

**PROPERTY SURVEY
FOR
JOHN PLANT**
**LOCATED IN SECTION 24
TOWNSHIP 3 SOUTH, RANGE 5 WEST,
UINTAH SPECIAL MERIDIAN**

LEGAL DESCRIPTION

PARCEL 1:

TOWNSHIP 3 SOUTH, RANGE 5 WEST, U.S.M., SECTION 24:
Being a portion of lot 24-21 of Blue Bench Ranches, an unrecorded plat, and as delineated on that certain survey filed with the Duchesne county surveyor, file # _____, being more particularly described as follows:

Beginning at the northeast corner of lot 24-21, thence southwesterly along the west right-of-way line of highway 87, having a curve concave to the west with a radius of 3769.8' (3769.61 measured), and a chord bearing S 5°19'49" W 260.30' (measured) to the southeast corner of said lot, thence N 89°27'00" W 182.84' (N 89°23'20" W 182.84' measured) along the south line of said lot to a rebar, this point also being the true point of beginning for that certain Trustees Deed recorded in book A-310, pages 80-88; thence N 79°03'06" W 512.55' (N 78°56'19" W 511.14' measured) along the sixth course described in said Trustees Deed to a rebar; thence N 8°29'23" E 167.56' to the north line of said lot; thence S 89°27'00" E 683.95' along said line to the point of beginning. Contains 3.57 acres more or less. Bearings based on the north line of lot 24-21 being N 89°27'00" W.

PARCEL 2:

TOWNSHIP 3 SOUTH, RANGE 5 WEST, U.S.M., SECTION 24:
Being a portion of lot 24-21 of Blue Bench Ranches, an unrecorded plat, and as delineated on that certain survey filed with the Duchesne county surveyor, file # _____, being more particularly described as follows:

Beginning at a point on the north line of said lot, the same point being N 89°27'00" W 683.95' from the northeast corner of said lot, thence S 8°29'23" W 167.56' to a rebar, this point also being on the sixth course called out in that certain Trustees Deed recorded in book A-310, pages 80-88, then commencing along the description of said Trustees Deed the following two courses; thence N 79°03'06" W 162.62' (N 78°56'19" W 162.17' measured) to a rebar; thence N 80°21'05" W 291.43' (N 80°14'31" W 290.61' measured) to a rebar at the southerly extension of the east line of that certain tract of land described in book A-175, page 402; thence N 0°23'37" W 89.88' to a point on the north line of said lot, said point also being the southeast corner of that tract of land previously mentioned; thence S 89°27'00" E 470.94' along said lot line to the point of beginning. Contains 1.34 acres more or less. Bearings based on the north line of lot 24-21 being N 89°27'00" W.

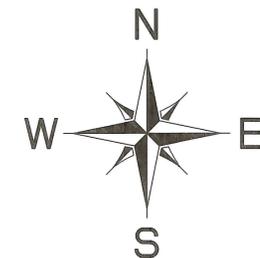
PARCEL 3:

TOWNSHIP 3 SOUTH, RANGE 5 WEST, U.S.M., SECTION 24:
Being a portion of lot 24-20 of Blue Bench Ranches, an unrecorded plat, and as delineated on that certain survey filed with the Duchesne county surveyor, file # _____, being more particularly described as follows:

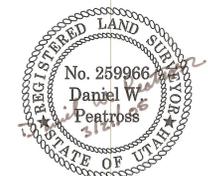
Beginning at the southeast corner of said lot, thence N 89°27'00" W 683.95' along south line of said lot; thence N 8°29'23" E 159.44' to a rebar; thence S 82°20'12" E 670.00' to a rebar on the west right-of-way line of highway 87; thence southwesterly along said right-of-way line having a curve concave to the west with a radius of 3769.8' (3769.61' measured), and a chord bearing S 2°46'54" W 75.00' (measured) to the point of beginning. Contains 1.81 acres more or less. Bearings being based on the south line of lot 24-20 being N 89°27'00" W.

SURVEYOR'S CERTIFICATE

I, Daniel W. Peatross, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate no. 259966, as prescribed by the laws of the State of Utah. I further certify that I have made a survey of the tract of land shown on this plat and described above and that the same is correct and true to the best of my knowledge and belief.



SCALE: 1" = 100'



DATE PLOTTED: Friday 3/18/95

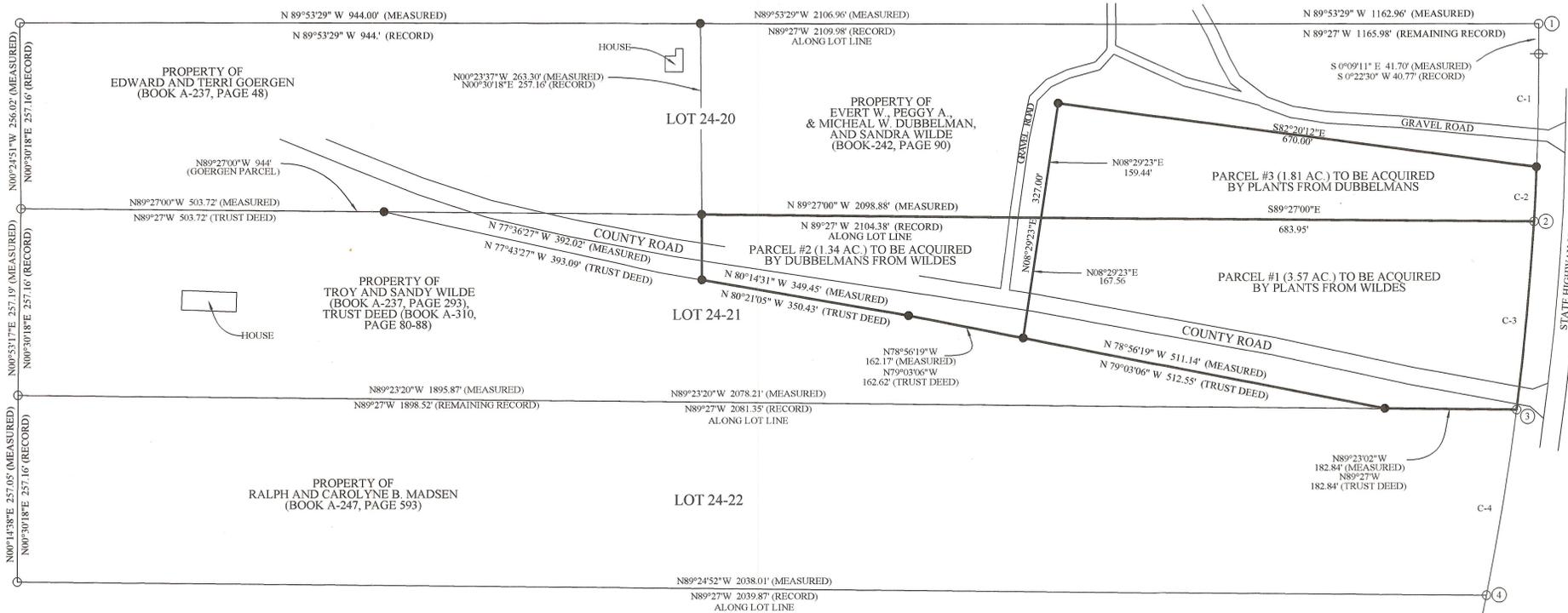
REGISTERED SURVEYORS CORPORATION

DANIEL W. PEATROSS R.L.S.

P.O. BOX 564 - DUCHESNE UTAH, 84021 (435) 738 - 2718

JOB #	99008	SURVEYED BY:	D.W.P., M.P., D.F.	DATE SURVEYED:	4 - 20 - 99
SHEET:	1 OF 1	DRAFTED BY:	Bruce Peatross	DATE DRAFTED:	5 - 24 - 99

County Surveyor's File # 1528



MEASURED CURVE DATA

	RADIUS	CHORD BEARING	CHORD
C1	3769.61'	S01°01'46"W	155.58'
C2	3769.61'	S02°46'54"W	75.00'
C3	3769.61'	S05°19'49"W	260.30'
C4	3769.61'	S09°16'42"W	259.10'

NOTES

- ① = FOUND 1/2" REBAR 0.33' E. OF R/W LINE
- ② = FOUND 1/2" REBAR 1.72' E. OF R/W LINE
- ③ = FOUND 1/2" REBAR 1.76' E. OF R/W LINE
- ④ = FOUND 1/2" REBAR 1.78' E. OF R/W LINE
- = SET 5/8" REBAR WITH ALUMINUM CAP
- = FOUND 1/2" REBAR
- ⊕ = FOUND RIGHT-OF-WAY MARKER

SURVEYOR'S NARRATIVE

I was contacted by John Plant to perform a survey that would define the boundaries of a tract of land that he and his family were planning to purchase from Wildes and Dubbelmans. He informed me that Wildes had a Trust Deed on the southwesterly portion of their land and that he would purchase the remainder. But rather than having the tract running all the way into a sliver portion to the west, a land swap of equal acreage would then be made with Dubbelmans to the north that would in affect square of the new tract obtained by Plants. This would allow Dubbelmans frontage to the county road to the south. Dubbelmans however, decided to have their west boundary run south in line with the tract to the west which is owned at this time by Edward and Terri Goergen. The sliver portion of 0.47 acres to the west would then be sold back to, or retained by Wildes.

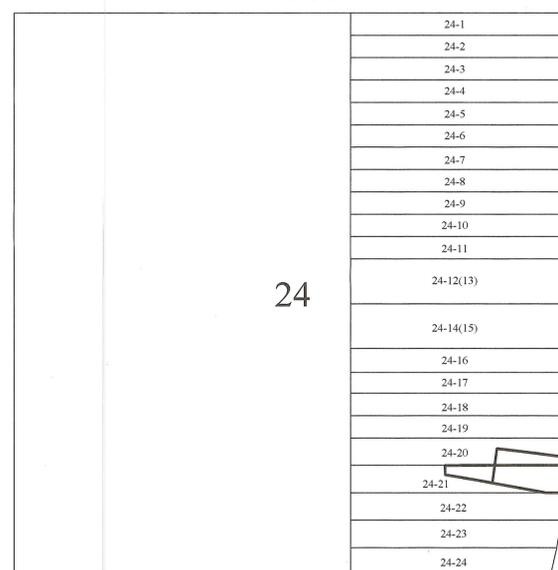
Upon reading the Wildes Trust Deed, it was found to close out mathematically, and included calls to and along the south right-of-way line of the county road. The county road however, lays to the north of the courses in the description with distances ranging from as much as 33' to 55' to its centerline. If the right-of-way were 66' wide the courses in the Trust Deed would correspond to the roads location near the west end, but the courses diverge to more than 20' from that right-of-way toward the east end. I informed the Plants of this discrepancy, and that if the Wildes Trust Deed were foreclosed on the boundary line would be established along that south right-of-way line. They with Wildes agreed to make the boundary line along the numerical courses called for in the Trust Deed. But because of the measured size of the lot in this survey I adjusted the measured courses from the Trust Deed along the roadway area by compass rule holding the distance calls of record along the southeast and northwest lot lines on each end.

The current deed for Dubbelmans parcel reads "Township 3 South, Range 5 West, Section 24, East 7.40 acres of lot 20 (unrecorded plat of Blue Bench Ranches)". The current deed for Goergens parcel reads "The west 5 acres m/l of Lot 20, Section 24, Township 3 South, Range 5 West, Uintah Special Meridian, of an unrecorded plat, Blue Bench Ranches. Lot size 257.16 ft. By 944 ft". Since distances are generally more important on the list of conflicting title elements than acreage, the dimensions of the "lot size" would hold yielding an acreage 5.57 acreage. The over all record acreage of lot 20 as shown of the plat of Blue Bench Ranches is 12.44 acres. The two current deeds that make up lot 20 compute to a sum of about 12.97 acres, 0.53 acres more than the record. With an apparent overlap in acreage I searched back to see which parcel would have senior rights. On January 27, 1983 Dubbelmans sold to L.C. and Naomi Mckee the west portion of their lot with the same description shown on the present deed to Goergens. The parcel owned by Goergens is senior. Their east boundary is fixed by measuring east from the west end of the lot 944'. Though the width of their lot measures wider than the dimension called for in the deed it matches the original lot width of record on the plat. Rather than supposing that Dubbelmans had retained a long narrow strip of land along the north or south line of the Goergens parcel the width is extended to the measured positions of the lot lines, (see United Fuel Co. v. Townsend et al. [No. 5922], Supreme Court of appeals of West Virginia, Oct 11, 1927).

The basis of bearings for this survey and the subsequent descriptions is set at N 89°27' W (record) along the line between lots 20 and 21.

The end of the lot lines at the west right-of-way of highway 87 has been computed by intersecting measured lines and radius distances from found lot corner and highway right-of-way markers in conjunction with highway construction data.

TOWNSHIP 3 SOUTH



VICINITY MAP

NOT TO SCALE