

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from the GRAND COUNTY SERVICE AREA FOR CASTLE VALLEY FIRE PROTECTION, dated September 16<sup>th</sup>, 2009, complying with Section 17D-1-403, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to GRAND COUNTY SERVICE AREA FOR CASTLE VALLEY FIRE PROTECTION, located in Grand County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 19<sup>th</sup> day of October, 2009.

  
\_\_\_\_\_  
GREG BELL  
Lieutenant Governor



Diana Carroll  
**Grand County Clerk/Auditor**

125 East Center Street  
Moab, Utah 84532

(435) 259-1321  
(435) 259-2959 (FAX)

September 29, 2009

Justin Siebenhaar  
State of Utah  
Office of the Lt. Governor  
P.O. Box 142220  
Salt Lake City, UT 84114-2220

Dear Justin:

Attached please find the documents necessary to begin the annexation process for the Red Cliffs Ranch Resort property into the Grand County Service Area for Castle Valley Fire Protection.

If you have any questions or need further information from me, please let me know.

Sincerely,

Diana Carroll  
Grand County Clerk/Auditor

Enclosures

**Received**

**OCT - 1 2009**

*Map Serv 10/7*

Greg Bell  
Lieutenant Governor

BEFORE THE CASTLE VALLEY FIRE COMMISSION  
GRAND COUNTY SERVICE AREA FOR CASTLE VALLEY FIRE PROTECTION  
COUNTY OF GRAND, STATE OF UTAH

**RESOLUTION**

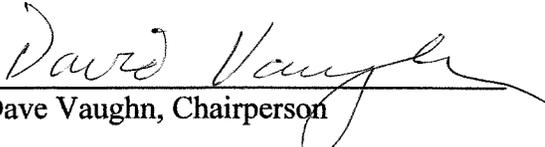
WHEREAS the following property owner has petitioned in writing for annexation to the Grand County Service Area for Castle Valley Fire Protection (CVFPA):

Colin Fryer, Red Cliffs Ranch Resort  
Highway 128, Moab Utah  
T 24 S, R 22 E, Sections 26 and 35 based on the Salt Lake Meridian; and,

WHEREAS the Commission has by motion unanimously approved the annexation of the above named property into the district, by vote at regular meeting after proper posting of legal notice, on August 13, 2009.

NOW THEREFORE BE IT RESOLVED that the above-named property is annexed into the CVFPA.

APPROVED as Resolution No. 2009-03 this 16<sup>th</sup> day of September, 2009:

  
\_\_\_\_\_  
Dave Vaughn, Chairperson

  
\_\_\_\_\_  
Bob Lippman, Clerk

August 2, 2009

Castle Valley Fire Department

Dear Sirs,

I am requesting the immediate annexation into your fire district of the properties I own known as Redcliffs Lodge located in Township 24 South, Range 22 East, the SE ¼ of Section 26 and the NE ¼ of Section 35 based on the Salt Lake Meridian.

Sincerely,

A handwritten signature in blue ink, appearing to read "Colin Fryer", with a stylized flourish at the end.

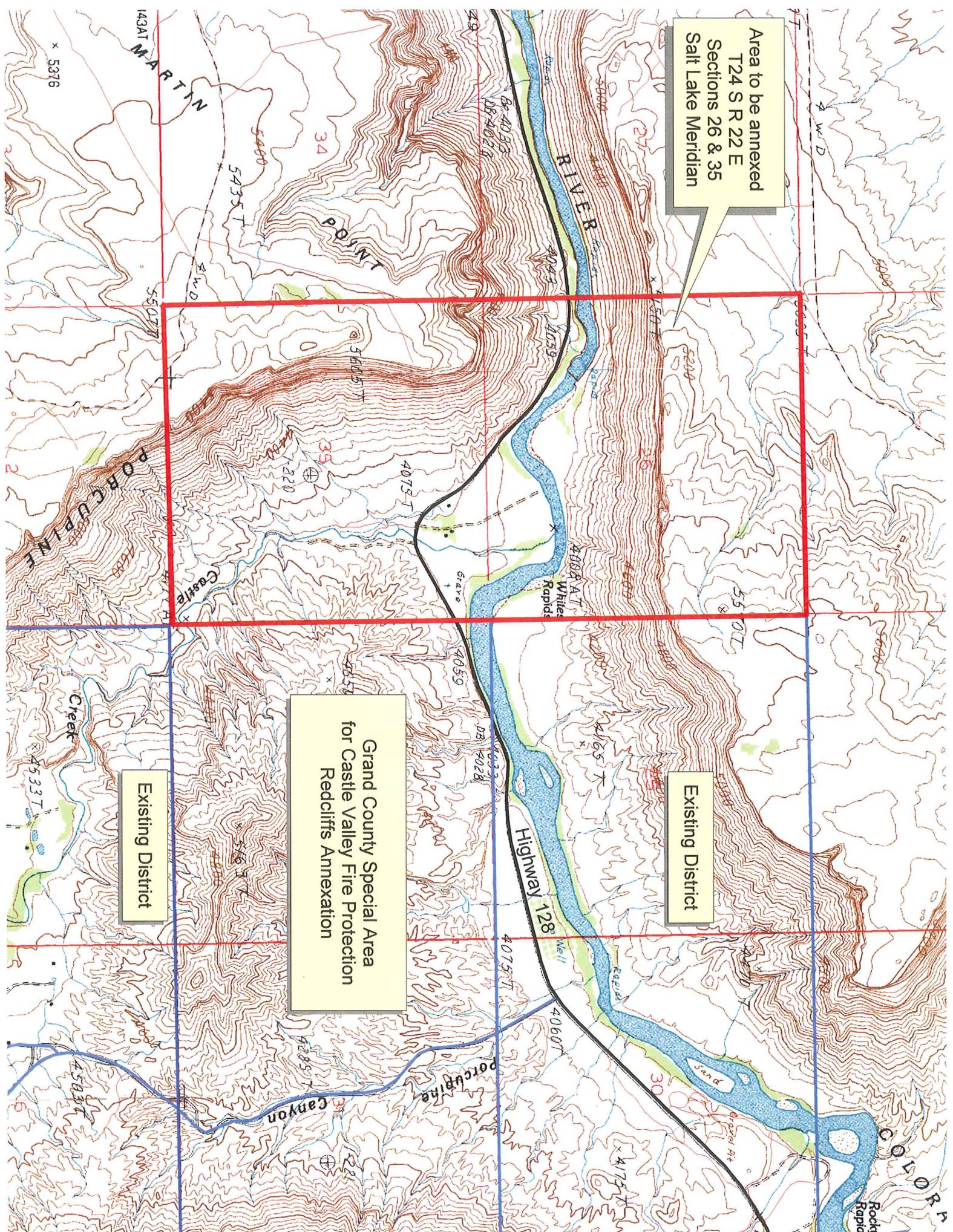
Colin Fryer, Owner, Redcliffs Lodge

Area to be annexed  
T24 S R 22 E  
Sections 26 & 35  
Salt Lake Meridian

Existing District

Grand County Special Area  
for Castle Valley Fire Protection  
Redcliffs Annexation

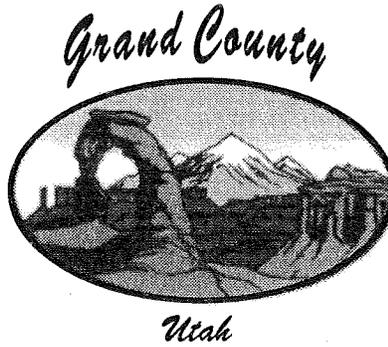
Existing District



## **PUBLIC NOTICE**

The Grand County Special Area For Castle Valley Fire Protection has been petitioned by the owner of the property known as Redcliffs Lodge to be annexed into the Fire Protection Area. The property is located in T 24 S, R 22 E, Sections 26 and 35 based on the Salt Lake Meridian. The Commissioners will vote on the request to annex during the September 10th meeting at Station #2 (#2 Castle Valley Drive) at 7 PM. All interested citizens are invited to attend to voice their support or concerns. /s/ David Vaughn, Commission Chair Published in The Times-Independent, Moab, Utah August 27 and September 3, 2009.

Merlene Mosher  
County Recorder  
435-259-1331



Vauna Randall  
Chief Deputy Recorder  
435-259-1333

John Cortes  
Deputy Recorder  
435-259-1332

I, Merlene Dalton, do hereby certify that I am the Grand County Recorder and I further certify that I have reviewed the Annexation Map, to the Grand County Special Area For Castle Valley Fire Protection, prepared by Keogh Land Surveying and it is true and correct.

The annexation is Section 26 and 35, Township 24 South Range 22 East SLB&M

Sept. 22, 2009  
Date

Merlene Dalton  
Merlene Dalton, Grand County Recorder

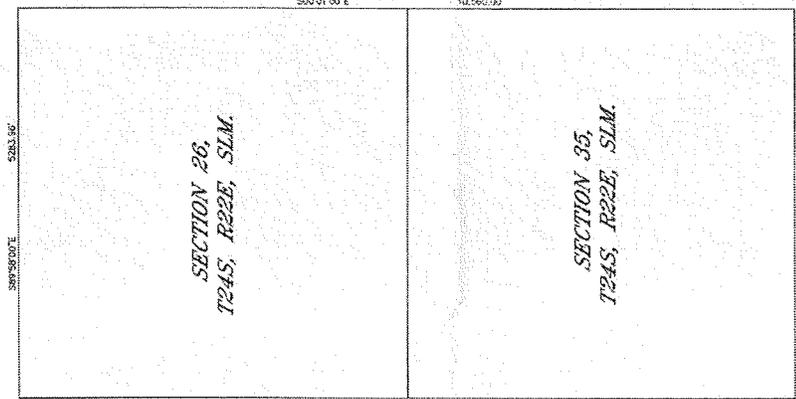
NORTHWEST CORNER SECTION 26,  
T24S, R22E, S1M.

SOUTHWEST CORNER SECTION 26,  
T24S, R22E, S1M.

SOUTHWEST CORNER SECTION 35,  
T24S, R22E, S1M.

NORTHEAST CORNER SECTION 35,  
T24S, R22E, S1M.

SOUTHWEST CORNER SECTION 35,  
T24S, R22E, S1M.



**LEGAL DESCRIPTION OF THIS ANNEXATION**

SECTIONS 26 AND 35 OF T. 24 S. R. 22 E. S. 1M, GRAND COUNTY, UTAH, MORE PARTICULARLY THE SOUTHEAST CORNER OF SECTION 26 OF T. 24 S. R. 22 E. S. 1M, GRAND COUNTY, UTAH, MORE PARTICULARLY THE SOUTHWEST CORNER OF SAID SECTION 26, THENCE WEST 3240.00 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 26, THENCE WITH THE WEST LINE OF SECTIONS 26 & 29 N. 0°01'00" W. 10,360.00 FT. TO THE SOUTHWEST CORNER OF SECTION 35, THENCE WITH THE WEST LINE OF SECTION 35 N. 0°01'00" W. 10,360.00 FT. TO THE SOUTHWEST CORNER OF SECTION 35, THENCE WITH THE EAST LINE OF SECTIONS 26 & 35 S. 0°01'00" W. 3240.00 FT. TO THE SOUTHWEST CORNER OF SECTION 35, THE POINT OF BEGINNING.

**SURVEYORS CERTIFICATE**

I, JERRY M. BROWN, LICENSED SURVEYOR, AM A REGISTERED UTAH LAND SURVEYOR, HOLDING CERTIFICATE NO. 171008 AS PROVIDED UNDER THE LAWS OF THE STATE OF UTAH. I HAVE CONDUCTED A SURVEY OF THE ANNEXATION MAP AND THE CERTIFICATE I HAVE PREPARED IS TRUE AND CORRECT.



Jerry M. Brown  
THEODORE M. BROWN  
REGISTERED SURVEYOR

**KROGH LAND SURVEYING**  
40 EAST CENTER STREET, WALKER, UTAH 84088

A ANNEXATION MAP TO THE  
**GRAND COUNTY SPECIAL AREA  
FOR CASTLE VALLEY  
FIRE PROTECTION**

PREPARED FOR:  
**CASTLE VALLEY FIRE DEPT.**

DATE: 9-22-08	DRAWN BY: TMK	CHECKED BY: TMK
SCALE: 1"=1000'	FILE #	PREANNEXING

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF CREATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of creation of the GRAND COUNTY TRANSPORTATION CONSERVANCY SPECIAL SERVICE DISTRICT, dated February 17<sup>th</sup>, 2009, complying with Section 17D-1-209, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of creation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the GRAND COUNTY TRANSPORTATION SPECIAL SERVICE DISTRICT, located in Grand County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 2<sup>nd</sup> day of April, 2009.

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT  
Lieutenant Governor



**GRAND COUNTY COUNCIL MEMBERS**  
**Bob Greenberg (Chair) · Audrey Graham (Vice Chair)**  
**Chris Baird · Ken Ballantyne · Gene Ciarus**  
**Chris Conrad · Pat Holyoak**

March 9, 2009

Lieutenant Governor's Office  
Utah State Capitol Complex  
P.O. Box 142325  
Salt Lake City, UT 84114-2325

Attention: Justin Siebenhaar

Gentlemen:

Please find the attached documents necessary to establish The Grand County Transportation Special Service District. Specifically, the following documents are attached:

- A copy of the Resolution adopted by Grand County creating The Grand County Transportation Special Service District
- A map showing the boundaries of The Grand County Transportation Special Service District, prepared and certified by a licensed surveyor and filed with the County Surveyor in accordance with Section 17-23-17

In submitting these documents and by the signature below the Grand County Council certifies that all requirements for the creation of the special service district have been met as required by 17D-1-209 (2) (b).

As you may know, H.B. 149, which allows for counties to appropriate the Secure Rural School payment to transportation special service districts, was recently signed by the Governor into law. The State Treasurer is in the process of distributing the Secure Rural School Payment.

If the Secure Rural School Payment is appropriated to counties, this payment amount will be offset by the federal PILT payment to the counties. For this reason it would be extremely helpful and much appreciated if you could hasten the process to certify the creation of this district. This would allow the State Treasurer to allocate the

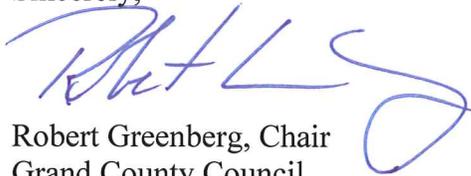
Received  
MAR 26 2009

Gary R. Herbert  
Lieutenant Governor

aforementioned funds to The Grand County Transportation Special Service District thereby saving Grand County a significant amount of funds in PILT.

If you have any questions pertaining to this matter please contact Shawn Warnke, Council Administrator, at 435-259-1347. Thank you for your cooperation in hastening the certification process.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Greenberg', with a large, stylized flourish at the end.

Robert Greenberg, Chair  
Grand County Council

cc: Happy Morgan, Grand County Attorney  
Mérleene Dalton, Grand County Recorder

**RESOLUTION NO. 2880**

**A RESOLUTION ESTABLISHING  
THE GRAND COUNTY TRANSPORTATION SPECIAL SERVICE DISTRICT**

**WHEREAS**, Grand County owns public roads within unincorporated areas of Grand County;  
and

**WHEREAS**, the Grand County Council (“**Council**”) oversees a County Road Department,  
which receives Class B Road Funds, to operate and maintain the roads within Grand County; and

**WHEREAS**, the County Road Department maintains approximately 1385 miles of these roads  
comprised of different surface types consisting of 179 miles of paved, 148 miles of graveled, and the  
remainder of natural materials; and

**WHEREAS**, funding associated with Class B road funding requires that the County Road  
Department maintain these roads free from obstructions such as high centers, overgrowth of  
vegetation, and washouts, and anticipates that roads will be graded on a regular basis to meet this  
requirement; and

**WHEREAS**, County paved and gravel roads entail more maintenance than ensuring that the  
roads are free from obstructions; and

**WHEREAS**, the Council believes that the public health, convenience and necessity require the  
establishment of the independent Grand County Transportation Special Service District  
(hereinafter the “**District**”) to provide greater level of improvement and maintenance to  
transportation facilities, and therefore it is desirable to establish said District pursuant to the  
provisions of the Utah Special Service District Act, Utah Code Ann. § 17D-1-101 *et seq.*, as  
amended; and

**WHEREAS**, all property within the boundaries of said District (described more particularly  
below), shall be benefitted by the addition of such services; and

**WHEREAS**, none of the area proposed for such services are also within the boundaries of any  
other special service district established by said County to provide such services.

**NOW THEREFORE BE IT RESOLVED**, by the Council as follows:

**Section 1.** The Council has heretofore considered each and every protest filed and has heard  
each and every person who wished to be heard in protest against the establishment  
of the District and any other matter pertinent to the establishment of the District.

**Section 2.** The Council finds that pursuant to Utah Code Ann. §§ 17B-1-213 and 17D-1-204  
and 17D-1-206, adequate time has passed to allow for the filing of any protests to  
the creation of the District, and an insufficient number of protests were filed to  
prevent the creation of the District.

- Section 3.** The Grand County Council, declares that the public health, convenience, and necessity require the establishment of *The Grand County Transportation Special Service District* in accordance with Utah Special Service District Act, Utah Code Ann. § 17D-1-101 *et seq.*
- Section 4.** The Council designates the name of the proposed District as: *The Grand County Transportation Special Service District*, in accordance with Utah Code Ann. § 17D-1-203 (3)(c).
- Section 5.** The boundary of the District includes all of Grand County except for incorporated municipalities. Exhibit A includes a map showing the boundaries of *The Grand County Transportation Special Service District*.
- Section 6.** The establishment of the District as proposed and described in the Notice and Letter of Intent to Establish the District is hereby authorized, and the District is hereby created to provide the following:

Construction services shall generally include but are not limited to the following:

- The construction of any new roadbed either by addition to existing systems or relocation that is not included within the County's Capital Facility Plan for which the County is collecting impact fees or a legally exacted road that the County's Land Use Authority shall require as part of a development application approval.
- The resurfacing of existing roadways with more than two inches of bituminous pavement.
- Any project excepting a project for which the County has been collecting impact fee for which exceeds the bid limit as defined in Utah Code Ann. § 72-6-109 for labor, equipment, and materials and for which the County Road Department would be required to bid the project out.
- Replacement and constructions of bridges and culverts.
- Construction projects may include paved non-motorized trails.
- Construction projects may include but are not limited to: the acquisition of land or easements; storm water control generated from the right-of-way or storm water control passing perpendicular to the right-of-way; traffic calming improvements; installation of extensive traffic control devices; subsurface improvements such as sub-base, conduits and chases; hard surface improvements such as asphalt and concrete.
- "Construction" does not include transportation projects that are contained in the County's Capital Facility Plan for which the County is collecting impact fees to construct nor emergency repairs, or the routine installation or replacement of traffic control devices. These transportation projects remain the responsibility of the County. "Construction" also does not include transportation projects that are required as a legal exaction that the County's Land Use Authority shall require as part of a development

application approval. These transportation projects remain the responsibility of the landowner.

Maintenance services shall generally include but are not limited to the following:

- The reworking of an existing surface by the application of up to and including two inches of bituminous pavement such as chip seals and overlays.
- The maintenance of any paved public trail within the District's boundary. The maintenance of the trail may include but is not limited to removal of vegetation adjacent to trails, seal coats, reconstruction of trail segments, replacement of bituminous pavement, etc.
- "Maintenance" does not include the repair of less than the entire surface by crack sealing or patching nor the installation or replacement of guardrails, seal coats, and culverts. These transportation projects remain the responsibility of the County.

**Section 7.** The District's status, powers, and duties are as follows:

- The District shall have all power and authority allowed by the Special Service District Act contained in the Utah Code unless other prohibited by this Resolution.
- The District shall not assume or undertake responsibility for functions that are the primary responsibility of the County or other local government entities. More specifically the District shall not be responsible for maintaining the roads free from obstructions such as high centers, overgrowth of vegetation on or adjacent to roads, washouts, nor grading the road to keep the road free from obstructions.
- The District alone shall be responsible for all of the projects undertaken solely by the District, without any recourse to the County or other local government entities. Notwithstanding the foregoing, the District, acting in its sole discretion, may at times cooperate with other local government entities and enter into contracts to carry out special service district functions as allowed by Utah Code Ann. § 17D-1-103 (2) (b) and to perform projects through Interlocal Agreements pursuant to Utah Code Ann. § 11-13-101 *et seq.* If the District uses an officer, employee, property, equipment, office, or facility of Grand County or other local government entities, the District shall reimburse Grand County or other local government entity a reasonable amount for what the District uses subject to Utah Code Ann. § 17D-1-103 (2) and (3). The District shall avoid any action that could jeopardize the perceived independence of the District from the County or other local government entities.

**Section 8.** The District shall finance the above defined services, among other ways, through receipt of Mineral Lease Payments as provided in Chapter 21, Title 59, Utah Code Annotated, 1953, as amended. Fees or charges may be imposed to pay for some

or all of the services that the special service district is proposed to provide in allowance of the State Code. Financing of the District may also include receipts from the Secure Rural School Program as allocated by the Council if authorized by State law. Class B Road Funds shall not be used to finance the Special Service District.

The District may levy taxes annually upon all taxable property within the proposed District as in accordance with the current State Code. Currently Utah Code does not allow the District to levy a tax on the taxable property in the special service district unless the levy has the prior approval of a majority of the registered voters of the special service district voting in an election held for that purpose under Title 11, Chapter 14, Local Government Bonding Act, in the same manner as for an election for the issuance of bonds.

**Section 9.** As required by Utah Code Ann. § 17D-1-107 (1) the County Council shall by ordinance designate the classes of District contracts that are subject to the requirements of Title 11, Chapter 39, Building Improvements and Public Works Projects.

**Section 10.** The District shall be administered by an Administrative Control Board (hereinafter the “**Board**”), which is hereby delegated, without limitation, the power to act as the governing authority of the District and to exercise all or any of the powers provided in accordance with Utah Code Ann. § 17D-1-103 unless otherwise stated in this Resolution.

**Section 11.** The membership of the Board shall consist of five (5) members, each of whom is a registered voter of the District, but only one (1) of whom shall be a member of the County Council, and all of whom shall be appointed by the Council.

One (1) of the Board members shall have an initial term of one (1) year ending December 31, 2009. One (1) of the Board members shall have an initial term of two (2) years ending December 31, 2010. One (1) of the Board members shall have an initial term of three (3) years ending December 31, 2011. Two (2) of the Board members shall have terms of four (4) years. After the conclusion of the first terms of office, all terms thereafter shall be four (4) year terms pursuant to Utah Code Ann. § 17B-1-301 *et seq* with terms ending on December 31<sup>st</sup> of each year.

The Council has considered the appointments to the Board that are most familiar with the needs of the District, which includes but is not limited to the construction and maintenance services to transportation facilities. The initial appointees and terms of the Board are as follows:

<u>Board Member Appointees</u>	<u>Term Ends</u>
Geoff Freethy	December 31, 2009
Patrick McGann	December 31, 2010
John Hartley	December 31, 2011
Tim Smith	December 31, 2012
Audrey Graham	December 31, 2012

The appointees are hereby appointed effective as of the 17<sup>th</sup> day of February, 2009, to organize for the commencement of operations beginning the 1<sup>st</sup> day of March, 2009.

- Section 12.** The members of the Board shall serve without compensation except that they may be reimbursed for reasonable expenses consistent with Utah Code Ann. § 17D-1-305 and 307.
- Section 13.** The Board shall create Bylaws in accordance with Utah Code Ann. §§ 17B-1-301(h) and 17B-1-310(1)(b).
- Section 14.** Subject to Utah Code, the Grand County Council may dissolve the District in accordance with the process contained in the Utah Code Ann. §§ 17D-1-601 through 603.
- Section 15.** If any one or more sections, sentences, clauses or parts of this Resolution shall, for any reason, affect, impair or invalidate the remaining provisions of this Resolution, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this Resolution so held unconstitutional and invalid, then such offending sections, sentences, clauses or parts shall be severed, and shall not affect or prejudice in any way the applicability and validity of this Resolution in any other instances.
- Section 16.** All resolutions, by-laws and regulations of Grand County, Utah, in conflict with this Resolution, are hereby repealed to the extent only of such inconsistency. This repeal shall not be construed to revive any resolution, by-law or regulations, or part thereof, heretofore repealed.

**APPROVED** this 17<sup>th</sup> day of February, 2009, by the following vote:

AYE: Greenberg, Ballantyne, Graham, Conrad, Baird, Holyoak

NAY: Ciarus

ABSENT: \_\_\_\_\_

ATTEST:

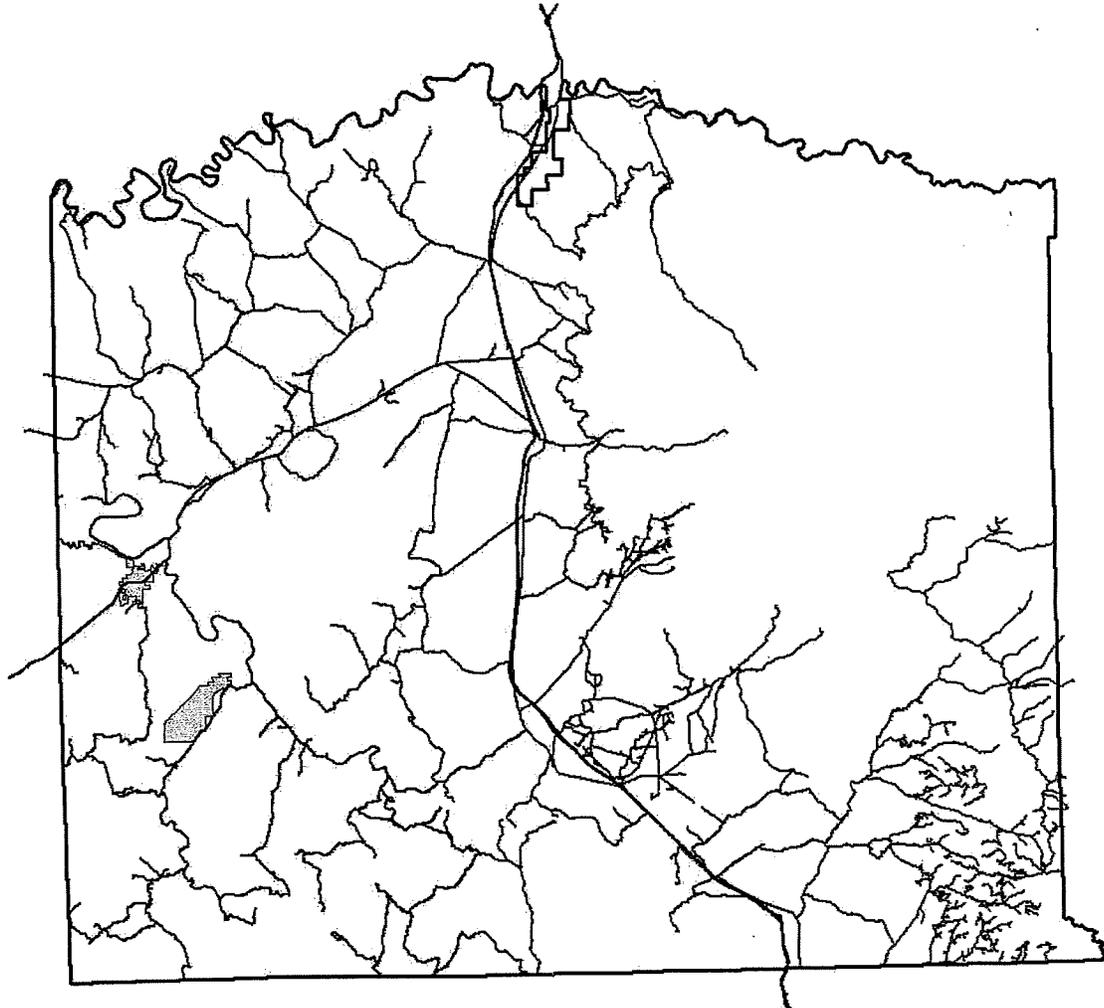
*Diana Carroll*

Diana Carroll  
Grand County Clerk/Auditor

*Robert Greenberg*

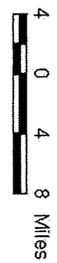
Robert Greenberg  
Grand County Council Chair

**Exhibit A - A map showing the boundaries of *The Grand County Transportation Special Service District***



# Grand County Transportation Special Service District Exhibit A

The district shall be all of Grand County (see Exhibit C) excluding the incorporated area of Moab City (see Exhibit B and D) and Castle Valley Town (See Exhibit E).



## Legend

-  Grand County Boundary
-  State Highways
-  County Maintained Roads
-  Incorporated Areas

### SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly qualified and licensed Surveyor of the State of Utah, do hereby certify that the above described land is the property of the State of Utah, and is not subject to any other claim or interest.

DATE: Feb 17, 1909  
 SIGNATURE: [Signature]  
 OFFICE: MOUNTAIN VIEW



Exhibit B - Moab Inset Map

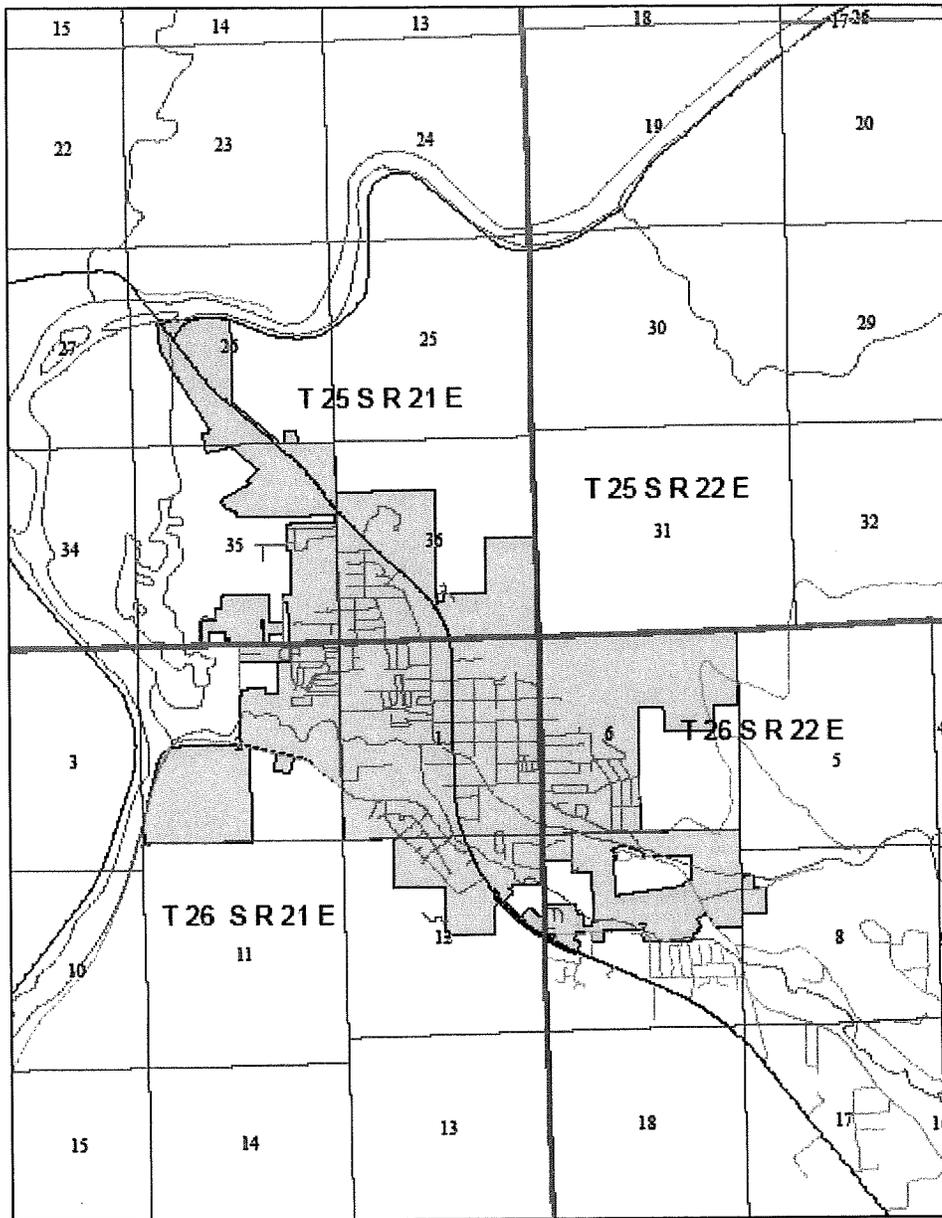
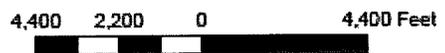


Exhibit B  
Moab City Inset



### Exhibit C - Grand County Legal Description

#### LEGAL DESCRIPTION OF GRAND COUNTY:

Beginning at the intersection of the summit of the Brown Cliffs with the eastern boundary of the State, thence westerly along the summit of said cliffs to the Third Standard Parallel south; thence west to the middle of the main channel of the Green River; thence southerly down the middle of said channel to a point 645.76 feet perpendicularly east of the west line of section 10 of Township 21 South Range 16 East SLB & M; said point is also N 56°22'31" W 5583.17 feet more or less from the southwest corner of section 11 Township 21 South Range 16 East SLB & M; thence south 1550.8 feet parallel with and 647.76 feet east of the west line of section 10; thence east 689.0 feet; thence south 548.2 feet to a point 400.0 feet north of the north right-of-way line of US Highway 6 & 50; thence southeasterly 1350 feet along a line 400.0 feet north and parallel with the north right-of-way line of US Highway 6 & 50 to a point on the east line of the SW 1/4 of section 10, thence South 59.0 feet along the quarter section line to a point 277.0 feet north of the south quarter corner of section 10; thence southeasterly 1058.5 feet along a line 400.0 feet north and parallel with the north right-of-way line of US Highway 6 & 50 to a point on the north line of section 15; thence east 1618.4 feet along section line to the southwest corner of section 11, thence north 2640.0 feet along the west line of said section 11 to the west quarter corner of section 11, thence east 5311.7 feet along the quarter section line to the east quarter corner of section 11; thence east 5312.3 feet along the quarter section line to the east quarter corner of section 12, thence south 5280 feet more or less to the west quarter corner of Township 21 South Range 17 East Section 18 SLB & M; thence N 89°56' E 5078.7 feet along the quarter section line to the west quarter corner of section 17; thence N 89°57' E 5280.7 feet along the quarter section line to the west quarter corner of section 16; thence N 00°03' W 2640.0 feet along section line to the northwest corner of section 16; thence N 89°55' E 5294.5 feet along section line to the northeast corner of section 16; thence S 00°02' E 5280.0 feet along section line to the northwest corner of section 22, thence N 89°58' E 5278.7 feet along section line to the northeast corner of section 22; thence S 00°01' E 5280.0 feet along section line to the northwest corner of section 26; thence N 89°58' E 5281.3 feet along section line to the northeast corner of section 26; thence S 0°01' E 5280 feet along section line to the southeast corner of section 26; thence S 89°57' W 5277.4 feet along section line to the southeast corner of section 27; thence S 89°57' W 5283.9 feet along section line to the southwest corner of section 27; thence N 00°02' W 2640.0 feet along section line to the east quarter corner of section 28; thence S 89°57' W 2640.0 feet along the quarter section line to the center quarter of section 28; thence N 00°02' W 2640.0 feet along the quarter section line to the south quarter corner of section 21; thence S 89°57' W 2639.3 feet along section line to the southeast corner of section 20; thence S 89°55' W 2640.6 feet along section line to the south quarter corner of section 20; thence N 00°03' W 5280.0 feet to the south quarter corner of section 17; thence S 89°57' W 2640.0 feet along section line to the southeast corner of section 18; thence S 89°56' W 5078.0 feet to the southwest corner of section 18; thence north to the southeast corner of Township 21 South Range 16 East Section 13 SLB &

M; thence west 2648.2 feet along the north line of the S 1/2 of the SW 1/4 of section to the northwest corner of the S 1/2 of the SW 1/4 of section 13; thence west 1323.3 feet along the north line of the SE 1/4 of the SE 1/4 of section 14 to the northwest corner of the SE 1/4 of the SE 1/4 of section 14; thence south 1320 feet along the west line of the SE 1/4 of the SE 1/4 of section 14 to the southwest corner of the SE 1/4 of the SE 1/4 of section 14; thence west 3969.9 feet along the south line of section 14 to the southeast corner of section 15; thence west 4522.2 feet along the south line of section 15 to the centerline of the Green River, being the boundary between Grand and Emery Counties; thence southerly down the middle of said channel to parallel 38 degrees 30 minutes north latitude; thence east to the State boundary; thence north along the State boundary to the point of beginning.

**Exhibit D - Moab City Legal Description**

A DESCRIPTION OF THE CORPORATE BOUNDS OF MOAB CITY AS OF FEBRUARY 24, 2009, CONSISTING OF LANDS WITHIN THE MOAB VALLEY, IN TOWNSHIPS 25 & 26 SOUTH, RANGES 21 & 22 E, SLM, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast Corner of section 2, T 26 S, R 21 E, SLM, and proceeding thence with the East line of said Section 2 N 00°15'E 1394.68 ft., thence N 50°01'W 1056.32 ft., thence along the arc of a 711.9 ft. radius curve to the left 259.62 ft. (said curve has a chord which bears N 67°09'51"W 259.18 ft.), thence N 75°34'W 215.8 ft., thence S 14°26'W 440.0 ft., thence N 75°34'W 450.0 ft., thence N 14°26'E 440.0 ft., thence N 75°34'W 735.89 ft., thence S 00°29'W 2526.2 ft. to the South line of Section 2, thence with said line N 89°16'W 243.6 ft., West 2597.1 ft. to the Southwest corner of said Section 2, thence with the West line of said Section 2 N 00°04'W approximately 660.0 ft. to the East bank meander line of the Colorado River, thence with said meander line the following three courses: N 17°44'E 700.0 ft., thence N 26°21'E 680.6 ft., thence N 37°14'E 828.95 ft. to the Center ¼ line of said Section 2, thence with said line S 89°33'29"E 1585.65 ft., thence N 75°04'59"W 41.89 ft., thence S 89°13'E 52.1 ft., thence S 00°29'W 4.9 ft., thence S 75°05'E 32.69 ft. to the Center ¼ line of said Section 2, thence with said line N 00°01'59"W 1342 ft., thence East 19.23 ft., thence N 00°21'40"W 161.86 ft., thence S 89°58'E 676.9 ft., thence S 00°39'E 161.48 ft., thence East 291.38 ft., thence North 849.4 ft., thence West 988.81 ft., thence N 00°16'59"W 465.17 ft. to the North ¼ Corner of said Section 2, thence with the North line of said Section 2 S 89°54'W 250.3 ft., thence North 163.0 ft., thence S 89°54'W 107.89 ft., thence North 175.0 ft., thence S 89°54'W 211.81 ft., thence North 9.81 ft., thence West 120.0 ft.; thence South 10.0 ft., thence S 89°54'W 95.0 ft., thence South 338.0 ft., thence S 89°54'W 202.69 ft., thence North 661.31 ft., thence East 399.68 ft., thence N 01°48'E 315.5 ft., thence N 89°57'E 167.7 ft., thence N 00°31'01"E 344.5 ft., thence East 1065.2 ft., thence South 3.7 ft., thence N 87°18'E 111.6 ft., thence S 89°02'39"E 65.8 ft., thence S 00°53'31"W 739.4 ft., thence N 89°54'E 356.5 ft., thence S 00°06'E 304.0 ft., thence S 89°54'W 358.46 ft., thence S 00°15'W 272.43 ft., thence East 503.14 ft., thence North 237.0 ft., thence N 00°19'01"E 418.5 ft., thence N 12°25'42"E 3.46 ft., thence N 00°31'59"E 415.25 ft., thence West 114.52 ft., thence North 245.56 ft., thence N 89°55'E 194.16 ft., thence N 00°32'E 1126.11 ft., thence West 65.04 ft., thence North 720.0 ft., thence East 1253.02 ft. to the East line of said Section 35, thence with said line North 202.68 ft., thence S 89°46'W 481.29 ft., thence South 5.4 ft., thence N 89°57'W 1309.1 ft., thence West 753.1 ft., thence N 00°01'W 134.1 ft., thence N 71°39'W 96.7 ft., thence N 46°52'W 59.4 ft., thence N 71°02'W 42.3 ft., thence N 82°48'W 57.1 ft., thence N 57°08'W 56.3 ft., thence N 44°41'W 153.1 ft., thence N 13°49'W 93.9 ft., thence N 61°09'E 881.2 ft., thence N 43°27'W 108.9 ft., thence N 46°25'E 424.9 ft., thence N 47°49'W 919.8 ft., thence S 78°18'W 691.0 ft., thence N 11°42'W 500.0 ft., thence N 75°11'E 147.5 ft., thence N 39°54'E 157.5 ft., thence S 60°30'W 54.7 ft., thence N 13°04'W 59.0 ft., thence N 31°20'W 1529.8 ft., thence N 31°42'W 338.0 ft., thence N 27°28'W 574.9 ft., thence N 05°28'W 684.8 ft., thence N 53°35'E 150.0 ft., thence S 36°25'E 121.3 ft., thence with the East bank meander line of the Colorado River the following six courses: N 75°00'E 380.8 ft., thence S 87°00'E 330.0 ft., thence N 83°00'E 330.0 ft., thence East 330.0 ft., thence S 80°30'E 316.8 ft., thence S 71°30'E 90.7 ft. to the Center ¼ line of Section 26 of T 25 S, R 21 E, SLM, thence with said line S 00°29'E 2214.4 ft. to the Easterly Right of Way of U.S. Highway 191, thence with said Right of Way S 47°40'E 1309.5 ft., thence with said Right of Way S 48°28'E 322.0 ft. to the

North line of Section 35 of T 25 S, R 21 E, SLM, thence with said line S 89°56'E 120.1 ft.,  
 thence N 00°13'30"W 329.6 ft., thence S 89°55'30"E 330.38 ft., thence S 00°09'32"E 329.58  
 ft. to said North line of Section 35, thence with said line S 89°56'E 990.1 ft. to the Northeast  
 Corner of said Section 35, thence with the East line of said Section 35 S 00°32'38"W 1317.75 ft.  
 to the Northwest Corner of the Southwest 1/4 Northwest 1/4 of Section 36 of T 25 S, R 21 E,  
 SLM, thence with N 89°58'E 2638.0 ft. to the Center North 1/16 Corner of said Section 36,  
 thence with the Center 1/4 line S 00°38'W 2992.04 ft., thence East 29.58 ft., thence N 80°14'E  
 133.0 ft., thence N 89°36'E 33.7 ft., thence North 200.0 ft., thence East 1115.0 ft. to the  
 Southeast 1/16 Corner to said Section 36, thence North 1450.78 ft. to the Center East 1/16  
 Corner to said Section 36, thence N 89°57'E 1327.16 ft. to the East 1/4 Corner to said Section  
 36, thence South 2639.96 ft. to the Southeast Corner to said Section 36, thence S 89°53'10"E  
 2613.12 ft. to the North 1/4 Corner of Section 6 of T 26 S, R 22 E, SLM, thence S 89°51'E  
 361.7 ft. to the South 1/4 Corner of Section 31 of T 25 S, R 22 E, SLM, thence N 89°49'59"E  
 2281.95 ft. to the Northeast Corner of Section 6 of T 26 S, R 22 E, SLM, thence S 00°15'W  
 1976.3 ft., thence S 89°58'09"W 662.96 ft., thence S 00°18'30"W 658.49 ft. to the C-E-E 1/64  
 Corner of said Section 6, thence West 663.63 ft. to the C-E 1/16 Corner of said Section 6,  
 thence West 663.63 ft. to the C-W-E 1/64 Corner of said Section 6, thence N 00°25'30"E  
 657.79 ft. to the SWNE 1/64 Corner of said Section 6, thence S 89°58'09"W 654.38 ft. to the  
 C-S-N 1/64 Corner of said Section 6, thence with the Center 1/4 line of said Section 6 with said  
 Center 1/4 line S 00°14'02"W 3296.95 ft. to the South 1/4 Corner of Section 6, T 26 S, R 22 E,  
 SLM, thence with the South line of said Section 6 S 89°49'E 2652.77 ft. to the Northeast  
 Corner of Section 7 of T 26 S, R 22 E, SLM, thence S 00°31'W 548.8 ft. to the Northwest  
 Corner of Section 8 of T 26 S, R 22 E, SLM, thence with the West line of said Section 8 S  
 00°29'W 704.6 ft., thence N 89°11'E 329.79 ft., thence S 00°30'W 330.5 ft., thence N  
 89°10'E 329.9 ft., thence S 00°32'W 660.8 ft., thence S 89°08'W 659.11 ft. to the West line  
 of said Section 8, thence with said line S 00°29'17"W 330.54 ft. to the East 1/4 Corner of Section  
 7 of T 26 S, R 22 E, SLM, thence S 89°59'14"W 723.98 ft., thence N 29°41'W 422.09 ft.,  
 thence S 65°49'W 298.71 ft., thence S 23°33'E 253.3 ft., thence S 68°56'W 124.4 ft., thence  
 S 19°09'E 90.0 ft., thence S 68°56'W 123.93 ft., thence S 09°52'W 83.91 ft., thence S  
 00°10'41"W 85.87 ft., thence S 89°50'06"W 1320.02 ft., thence N 00°10'41"E 326.86 ft.,  
 thence S 89°52'52"W 1071.35 ft., thence S 01°20'W 310.23 ft., thence N 89°27'29"W  
 260.15 ft., thence N 00°51'E 307.23 ft., thence West 380.12 ft., thence S 04°16'19"E 32.71  
 ft., thence N 88°52'11"W 57.9 ft., thence South 20.2 ft., thence S 24°21'W 159.75 ft., thence  
 S 65°39'E 200.81 ft., thence S 24°21'W 337.8 ft. to the Westerly Right of Way of U.S.  
 Highway 191, thence with said Right of Way the following two courses: N 65°39'W 279.9 ft.,  
 thence along the arc of a 4851.2 ft. radius curve to the right 2226.28 ft. (said curve has a chord  
 which bears N 52°45'W 2206.8 ft.), thence N 43°42'E 60.4 ft., thence along the arc of a  
 4911.20 radius curve to the right 108.20 ft.;(said curve has a chord which bears N 39°10'W  
 108.20 ft.), thence N 54°46'59"E 56.63 ft., thence along the arc of the 4851.2 ft radius curve to  
 the right 239.03 ft (said curve has a chord which bears N 37°09'13"W 237.38 ft), thence S  
 00°06'54"W 196.63 ft., thence along the arc of a 4971.2 ft radius curve to the left 195.03 ft. (said  
 curve have a chord which bears S 38°45'50"E 195.02 ft), thence S 43°42'W 177.55 ft., thence  
 S 00°06'54"W 751.34 ft. to the Center East 1/16 Corner of Section 12, T 26 S, R 21 E, SLM,  
 thence S 89°48'W 1319.57 ft. to the Center 1/4 Corner of said Section 12, thence N 00°06'54E  
 1315.71 ft. to the Center North 1/16 of said Section 12, thence S 89°58'W 1318.51 ft. to the  
 Northwest 1/16 Corner of said Section 12, thence N 00°04'12"E 1319.65 ft. to the West 1/16

Corner to Sections 1 & 12, thence with the South line of Section 1 N 89°50'30"W 1319.55 ft. to the point of beginning.

LESS:

Beginning at a point which bears S 00°02'W 709.5 ft. from the Northwest Corner of Section 7, T 26 S, R 22 E, SLM, and proceeding thence East 757.6 ft., thence South 343.8 ft., thence East 552.0 ft., thence S 00°07'W 1309.8 ft., thence West 7.2 ft., thence South 80.0 ft., thence West 235.0 ft., thence North 300.0 ft., thence West 172.0 ft., thence N 03°46'W 294.1 ft., thence N 88°31'W 415.8 ft., thence West 444.5 ft., thence S 00°13'W 356.6 ft., thence West 66.4 ft., thence along the arc of a 4521.2 ft. radius curve to the right 417.60 ft. (said curve has a chord which bears N 51°02'W 417.5 ft.), thence S 41°37'W 330.0 ft. to the Easterly Right of Way of U.S> Highway 191, thence with said Right of Way along the arc of a 4851.2 ft. radius curve to the right 830.7 ft. (said curve has a chord which bears N 43°29'W 829.7 ft.), thence N 54° 47'E 475.2 ft., thence N 89°59'E 780.7 ft., thence N 00°02'E 593.8 ft. to the point of beginning,

AND

Beginning at a point which bears S 75°42'E 1887.4 ft. from the Northwest Corner of Section 7, T 26 S, R 22 E, SLM, and proceeding thence N 66°00'E 319.0 ft., thence S 68°42'E 596.3 ft., thence South 104.3 ft., thence S 89°54'E 1269.2 ft., thence S 00°20'W 645.8 ft., thence N 89°59'W 156.6 ft., thence South 60.5 ft., thence S 61°20'W 214.7 ft., thence S 83°09'W 295.1 ft., thence S 83°24'W 750.0 ft., thence S 83°06'W 668.1 ft., thence North 913.1 ft., thence N 51°00'E 43.0 ft., thence N 12°30'W 110.0 ft., thence S 65°30'W 3.9 ft., thence N 24°30'W 173.9 ft. to the point of beginning.

AND

Beginning at a point which bears S 32°29'E 21.1 ft. from the West ¼ Corner of Section 7, T 26 S, R 22 E, SLM, and proceeding thence S 89°21'E 292.2 ft., thence South 22.0 ft., thence S 24°21'W 142.3 ft. to the Easterly Right of Way of U.S. Highway 191, thence with said Right of Way along the arc of a 4851.2 ft. radius curve to the right 272.2 ft. (said curve has a chord which bears N 59°10'W 272.1 ft.), thence N 00°14'E 15.5 ft. to the point of beginning.

AND

Beginning at a point which bears N 89°53'52"E 634.12 ft from the North ¼ corner of Section 2, T 26 S, R 21 E, SLM, and proceeding thence N 00°30'54"W 658.5 ft., thence N 88°57'50"E 32.34 ft., thence S 00°03'14"E 296.38 ft., thence S 11°31'59"E 304.62 ft., thence S 81°50'06"W 26.11 ft. to point of beginning.

**Exhibit E - Castle Valley Town Legal Description**

**TOWN OF CASTLE VALLEY MUNICIPAL BOUNDARY:**

Beginning at the NW corner of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec. 1, T 25 S, R22 E, SLB&M and running thence East 7024.0 ft. more or less to the West Right-of-way line of the Grand County Loop Road, thence in a Southeasterly direction along said right-of-way approximately 1450 ft. to the North line of Lot 440 of Castle Valley River Ranchos, a subdivision of record in the office of the Grand County Recorder, thence S 46° F along County right-of-way approximately 630 ft. to the East boundary of Castle Valley River Ranchos, thence S 0°16'07"W 2200 ft. more or less to the North  $\frac{1}{4}$  corner of Section 7, T 25 S, R 23 E, SLB & M, thence East 382.0 ft. along the Easterly Boundary of Castle Valley River Ranchos, a subdivision, recorded in the office of the County Recorder of Grand County, Utah, thence S 33°33' E 387.0 ft., S 26°23'W 140.0 ft., N 74°57' W 175.0 Ft., S 12°09'E 80.0 ft., S 50°10'E 219.0 ft., S 81°20' E 188.0 ft., S 36°30'E 276.0 ft., S 06°15'E 437.0 ft., S 62'E 34.0 ft., N 88°39'30"E 345.3 ft., S 0° 24'40"E 306.8 ft., S 19°E 556.0 ft., S 89°E 272.0 ft., N 81°10'E 115.0 ft., S 70°30'E 486.0 ft., S 67°E 310.0 ft., S 61°10'E 450.0 ft.; thence in a Easterly direction 6252 ft. more or less to the NE Cor. of the NW  $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 9 ., T 25 S, R 23 E, SLB&M (NE Cor. of Fire Dept. tract), thence South 2640 ft. more or less to the SE Cor. of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 9, T 25 S, R 23 E, SLB&M, thence East 3960 ft. more or less to the SE Cor. of Sec. 9, T 25 S, R 23 E, SLB&M, thence in a Southeasterly direction 6500 ft. more or less to the NE Cor. of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 15, T 25 S, R 23 F, SLB&M, thence South 6600 ft. more or less to the SE Cor. of Sec. 22, T 25 S, R 23 E, SLB&M, thence West approximately 10560.0 ft. along the South line of Sections 22, 21 & 20, T 25 S, R 23 E, SLB&M to the crest of Porcupine Rim, and proceeding thence along the crest of Porcupine Rim in a Northwesterly direction approximately 23,000.0 ft. to the SW Cor. of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec. 1, T 25 S, R 22 E, SLB&M, thence along said Sec. line North approximately 2640.0 ft. to the point of beginning. Containing approximately 5,225.0 acres, or 8.16 square miles.

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from the CITY OF MOAB, dated December 9<sup>th</sup>, 2008, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the CITY OF MOAB, located in Grand County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 18<sup>th</sup> day of March, 2009 at Salt Lake City, Utah.

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT  
Lieutenant Governor

**Merlene Mosher**  
County Recorder  
435-259-1331



**Vauna Randall**  
Chief Deputy Recorder  
435-259-1333

**John Cortes**  
Deputy Recorder  
435-259-1332

February 27, 2009

State of Utah  
Office of the Lieutenant Governor  
Att: Miles Hansen  
P.O. Box 142220  
Salt Lake City, Utah 84114-2220

Subject: CITY ANNEXATIONS - GRAND COUNTY

Dear Miles:

Please find enclosed an Annexation into the City of Moab. The Ordinance No. 2008-20, was recorded February 23, 2009 in Book 744 pg 407- 423, Entry No. 490726 and the Annexation Map was recorded February 23, 2009, Entry #490727 in Book 744 pg 424. It is in Section 6 T26S R22E.

Copies, of the Ordinance and the Annexation Map, are enclosed.

Sincerely Yours,

*Merlene M. Dalton*

Merlene M. Dalton  
Grand County Recorder

**Received**  
MAR 09 2009  
Gary R. Herbert  
Lieutenant Governor  
3/9

ORDINANCE 2008-20

AN ORDINANCE OF THE GOVERNING BODY OF MOAB  
ANNEXING PROPERTY TO THE CITY OF MOAB

WHEREAS, THE Moab governing body has received a petition for annexation of certain property as described in Exhibit "1" hereto; and

WHEREAS, the property has been proposed for urban development as defined by Utah State Law; and

WHEREAS, the City Council has determined that the property meets the requirements of the City's annexation policy plan; and

WHEREAS, the landowners of the affected property have consented to and petitioned for this annexation and the City Recorder has certified that the application complies with applicable law; and

WHEREAS, the City Council has considered comments from affected entities, if any, and no notice of protest has been filed subsequent to the publication of notice of the application, as required by law; and

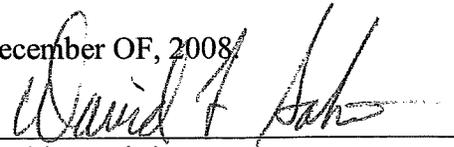
WHEREAS, the governing body has held the appropriate public hearings and given the appropriate public notice and received public input.

NOW, THEREFORE, be it ordained by the governing body of the City of Moab City that:

The property described in Exhibit "1" and located at approximately 2700 Sand Flats Road is hereby annexed into the City of Moab and the zoning designation for said annexation shall be SAR (Sensitive Area Resort).

This ordinance shall take effect immediately upon passage and this ordinance constitutes an amendment to the articles of incorporation for the City of Moab.

PASSED AND APPROVED THIS 9<sup>th</sup> DAY December OF, 2008

  
\_\_\_\_\_  
David L. Sakrison  
Mayor

ATTEST:

  
\_\_\_\_\_  
Rachel Ellison  
City Recorder

Ent 490726 Bk 744 Pg 407  
Date: 23-FEB-2009 8:58AM 423  
Fee: None  
Filed By: JAC  
MERLENE MOSHER DALTON, Recorder  
GRAND COUNTY CORPORATION  
For: MOAB CITY

# EXHIBIT 1

## AUTHORIZATION AND CONSENT

### BACKGROUND/UNDERSTANDINGS

A. State of Utah, acting by and through the School and Institutional Trust Lands Administration (“SITLA”) is the owner of a certain parcel of real property situated in Grand County, Utah consisting of 178 acres, more or less, more particularly described on attached Exhibit “A” (“Property”). By consenting to this Agreement, SITLA is not assuming any duties or obligations hereunder and the Parties agree that they shall not look to SITLA to perform any duties or obligations arising in connection with this Agreement.

B. LB Moab Land Company, LLC, a Colorado limited liability company (“Company”) and SITLA have entered into a certain Development Agreement and Ground Lease dated as of June 6, 2006 (“SITLA Lease and Development Agreement”), by which Company is authorized and empowered to seek and obtain development approvals from the City, including the entitlements described herein. SITLA has joined in this Agreement to evidence its consent to the terms and conditions of this Agreement.

C. Company desires and intends to annex the Property (“Annexation”) into the City of Moab (“City”) and to seek and obtain certain land use approvals and entitlements for the Property (“Land Use Approvals”) on terms and conditions mutually agreeable and acceptable to Company and the City and, thereupon, to develop the Property in accordance with the applicable laws and regulations of The City of Moab (“Moab City Laws”).

D. Company seeks to submit appropriate applications (“Applications”) with the City to secure the Annexation and the Land Use Approvals (“City Approvals”). SITLA consents to the submission of such Applications by the Company and authorizes Company to submit the Applications on behalf of Company and SITLA.

E. Company and SITLA have identified and hereby designated the following persons in connection with the Applications and the City Approvals: Michael Badger, Michael Lawler, Cal Wilbourne, Thomas G. Kennedy, Foley and Associates and such other consultants and persons retained by the Company (“Authorized Agents”).

### STATEMENT OF AUTHORIZATION

SITLA and the Company hereby authorize each of the Authorized Agents to proceed as follows:

1.1. To include the Property in the Applications and to submit the Applications on behalf of SITLA and the Company, including, without limitation, the Annexation Petition, the Annexation Map, Notice to Affected Entities, List of Affected Entities, Addendum to Annexation Petition and Standards Report to Annexation Petition and the Pre-Annexation Agreement, the MPD Application, the Development Agreement and such other documents and materials related to the Application.

1.2. To seek the City Approvals of the Applications on behalf of Company and SITLA.

1.3. To serve as the designated representative of Company and SITLA with respect to the Applications.

IN WITNESS WHEREOF, the Parties have executed this Authorization and Consent and intend that it be made effective as of 2-5-08, 2008 ("Effective Date").

LB Moab Land Company, LLC,  
a Colorado limited liability company

By: Michael H. Badger

Date: 2-5-08

Printed Name: Michael H. Badger  
Title: member

The State of Utah, acting by and through the  
School and Institutional Trust Lands Administration

By: [Signature]

Date: 2-11-08

Printed Name: Kewin Scott Carder  
Title: Director

Approved as to Form  
Mark L. Shurtleff  
ATTORNEY GENERAL

By: [Signature]

Ent 490726 Bk 0744 Pg 0409



# State of Utah

*School and Institutional*  
TRUST LANDS ADMINISTRATION

Jon M. Huntsman, Jr.  
Governor

Kevin S. Carter  
Director

675 East 500 South, Suite 500  
Salt Lake City, Utah 84102-2818  
801-538-6100  
801-355-0922 (Fax)  
<http://www.trustlands.com>

August 22, 2005

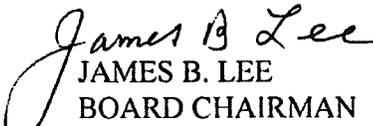
The Honorable  
Jon M. Huntsman, Jr.  
Suite E220 State Capitol Complex  
Salt Lake City, UT 84114

Dear Governor Huntsman:

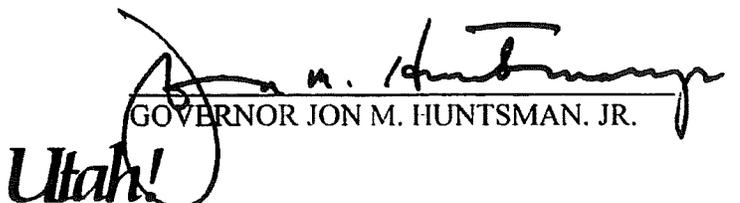
The School and Institutional Trust Lands Administration Board of Trustees, on August 16, 2005, re-appointed Mr. Kevin S. Carter for a four-year term as the Director of the Trust Lands Administration. Utah Code Annotated § 53C-1-301(1)(a) requires that this appointment have the consent of the Governor. We understand from your representative on the Board of Trustees, Mr. Gayle McKeachnie, that you have consented to this appointment.

We would like to have your consent in writing and would ask for your signature on the bottom of this letter indicating such and return to us. We thank you for your support of Mr. Carter, the Trust Lands Administration, and the Board of Trustees in our work for the schoolchildren of Utah and other beneficiaries which we serve.

Sincerely,

  
JAMES B. LEE  
BOARD CHAIRMAN

I, Governor Jon M. Huntsman, Jr., consent to the appointment of Kevin S. Carter as Director of the School and Institutional Trust Lands Administration for a four-year term beginning September 1, 2005.

  
GOVERNOR JON M. HUNTSMAN, JR.  


# NOTICE OF INTENT TO FILE ANNEXATION PETITION

**Notice Sent To:** Each Party Identified in the Table of Affected Entities stated below

**Date of Notice:** April 15, 2008

**Date of Intended Petition:** April 15, 2008

**Petition Sponsor:** LB Moab Land, LLC, a Colorado limited liability company

Please be advised that as per Utah State Code Annotated 10-2-403(6) this serves as notice of intent to file an annexation petition with the City of Moab for property described on attached **Exhibit "A"**, located in Grand County, Utah.

The following is a list of potentially-affected entities ("**Affected Entities**"), to which copies of the within Notice of Intent to File Annexation Petition has been sent:

**Table of Affected Entities**

Grand County 125 East Center Moab, Utah 84532	Grand County School District 264 South 400 East Moab, Utah 84532	Moab Fire Department 45 South 100 East Moab, Utah 84532
Grand Water & Sewer Agency 3025 East Spanish Trail Moab, Utah 84532	Grand County Hospital Service District 245 West Williams Way Moab, Utah 84532	Health Department of Southeastern Utah P.O. Box 800 Price, Utah
Cemetery District P.O. Box 64 Moab, Utah 84532	Moab Mosquito Abatement District P.O. Box 142 Moab, Utah 84532	Grand County Library Board 25 South 100 East Moab, Utah 84532
Solid Waste District P.O. Office Box 980 Moab, Utah 84532	Recreation District P.O. Box 715 Moab, Utah 84532	Grand County Boundary Commission 125 East Center Moab, Utah 84532
Grand County Clerk's Office 125 East Center Street Moab, Utah 84532	Moab City Planning Commission Chairperson 217 East Center Street Moab, Utah 84532	

LB Moab Land Company, LLC, a Colorado limited liability company ("**Petitioner**") has directed its Notice of Intent to each of the above stated Affected Entities at the address indicated above. The notices were each sent by first class mail, certified mail, return receipt requested, postage prepaid.

Ent 490726 Bk 0744 Pg 0411

Exhibit "A"

Lot 1 and Lot 2, both within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah; and,

The East Half of the Southwest Quarter of the Northeast Quarter (E1/2-SW1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah; and,

The Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW1/4-SW1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah; and

The Southeast Quarter of the Northeast Quarter (SE1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah; and,

The West Half of the Northeast Quarter of the Southeast Quarter (W1/2-NE1/4-SE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah; and,

The West Half of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (W1/2-SE1/4-NE1/4-SE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah

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**LIST OF AFFECTED ENTITIES FOR THE  
PETITION FOR ANNEXATION INTO THE CITY OF MOAB, UTAH  
(Lionsback Resort Property)**

---

This List of Affected Entities for the Petition for Annexation into the City of Moab is dated as of April 15, 2008 (“**Effective Date**”) is submitted by LB Moab Land Company, LLC, a Colorado limited liability company (“**Petitioner**”). Petitioner does hereby state, declare and affirm as follows:

1. The following is a list of potentially-affected entities (“**Affected Entities**”), to which copies of the Notice of Intent to File Annexation Petition has been sent.

**Table of Affected Entities**

Grand County 125 East Center Moab, Utah 84532	Grand County School District 264 South 400 East Moab, Utah 84532	Moab Fire Department 45 South 100 East Moab, Utah 84532
Grand Water & Sewer Agency 3025 East Spanish Trail Moab, Utah 84532	Grand County Hospital Service District 245 West Williams Way Moab, Utah 84532	Health Department of Southeastern Utah P.O. Box 800 Price, Utah
Cemetery District P.O. Box 64 Moab, Utah 84532	Moab Mosquito Abatement District P.O. Box 142 Moab, Utah 84532	Grand County Library Board 25 South 100 East Moab, Utah 84532
Solid Waste District P.O. Office Box 980 Moab, Utah 84532	Recreation District P.O. Box 715 Moab, Utah 84532	Grand County Boundary Commission 125 East Center Moab, Utah 84532
Grand County Clerk’s Office 125 East Center Street Moab, Utah 84532	Moab City Planning Commission Chairperson 217 East Center Street Moab, Utah 84532	

2. Petitioner has directed its Notice of Intent to File Annexation Petition to each of the above stated Affected Entities at the address indicated above. The notices were each sent by first class mail, certified mail, return receipt requested, postage prepaid.

Ent 490726 Bk 0744 Pg 0413

IN WITNESS WHEREOF, this List of Affected Entities has been executed by Petitioner as of the Effective Date.

Respectfully Submitted

LB Moab Land Company, LLC,  
a Colorado limited liability company

By: 

Date: 4/15/03

Printed Name: Michael Badger

Title: Member

Ent 490726 BK 744 P9 413-A

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**ADDENDUM TO THE  
PETITION FOR ANNEXATION INTO THE CITY OF MOAB, UTAH  
(Lionsback Resort Property)**

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**THIS ADDENDUM TO THE PETITION FOR ANNEXATION INTO THE CITY OF MOAB** (“Addendum”) is dated as of April 15, 2008 (“Effective Date”) is submitted by the State of Utah, acting by and through the School and Institutional Trust Lands Administration (“SITLA”) and LB Moab Land Company, LLC, a Colorado limited liability company (“Company”)(SITLA and Company are collectively referred to as “Petitioner”). SITLA and Company, as the co-Petitioners, do hereby state, declare and affirm as follows:

1. Company is the developer, lease holder and benefited party under a certain Development Agreement and Ground Lease made between Company and SITLA (defined below) dated as of June 6, 2006 (“Lease”) which affects and concerns that certain unimproved real property, commonly referred to as “Lionsback”, which property is the subject of the Annexation Petition and which property is more particularly described in the Annexation Petition (“Annexation Property”). Company is authorized to submit the Annexation Petition Lease with the City of Moab pursuant to the Lease.

2. SITLA is the current fee simple owner of the Annexation Property. SITLA has authorized and empowered Company to submit and pursue the annexation of the Annexation Property into the City of Moab and has joined in and consented to the Annexation Petition. SITLA constitutes more than one-third of all owners of private property within the area proposed for annexation into the City of Moab pursuant to the Petition.

3. This Petition is being made to the City of Moab City Council, the governing body of the City of Moab (“City Council”).

4. The Petition is being submitted to the City of Moab by and through the City of Moab City Recorder (“City Recorder”).

5. The Property is eligible for annexation into the City of Moab in accordance with the requirements of the Utah Annexation Act, U.C.A. 10-2-401, et seq., as amended (“Annexation Statute”), the City of Moab City Code (“City Code”), including the Land Use Code (“LUC”), including, without limitation, the provisions and requirements contained in Section 1.32.010, Section 1.32.200 and Section 1.32.300 of the City Code.

6. The Annexation Property has been drawn:

- a. Along existing jurisdictional boundaries of the City of Moab;
- b. To eliminate islands and peninsulas of territory not receiving services from the City of Moab;
- c. To promote the efficient delivery of services by the City of Moab; and,
- d. To encourage the equitable distribution of community resources and obligations by the City of Moab.

7. SITLA and Company assert that the proposed annexation of the Property into the City of Moab pursuant to this Petition shall be in accord with the provisions and requirements contained in Section 1.32.010, Section 1.32.200 and Section 1.32.300 of the City Code.

8. Company, with the acknowledgement and consent of SITLA, has determined that it is necessary and desirable to annex the Annexation Property into the City of Moab.

9. SITLA and Company hereby requests that the City Council approve the annexation of the Annexation Property into the City of Moab.

10. A copy of the “**Annexation Map**” for the Annexation Property is attached to the Annexation Petition. The Annexation Map is an accurate and recordable map that was prepared and signed by a licensed surveyor.

11. The address for SITLA is as follows:

675 East 500 South, Suite 500  
Salt Lake City, Utah 84102-2818  
Attention: Assistant Director – Development

12. The address for the Company is as follows:

LB Moab Land Company, LLC,  
a Colorado limited liability company  
187 Aldasoro Road  
Telluride, CO 81435  
Phone: (970) 728-5474  
Fax: (970)728-6217

13. The name and address of the sponsors of the Petition are as follows:

Michael Badger 187 Aldasoro Road Telluride, CO 81435 Phone: (970) 728-5474 Fax: (970)728-6217	Michael Lawler 87 Red Hawk Lane Telluride, CO 81435 Phone: (970) 729-3224 Fax: (970) 728-6217
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14. The Name and Address of the authorized agents for Company are as follows:

Thomas G. Kennedy, Esquire P.O. Box 3081 Telluride, CO 81435 Phone: (970) 728-2424 Fax:: (970) 728-9439	Cal Wilbourne P.O. Box 853 Telluride, CO 81435 Phone: (970) 728-3949 Fax: (970) 728-9145
---	--

15. By consenting to this Annexation Petition, SITLA is not assuming any duties or obligations hereunder and the parties agree that they shall not look to SITLA to perform any duties or obligations arising in connection with this Annexation Petition.



COMPANY:

LB Moab Land Company, LLC,  
a Colorado limited liability company

By: Michael H Badger

Date: 2.5.08

Printed Name: Michael H Badger  
Title: Member

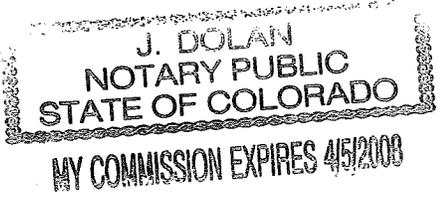
STATE OF Colorado )  
COUNTY OR San Miguel ) ss.

The foregoing instrument was acknowledged before me on February 5, 2008, by Michael Badger as the Member of LB Moab Land Company, LLC.

Witness my hand and official seal.

J. Dolan  
Notary Public

My commission expires: 4/5/08



City of Moab  
217 East Center Street  
Moab, Utah 84532  
Main Number (435) 259-5121  
Fax Number (435) 259-4135

---

**PETITION FOR ANNEXATION OF PROPERTY INTO THE CITY OF MOAB, UTAH  
(Lionsback Resort Property)**

---

**Petition Date:** April 15, 2008

**Petition Description (Approximate Address):** 2700 Sand Flats Road, Moab, Utah

**Contact Sponsor Name:** LB Moab Land Company, LLC, a Colorado limited liability company and Michael Lawler and Michael Badger

**Contact Sponsor Address:** 100 W. 200 S Moab, Utah

**Contact Sponsor Phone Number:** 970-728-5474

We, the undersigned, being a majority of the owners of real property in the territory lying contiguous to the corporate limits of the City of Moab, a municipal corporation in Grand County, State of Utah, and being also the owners of more than one-third (1/3) in value of the property in said territory as shown by the last assessment rolls in Grand County, hereby respectfully petition the Honorable Mayor and City Council of the City of Moab that such territory be annexed to and become part of the said City of Moab and that the corporate city limits of the City of Moab be extended so as to include the territory herein below listed.

The signature by the undersigned on this Petition may be considered as a separate petition or as part of a multiple petitioner petition.

The territory referred to herein is comprised of that certain real property located in Grand County, State of Utah, described on attached Addendum "A" and consists of one page, which is incorporated by reference and expressly made a part of this Petition.

As part of this Petition, Petitioner and Co-Petitioner/Sponsor do also hereby seek and request that the City classify the Annexation Property in and under the Sensitive Area Resort Zone ("SAR") as established by the City of Moab Municipal Code ("City of Moab Code").

**List of Annexation Petition Attachments:**

<b>Attachment Reference</b>	<b>Description of Document</b>
Addendum "A"	Description for the Property proposed for Annexation
Addendum "B"	Annexation Map (An accurate, recordable map prepared by a licensed surveyor of the area proposed for annexation)
Addendum "C"	Copies of Notices sent to affected entities
Addendum "D"	A list of affected entities to which notices were sent
Addendum "E"	Addendum to Annexation Petition
Addendum "F"	Standards Report to Annexation Petition

Please return this form with attachments to the City of Moab City Offices with an annexation petition fee of \$400.



**CO-PETITIONER/SPONSOR:**

LB Moab Land Company, LLC,  
a Colorado limited liability company

By: Michael D. Badger

Date: 2-5-08

Printed Name: Michael D. Badger  
Title: Member

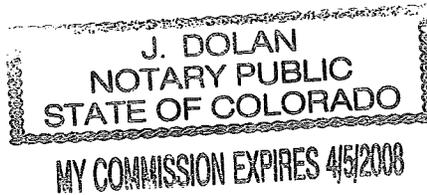
STATE OF Colorado  
COUNTY OF San Miguel ss.

The foregoing instrument was acknowledged before me on February 5, 2008, by Michael Badger as the Member of LB Moab Land Company, LLC.

Witness my hand and official seal.

J. Dolan  
Notary Public

My commission expires: 4/5/08



**ADDENDUM "A"**  
**(Legal Description of Property)**

Lot 1 and Lot 2, both within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah; and,

The East Half of the Southwest Quarter of the Northeast Quarter (E1/2-SW1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah; and,

The Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW1/4-SW1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah; and

The Southeast Quarter of the Northeast Quarter (SE1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah; and,

The West Half of the Northeast Quarter of the Southeast Quarter (W1/2-NE1/4-SE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah; and,

The West Half of the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (W1/2-SE1/4-NE1/4-SE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah

City of Moab  
217 East Center Street  
Moab, Utah 84532  
Main Number (435) 259-5121  
Fax Number (435) 259-4135

---

**SUPPLEMENT TO  
PETITION FOR ANNEXATION INTO THE CITY OF MOAB, UTAH  
(Lionsback Resort Property)**

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The undersigned have submitted a Petition for Annexation of certain property into the City of Moab, a municipal corporation in Grand County, State of Utah. The undersigned wish to modify the property proposed for annexation, reducing the boundaries of the property proposed for annexation to the land described on attached **Exhibit "A"**. A revised Annexation Map is attached as **Exhibit "B"**. No new property not previously included in the original Petition for Annexation is being added to the area proposed for annexation.

This Supplement to the Petition for Annexation is executed and made effective by Petitioner as of June 12, 2008.

**PETITIONER:**

The State of Utah, by and through the School  
and Institutional Trust Lands Administration

By: 

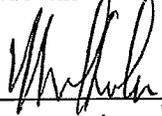
Date: 6-13-08

Printed Name: Douglas O. Buchi

Title: Asst. Director,  
Planning & Development Group

**CO-PETITIONER:**

LB Moab Land Company, LLC,  
a Colorado limited liability company

By: 

Date: 6-12-08

Printed Name: Michael Lawler

Title: Manager

**Exhibit "A"**  
**(Revised Legal Description of Property)**

Lot 1 and Lot 2, both within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah

and,

the Southeast Quarter of the Southwest Quarter of the Northeast Quarter (SE1/4-SW1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah

and,

the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW1/4-SW1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah

and,

the Northeast Quarter of the Southwest Quarter of the Northeast Quarter (NE1/4-SW1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah

and,

the Southwest Quarter of the Southeast Quarter of the Northeast Quarter (SW1/4-SE1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah

and,

the Northwest Quarter of the Southeast Quarter of the Northeast Quarter (NW1/4-SE1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah

and,

the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (NE1/4-SE1/4-NE1/4), within Section 6, Township 26 South, Range 22 East, Salt Lake Base and Meridian, County of Grand, State of Utah

The foregoing property contains \_\_\_ acres of land, more or less.





STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF ANNEXATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from the CITY OF MOAB, dated March 24<sup>th</sup>, 2009, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to the CITY OF MOAB, located in Grand County, State of Utah.

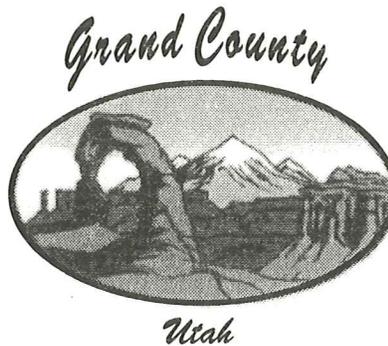


IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 19<sup>th</sup> day of May, 2009 at Salt Lake City, Utah.

Handwritten signature of Gary R. Herbert in black ink.

GARY R. HERBERT  
Lieutenant Governor

Merlene Mosher  
County Recorder  
435-259-1331



Vauna Randall  
Chief Deputy Recorder  
435-259-1333

John Cortes  
Deputy Recorder  
435-259-1332

April 24, 2009

Received

APR 30 2009

Gary R. Herbert  
Lieutenant Governor

State of Utah  
Office of the Lieutenant Governor  
Att: Miles Hansen  
P.O. Box 142220  
Salt Lake City, Utah 84114-2220

Subject: CITY ANNEXATIONS - GRAND COUNTY

Dear Miles:

Please find enclosed an Annexation into the City of Moab. The Ordinance No. 2009-04, was recorded April 24, 2009 in Book 747 pg 83-85, Entry No. 491330 and the Annexation Map was recorded April 24, 2009, Entry #491331 in Book 747 pg 86. It is in Section 35 T25S R21E.

Copies, of the Ordinance and the Annexation Map, are enclosed.

Sincerely Yours,

*Merlene M. Dalton*

Merlene M. Dalton  
Grand County Recorder

ORDINANCE 2009-04

AN ORDINANCE OF THE GOVERNING BODY OF MOAB  
ANNEXING PROPERTY TO THE CITY OF MOAB

WHEREAS, THE Moab governing body has received a petition for annexation of certain property as described in Exhibit "1" hereto; and

WHEREAS, the property has been proposed for urban development as defined by Utah State Law; and

WHEREAS, the City Council has determined that the property meets the requirements of the City's annexation policy plan; and

WHEREAS, the landowners of the affected property have consented to and petitioned for this annexation and the City Recorder has certified that the application complies with applicable law; and

WHEREAS, the City Council has considered comments from affected entities, if any, and no notice of protest has been filed subsequent to the publication of notice of the application, as required by law; and

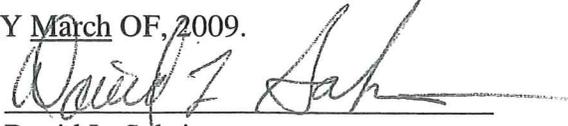
WHEREAS, the governing body has held the appropriate public hearings and given the appropriate public notice and received public input.

NOW, THEREFORE, be it ordained by the governing body of the City of Moab City that:

The property described in Exhibit "1" and located at approximately 792 West 400 North is hereby annexed into the City of Moab and the zoning designation for said annexation shall be zoned as R-4.

This ordinance shall take effect immediately upon passage and this ordinance constitutes an amendment to the articles of incorporation for the City of Moab.

PASSED AND APPROVED THIS 24<sup>th</sup> DAY March OF, 2009.



David L. Sakrison  
Mayor

ATTEST:

  
Rachel Ellison  
City Recorder

Received

MAY 04 2009  
map sent 5/14  
Gary R. Herbert  
Lieutenant Governor

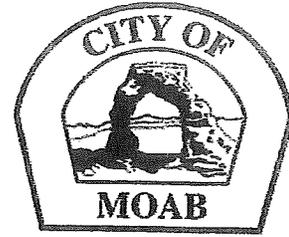
Ent 491330 Bk 747 Pg 83 - 85  
Date: 24-APR-2009 10:53AM  
Fee: None  
Filed By: MMD  
MERLENE MOSHER DALTON, Recorder  
GRAND COUNTY CORPORATION  
For: MOAB CITY

# EXHIBIT 1

PAIDMENT RECEIVED  
CITY OF MOAB

NOV 17 2008

CH# 6.164328  
AMOUNT 100.00



City of Moab  
217 East Center Street  
Moab, Utah 84532  
Main Number (435) 259-5121  
Fax Number (435) 259-4135

## PETITION FOR ANNEXATION

Petition date: Nov. 17 2008

Petition Description (Approximate Address): 792 W. 400 N.

Contact Sponsor Name: VALLEY VISTA / SCOTT MCFARLAND

Contact Sponsor Mailing Address: 775 HILLSIDE DR. MOAB, UT

Contact Sponsor Phone Number: 435-220-0108

We, the undersigned, being a majority of the owners of real property in territory lying contiguous to the corporate limits of Moab City, a municipal corporation in Grand County, State of Utah, and being also the owners of more than one-third (1/3) in value of the property in said territory as shown by the last assessment rolls in Grand County, hereby respectfully petition the Honorable Mayor and City Council of Moab City that such territory be annexed to and become part of said Moab City and that the corporate city limits of Moab City be extended so as to include the territory herein below listed.

My signature on this petition may be considered as a separate petition or as part of a multiple-petitioner petition.

Printed Name	Mailing Address	Signature
1. <u>SCOTT MCFARLAND</u>	<u>775 HILLSIDE MOAB, UT</u>	<u>[Signature]</u>
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

\* Moab City Code 17.12.150

The territory referred to herein is comprised of the following described real property in Grand County, State of Utah, to wit:

***Please attach a legal description of the proposed annexation  
and an accurate recordable map prepared by a  
licensed surveyor of the area proposed for annexation.***

Those properties described and set forth upon the attached pages \_\_\_\_ through \_\_\_\_, which pages are incorporated by reference and expressly made a part of this petition.

List of Annexation Petition Attachments:

- Individual Legal descriptions for each property proposed for annexation; or
- A legal description that is inclusive of all properties proposed for annexation;
- An accurate, recordable map prepared by a licensed surveyor of the area(s) proposed for annexation;
- Copies of notices sent to affected entities;
- A list of affected entities to which notices were sent;

Please return this form with attachments to the Moab City Offices with an annexation petition fee\* of \$100.00 (for lots under five acres) or \$400.00 (for lots over five acres).

Please contact the City Recorder's Office at (435) 259-5121 if you have any questions regarding this form or this process.

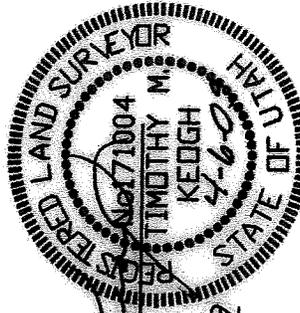
# EXHIBIT 1

## LEGAL DESCRIPTION OF THIS ANNEXATION

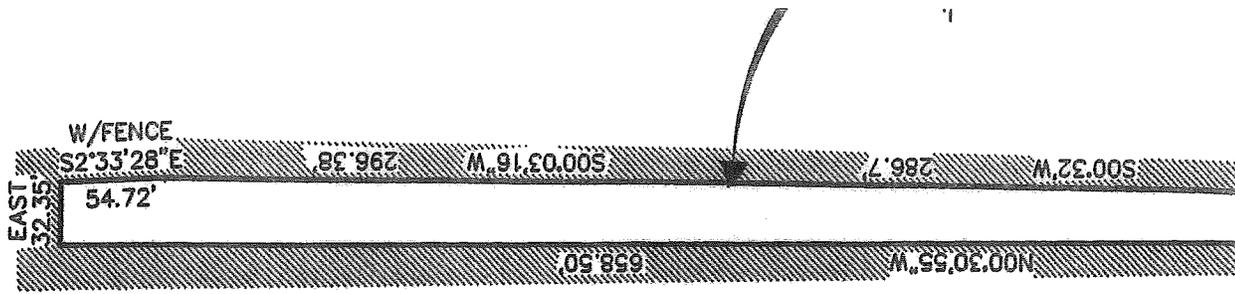
DESCRIPTION OF A PARCEL OF LAND IN THE SE1/4 SECTION 35, T 25 S, R 21 E, SLM, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 35, SAID POINT BEARS S 89°54'00"W 1496.00 FT. FROM THE SE CORNER OF SECTION 35, T 25 S, R 21 E, SLM, AND PROCEEDING THENCE WITH SAID SECTION LINE S 89°54'00"W 512.18 FT., THENCE N 00°30'55"W 658.50 FT., THENCE EAST 32.35 FT., THENCE WITH A FENCE S 02°33'28"E 54.72 FT., THENCE S 00°03'16"W 296.38 FT., THENCE S 00°32'W 286.7 FT., THENCE N 88°24'00"E 161.20 FT., THENCE APPROXIMATELY N 89°52'E 145.49 FT. TO A CORNER, THENCE N 00°06'00"W 123.90 FT. TO A CORNER, THENCE N 89°54'00"E 179.60 FT. TO A CORNER, THENCE S 00°06'00"E 148.90 FT. TO THE POINT OF BEGINNING AND CONTAINING 1.25 ACRES, MORE OR LESS. CORNERS ARE MONUMENTED AS SPECIFIED ON THE ATTACHED PLAT.

BEARINGS ARE BASED ON THE SOUTH LINE SE1/4 SEC. 35 (BEARING OF RECORD= S 89°54'W).



*Timothy M. Keogh*  
TIMOTHY M. KEOGH  
DATE April 6, 2002



# ANNEXATION MAP MOAB CITY, GRAND COUNTY, UTAH

## LEGAL DESCRIPTION OF THIS ANNEXATION

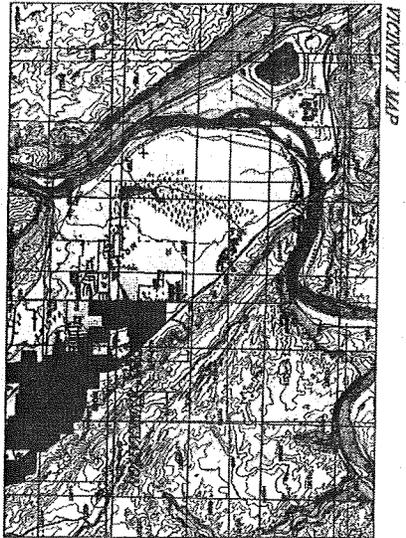
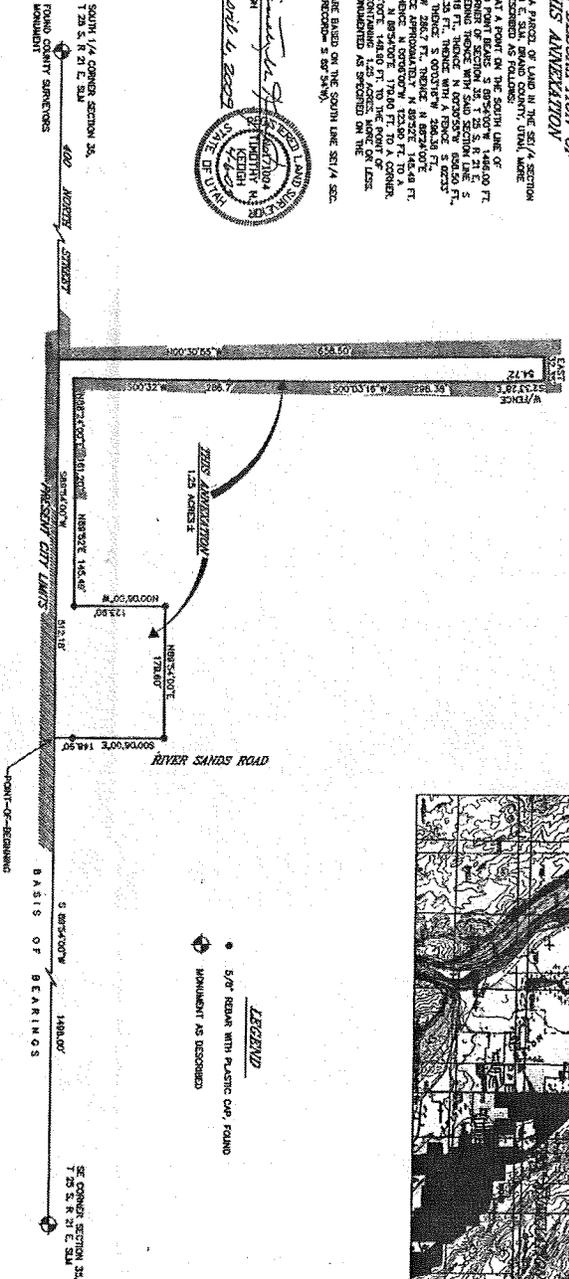
DESCRIPTION OF A PORTION OF LAND IN THE SW 1/4 SECTION 25, T25 S, R21 E, S14 GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 25, GRAND COUNTY, UTAH, 100.00 FT. FROM THE SE CORNER OF SECTION 25, T25 S, R21 E, S14 GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THENCE EAST 23.20 FT. THENCE WITH A BEARING S 60° 25' 11" W, DISTANCE APPROXIMATELY 148.00 FT. TO A CORNER, THENCE A COURSE OF 123.00 FT. TO A POINT, THENCE S 0° 00' 00" W, DISTANCE 148.00 FT. TO THE POINT OF BEGINNING AND CONTAINING 1.25 ACRES, MORE OR LESS, AS SHOWN AND COMPARSED AS SHOWN ON THE ATTACHED PLAN.

BEARINGS ARE BASED ON THE SOUTH LINE S14 SEC. 25 (BEARING OF RECORD 2 BY 24-N).

*For my hand and the seal of the State of Utah*  
 T. J. [Signature]  
 T. J. [Signature]  
 STATE OF UTAH  
 DATE: April 6, 2008

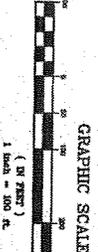


**LEGEND**

- 5/8" BEARER WITH PLASTIC CAP FOUND
- ◊ MONUMENT AS DESCRIBED

PREPARED BY  
**KEOGH LAND SURVEYING**  
 425 EAST CENTER STREET  
 MOAB, UTAH 84240  
 APRIL 6, 2008

UT 42913331, 7/27/08, 9:16  
 FERRY, NEAR THE  
 FERRY, NEAR THE  
 FERRY, NEAR THE  
 GRAND COUNTY COMMISSIONER  
 0975 ROAD 2111



**APPROVED BY MOAB CITY COUNCIL**

MAYOR <i>Wendy Johnson</i> APPROVED	CITY RECORDER <i>Richard Collins</i> APPROVED
CITY ENGINEER <i>[Signature]</i> APPROVED	CITY ATTORNEY <i>[Signature]</i> APPROVED