

12536862  
05/17/2017 01:48 PM \$16.00  
Book - 10558 Ps - 3515-3518  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
TERRACES OF HOLLADAY LLC  
1111 E DRAPER PKWY STE 390  
DRAPER UT 84020  
BY: DKP, DEPUTY - MI 4 P.  
Utah Holding Certificate No.

### SCRIVENER'S AFFIDAVIT

I, Michael Russell, being a duly licensed Professional Engineer in the State of Utah, Holding Certificate No. 8681810, do hereby swear:

That our office prepared a legal description that was incorporated as Exhibit A in a LICENSE AND ENCROACHMENT AGREEMENT recorded April 11, 2017 as Entry #12512925 in Book 10546 Page 4955 in the Office of the Salt Lake County Recorder's Office. Said Exhibit contains the following erroneous description:

*Beginning at the Northwest Corner of Lot 2, PHYLDEN SUBDIVISION, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder, located N0°46'52"E along the 1/4 Section line 757.45 feet and East 217.80 feet from the South 1/4 Corner of Section 3, Township 2 South, Range 1 East, Salt Lake Base & Meridian; thence along said Subdivision the following 5 (five) courses and distances: N64°15'30"E 30.94 feet; thence along the arc of a 1,000.00 foot radius non-tangent curve (radius bears: S24°44'48"E) to the right 34.03 feet through a central angle of 1°56'59" (chord: N66°13'42"E 34.03 feet); thence N67°10'10"E 10.99 feet; thence N66°48'34"E 75.00 feet; thence S23°11'26"E 130.06 feet; thence N66°14'42"E 69.90 feet; thence S25°00'18"E 259.10 feet to the northerly right-of-way line of Murray Holladay Road; thence S65°58'42"W along said right-of-way 148.14 feet; thence N24°50'18"W 259.77 feet to the southerly line of said Lot 2; thence S66°15'36"W along said Lot 68.91 feet; thence N25°11'09"W along said Lot 129.91 feet to the point of beginning.*

Contains: 1.33+/- acres

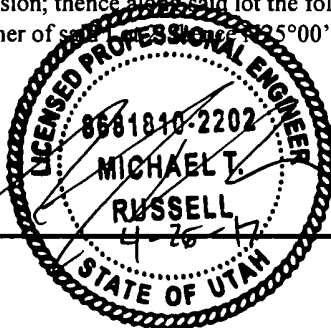
The correct Boundary Description for said Exhibit is as follows:

### BOUNDARY DESCRIPTION

Beginning at the Northwest Corner of Lot 2, PHYLDEN Subdivision, according to the Official Plat thereof on file in the Office of the Salt Lake County Recorder, located N0°52'00"E along the monument line 389.48 feet and East 223.78 feet from a found monument at the intersection of Holladay Boulevard and 2300 East, said monument is also located N0°32'32"E along the ¼ Section line 371.03 feet and West 8.40 feet from the South ¼ Corner of Section 3, Township 2 South, Range 1 East, S.L.B.& M.; thence along said Lot 2 and Lot 3 the following 5 (five) courses and distances: N65°00'00"E 29.93 feet; thence along the arc of a 975.00 foot radius curve to the right 34.03 feet through a central angle of 2°00'00" (chord: N66°00'00"E 34.03 feet); thence N67°00'00"E 87.00 feet to the northeast corner of said Lot 3; thence S23°00'00"E 130.06 feet; thence N66°27'00"E 69.80 feet to the northeast corner of that Real Property described in Deed Book 10510 Page 6744 of the Official Records of Salt Lake County; thence S25°20'00"E 258.58 feet; thence S65°43'30"W 148.15 feet parallel with, and 33.00 feet northwesterly of the centerline of Murray Holladay Road to the west line of said deed; thence N25°10'00"W along said deed 260.43 feet to the south line of said Lot 2, PHYLDEN Subdivision; thence along said lot the following 2 (two) courses and distances: S66°27'00"W 68.77 feet to the southwest corner of said Lot 2; thence S25°00'00"W 129.91 feet to the point of beginning.

Contains: 1.33+/- acres

Further sayeth Affiant naught.



Michael Russell, PE  
Civil Solutions Group, Inc.  
254 South 600 East, Suite 104  
Salt Lake City, Utah 84102

4/26/17  
Date

STATE OF UTAH

}S.S.

COUNTY OF SALT LAKE

On the 26<sup>th</sup> day of April A.D., 2017, personally appeared before me \_\_\_\_\_, who being by me duly sworn did say that he is a Professional Engineer in the State of Utah and that he did sign the forgoing instrument.

04-25-2020  
My Commission Expires:

Angela M Hummer  
Notary Public



**Jonathan Teerlink**

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**From:** Mike Russell <[mRussell@civilsolutionsgroup.net](mailto:mRussell@civilsolutionsgroup.net)>  
**Sent:** Tuesday, April 25, 2017 1:02 PM  
**To:** Jonathan Teerlink  
**Cc:** Chris Ensign  
**Subject:** Fwd: Scrivener's Affidavit - update to The Terraces at Holladay encroachment agreement

Jon, see Tony Tafoya's approval in his e-mail, below. Will this affidavit work for you?

Mike

----- Forwarded message -----

**From:** Tony Tafoya <[TTafoya@slco.org](mailto:TTafoya@slco.org)>  
**Date:** Tue, Apr 25, 2017 at 1:00 PM  
**Subject:** RE: Scrivener's Affidavit - update to The Terraces at Holladay encroachment agreement  
**To:** Mike Russell <[mRussell@civilsolutionsgroup.net](mailto:mRussell@civilsolutionsgroup.net)>

This will work for me.

**From:** Mike Russell [<mailto:mRussell@civilsolutionsgroup.net>]  
**Sent:** Tuesday, April 25, 2017 12:54 PM  
**To:** Tony Tafoya <[TTafoya@slco.org](mailto:TTafoya@slco.org)>; Jonathan Teerlink <[jteerlink@cityofholladay.com](mailto:jteerlink@cityofholladay.com)>  
**Cc:** Chris Ensign <[chris@solsticedev.com](mailto:chris@solsticedev.com)>; Dennis Carlisle <[dcarlisle@civilsolutionsgroup.net](mailto:dcarlisle@civilsolutionsgroup.net)>  
**Subject:** Scrivener's Affidavit - update to The Terraces at Holladay encroachment agreement

Tony and Jon,

Our PLS, Dennis Carlisle, and I have been working on a Scrivener's Affidavit to update the Encroachment Agreement previously recorded on April 11th for the Terraces at Holladay Condominiums.

I've attached said affidavit. We believe that this is sufficient for updating the encroachment area. Please let us know if you have any comments. If you don't have any comments, I'll plan on swinging by the County Recorder's office, signing and stamping the affidavit, and getting it recorded.

Thanks for your assistance with this. Let us know if you have any questions or concerns,

Mike

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**Mike Russell**, PE, MBA - Engineering Manager

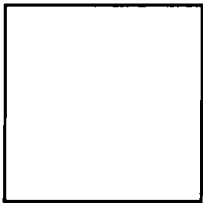
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**Mike Russell**, PE, MBA - Engineering Manager

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