO THE POINT OF CURVE OF A 30.00 FOOT RADIUS CURVE TO THE LEFT, RADIUS POINT BEARS SOUTH 52°32'10" EAST, THENCE SOUTHEASTERLY 47.13 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'27", THENCE SOUTH 52°32'17" EAST, 124.87 FEET TO THE POINT OF BEGINNING

CONTAINING 0.382 ACRE.

"AREA 3" REVISED (8.7.17)
BEGINNING AT A POINT NORTH 89°08'57" WEST, 1132.45 FEET ALONG THE CENTER SECTION LINE AND SOUTH 24.75 FEET FROM THE CENTER QUARTER CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARINGS IS SOUTH 0°41'26" WEST ALONG THE CENTER SECTION LINE BETWEEN THE NORTH QUARTER CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 6), SAID POINT BEING ON THE SOUTH LINE OF 400 SOUTH STREET, RUNNING THENCE NORTH 89°08'57" WEST, 557.19 FEET ALONG SAID SOUTH LINE; THENCE NORTH 4°20'00" EAST, 24.78 FEET; THENCE NORTH 37°27'50" EAST, 30.82 FEET TO THE NORTH LINE OF 400 SOUTH STREET, THENCE SOUTH 89°08'57" EAST, 306.30 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF 600 WEST STREET, THENCE NORTH 0°46'22" EAST, 46.58 FEET ALONG SAID WEST LINE TO A POINT ON A 743.50 FOOT RADIUS NON TANGENT CURVE TO THE LEFT, RADIUS POINT BEARS NORTH 33°08'57" EAST, THENCE SOUTHEASTERLY 57.27 FEET ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 4°24'46" TO A POINT ON THE EAST LINE OF 600 WEST STREET, THENCE SOUTH 0°46'22" WEST, 17.90 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF 400 SOUTH STREET, THENCE SOUTH 89°08'57" EAST, 36.19 FEET ALONG SAID NORTH LINE TO A POINT ON A 743.50 FOOT RADIUS NON TANGENT CURVE TO THE LEFT, RADIUS POINT BEARS NORTH 25°17'13" EAST, THENCE SOUTHEASTERLY 183.72 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°51'00" TO THE POINT OF BEGINNING.

CONTAINING 0.571 ACRE.

"AREA 4"
BEGINNING AT A POINT SOUTH 0°41'26" WEST, 24.75 FEET ALONG THE CENTER SECTION LINE TO A POINT ON THE SOUTH LINE OF 400 SOUTH STREET AND NORTH 89°08'57" WEST, 1066.30 FEET ALONG THE SOUTH LINE OF 400 SOUTH STREET, RUNNING THENCE SOUTH 4°20'00" WEST, 167.47 FEET MORE OR LESS TO THE NORTHERLY LINE OF OLD HIGHWAY 91, THENCE NORTH 82°31'35" WEST, 313.94 FEET ALONG SAID NORTHERLY LINE TO THE SOUTH LINE OF 400 SOUTH STREET, THENCE SOUTH 89°08'57" EAST, 263.35 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING

CONTAINING 0.566 ACRE.

NARRATIVE

THE PURPOSE OF THIS RIGHT OF WAY EXHIBIT IS TO DRAW THE RELATIONSHIP OF THE HEREON BOUNDARY DESCRIPTIONS TO PROPOSED REALIGNMENT OF 400 SOUTH STREET AND 600 WEST STREET. THE BASIS OF BEARING FOR THIS SURVEY IS S0°41'26"W ALONG THE CENTER SECTION LINE FROM THE NORTH QUARTER CORNER AND THE SOUTH QUARTER CORNER OF SECTION 6, T42S, R16W SLB&M AS SHOWN. NO BOUNDARY CORNERS WERE PLACED IN CONJUNCTION WITH THIS SURVEY.

"AREA 5" (OCTOBER 2, 2017):
BEGINNING AT A POINT NORTH 89°08'57" WEST, 1113.84 FEET ALONG THE CENTER SECTION LINE AND SOUTH 24.75 FEET FROM THE CENTER QUARTER CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING IS SOUTH 0°41'26" WEST ALONG THE CENTER SECTION LINE BETWEEN THE NORTH QUARTER CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 6), SAID POINT BEING AT THE INTERSECTION OF THE SOUTH LINE OF 400 SOUTH STREET AND THE EAST LINE OF 600 WEST STREET, RUNNING THENCE S0°46'22"W, 437.13 FEET MORE OR LESS ALONG THE EAST LINE OF 600 WEST STREET TO A POINT N0°46'22"E, 37.42 FEET FROM THE NORTHERLY LINE OF OLD HIGHWAY 91; THENCE N82°31'35"W, 61.74 FEET ALONG A LINE PARALLEL TO SAID NORTHERLY LINE OF OLD HIGHWAY 91, THENCE N0°46'22"E, 400.93 FEET TO THE INTERSECTION OF THE SOUTH LINE OF 400 SOUTH STREET AND THE WEST LINE OF 600 WEST STREET, THENCE S89°08'57"E, 49.50 FEET ALONG SAID SOUTH LINE OF 400 SOUTH STREET TO THE POINT OF BEGINNING.

CONTAINING 0.477 ACRE

"AREA 6" (OCTOBER 13, 2017):
BEGINNING AT A POINT NORTH 82°08'57" WEST, 1363.01 FEET ALONG THE CENTER SECTION LINE AND SOUTH 0°46'22" WEST, 423.66 FEET FROM THE CENTER QUARTER CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING IS SOUTH 0°41'26" WEST ALONG THE CENTER SECTION LINE BETWEEN THE NORTH QUARTER CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 6), SAID POINT BEING 30.00 FEET NORTHEASTERLY AT RIGHT ANGLE FROM THE NORTHERLY LINE OF OLD HIGHWAY 91, SAID POINT ALSO BEING ON THE WEST LINE OF 600 WEST STREET, RUNNING THENCE S0°46'22"W, 37.42 FEET MORE OR LESS ALONG THE EAST LINE OF 600 WEST STREET TO THE NORTHERLY LINE OF OLD HIGHWAY 91; THENCE N82°31'35"W, 421.43 FEET ALONG SAID NORTHERLY LINE OF OLD HIGHWAY 91, THENCE NORTH 4°20'00" EAST, 36.83 FEET TO A POINT 30.00 FEET NORTHEASTERLY AT RIGHT ANGLE FROM SAID NORTHERLY LINE OF OLD HIGHWAY 91; THENCE SOUTH 82°31'35" EAST, 418.68 FEET ALONG A LINE PARALLEL TO SAID NORTHERLY LINE OF OLD HIGHWAY 91 TO THE POINT OF BEGINNING

CONTAINING 0.389 ACRE

ROAD RIGHT OF WAY EXHIBIT
600 WEST/400 SOUTH

PREPARED BY: R&B SURVEYING
257 PRICKLEY PEAR DRIVE WASHINGTON, UTAH 84780
PHONE: 435-673-2918

LOCATION:
NW AND SW QUARTERS SEC. 6, T42S, R17W, SLB&M

COMPLETED
JULY 6, 2017 (REVISED OCTOBER 2, 2017-ADD "AREA 5")
JULY 6, 2017 (REVISED OCTOBER 13, 2017-ADD "AREA 6")

REQUESTED BY:
ARON BAKER / HORROCKS ENGINEERS

EXHIBIT B

LEGAL DESCRIPTIONS

"AREA 3" REVISED (8-7-17):

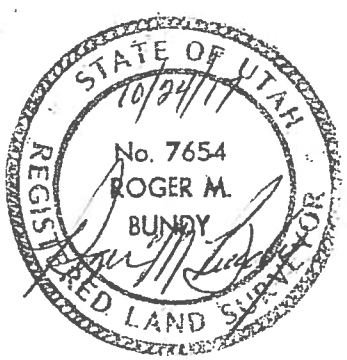
BEGINNING AT A POINT NORTH 89°06'57" WEST, 1132.45 FEET ALONG THE CENTER SECTION LINE AND SOUTH 24.75 FEET FROM THE CENTER QUARTER CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING IS SOUTH 0°41'20" WEST ALONG THE CENTER SECTION LINE BETWEEN THE NORTH QUARTER CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 6), SAID POINT BEING ON THE SOUTH LINE OF 400 SOUTH STREET, RUNNING THENCE NORTH 89°06'57" WEST, 557.15 FEET ALONG SAID SOUTH LINE; THENCE NORTH 4°20'00"EAST, 24.79 FEET; THENCE NORTH 37°27'50" EAST, 30.82 FEET TO THE NORTH LINE OF 400 SOUTH STREET; THENCE SOUTH 89°06'57" EAST, 306.30 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF 600 WEST STREET; THENCE NORTH 0°46'22" EAST, 46.58 FEET ALONG SAID WEST LINE TO A POINT ON A 743.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, RADIUS POINT BEARS NORTH 33°08'57" EAST; THENCE SOUTHEASTERLY 57.27 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°24'48" TO A POINT ON THE EAST LINE OF 600 WEST STREET; THENCE SOUTH 0°46'22" WEST, 17.90 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF 400 SOUTH STREET; THENCE SOUTH 89°06'57" EAST, 36.19 FEET ALONG SAID NORTH LINE TO A POINT ON A 743.50 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, RADIUS POINT BEARS NORTH 25°37'17" EAST; THENCE SOUTHEASTERLY 153.77 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°51'00" TO THE POINT OF BEGINNING.

CONTAINING 0.571 ACRE.

"AREA 4":

BEGINNING AT A POINT SOUTH 0°41'20" WEST, 24.75 FEET ALONG THE CENTER SECTION LINE TO A POINT ON THE SOUTH LINE OF 400 SOUTH STREET AND NORTH 89°06'57" WEST, 1689.30 FEET ALONG THE SOUTH LINE OF 400 SOUTH STREET, RUNNING THENCE SOUTH 4°20'00" WEST, 187.47 FEET MORE OR LESS TO THE NORTHERLY LINE OF OLD HIGHWAY 91; THENCE NORTH 52°31'35" WEST, 313.94 FEET ALONG SAID NORTHERLY LINE TO THE SOUTH LINE OF 400 SOUTH STREET; THENCE SOUTH 89°06'57" EAST, 263.35 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

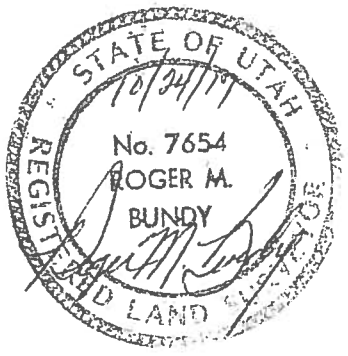
CONTAINING 0.566 ACRE.



"AREA 5" (OCTOBER 2, 2017):

BEGINNING AT A POINT NORTH 89°06'57" WEST, 1313.84 FEET ALONG THE CENTER SECTION LINE AND SOUTH 24.75 FEET FROM THE CENTER QUARTER CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING IS SOUTH 0°41'20" WEST ALONG THE CENTER SECTION LINE BETWEEN THE NORTH QUARTER CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 6), SAID POINT BEING AT THE INTERSECTION OF THE SOUTH LINE OF 400 SOUTH STREET AND THE EAST LINE OF 600 WEST STREET, RUNNING THENCE S0°46'22"W, 437.73 FEET MORE OR LESS ALONG THE EAST LINE OF 600 WEST STREET TO A POINT N0°46'22"E, 37.42 FEET FROM THE NORTHERLY LINE OF OLD HIGHWAY 91; THENCE N52°31'35"W, 61.74 FEET ALONG A LINE PARALLEL TO SAID NORTHERLY LINE OF OLD HIGHWAY 91; THENCE N0°46'22"E, 400.93 FEET TO THE INTERSECTION OF THE SOUTH LINE OF 400 SOUTH STREET AND THE WEST LINE OF 600 WEST STREET; THENCE S89°06'57"E, 49.50 FEET ALONG SAID SOUTH LINE OF 400 SOUTH STREET TO THE POINT OF BEGINNING.

CONTAINING 0.477 ACRE.



"AREA 6" (OCTOBER 13, 2017):

BEGINNING AT A POINT NORTH 89°06'57" WEST, 1363.01 FEET ALONG THE CENTER SECTION LINE AND SOUTH 0°46'22" WEST, 425.68 FEET FROM THE CENTER QUARTER CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, (BASIS OF BEARING IS SOUTH 0°41'20" WEST ALONG THE CENTER SECTION LINE BETWEEN THE NORTH QUARTER CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 6), SAID POINT BEING 30.00 FEET NORTHEASTERLY AT RIGHT ANGLE FROM THE NORTHERLY LINE OF OLD HIGHWAY 91, SAID POINT ALSO BEING ON THE WEST LINE OF 600 WEST STREET, RUNNING THENCE S0°46'22"W, 37.42 FEET MORE OR LESS ALONG THE EAST LINE OF 600 WEST STREET TO THE NORTHERLY LINE OF OLD HIGHWAY 91; THENCE N52°31'35"W, 421.43 FEET ALONG SAID NORTHERLY LINE OF OLD HIGHWAY 91; THENCE NORTH 4°20'00" EAST, 35.83 FEET TO A POINT 30.00 FEET NORTHEASTERLY AT RIGHT ANGLE FROM SAID NORTHERLY LINE OF OLD HIGHWAY 91; THENCE SOUTH 52°31'35" EAST, 418.66 FEET ALONG A LINE PARALLEL TO SAID NORTHERLY LINE OF OLD HIGHWAY 91 TO THE POINT OF BEGINNING.

CONTAINING 0.289 ACRE.

