

RETURNED  
AUG 13 1993

E 1054750 B 1650 P 572  
CAROL DEAN PAGE, DAVIS CNTY RECORDER  
1993 AUG 13 9:49 AM FEE .00 DEP JB  
REC'D FOR LAYTON CITY CORP

ORDINANCE NO. 985

AN ORDINANCE ADOPTING THE ASSESSMENT LIST; LEVYING THE SPECIAL ASSESSMENT TAX, AND DEFINING THE PAYMENT PROVISIONS FOR PROPERTY LYING IN THE LAYTON CITY \*SPECIAL IMPROVEMENT DISTRICT 1992 - 2, (SANITARY SEWER SYSTEM ON OAKHILLS DRIVE)\*.

WHEREAS, The City Council finds and declares that pursuant to Resolution No. 135 of the City Council, and in pursuant to the provisions of Title 17A, Chapter 3, Part 3, Utah Code Annotated 1953, as amended, there was duly published, one time in the Standard Examiner, the Assessment List and Notice of the Meeting of the Board of Equalization for the \*SPECIAL IMPROVEMENT DISTRICT 1992 - 2 (SANITARY SEWER SYSTEM ON OAKHILLS DRIVE); and

WHEREAS, On March 22, 23 and 24, 1993 the Board of Equalization and Review met to hear and consider all objections to or arguments against the levying of the special tax assessment. The minutes of which are attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, DAVIS COUNTY, UTAH:

SECTION I. ADOPTION OF THE ASSESSMENT LIST. The assessment list for the special improvement district, as prepared by the City Engineer, and as attached as Exhibit "B", are hereby adopted by the City Council.

SECTION II. SPECIAL TAX LEVY. For the purpose of paying the cost of the construction of the improvements completed, there is hereby levied and assessed, as provided by Title 17A, Chapter 3, Part 3, Utah Code Annotated 1953, as amended, special improvement district taxes on the front footage or part thereof, of each lot or parcel fronting onto Oakhills drive street, the specific amount as shown on the assessment list, Exhibit "B", and on the specific parcel legal descriptions, as shown on the attached Exhibit "C".

SECTION III. PAYMENT PROVISIONS. The special tax assessment shall be payable in ten (10) equal annual installments. Interest on the unpaid sum existing within 15 days of the effective date of this Ordinance, shall accrue at a rate of ten percent (10%) per annum from the effective date of this Ordinance, payable at the time each such installment is due.

SECTION IV. DEFAULT IN PAYMENT OF ASSESSMENT INSTALLMENT. When an assessment is due and payable and a default occurs in the payment of any installment, the unpaid amount shall be declared to be delinquent, immediately due and subject to collection as provided by law. In addition, the total unpaid balance, including principal and interest of the assessment is declared to be immediately due and payable, and shall draw interest at the rate of fifteen percent (15%) per annum until paid. Any interest assessed for or costs of collection charged under authority of this section

0001, 0002, 0003, 0004, 0005, 0006, 0007, 0008, 0009, 0010, 0011, 0012, 0013, 0014, 0015, 0016, 0017, 0018, 0019, 0020, 0021, 0022, 0023, 0024, 0025, 0026, 0027, 0040, 0042, 0051, 0052,

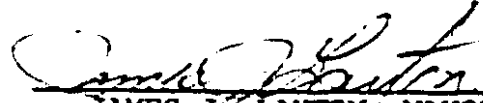
on delinquent balances of principal and interest shall be the same as are applied to delinquent real property taxes for the year in which the balance of the fee or charge became delinquent.

If before the final date that payment may be legally made under a final sale or foreclosure of property to collect delinquent assessment installments, the owner pays the amount of all unpaid installments that are past due and delinquent with interest at the rate determined above, plus all approved or required costs, the owner shall then be restored to the right to pay in installments in the same manner as if default had not occurred.

SECTION V. DIRECTION TO CITY RECORDER. The City Recorder is hereby directed to assess and collect the tax in accordance with provisions of this Ordinance as provided below.

SECTION V. EFFECTIVE DATE. The effective date of this Ordinance shall be May 17, 1993.

PASSED AND ADOPTED by the City Council of Layton, Utah, this 6th day of May, 1993.

  
\_\_\_\_\_  
JAMES J. LAYTON, MAYOR

ATTEST:

  
\_\_\_\_\_  
STEVEN M. ASHBY, CITY RECORDER



EXHIBIT "A"  
Minutes of the Meeting of the  
Oak Hills Sanitary Sewer Special Improvement District  
SID #92 - 2  
Board of Review and Equalization

Monday, March 22, 1993

The Board as appointed and directed by the City Council, (Steve Ashby, City Recorder, Terry Coburn, Public Works Director, and Bill Flanders, City Engineer), met at 4:00 p.m. in the City Council Chambers.

Harold Gailey attended the meeting. He was concerned with the difference in cost between the estimated amounts listed in the NOTICE OF INTENTION and the actual construction cost listed in his assessment notice.

The Board explained to Mr. Gailey that the construction cost was higher than estimated because of the additional fees that UDOT charged the contractor to work within the State's right-of-way. UDOT charged the Contractor \$250.00 per day to work in the right-of-way. The City had estimated \$30.00 per day.

The low bidder's costs for each construction item were compared to the City Engineer's estimated construction costs. The major difference was the unit price for excavation. This is assumed to be the difference reflecting the UDOT charges.

Mr. Gailey indicated that he understood the project increases. He also indicated that he was happy with the construction of the sanitary sewer project.

The Board adjourned at 5:00 pm.

Tuesday March 23, 1993

The Board convened at 4:00 pm. Terry Coburn was excused to attend to a medical concern.

Delbert Layton came to the board at 4:55 pm. He requested to see the itemized list of work completed on the project. He also voiced his concern about the time scheduled for completing the asphalt repairs and shoulder reconstruction at the construction site.

The Board explained to Mr. Layton that the contractor would be completing the surface restoration late spring or early summer of this year.

Steve explained to Mr. Layton that the City did not charge the usual 10 percent administration fees because of the difference in the cost estimated and the final construction costs.

The Board adjourned at 5:15 pm.

Wednesday March 24, 1993

The Board convened at 4:00 pm. Terry Coburn was excused to attend to a medical concern.

Grant Cullimore and Paul Sharp came to the board at 4:00 pm. They were concerned with the difference in cost between the estimated amounts listed in the NOTICE OF INTENTION and the actual construction costs listed in his assessment notice.

The Board explained to Mr. Sharp and Mr. Cullimore that the construction cost was higher than estimated because of the additional fees that UDOT charged the Contractor to work within the State's right-of-way. UDOT charged the Contractor \$250.00 per day to work in the right-of-way. The City had estimated \$30.00 per day.

The low bidder's costs for each construction item were compared to the City Engineer's estimated construction costs. The major difference was the unit price for excavation. This is assumed to be the difference reflecting the UDOT charges.

The Board explained that the contractor would be completing the surface restorations late spring or early summer of this year.


Steve explained that the city did not charge the usual 10 percent administration fees because of the difference in the cost estimates and the final construction costs.

The Board adjourned at 5:00 pm.

These minutes accurately reflect the meetings held by the Board of Review and Equalization.

  
 Steve Ashby, City Recorder

  
 Terry Coburn, Public Works Director

  
 Bill Flanders, City Engineer

## EXHIBIT "B"

## Assessment List

<u>TAX NUMBER</u>	<u>OWNER'S NAME</u>	<u>ADDRESS</u>	<u>FRONTAGE</u>
11-021-0014	Layne Williams Karen G. Williams	2412 East Oakhills Layton, Utah 84040	200
		ASSESSMENT	\$2,792.03
11-021-0016	Harold J. Gailey	Vacant lot on Oakhills Layton, Utah 84040 139 West 100 South Kaysville, Utah 84037	876.95
		ASSESSMENT	\$12,521.57
11-021-0025	Clyde H. Gailey Romano H. Gailey	2360 East Oakhills Layton, Utah 84040	372.12
		ASSESSMENT	\$5,194.85
11-022-0002	Judy P. Godfrey Etal	50 right of way Layton, Utah 84040 2445 East 450 North Layton, Utah 84040	50.13
		ASSESSMENT	\$699.82
11-022-0009	Herwig Glander	2450 East Oakhills Layton, Utah 84040	300
		ASSESSMENT	\$4,188.00
11-022-0011	George W. Mitchell Mina S. Mitchell	Vacant lot on Oakhills Layton, Utah 84040 277 East 100 North Clearfield, Utah 84015	584.83
		ASSESSMENT	\$8,164.32
11-022-0014	Judy P. Godfrey Trustee	290 North Angel Street Kaysville, Utah 84037	458.25
		ASSESSMENT	\$6,397.24

11-022-0015	Richard J. Smith Jana M. Smith	Vacant lot on Oakhills Layton, Utah 84040 445 West 2125 North Clearfield, Utah 84015	283.53
		ASSESSMENT	\$3,958.12
11-022-0016	Paul G. Sharp Norma Jean Sharp	2575 East Oakhills Layton, Utah 84040	106
		ASSESSMENT	\$1,479.78
11-022-0017	Jay Verle Duerden Leone W. Duerden	2587 East Oakhills Layton, Utah 84040	107.1
		ASSESSMENT	\$1,495.13
11-022-0018	Grant J. Cullimore Louise Y. Cullimore	2599 East Oakhills Layton, Utah 84040	106.95
		ASSESSMENT	\$1,493.04
11-022-0019	Sarah Elta Malan	Vacant lot on Oakhills Layton, Utah 84040 911 Manchester Road Kaysville, Utah 84037	86.73
		ASSESSMENT	\$1,210.76
11-022-0020	LaFontaine Inc.	2621 East Oakhills Layton, Utah 84040	204.31
		ASSESSMENT	\$2,852.20
11-022-0021	Lawrence S. Garn Joyce B. Garn	2751 East Oakhills Layton, Utah 840404	201.64
		ASSESSMENT	\$2,814.93
11-022-0023	Herbert E. Strand Thelma Strand	2785 East Oakhills Layton, Utah 84040	208.85
		ASSESSMENT	\$2,915.58

11-022-0024	Johann A. Ott Gail L. Ott	2805 East Oakhills Layton, Utah 84040	105.74
		ASSESSMENT	\$1,476.15
11-022-0025	Darwin G. Perry Diane W. Perry	2825 East Oakhills Layton, Utah 84040 5814 South Havana Court Englewood, CO 80111	106.59
		ASSESSMENT	\$1,488.01
11-022-0026	Gary M. Egbert Carol W. Egbert	2857 East Oakhills Layton, Utah 84040	263.69
		ASSESSMENT	\$3,681.16
11-022-0039	Steven Lynn Mitchell, Trustee	Vacant lot on Oakhills Layton, Utah 84040 853 South 600 East Centerville, Utah 84014	400.00
		ASSESSMENT	\$5,584.06
11-022-0040	Delbert R. Layton Mary L. Layton	2702 East Oakhills Layton, Utah 84040	110.00
		ASSESSMENT	\$1,535.62
11-022-0048	Lloyd D. Thompson Rolene M. Thompson	2678 East Oakhills Layton, Utah 84040	100.00
		ASSESSMENT	\$1,396.02
11-022-0051	Robert W. Mitchell, Etal Donna R. Mithcell	Vacant lot on Oakhills Layton, Utah 84040 480 East 200 North Kaysville, Utah 84037	355.92
		ASSESSMENT	\$4,968.70
11-022-0052	Lane K. Nalder Olive W. Nalder	2656 East Oakhills Layton, Utah 84040	100.00
		ASSESSMENT	\$1,396.02

EXHIBIT "C"  
LEGAL DESCRIPTIONS OF PROPERTIES  
WITH THE SPECIAL IMPROVEMENT DISTRICT

(39)11:021:0014  
WILLIAM, LAYNE & KAREN G.

LEGAL DESCRIPTION:

BEG ON LN A ST HY AT APT N 0°03' E 1742.66 FT ALG 1/4 SEC LN FR S1/4 COR OF SEC 23; T4N-R1W; SLM: RUN TH S 75°61'W 200 FT ALG S LN OF SD HY; TH S 0°03" W 199.75 FT; TH S 89°57' E 193.38 FT TD E LN OF SW1/4 OF SD SEC; TH N 0°03' E 250.78 FT TO, POB. CONT. 1.0 ACRES

(39)11:021:0016  
GAILEY, HAROLD J.

LEGAL DESCRIPTION

BEG AT THE NE COR OF THE SW 1/4 OF SEC 23-T4N-R1W, SLM; & RUN TH W ALG THE N LN OF THE 1/4 SEC 578.82 FT; TH S 69°50' W 273.9 FT; TH S 78°15' W 120.7 FT TO AN O LD FENCE LN; TH S 25°09'28" E 238.54 FT ALG SD FENCE LN; TH S 0°26'50" W 662.66 FT TO TE N"LY LN OF A ROAD; TH N 75°46'15" E 492.00 FT ALG SD ROAD; TH N 75°32'36" E 384.95 FT ALG SD ROAD TO THE E LN OF THE 1/4 SEC; TH N 0°26'50" E 788.89 F T ALG THE 1/4 SEC LN TO THE POB CONT. 17.45 ACRES

(39)11:021:0025  
GAILEY, RAMONA H & CLYDE H

LEGAL DESCRIPTION

BEG AT A PT 9.19 CHS E FR SW COR OF SEC 23-T4N-R1W, SLM: TH W 10;44 CHS; TH S 0°22' E 0.25 OF A CH; TH E 15.51 CHS; TH N 11°05' E 5.43 CHS; TH N 53°32' E 3.77 CHS; TH N 71°42' E 22.80 CHS TO E LN OF SW 1/4 OF SD SEC 23; TH N 529.49 FT M/L TO S' LY PF PPTY CONV IN 592-155; THEN N 89°57' W 193.38 FT ALG SD S LN; TH N 0°03' E 199.75 FT TO S LN OF ST HWY; TH S 75°16' W 152.17 FT; TH S 74°02'17" W 700.16 FT; TH S 75°16' W 1040.53 FT; TH S'LY ALG W LN OF GRANTORS LAND TO POB. LESS TO SUMMER HAZE #1 & 2,3,4,& 5. LESS TO 1277-18 LESS TO 1328-545. CONT. 10.16 ACRES (WENT TO 11-021-0026 & 11-039-0101

(39)11:022:0002  
GODFREY, JUDY P-ETAL

LEGAL DESCRIPTION:

BEG AT A PT 2167.16 FT W & 340.95 FT S FR E1/4 CORNER SEC 23; T4N-R1W; SLM: TH W 50 FT; TH S 315.49 FT M/L, TO N'LY LINE OF A ROAD; TH N 80°58'37"E 50.13 FT. M/L, ALONG SAID N LINE OF ROAD TO A PT S OF BEG; TH N 307.55 FT M/L TO THE POB. CONT. 0.374 ACRES.



(40)11:022:0009  
GLANDER, HERWIG

## LEGAL DESCRIPTION:

BEG AT PT S 89°46' E 89.5 FT & N 0°26'; W 230.71 FT & S 82°37' W 1850 FT & S 89°42' W 676.8 FT & N 14°55' E 398.6 FT & N 24°25' W 114.84 FT & S 62°47' W 318.21 FT & N 0°03' E 1397.26 FT TO S LN OF A RD FR SE COR SEC 23; T4N-R1W; SLM: TH N 78°07'47" E ALG SD RD WAY 300 FT; TH S 0°03' W 400 FT; TH S 54°12'58" W 362.06 FT; TH N 0°03' E 550 FT TO POB CONT. 3.20 ACRES

(40)11:022:0011  
MITCHELL, GEORGE W & MINA S

## LEGAL DESCRIPTION:

BEG 1742.66 FT N 0°03' E TO S LN OF HWY & N 75°16' E 47.83 FT ALG SD LN & N 78°07'47" E 252.17 FT ALG SD S LN FR S 1/4 COR SEC 23, T4N-R1W; SLM: TH N 78°07'47" E 148.33 FT ALG SD S LN; TH N 69°33' E 301.50 FT ALG SD S LN OF HWY TH N 75°16' E 135 FT ALG SD HWY: TH S 0°03' W 259.23 FT TO PT 1070 FT S 0°03' W & 863.27 FT N 80°20' E FR THE NW COR OF SE1/4 SD SEC 23; TH S 80°20' W 111.34 FT; TH S 0°03' W 150 FT MOL TO THE CEN LN OF A CREEK; TH S 70°00'21" W 425.09 FT ALG SD CEN LN; TH N 0°03' E 400 FT MOL TO THE POB. CONT 4.397 ACRES

(39)11:022:0014  
GODFREY, JUDY P-TRUSTEE

## LEGAL DESCRIPTION:

BEG AT A PT W ALONG THE 1/4 SEC LN 2217.16 FT & S 340.95 FT FROM THE E1/4 COR OF SEC 23, T4N-R1W; SLM: RUN TH W 437.31 FT; TH S 0°09' W 447.53 FT TO THE N' LY LN E OF A ROAD; TH N 75°16' E 15.42 FT; TH N 72°24'13" E 400.5 FT ALONG SAID ROAD; TH N 80°58'37" E 42.33 FT ALONG SAID ROAD; TH N 315.49 FT TO POB. CONT. 3.82 ACRES

(39)11:022:0015  
SMITH, RICHARD J & JANA M

## LEGAL DESCRIPTION:

BEG AT PT W 1888.68 FT ALG N LN OF SE1/4 SEC 23 FR E1/4 COR SEC 23; T4N-R1W SLM; TH W 278.48 FT ALG SD 1/4 SEC LN TH S 648.50 FT TO N' LY LN OF A RD; TH N 80°58'37" E 208.54 FT ALG SD RD; TH N 75°16' E 74.99 FT ALG SD RD ; TH N 597.13 FT OF POB. CONT. 3.95 ACRES

(39) 11:022:0016  
SHARP, PAUL G & NORMA JEAN

## LEGAL DESCRIPTION:

BEG W ALG 1/4 SEC LN 1788.68 FT FR W1/4 COR SEC 23; T4N-R1W; SLM: TH W 100 FT ALG SD 1/4 SC LN; TH S 597.13 FT TO N' LY LN OF RD; TH N 75°16' E 106 FT ALG SD RD: TH N 0°15' W 570.18 FT TO POB CONT. 1.34 ACRES

(39)11:022:0017

DUERDEN, JAY VERLE &amp; LEONE W

## LEGAL DESCRIPTION:

BEG W ALG 1/4 SEC LN 1682.58 FT FR E1/4 COR SEC 23; T4N-R1W; SLM: TH W 106.1 FT ALG SD 1/4 SEC LN; TH S 0°15'E 570.18 FT TO N' LY LN OF RD; TH N 75°16'E 107.1 FT ALG SD RD; TH N 542.72 FT TO POB. CONT. 1.355 ACRES

(39)11:2022:0018

CULLIMORE, GRANT J &amp; LOUISE Y

## LEGAL DESCRIPTION:

BEG 1579.58 FT W ALG 1/4 SEC LN FR E1/4 COR SEC 23; T4N-R1W; SLM: TH W 103 FT TH S 542.72 FT MOL, TO N'LY LN OF RD; TH N 75°16'E 106.95 FT ALG SD N' LY LN TH N 515.63 FT TO POB. CONT. 1.31 ACRES

(39)11:022:0019

MALAN, SARAH ELTA

## LEGAL DESCRIPTION:

BEG W 1495.54 FT ALG N LN OF SE1/4 OF SEC 23; T4N-R1W; SLM: FR THE E1/4 COR OF SD SEC; RUN TH W 84.04 FT; TH S 515.63 FT TO N'LY OF A RD; TH N 75°16' E 25.54 FT ALG SD RD; TH 61.19 FT ALG THE ARC OF CUR TO RIGHT WITH AR AD OF 2914.79 FT ALG THE N'LY LN OF SD RD; TH N 494.41 FT TO POB. CONT. 1.00 ACRES

(39)11:022:0020

LA FONTAINE INC

## LEGAL DESCRIPTION:

BEG 1295.43 FT W OF NE COR OF SE1/4 SEC 23, T4N-R1W; SLM: TH W 200.11 FT; TH S 494.41 FT TO N LN OF HWY; TH E'LY 204.31 FT ALG ARC OF A 2914.79 FT RAD CURVE TO RIGHT ALONG SD HWY TO PT DUE S OF BEG; TH N 453.58 FT TO BEG. CONT. 2.25 ACRES

(39)11:022:0021

GARN, LAWRENCE S &amp; JOYCE B

## LEGAL DESCRIPTION:

BEG 1082.46 FT W FR NE COR OF SE1/4 SEC 23 T4N-R1W; SLM: TH W 212.97 FT S 10 FT E 200 FT S 110 DT W 187.03 FT, S 331.44 FT MOL TO N;LY LN OF A RD; TH E'LY ALG ARC OF A 2914.99 FT RAD CURVE TO RIGHT 201.64 FT MOL, TO PT DUE S OF BEG: TH N 425.94 FT TO BEG CONT. 1.52 ACRES

(39)11:022:0023

STRAND, HERBERT E &amp; THELMA

## LEGAL DESCRIPTION:

BEG W 873.99 FT ALG SEC LN FR E1/4 COR SEC 23, T4N-R1W SLM; W 208.47 FT; S 425.94 FT TO N LN OF HWY TH E'LY 172.11 FT ALG ARC OF 2914.79 FT RAD CURVE TO RIGHT ALG SD HWY; TH N 88°06'E 36.74 FT TO PT DUE S OF BEG; TH N 413.94 FT TO BEG. CONT. 2.031 ACRES

(39)11:022:0024

OTT, JOHANN A. &amp; GAIL L.

## LEGAL DESCRIPTION:

BEG 768.31 FT. W OF NE COR OF SE1/4 SEC 23, T4N-R1W; SLM: TH W 105.68 FT; S 413.94 FT TO N LN OF A HWY, N 88°06' E 105.74 FT ALG SD HWY; TH N 410.43 FT TO BEG. CONT. 1.00 ACRES

(39)11:022:0024

PERRY, DARWIN G &amp; DIANE W

## LEGAL DESCRIPTION:

BEG 661.72 FT. W OF NE COR OF SE1/4 SEC 23, T4N-R1W; SLM: TH W 106.59 FT; S 410.43 FT TO N LN OF A HWY, N 88°06' E 106.59 FT ALG SD HWY; TH N 406.89 FT TO BEG. CONT. 1.00 ACRES

(39)11:022:0026

EGBERT, GARY M &amp; CAROL W

## LEGAL DESCRIPTION:

BEG 475.50 FT W OF NE COR OF SE1/4 SEC 23, T4N-R1W; SLM: TH W 186.22 FT; S 406.89 FT TO N LNM OF HWY; N 88°06'E 89.07 FT ALG SD HWY; N 1°54' W 25.0 FT N 88°06' E 174.62 FT ALG SD HWY TO PT S 11°35'E OF BEG; TH N 11°35' E OF BEG; TH N 11° 35' W 380.92 FT TO BEG. CONT. 2.164 ACRES

(40)11:022:0039

MITCHELL, STEVEN LYNN, TRUSTEE

## LEGAL DESCRIPTION:

BEG AT APT 1070.0 FT S 0°03' W & N 80°20' E 1587.09 FT FR NW COR OF SE1/4 SEC 23 T4N-R1W; SLM: TH N 80°20' E 395.61 FT; TH N 11°35' W 228.88 FT TO S'LY LN OF A HWY: TH S 88°06' W 149.18 FT ALG SD HWY: TH W' LY 250.82 FT ALG ARC OF A 2814.79 FT RAD CURVE TO LEFT ALG SD CURVE OF SD HWY TO PY N 11°35' W OF BEG; TH S 11°35' E 277.43 FT TO POB. CONT. 2.31 ACRES. SUBJ TO 20 FT R/W ALG S'LY LN SD PPTY.

(40)11:022:0040)

LAYTON, DELBERT R &amp; MARY L

## LEGAL DESCRIPTION:

BEG AT APT 1070 FT S 0°03'W & 1477.09 FT N 80°20'E FR NW COR OF SE1/4 SEC 23 T4N-R1W; SLM: TH N 80°20'E 110 FT; THE N 11°35'W 277.43 FT TO S'LY LN OF HWY; TH W'LY 110 FT, M OR L, ALG OF A 2814.79 FT RAD CUR TO LEFT ALG S'LY LN SD HWY TO APT N 11°35'W OF POB; TH S 11°35'E 277.5 FT, M OR L, TO POB CONT. .70 ACRES

(40)11:022:0048

THOMPSON, LLOYD D &amp; ROLENE M

## LEGAL DESCRIPTION:

BEG AT A PT 1070.0 FT S 0°03'W & 1377.09 FT N 80°20'E FR THE NW COR OF THE SE1/4 OF SEC 23, T4N-R1W; & RUN TH N 80°20'E 100 FT; TH N 11°35' W 277.5 FT MOL TO THE S;LY LN OF A HWY; TH W'LY 100 FT MOL ALG THE ARC OF A 2814.79 FT RAD CUR TO THE LEFT ALG THE S'LY LN OF SD HWY TO A PT N 11°35'W OF THE POB: TH S 11°35' E 277.5 FT MOL TO THE POB. CONT. 0.64 ACRES

(40)11:022:0051

MITCHELL, ROBERT W &amp; DONNA R, ETAL

## LEGAL DESCRIPTION:

BEG AT A PT 1070 FT S 0°03' W & 863.27 FT N 80°20' E OF THE NW COR OF SE1/4 SEC 23-T4N-R1W, SLM; TH N 0°03' E 259.23 FT TO S LN OF A HWY; TH N 75°16' E 285.13 FT ALG SD HWY; TH E'LY 70.79 FT M/L TO NW COR PPTY CONV IN 1161-726; TH S 11°35'E 275.00 FT ALG SD W LN TO A PT N 80°20' E OF BEG; TH S 80°20' W 413.82 FT M/L TO POB. CONT.2.852 ACRES.

(40)11:022:0052

NALDER, LANE K &amp; OLIVE W

## LEGAL DESCRIPTION:

BEG AT A PT 1070.00 FT S 0°03' W & 1277.09 FT N 80°20' E FR THE NW COR OF THE SE1/4 SEC 23-T4N-R1W, SLM; & RUN TH N 80°20' E 100.00 FT; TH N 11°35' W 277.5 FT M/L TO THE S'LY LN OF A HWY; TH W'LY 100 FT M/L ALG THE ARC OF A 2814.79 FT RAD CURVE TO THE LEFT ALG THE S'LY LN OF SD HWY TO A PT N 11°35' W OF THE POB; TH S 11°35' E 275.0 FT M/L TO THE POB. CONT. 0.64 ACRES. TOGETHER WITH AN ESMT & R/W

(39)11:021:0028

WILLIAMS, KAREN G AND ADAMS, DENIECE G-TRUSTEES

## LEGAL DESCRIPTION:

BEG AT A PT ON THE 1/4 SEC LN WH IS N 0°03' E 1491.92 FT FR THE S 1/4 COR OF SEC 23-T4N-R1W, SLM & RUN TH N 89°57' W 193.38 FT; TH N 0°03' E 199.75 FT, M/L, TO THE S LN OF OAKHILLS DRIVE, TH S 74°02'17" W ALG SD S LN 360 FT, M/L: TO THE NE COR OF SUMMERHAZE UNIT 4; TH ALG THE E LN & E LN EXTENDED OF SD SUBD A 14°44' E 779.25 FT, M/L TO THE N'LY LN OF SUMMERHAZE UNIT 1; TH N 71°42' E ALG SD N'LY LN 199.88 FT, M/L TO AN ANGLE COR ON THE N LN OF LOT 4 OF SUMMERHAZE UNIT 1; THN 53°50' E TO A PT ON THE SEC LN S 0°03' W OF THE POB; TH N 0°03' E TO THE POB. CONT. 8.55 ACRES

(39)11:021:0025 00824 1082 P

GAILEY, RAMONA H &amp; CLYDE H

## LEGAL DESCRIPTION:

BEG AT A PT 9.19 CHS E FR SW COR OF SEC 23-T4N-R1W, SLM: TH W 10.44 CHS; TH S 0°22' E 0.25 OF A CH; TH E 15.51 CHS; TH N 11°05' E 5.43 CHS; TH N 53°32' E 3.77 CHS; TH N 71°42' E 22.80 CHS TO E LN OF SW 1/4 OF SD SEC 23; TH N 529.49 FT M/L TO S'LY LN OF PPTY CONV IN 592-155; TH N 89°57' W 193.38 FT ALG SD S LN; TH N 0°03' E 199.75 FT TO S LN OF ST HWY; TH S 75°16' W 152.17 FT; TH S 74°02'17" W 700.16 FT; TH S 75°16' W 1040.53 FT; TH S'LY ALG W LN OF GRANTORS LAND TO POB. LESS TO SUMMER HAZE #1 & #2,3,4,& 5. LESS TO 1277-181 LESS TO 1328-545. CONT. 10.16 ACRES