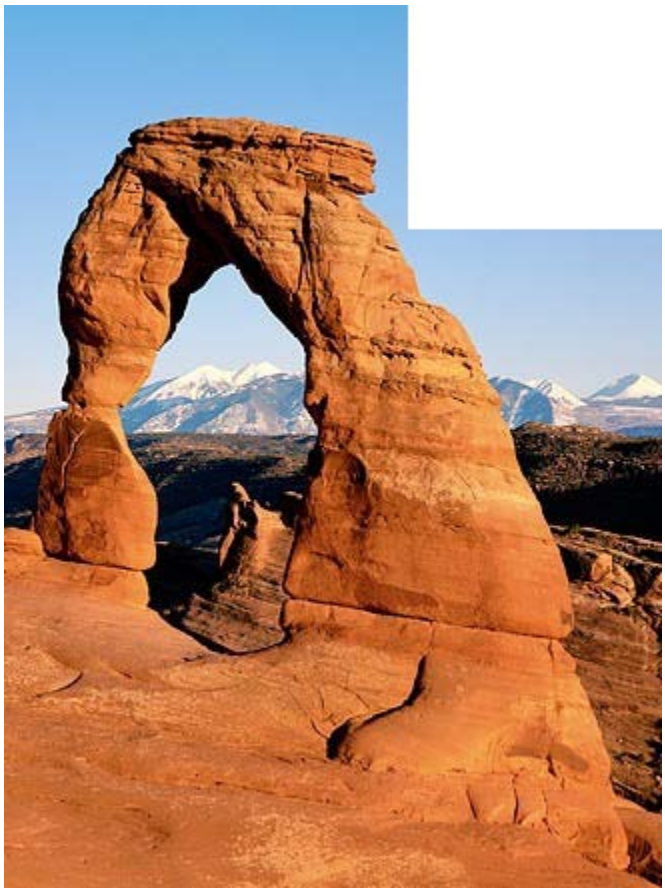
Study Manual
For

Cadastral Mapping Technology

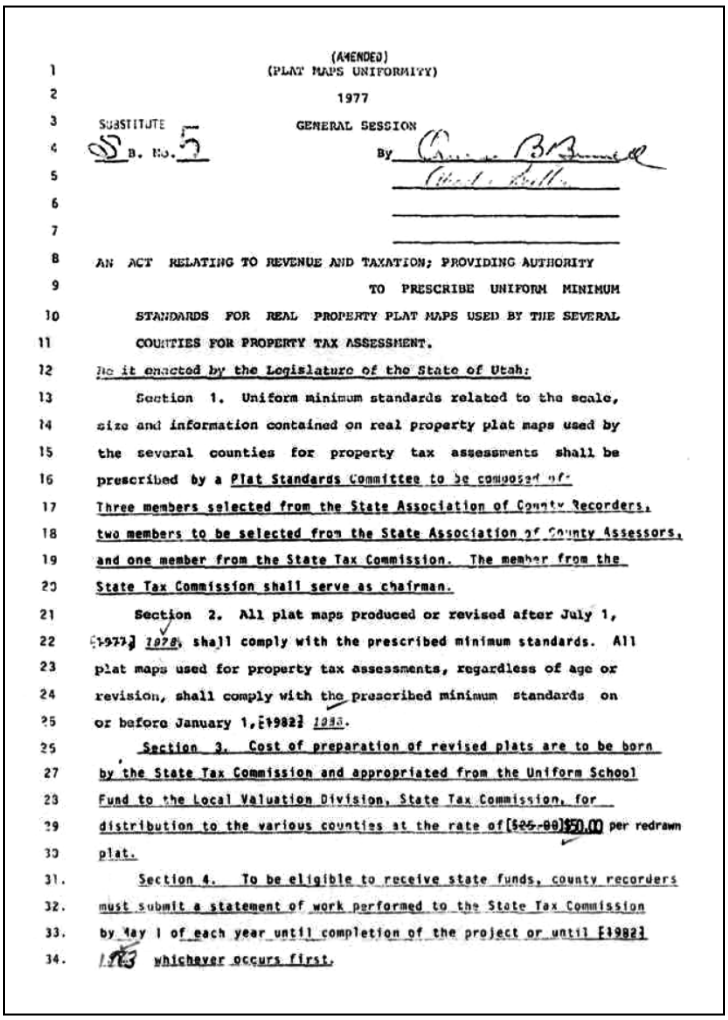


State of Utah 2015 Edition
Utah Association of County Recorders

PREFACE

In the Early 70's counties in Utah were using a wide variety of mapping techniques. Some counties attempted to map as exactly as they could, while other counties maps were drawn out of scale and were only valuable as rough references. Each county was doing the best it could with the monies available for equipment and mapping personnel. The State Tax Commission realized the difficulty of assessing taxes using the counties' ownership maps that existed then state wide. They took the matter to the legislature to obtain funding for a state wide project to redraw ownership maps.

In 1977, Senate Bill 5 was introduced as the Plat Maps Uniformity bill. After the Bill passed and was signed by the Governor; a plat standards committee was formed and mapping standards were established by the committee. To help fulfill the mandate of the legislature, $250, 000 per year was appropriated to fund the map redraw project statewide. An amount of $50.00 was paid to the counties for each map redrawn to the newly established standards. Most counties took advantage of the funding and either completed or nearly completed the redrawing of their maps over the period that the project was funded. This project greatly improved the quality of maps in the state.



(AMENDED)
(PLAT MAPS UNIFORMITY)

1977

GENERAL SESSION

SUBSTITUTE S.B. NO. 5

By

AN ACT RELATING TO REVENUE AND TAXATION; PROVIDING AUTHORITY TO PRESCRIBE UNIFORM MINIMUM STANDARDS FOR REAL PROPERTY PLAT MAPS USED BY THE SEVERAL COUNTIES FOR PROPERTY TAX ASSESSMENT.

Be it enacted by the Legislature of the State of Utah:

Section 1. Uniform minimum standards related to the scale, size and information contained on real property plat maps used by the several counties for property tax assessments shall be prescribed by a Plat Standards Committee to be composed of: Three members selected from the State Association of County Recorders, two members to be selected from the State Association of County Assessors, and one member from the State Tax Commission. The member from the State Tax Commission shall serve as chairman.

Section 2. All plat maps produced or revised after July 1, [1977] 1978, shall comply with the prescribed minimum standards. All plat maps used for property tax assessments, regardless of age or revision, shall comply with the prescribed minimum standards on or before January 1, [1982] 1988.

Section 3. Cost of preparation of revised plats are to be born by the State Tax Commission and appropriated from the Uniform School Fund to the Local Valuation Division, State Tax Commission, for distribution to the various counties at the rate of [$25.00] $50.00 per redrawn plat.

Section 4. To be eligible to receive state funds, county recorders must submit a statement of work performed to the State Tax Commission by May 1 of each year until completion of the project or until [1982] 1983 whichever occurs first.

Many improvements were realized in the redrawn maps:

1. Maps were constructed on a durable, reproducible medium - mainly mylar (but some on linen).
2. Permanent features were lettered mechanically and in ink (ie., map headings, subdivisions, street names, monuments, lakes, rivers, railroads, etc ...).
3. With better drafting equipment, computers and calculators more accurate maps were made.
4. Standard symbols, line weights and scale were employed to produce maps that were more readable and easier to interpret.

It should be mentioned that the plat standards committee established some standards which were taken directly from the IMO (International Association of Assessing Officers) standards book. Many of those standards, which were created to accommodate the eastern states, do not have application to mapping in Utah, as for example, the use of aerial photos to determine property lines rather than deed records. Also some lines and symbols were required which would produce a topographic map and make it difficult to determine ownership boundary lines.

Fortunately most counties ignored these problem requirements and produced maps that are clear and concise.

In 1984 State funding for the map redraw program ceased. Many counties had completed their redrawn maps and many others counties, seeing the value of the redrawn maps, continued the redraw projects at their own county's expense.

In 1995, in an attempt to do away with inactive standing committees, the State Legislature repealed, along with others, the statute which created the state plat standards committee. Without a current committee, there is no mechanism to "fix" problems that exist with the original plat standards. There is no State funding as an incentive to meet the old state plat standards. Generally, Recorders in Utah are currently applying reasonable and workable mapping standards to their constructions of maps.

Currently, a number of counties are using computers to assist them in constructing their ownership maps. At least four different computer mapping programs have been used. They all use coordinate geometry and the programs range from basic line and label mapping (CAD.) to sophisticated G.I.S. (Geographic Information Systems). The most frequently used computer mapping program is ArcGIS from ESRI, but there are others being used such as AutoCAD, Deed Plotter, Sidwell and possibly others. Those who pass the basic course outlined in this manual will receive a Cadastral Mapping Certificate designating them as a Certified Cadastral Mapper. Those who pass the basic course and also have demonstrated the additional computer mapping skills will have the title "Computer Mapping Specialist" added to their "Certified Cadastral Mapper' certificate.

We have added a section to discuss GIS and cadastral mapping using ArcGIS. For those Recorders who are using different computer software, the principals for computer based cadastral mapping should be similar but you may need to develop a manual on the specific computer mapping system.

The section of this manual on real estate law has been updated to reflect current laws. The section on title searching, history of drafting, and surveying will remain the same as in past editions. The section on mapping has been updated and enlarged to include hand drafting principals in order to better understand the computer drafting.

The section on mathematics has been, by far, the most difficult discipline for most people to grasp. Because of the large switch to computer drafting using software, this section has been split into two separate math sections. The first section titled Basic Mathematics will cover simple math covering topics such as unit conversions, distance calculations, and area calculations. It is a gradual approach and incorporates step by step solutions to the math problems. The Advanced Mathematics section was moved to the appendix because the computer based mapping that has become more prevalent does most of the complex calculations for the mapper. The advanced section contains many complex yet important formulas and procedures that are necessary to understand when drafting only by hand. Therefore the advanced section remains as part of this manual but only as a reference .

We hope this new addition of the Study Manual for Cadastral Mapping Technology will be informative.

INTRODUCTION

Most people working in a technical discipline have the support of a professional organization. That organization lends support to the individual by assisting in some or all of the following:

1. Provide training.
2. Establish standards for performance and certification.
3. Introduce new technologies through continuing education and periodic publications.
4. Provide assistance to help find employment.

On June 26, 1981 the Utah Association of Country Recorders met in Park City and determined that in order to meet the professional needs of Cadastral Mappers in their offices, the Recorders needed to create a professional training program. This was the first step in creating a professional organization. Over the years since then many people have worked to help produce and revise this manual, the examination and training associated with it.

Committee Report

This committee was established by the Utah Association of County Recorders at the State Association of County Officials Convention at Park City on June 26, 1981 . In June 1987 the committee met again to initiate needed changes. The 1989 revised edition resulted from that meeting.

Committee Name

Cadastral Mapping Certification Committee of the Utah Association of County Recorders

Function

The function of the Cadastral Mapping Certification Committee is to do the following:

1. Prepare the requirements for a certification program in Cadastral Mapping Technology.
2. Prepare a study manual for Cadastral Mapping Technology.
3. Organize and conduct training seminars for certification.
4. Administer the examination.
5. Plan workshops to introduce new technologies and advanced training.

The following persons have worked on committees which have been instrumental in getting the manual where it is now: (Some individuals have worked on more than one version of the manual but they are only mentioned once.)

1982 - Original publication of the manual
Jon Freston - Weber County Recorder
Dan Edwards - Private Consultant
Michael Gleed - Cache County Recorder
Glen Acomb - Chief Deputy Salt Lake County Recorder
Nina Reid - Utah County Recorder
Carol Dean Page - Davis County Recorder
Herb Bentley - Washington County Recorder
Berry Lund - Mapping Supervisor Salt Lake County

1989 Revision
Doug Crofts - Weber County Recorder
Joe Dean Huber - Wasatch County Recorder

1997 Revision
Dixie Swasey - Emery County Recorder
Russell Shirts - Washington County Recorder
Randy Simmons - Uintah County Recorder
Les Barker - Garfield County Recorder
Jim Ashauer - Davis County Recorder
Randall Covington - Utah County Recorder
Rodney Campbell - Assistant Utah County Recorder
Dixie Matheson - Iron County Recorder

2006 Revision

2015 Revision
Chad Montgomery – Box Elder County Recorder
Connie Hansen – Millard County Recorder
Brenda Nelson – Morgan County Recorder
MaryAnn Trussell – Summit County Recorder
Shelley Brennan – Duchesne County Recorder
David Carpenter – San Juan County Recorder

Certification Requirements for Cadastral Mapping Technology

1. This certification will be limited to members and associate members of the Utah Association of County Recorders.
2. One year of experience working directly within any Utah State Recorder's Office in the Cadastral Mapping Department. This experience must be certified by the County Recorder, you are currently employed with. This includes both Part 1 and Part 2 of the Course.
3. Submit to the Cadastral Mapping Committee a copy of an ownership map to the specifications of the County standards with sufficient detail to display acceptable drafting skills and mapping procedures. This map must be certified by the County Recorder you are employed under as to its authorship.
4. Pass a 2 Part examination with a test score of 70% or higher on each part. This examination covers the following:

Part 1 - Land Records

Ch 1: Real Estate Law
Ch 2: Title Searching

Part 2 – Mapping Technology

Ch 3: Drafting
Ch 4: Surveying
Ch 5: Math
Ch 6: Mapping
Ch 7: GIS

The examination may be given and supervised by any County Recorder in the State of Utah, and forwarded to the Cadastral Mapping committee for correction, review and scoring.

Any individual failing either part of the examination will not be eligible to take the examination again for a period of 6 months. At that time the individual will be only required to pass that part of the examination that was failed. If after the 2nd try to take the examination, the individual does not pass, that individual will be required to retake the class.

After successful completion of an examination, the individual will be issued a certificate of completion in Cadastral Mapping Technology by the Association of County Recorders.

After meeting all the above requirements 1 – 4 individuals will be issued certificates with the designation of "Certified Cadastral Mapper" by the Utah Association of County Recorders.

In the counties which use a computer to accomplish their mapping, the mapper may also complete the computer mapping test prepared and administered by his/her County Recorder. This qualifies him/her to receive the additional distinction of a "Computer Mapping Specialist".

If you have not been employed for the 1 year requirement, working within the Cadastral Mapping Department and Pass the 2 Part Examination with a Test Score of 70% or higher on each part you will be given a Certificate of Completion for taking the class as well as passing the test. Once you meet all the requirements to become Certified Cadastral Mapper the County Recorder, with whom you are employed, will send in the certification, to the Cadastral Mapping Committee, letting them know that all of the requirements have been met. At that time the individual will be issued the appropriate certificate and designation.

Examination Rules

- Each part of the examination must be completed within a 4 hour period (8 total).
- You may use a magnifying device to assist in the inspection of test & records.
- You may **NOT** refer to the study manual while taking the examination.
- You may **NOT** refer to the Utah Code while taking the examination.
- You may **NOT** obtain help from others while taking the examination.
- You may **NOT** use your phone during the test.
- You may **NOT** use programmable calculators while taking ether examination. You may use calculators that add, subtract, multiply, and divide, calculate square roots and trigonometry functions, perform conversions to decimals degrees from degrees, minutes and seconds and back.
- After taking the exam you may **NOT** share the questions with someone taking the class who has not yet taken the test.
- You must obtain a total test score of 70% or higher on each part to pass the examination.

Agreement to the Exam Rules

By taking the ether part of the Cadastral Mapping exam you acknowledge that you have read the above examination rules and understand them. You further acknowledge and agree to follow the rules as listed and promise to be honest while taking the Cadastral Mapping exams.

Recommended Certifications

I hereby certify that _____ has _____ year(s) experience in Cadastral Mapping in the _____County Recorder's Office.

Witness My Hand and Seal

Date _____ _____ County Recorder

(Seal)

I hereby certify that the attached ownership map was drawn by _____.

Witness My Hand and Seal

Date _____ _____ County Recorder

(Seal)

I hereby certify that _____ has completed the cadastral mapping technology examination in my office within the Prescribed Time Limit.

Witness My Hand and Seal

Date _____ _____ County Recorder

(Seal)

I hereby certify that _____ has fulfilled the qualifications and demonstrated competency in computer aided mapping for this County.

Witness My Hand and Seal

Date _____ _____ County Recorder

(Seal)

ELEMENTS OF

REAL ESTATE LAW

FOR CADASTRAL MAPPING

Excerpts from Utah Code Annotated

Chapter 1

2015 Cadastral Mapping Manual

PLATS

CEMETERIES

8-3-1. - Plats of cemeteries shall be recorded.

(1) An executive officer of an organization in control of a cemetery, including a municipality or a cemetery maintenance district, or an individual owner in control of a cemetery, offering burial lots for sale in any county, shall file and cause to be recorded in the office of the county recorder of the county within which the respective cemetery is situated an accurate plat of the cemetery.

(2) The plat required under Subsection (1) shall clearly show:

(a) the sections of burial lots which have been disposed of and the names of the persons owning or holding each burial lot; and

(b) the sections of burial lots held for disposal.

(3) An executive officer or owner shall file additional plats of any addition to a cemetery before offering for sale any burial lots located in the cemetery.

(4) A county recorder may not collect any fee for filing and recording an original plat required under this section.

Amended by Chapter 194, 2014 General Session

8-3-3. - Transcripts to be filed for record.

(1) No later than January 1 and July 1 of each year, the executive officer of an organization in control of a cemetery, including a municipality or cemetery maintenance district, or an individual owner in control of a cemetery with burial lots for sale, shall file with the county recorder of the county within which the cemetery is situated a transcript, duly certified by the executive officer or individual owner, of a deed, certificate of sale, or evidence of burial rights issued by the executive officer, individual owner, or the officer's or owner's designee during the preceding six months.

(2) The county recorder shall file the transcript described in Subsection (1) without charge.

Amended by Chapter 194, 2014 General Session

ANNEXATIONS AND MUNICIPAL/COUNTY BOUNDARY ADJUSTMENTS

Note: For every statute concerning annexations and boundary adjustments found in the county statutes, a corresponding section for municipalities usually exists. For information on one or the other that is not found in this writing, please consult the Utah Code Annotated.

10-2-425. - Filing of notice and plat -- Recording and notice requirements -- Effective date of annexation or boundary adjustment.

(1)The legislative body of each municipality that enacts an ordinance under this part approving the annexation of an unincorporated area or the adjustment of a boundary shall:

(b) upon the lieutenant governor's issuance of a certificate of annexation or boundary adjustment, as the case may be, under Section 67-1a-6.5:

(i) (A) if the annexed area or area subject to the boundary adjustment is located within the boundary of a single county, submit to the recorder of that county:

(I) the original:

(Aa) notice of an impending boundary action;

(Bb) certificate of annexation or boundary adjustment; and

(Cc) approved final local entity plat; and

(II) a certified copy of the ordinance approving the annexation or boundary adjustment;

(4) An annexation or boundary adjustment under this part is completed and takes effect:

(a) for the annexation of or boundary adjustment affecting an area located in a county of the first class, except for an annexation under Section 10-2-418:

(i) July 1 following the lieutenant governor's issuance under Section 67-1a-6.5 of a certificate of annexation or boundary adjustment if:

(A) the certificate is issued during the preceding November 1 through April 30; and

(B) the requirements of Subsection (1) are met before that July 1; or

(ii) January 1 following the lieutenant governor's issuance under Section 67-1a-6.5 of a certificate of annexation or boundary adjustment if:

(A) the certificate is issued during the preceding May 1 through October 31; and

(B) the requirements of Subsection (1) are met before that January 1; and

(b) for all other annexations and boundary adjustments, the date of the lieutenant governor's issuance, under Section 67-1a-6.5, of a certificate of annexation or boundary adjustment.

17-2-205. - Governor's proclamation -- Notice to lieutenant governor -- Recording requirements -- Effective date.

(1) Upon receipt of the lieutenant governor's certification under Section 17-2-204, the governor shall issue a proclamation, stating the result of the vote in each county, and that the annexation of the territory to the annexing county will take effect as provided in Subsection (3).

(2) The legislative body of the annexing county shall:

(b) upon the lieutenant governor's issuance of a certificate of annexation under Section 67-1a-6.5, submit to the recorder of the annexing county:

(i) the original notice of an impending boundary action;

(ii) the original certificate of consolidation;

(iii) the original approved final local entity plat; and

(iv) a certified copy of the governor's proclamation under Subsection (1).

(3) (a) An annexation approved at an election under Section 17-2-203 takes effect on January 1 of the year immediately following the lieutenant governor's issuance of a certificate of annexation under Section 67-1a-6.5.

(b) (i) The effective date of a county annexation for purposes of assessing property within the annexing county is governed by Section 59-2-305.5.

(ii) Until the documents listed in Subsection (2)(b) are recorded in the office of the recorder of the county in which the property is located, an annexing county may not:

(A) levy or collect a property tax on property in the annexing county that used to be in the initiating county;

(B) levy or collect an assessment on property in the annexing county that used to be in the initiating county; or

(C) charge or collect a fee for service provided to property within the annexing county that used to be in the initiating county.

Renumbered and Amended by Chapter 350, 2009 General Session

17-2-209. - Minor adjustments to county boundaries authorized -- Public hearing -- Joint resolution of county legislative bodies -- Notice and plat to lieutenant governor -- Recording requirements -- Effective date.

(1) (a) Counties sharing a common boundary may, in accordance with the provisions of Subsection (2) and Article XI, Section 3, of the Utah Constitution and for purposes of real property tax assessment and county record keeping, adjust all or part of the common boundary to move it, subject to Subsection (1)(b), a sufficient distance to reach to, and correspond with, the closest existing property boundary of record.

(b) A boundary adjustment under Subsection (1)(a) may not create a boundary line that divides or splits:

(i) an existing parcel;

(ii) an interest in the property; or

(iii) a claim of record in the office of recorder of either county sharing the common boundary.

(2) The legislative bodies of both counties desiring to adjust a common boundary in accordance with Subsection (1) shall:

(a) hold a joint public hearing on the proposed boundary adjustment;

(b) in addition to the regular notice required for public meetings of the county legislative bodies, mail written notice to all real property owners of record whose property may change counties as the result of the proposed adjustment; and

(c) adopt a joint resolution approved by both county legislative bodies approving the proposed boundary adjustment.

(3) The legislative bodies of both counties adopting a joint resolution under Subsection (2)(c) shall:

(a) within 15 days after adopting the joint resolution, jointly send to the lieutenant governor:

(i) a copy of a notice of an impending boundary action, as defined in Section 67-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(3); and

(ii) a copy of an approved final local entity plat, as defined in Section 67-1a-6.5; and

(b) upon the lieutenant governor's issuance of a certificate of boundary adjustment under Section 67-1a-6.5, jointly submit to the recorder of the county in which the property is located after the boundary adjustment:

(i) the original notice of an impending boundary action;

(ii) the original certificate of boundary adjustment;

(iii) the original approved final local entity plat; and

(iv) a certified copy of the joint resolution approving the boundary adjustment.

(4) (a) As used in this Subsection (4):

(i) "Affected area" means an area that, as a result of a boundary adjustment under this section, is moved from within the boundary of one county to within the boundary of another county.

(ii) "Receiving county" means a county whose boundary includes an affected area as a result of a boundary adjustment under this section.

(b) A boundary adjustment under this section takes effect on the date the lieutenant governor issues a certificate of boundary adjustment under Section 67-1a-6.5.

(c) (i) The effective date of a boundary adjustment for purposes of assessing property within an affected area is governed by Section 59-2-305.5.

(ii) Until the documents listed in Subsection (3)(b) are recorded in the office of the recorder of the county in which the property is located, a receiving county may not:

(A) levy or collect a property tax on property within an affected area;

(B) levy or collect an assessment on property within an affected area; or

(C) charge or collect a fee for service provided to property within an affected area.

(5) Upon the effective date of a boundary adjustment under this section:

(a) all territory designated to be adjusted into another county becomes the territory of the other county; and

(b) the provisions of Sections 17-2-207 and 17-2-208 apply in the same manner as with an annexation under this part.

Amended by Chapter 383, 2010 General Session

OWNERSHIP PLATS

17-21-21. - Ownership plats -- Use of geographic information systems or computer systems.

(1) The county recorder shall prepare and keep ownership plats drawn to a convenient scale, which show the record owners of each tract of land in the county, together with the dimensions of the tract.

(2) The county recorder may not be required to:

(a) show ownership of timeshare units or timeshare estates on ownership plats; or

(b) show lot or unit ownership on subdivisions or condominium plats or other ownership plats if that information is available through computer systems or other indexes.

(3) Nothing in this chapter precludes the use of geographic information systems or computer systems by the recorder if the systems include all of the information required by this section.

Amended by Chapter 241, 2001 General Session

CONVEYANCE DOCUMENTS

30-2-3. - Conveyances between husband and wife.

A conveyance, transfer or lien executed by either husband or wife to or in favor of the other shall be valid to the same extent as between other persons.

No Change Since 1953

57-1-3. - Grant of fee simple presumed.

A fee simple title is presumed to be intended to pass by a conveyance of real estate, unless it appears from the conveyance that a lesser estate was intended.

No Change Since 1953

57-1-12. - Form of warranty deed -- Effect.

(2) A warranty deed when executed as required by law shall have the effect of a conveyance in fee simple to the grantee, the grantee's heirs, and assigns:

(a) of the premises named in the warranty deed;

(b) of all the appurtenances, rights, and privileges belonging to the premises named in the warranty deed; and

(c) with covenants from the grantor, the grantor's heirs, and personal representatives, that:

(i) the grantor lawfully owns fee simple title to and has the right to immediate possession of the premises;

(ii) the grantor has good right to convey the premises;

(iii) the grantor guarantees the grantee, the grantee's heirs, and assigns in the quiet possession of the premises;

(iv) the premises are free from all encumbrances; and

(v) the grantor, the grantor's heirs, and personal representatives will forever warrant and defend the title of the premises in the grantee, the grantee's heirs, and assigns against all lawful claims whatsoever.

(3) Any exception to the covenants described in Subsection (2)(c) may be briefly inserted in the warranty deed following the description of the land.

Amended by Chapter 55, 2007 General Session

57-1-12.5. - Form of special warranty deed -- Effect.

(2) A special warranty deed when executed as required by law shall have the effect of:

(a) a conveyance in fee simple to the grantee, the grantee's heirs, and assigns, of the property named in the special warranty deed, together with all the appurtenances, rights, and privileges belonging to the property; and

(b) a covenant from the grantor, the grantor's heirs, and personal representatives, that:

(i) the granted property is free from all encumbrances made by that grantor; and

(ii) the grantor, the grantor's heirs, and personal representatives will forever warrant and defend the title of the property in the grantee, the grantee's heirs, and assigns against any lawful claim and demand of the grantor and any person claiming or to claim by, through, or under the grantor.

(3) Any exceptions to a covenant described in Subsection (2)(b) may be briefly inserted in the deed following the description of the land.

Enacted by Chapter 213, 2005 General Session

57-1-13. - Form of quitclaim deed -- Effect.

(1) … A quitclaim deed when executed as required by law shall have the effect of a conveyance of all right, title, interest, and estate of the grantor in and to the premises therein described and all rights, privileges, and appurtenances thereunto belonging, at the date of the conveyance."

(2) For a boundary line agreement operating as a quitclaim deed as described in Section 57-1-45, the boundary line agreement shall include, in addition to a legal description of the agreed upon boundary line:

(a) the signature of each grantor;

(b) a sufficient acknowledgment for each grantor's signature; and

(c) the address of each grantee for assessment purposes.

Amended by Chapter 88, 2011 General Session

57-1-28. - …Trustee's deed delivered to purchaser -- Recitals -- Effect.

(3) The trustee's deed shall operate to convey to the purchaser, without right of redemption, the trustee's title and all right, title, interest, and claim of the trustor and the trustor's successors in interest and of all persons claiming by, through, or under them, in and to the property sold, including all right, title, interest, and claim in and to the property acquired by the trustor

or the trustor's successors in interest subsequent to the execution of the trust deed, which trustee's deed shall be considered effective and relate back to the time of the sale.

(4) In accordance with Section 57-3-106, an interest of a purchaser in a trustee's deed that is recorded with the county recorder may not be divested if a person records an affidavit or other document purporting to rescind or cancel the trustee's deed.

Amended by Chapter 381, 2010 General Session

57-1-5. - Creation of joint tenancy presumed -- Tenancy in common -- Severance of joint tenancy -- Tenants by the entirety -- Tenants holding as community property.

(1) (a) (i) Beginning on May 5, 1997, every ownership interest in real estate granted to two persons in their own right who are designated as husband and wife in the granting documents is presumed to be a joint tenancy interest with rights of survivorship, unless severed, converted, or expressly declared in the grant to be otherwise.

(ii) Except as provided in Subsection (1)(a)(iii), joint tenancy may be established between two or more people.

(iii) Joint tenancy may not be established between a person and an entity or organization, including:

(A) a corporation;

(B) a trustee of a trust; or

(C) a partnership.

(iv) Joint tenancy may not be established between an entity or organization and another entity or organization.

(b) Every ownership interest in real estate that does not qualify for the joint tenancy presumption as provided in Subsection (1)(a) is presumed to be a tenancy in common interest unless expressly declared in the grant to be otherwise.

(2) (a) Use of words "joint tenancy" or "with rights of survivorship" or "and to the survivor of them" or words of similar import means a joint tenancy.

(b) (i) Use of words "tenancy in common" or "with no rights of survivorship" or "undivided interest" or words of similar import declare a tenancy in common.

(ii) Use of words "and/or" in the context of an ownership interest declare a tenancy in common unless accompanied by joint tenancy language described in Subsection (2)(a), which creates a joint tenancy.

(3) A person who owns real property creates a joint tenancy in himself or herself and another or others:

(a) by making a transfer to himself or herself and another or others as joint tenants by use of the words as provided in Subsection (2)(a); or

(b) by conveying to another person or persons an interest in land in which an interest is retained by the grantor and by declaring the creation of a joint tenancy by use of the words as provided in Subsection (2)(a).

(4) In all cases, the interest of joint tenants shall be equal and undivided.

(5) (a) Except as provided in Subsection (5)(b), if a joint tenant makes a bona fide conveyance of the joint tenant's interest in property held in joint tenancy to himself or herself or another, the joint tenancy is severed and converted into a tenancy in common.

(b) If there is more than one joint tenant remaining after a joint tenant severs a joint tenancy under Subsection (5)(a), the remaining joint tenants continue to hold their interest in joint tenancy.

(6) The amendments to this section in Laws of Utah 1997, Chapter 124, have no retrospective operation and shall govern instruments executed and recorded on or after May 5, 1997.

(7) Tenants by the entirety are considered to be joint tenants.

(8) Tenants holding title as community property are considered to be joint tenants.

Amended by Chapter 88, 2011 General Session

57-1-5.1. - Termination of an interest in real estate -- Affidavit.

(1) Joint tenancy, tenancy by the entirety, life estate, or determinable or conditional interest in real estate may be terminated by an affidavit that:

(a) meets the requirements of Subsection (2); and

(b) is recorded in the office of the recorder of the county in which the affected property is located.

(2) Each affidavit required by Subsection (1) shall:

(a) cite the interest that is being terminated;

(b) contain a legal description of the real property that is affected;

(c) reference the entry number and the book and page of the instrument creating the interest to be terminated; and

(d) if the termination is the result of a death, have attached as an exhibit, a copy of the death certificate or other document issued by a governmental agency as described in Section 75-1-107 certifying the death.

Amended by Chapter 381, 2010 General Session

57-1-10. - After-acquired title passes.

(1) If any person conveys any real estate by conveyance purporting to convey the real estate in fee simple absolute, and at the time of the conveyance the person does not have the legal estate in the real estate, but afterwards acquires the legal estate:

(a) the legal estate subsequently acquired immediately passes to the grantee, the grantee's heirs, successors, or assigns; and

(b) the conveyance is as valid as if the legal estate had been in the grantor at the time of the conveyance.

(2) Subsection (1) does not apply to a conveyance by quitclaim deed.

Amended by Chapter 287, 2007 General Session

RECORDING OF DOCUMENTS

17-21-20. - Recording required -- Recorder may impose requirements on documents to be recorded -- Prerequisites -- Additional fee for noncomplying documents -- Recorder may require tax serial number -- Exceptions -- Requirements for recording final local entity plat.

(1) Subject to Subsections (2), (3), and (4), each paper, notice, and instrument required by law to be recorded in the office of the county recorder shall be recorded unless otherwise provided.

(4) (a) To facilitate the abstracting of an instrument, a county recorder may require that the applicable tax serial number of each parcel described in the instrument be noted on the instrument before it may be accepted for recording.

(b) If a county recorder requires the applicable tax serial number to be on an instrument before it may be recorded:

(i) the county recorder shall post a notice of that requirement in a conspicuous place at the recorder's office;

(ii) the tax serial number may not be considered to be part of the legal description and may be indicated on the margin of the instrument; and

(iii) an error in the tax serial number does not affect the validity of the instrument or effectiveness of the recording.

(5) Subsections (2), (3), and (4) do not apply to:

(a) a map;

(b) a certificate or affidavit of death;

(c) a military discharge;

(d) a document regarding taxes that is issued by the Internal Revenue Service of the United States Department of the Treasury;

(e) a document submitted for recording that has been filed with a court and conforms to the formatting requirements established by the court; or

(f) a document submitted for recording that is in a form required by law.

(6) (a) As used in this Subsection (6):

(i) "Boundary action" has the same meaning as defined in Section 17-23-20.

(ii) "Local entity" has the same meaning as defined in Section 67-1a-6.5.

(b) A person may not submit to a county recorder for recording a plat depicting the boundary of a local entity as the boundary exists as a result of a boundary action, unless:

(i) the plat has been approved under Section 17-23-20 by the county surveyor as a final local entity plat, as defined in Section 17-23-20; and

(ii) the person also submits for recording:

(A) the original notice of an impending boundary action, as defined in Section 67-1a-6.5, for the boundary action for which the plat is submitted for recording;

(B) the original applicable certificate, as defined in Section 67-1a-6.5, issued by the lieutenant governor under Section 67-1a-6.5 for the boundary action for which the plat is submitted for recording; and

(C) each other document required by statute to be submitted for recording with the notice of an impending boundary action and applicable certificate.

(c) Promptly after recording the documents described in Subsection (6)(b) relating to a boundary action, but no later than 10 days after recording, the county recorder shall send a copy of all those documents to the State Tax Commission.

Amended by Chapter 89, 2014 General Session

17-21-11. - Notice given by recording.

(1) Each certified copy from the time of recording gives notice to all persons of the contents of the recorded document.

(2) Subsequent purchasers, mortgagees, and lien holders purchase and encumber with the same notice and effect as if the certified copy was the original document.

Amended by Chapter 85, 1999 General Session

17-21-10. - Judgments affecting real estate.

(1) A county recorder shall record for real property, any part of which is located in the county:

(a) a judgment affecting the real property;

(b) a release, assignment, renewal, or extension of a judgment lien affecting the real property; or

(c) a certified copy of a final judgment or decree partitioning or affecting the title or possession of the real property.

(2) A document recorded in accordance with this section is subject to the requirements of Section 57-3-106.

Amended by Chapter 88, 2011 General Session

17-21-25. - Names of persons signing to be typed or printed on instruments presented for recording.

(1) (a) Each instrument presented to the county recorder for recording shall have typed or printed on it the name of each person whose signature appears on the instrument whose name is required to be indexed.

(b) The person's typed or printed name shall appear just beneath that person's signature.

(2) The requirements of Subsection (1) do not affect the legality of the instrument to be recorded.

Amended by Chapter 38, 2006 General Session

78B-5-202. - Duration of judgment -- Judgment as a lien upon real property -- Abstract of judgment -- Small claims judgment not a lien -- Appeal of judgment -- Child support orders.

(7) (a) After July 1, 2002, a judgment entered by a district court or a justice court in the state becomes a lien upon real property if:

(i) the judgment or an abstract of the judgment containing the information identifying the judgment debtor as described in Subsection 78B-5-201(4)(b) is recorded in the office of the county recorder; or

(ii) the judgment or an abstract of the judgment and a separate information statement of the judgment creditor as described in Subsection 78B-5-201(5) is recorded in the office of the county recorder.

(b) The judgment shall run from the date of entry by the district court or justice court.

(c) The real property subject to the lien includes all the real property of the judgment debtor:

(i) in the county in which the recording under Subsection (7)(a)(i) or (ii) occurs; and

(ii) owned or acquired at any time by the judgment debtor during the time the judgment is effective.

(d) State agencies are exempt from the recording requirement of Subsection (7)(a).

Amended by Chapter 151, 2014 General Session

38-5-1. - Filing with clerk of district court -- Recording with county recorder -- Effect.

(1) (a) A person may file in the office of the clerk of a state district court a transcript of a judgment or decree rendered in the district court of the United States within the state.

(b) A decree or judgment filed in accordance with Subsection (1)(a) has the same force and effect as a judgment rendered in a state district court.

(2) Except as provided in Subsection (3), if a person records a judgment or an abstract of judgment or decree under Subsection (1) in the office of the county recorder, that judgment or decree becomes a lien in accordance with Section 78B-5-202.

(3) A state agency is exempt from the recording requirement of Subsection (2).

Amended by Chapter 88, 2011 General Session

57-3-101. - Certificate of acknowledgment, proof of execution, jurat, or other certificate required -- Notarial acts affecting real property -- Right to record documents unaffected by subdivision ordinances.

(1) A certificate of the acknowledgment of any document, or of the proof of the execution of any document, or a jurat as defined in Section 46-1-2, or other notarial certificate containing the words "subscribed and sworn" or their substantial equivalent, that is signed and certified by the officer taking the acknowledgment, proof, or jurat, as provided in this title, entitles the document and the certificate to be recorded in the office of the recorder of the county where the real property is located.

(2) Notarial acts affecting real property in this state shall also be performed in conformance with Title 46, Chapter 1, Notaries Public Reform Act.

(3) Nothing in the provisions of Title 10, Chapter 9a, Part 6, Subdivisions, and Title 17, Chapter 27a, Part 6, Subdivisions, shall prohibit the recording of a document which is otherwise entitled to be recorded under the provisions of this chapter.

Amended by Chapter 254, 2005 General Session

57-3-103. - Effect of failure to record.

Each document not recorded as provided in this title is void as against any subsequent purchaser of the same real property, or any portion of it, if:

(1) the subsequent purchaser purchased the property in good faith and for a valuable consideration; and

(2) the subsequent purchaser's document is first duly recorded.

Renumbered and Amended by Chapter 61, 1998 General Session

57-3-104. - Certified copies entitled to record in another county -- Effect.

(1) (a) A document of record in a county recorder's office that is certified by the county recorder may be recorded in the office of the county recorder of another county.

(b) The recording of a certified copy in the office of the county recorder of another county has the same force and effect as if the original document had been recorded in the other county.

(2) A certified copy of a document may not be submitted for recording under Subsection (1) in the office of the same county recorder that issued the certified copy.

Amended by Chapter 211, 2003 General Session

57-3-105. - Legal description of real property and names and addresses required in documents.

(1) Except as otherwise provided by statute, a person may not present a document for recording unless the document complies with this section.

(2) A document executed after July 1, 1983, is entitled to be recorded in the office of the recorder of the county in which the property described in the document is located only if the document contains a legal description of the real property.

(3) (a) A document conveying title to real property presented for recording after July 1, 1981, is entitled to be recorded in the office of the recorder of the county in which the property described in the document is located only if the document names the grantees and recites a mailing address to be used for assessment and taxation in addition to the legal description required under Subsection (2).

(b) The address of the management committee may be used as the mailing address of a grantee as required in Subsection (3)(a) if the interest conveyed is a timeshare interest as defined by Section 57-19-2.

(4) A person may not present and a county recorder may refuse to accept a document for recording if the document does not conform to this section.

(5) Notwithstanding Subsections (2), (3), and (4), a master form, as defined in Section 57-3-201, that does not meet the requirements of Subsections (2) and (3) is entitled to be recorded in the office of the recorder of the county in which the property described in the master form is located if it complies with Part 2, Master Mortgage and Trust Deeds.

Amended by Chapter 88, 2011 General Session

57-3-106. - Original documents required -- Captions -- Legibility.

(1) A person may not present and a county recorder may refuse to accept a document for recording if the document does not comply with this section.

(2) (a) Unless otherwise provided, a document presented for recording in the office of the county recorder shall:

(i) (A) be an original; or

(B) be an electronic document that satisfies the requirements under Title 17, Chapter 21a, Uniform Real Property Electronic Recording Act;

(ii) contain a brief caption on the first page of the document stating the nature of the document; and

(iii) contain a legal description of the property as required under Section 57-3-105.

(b) If a document is a master form, as defined in Section 57-3-201, the caption required by Subsection (2)(a)(ii) shall state that the document is a master form.

(3) A court judgment or an abstract of a court judgment presented for recording in the office of the county recorder in compliance with Section 78B-5-202 shall:

(a) be an original, a certified copy, or an electronic document that satisfies the requirements under Title 17, Chapter 21a, Uniform Real Property Electronic Recording Act; and

(b) include the information identifying the judgment debtor as referred to in Subsection 78B-5-201(4)(b) either:

(i) in the judgment or abstract of judgment; or

(ii) as a separate information statement of the judgment creditor as referred to in Subsection 78B-5-201(5).

(4) A judgment, abstract of judgment, or separate information statement of the judgment creditor does not require an acknowledgment, a legal description, or notarization to be recorded.

(5) A foreign judgment or an abstract of a foreign judgment recorded in the office of a county recorder shall include the affidavit as required in Section 78B-5-303.

(7) A document presented for recording shall be sufficiently legible for the recorder to make certified copies of the document.

(8) (a) (i) A document that is of record in the office of the appropriate county recorder in compliance with this chapter may not be recorded again in that same county recorder's office unless the original document has been reexecuted by all parties who executed the document.

(ii) Unless exempt by statute, an original document that is reexecuted shall contain the appropriate acknowledgment, proof of execution, jurat, or other notarial certification

for all parties who are reexecuting the document as required by Title 46, Chapter 1, Notaries Public Reform Act, and Title 57, Chapter 2, Acknowledgments.

(iii) A document submitted for rerecording shall contain a brief statement explaining the reason for rerecording.

(b) A person may not present and a county recorder may refuse to accept a document for rerecording if that document does not conform to this section.

(c) This Subsection (8) applies only to documents executed after July 1, 1998.

(9) Minor typographical or clerical errors in a document of record may be corrected by the recording of an affidavit or other appropriate instrument.

(10) (a) Except as required by federal law, or by agreement between a borrower under the trust deed and a grantee under the trustee's deed, and subject to Subsection (10)(b), neither the recordation of an affidavit under Subsection (9) nor the re-execution and rerecording of a document under Subsection (8):

(i) divests a grantee of any real property interest;

(ii) alters an interest in real property; or

(iii) returns to the grantor an interest in real property conveyed by statute.

(b) A person who re-executes and rerecords a document under Subsection (8), or records an affidavit under Subsection (9), shall include with the document or affidavit a notice containing the name and address to which real property valuation and tax notices shall be mailed.

Amended by Chapter 89, 2014 General Session

Amended by Chapter 151, 2014 General Session

46-1-2. - Definitions. As used in this chapter:

(1) "Acknowledgment" means a notarial act in which a notary certifies that a signer, whose identity is personally known to the notary or proven on the basis of satisfactory evidence, has admitted, in the presence of the notary, to voluntarily signing a document for the document's stated purpose.

Amended by Chapter 315, 2009 General Session

46-4-102. - Definitions. As used in this chapter:

(5) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(6) "Electronic agent" means a computer program or an electronic or other automated means used independently to initiate an action or respond to electronic records or performances in whole or in part, without review or action by an individual.

(7) "Electronic record" means a record created, generated, sent, communicated, received, or stored by electronic means.

(8) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

(10) "Information" means data, text, images, sounds, codes, computer programs, software, databases, or the like.

(11) "Information processing system" means an electronic system for creating, generating, sending, receiving, storing, displaying, or processing information.

(12)"Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or any other legal or commercial entity.

(13)"Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

Enacted by Chapter 74, 2000 General Session

SUBDIVISION PLATS

RED FLAG! - Watch for municipal and county ordinances

Sections 17-27a-601 through 611 for counties are similar to sections 10-9a-601 through 611 for municipalities.

17-27a-601. - Enactment of subdivision ordinance.

(1) The legislative body of a county may enact ordinances requiring that a subdivision plat comply with the provisions of the ordinance and this part before:

(a) it may be filed or recorded in the county recorder's office; and

(b) lots may be sold.

(2) If the legislative body fails to enact a subdivision ordinance, the county may regulate subdivisions only as provided in this part. Renumbered and Amended by Chapter 254, 2005 General Session

17-27a-603. - Plat required when land is subdivided -- Approval of plat -- Recording plat.

(1) Unless exempt under Section 17-27a-605 or excluded from the definition of subdivision under Section 17-27a-103, whenever any land is laid out and platted, the owner of the land shall provide an accurate plat that describes or specifies:

(a) a subdivision name that is distinct from any subdivision name on a plat recorded in the county recorder's office;

(b) the boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for any other public use, and whether any such area is reserved or proposed for dedication for a public purpose;

(c) the lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage for all parcels, units, or lots, and length and width of the blocks and lots intended for sale; and

(d) every existing right-of-way and easement grant of record for an underground facility, as defined in Section 54-8a-2, and for any other utility facility.

(2) (a) Subject to Subsections (3), (4), and (5), if the plat conforms to the county's ordinances and this part and has been approved by the culinary water authority and the sanitary sewer authority, and the local health department, as defined in Section 26A-1-102, if the local health department and the county consider the local health department's approval necessary, the county shall approve the plat.

(b) Counties are encouraged to receive a recommendation from the fire authority before approving a plat.

(c) A county may not require that a plat be approved or signed by a person or entity who is not an employee or agent of the county, does not have a legal or equitable interest in the property within the proposed subdivision, provide a utility of other service directly to a lot within the subdivision, own an easement or right of way adjacent to the proposed subdivision who signs for the purpose of confirming the accuracy of the location of the easement or right of way in relation to the plat, or provide culinary public water service whose source protection zone designated as provided in Section 19-4-133 is included, in whole or in part, within the proposed subdivision, or is not entitle to notice of the subdivision pursuant to Subsection 17-27a-508(1)(b)(iv) for the purpose of determining the accuracy of the information depicted on the plat.

(3) The county may withhold an otherwise valid plat approval until the owner of the land provides the legislative body with a tax clearance indicating that all taxes, interest, and penalties owing on the land have been paid.

(4) (a) A plat may not be submitted to a county recorder for recording unless, subject to Subsection 17-27a-604(2):

(i) prior to recordation, each owner of record of land described on the plat has signed the owner's dedication as shown on the plat; and

(ii) the signature of each owner described in Subsection (4)(a)(i) is acknowledged as provided by law.

(b) The surveyor making the plat shall certify that the surveyor:

(i) holds a license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;

(ii) has completed a survey of the property described on the plat in accordance with Section 17-23-17 and has verified all measurements; and

(iii) has placed monuments as represented on the plat.

(c) (i) As applicable, the owner or operator of the underground and utility facilities shall approve the:

(A) boundary, course, dimensions, and intended use of the right-of-way and easement grants of record;

(B) location of existing underground and utility facilities; and

(C) conditions or restrictions governing the location of the facilities within the right-of-way, and easement grants of records, and utility facilities within the subdivision.

(ii) The approval of an owner or operator under Subsection (4)(c)(i):

(A) indicates only that the plat approximates the location of the existing underground and utility facilities but does not warrant or verify their precise location; and

(B) does not affect a right that the owner or operator has under:

(I) Title 54, Chapter 8a, Damage to Underground Utility Facilities;

(II) a recorded easement or right-of-way;

(III) the law applicable to prescriptive rights; or

(IV) any other provision of law.

(5) (a) After the plat has been acknowledged, certified, and approved, the owner of the land shall, within the time period designated by ordinance, record the plat in the county recorder's office in the county in which the lands platted and laid out are situated.

(b) An owner's failure to record a plat within the time period designated by ordinance renders the plat voidable.

Amended by Chapter 377, 2011 General Session

17-27a-604. Subdivision plat approval procedure -- Effect of not complying.

(1) A person may not submit a subdivision plat to the county recorder's office for recording unless:

(a) the person has complied with the requirements of Subsection 17-27a-603(4)(a);

(b) the plat has been approved by:

(i) the land use authority of the:

(A) county in whose unincorporated area the land described in the plat is located; or

(B) mountainous planning district in whose area the land described in the plat is located; and

(ii) other officers that the county designates in its ordinance; and

(c) all approvals described in Subsection (1)(b) are entered in writing on the plat by designated officers.

(2) An owner of a platted lot is the owner of record sufficient to re-subdivide the lot if the owner's platted lot is not part of a community association subject to Title 57, Chapter 8a, Community Association Act.

(3) A plat recorded without the signatures required under this section is void.

(4) A transfer of land pursuant to a void plat is voidable.

Amended by 2015 General Session

17-27a-605. Exemptions from plat requirement. Last amended 2015 17-27a-606. Common or community area parcels on a plat -- No separate ownership -- Ownership interest equally divided among other parcels on plat and included in description of other parcels.

(1) (a) A parcel designated as a common or community area on a plat recorded in compliance with this part may not be separately owned or conveyed independent of the other lots, units, or parcels created by the plat unless:

(i) the parcel is being acquired by a county for a governmental purpose; and

(ii) the conveyance is approved by the owners of at least 75% of the lots, units, or parcels on the plat, after the county gives its approval.

(b) A notice of the approval required in Subsection (1)(a)(ii) shall be:

(i) attached as an exhibit to the document of conveyance; or

(ii) recorded concurrently with the conveyance as a separate document.

(2) The ownership interest in a parcel described in Subsection (1) shall:

(a) for purposes of assessment, be divided equally among all parcels created by the plat, unless a different division of interest for assessment purposes is indicated on the plat or an accompanying recorded document; and

(b) be considered to be included in the description of each instrument describing a parcel on the plat by its identifying plat number, even if the common or community area interest is not explicitly stated in the instrument.

(3) A parcel designated as common or community area on a plat before, on, or after May 12, 2015, may be modified in size and location if the modification:

(a) is approved as part of a subdivision plat amendment by the local government;

(b) is approved by at least 75% of the voting interests in a homeowners association having an interest in the common or community area, if any;

(c) is approved by at least 75% of the owners of lots, units, or parcels on the plat if there is no homeowners association having an interest in the common or community area, if any, and

(d) does not create a new buildable lot

(4) A parcel designated as common or community area on a plat before, on, or after May 12, 2015, may be modified in size without a subdivision plat amendment approval by the local government, if the modification

(a) is a lot line adjustment approved by at least 75% of the voting interest in a homeowners association having an interest in the common or community area, if any;

(b) is approved by at least 75% of the owners of lots, units, or parcels on the plat if there is no homeowners association having an interest in the common or community area, if any, and (c) does not create a new buildable lot

Amended by 2015 General Session

17-27a-607. Dedication of streets and other public places.

(1) A plat that is signed, dedicated, and acknowledged by each owner of record, and approved according to the procedures specified in this part, operates, when recorded, as a dedication of all streets and other public places, and vests the fee of those parcels of land in the county for the public for the uses named or intended in the plat.

(2) The dedication established by this section does not impose liability upon the county for streets and other public places that are dedicated in this manner but are unimproved.
Amended by Chapter 381, 2010 General Session

Transportation and Roads

72-5-103. Acquisition of rights-of-way and other real property -- Title to property acquired.

(1) The department may acquire any real property or interests in real property necessary for temporary, present, or reasonable future state transportation purposes by gift, agreement, exchange, purchase, condemnation, or otherwise.

(2) (a) (i) Title to real property acquired by the department or the counties, cities, and towns by gift, agreement, exchange, purchase, condemnation, or otherwise for highway rights-of-way or other transportation purposes may be in fee simple or any lesser estate or interest.

(ii) Title to real property acquired by the department for a public transit project shall be transferred to the public transit district responsible for the project.

(iii) A public transit district shall cover all costs associated with any condemnation on its behalf.

(b) If the highway is a county road, city street under joint title as provided in Subsection 72-3-104(3), or right-of-way described in Title 72, Chapter 5, Part 3, Rights-Of-Way Across Federal Lands Act, title to all interests in real property less than fee simple held under this section is held jointly by the state and the county, city, or town holding the interest.

(3) A transfer of land bounded by a highway on a right-of-way for which the public has only an easement passes the title of the person whose estate is transferred to the middle of the highway.

Amended by Chapter 79, 2001 General Session

72-5-105 Road Vacating Procedure

(1) All public highways, streets, or roads once established shall continue to be highways, streets, or roads until formally abandoned or vacated by written order, resolution, or ordinance resolution of a highway authority having jurisdiction or by court decree, and the written order, resolution, ordinance, or court decree has been duly recorded in the office of the recorder of the county or counties where the highway, street, or road is located.

(2) (a) For purposes of assessment, upon the recordation of an order executed by the proper authority with the county recorder's office, title to the vacated or abandoned highway, street, or road shall vest to the adjoining record owners, with one-half of the width of the highway, street, or road assessed to each of the adjoining owners.

(b) Provided, however, that should a description of an owner of record extend into the vacated or abandoned highway, street, or road that portion of the vacated or abandoned highway, street, or road shall vest in the record owner, with the remainder of the highway, street, or road vested as otherwise provided in this Subsection (2).

Amended by Chapter 341, 2011 General Session

17-27a-608. - Vacating or amending a subdivision plat.

(3) Each request to vacate or amend a plat that contains a request to vacate or amend a public street, right-of-way, or easement is also subject to Section 17-27a-609.5.

(5) (a) The owners of record of adjacent parcels that are described by either a metes and bounds description or by a recorded plat may exchange title to portions of those parcels if the exchange of title is approved by the land use authority in accordance with Subsection (5)(b).

(b) The land use authority shall approve an exchange of title under Subsection (5)(a) if the exchange of title will not result in a violation of any land use ordinance.

(c) If an exchange of title is approved under Subsection (5)(b):

(i) a notice of approval shall be recorded in the office of the county recorder which:

(A) is executed by each owner included in the exchange and by the land use authority;

(B) contains an acknowledgment for each party executing the notice in accordance with the provisions of Title 57, Chapter 2a, Recognition of Acknowledgments Act; and

(C) recites the descriptions of both the original parcels and the parcels created by the exchange of title; and

(ii) a document of conveyance of title reflecting the approved change shall be recorded in the office of the county recorder.

(d) A notice of approval recorded under this Subsection (5) does not act as a conveyance of title to real property and is not required to record a document conveying title to real property.

(6) (a) The name of a recorded subdivision may be changed by recording an amended plat making that change, as provided in this section and subject to Subsection (6)(c).

(b) The surveyor preparing the amended plat shall certify that the surveyor:

(i) holds a license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;

(ii) has completed a survey of the property described on the plat in accordance with Section 17-23-17 and has verified all measurements; and

(iii) has placed monuments as represented on the plat.

(c) An owner of land may not submit for recording an amended plat that gives the subdivision described in the amended plat the same name as a subdivision recorded in the county recorder's office.

(d) Except as provided in Subsection (6)(a), the recording of a declaration or other document that purports to change the name of a recorded plat is void.

Amended by Chapter 136, 2014 General Session

17-27a-609. Land use authority approval of vacation or amendment of plat -- Recording the amended plat.

(1) The land use authority may approve the vacation or amendment of a plat by signing an amended plat showing the vacation or amendment if the land use authority finds that:

(a) there is good cause for the vacation or amendment; and

(b) no public street, right-of-way, or easement has been vacated or amended.

(2) (a) The land use authority shall ensure that the amended plat showing the vacation or amendment is recorded in the office of the county recorder in which the land is located.

(b) If the amended plat is approved and recorded in accordance with this section, the recorded plat shall vacate, supersede, and replace any contrary provision in a previously recorded plat of the same land.

(3) (a) A legislative body may vacate a subdivision or a portion of a subdivision by recording in the county recorder's office an ordinance describing the subdivision or the portion being vacated.

(b) The recorded vacating ordinance shall replace a previously recorded plat described in the vacating ordinance.

(4) An amended plat may not be submitted to the county recorder for recording unless it is:

(a) signed by the land use authority; and

(b) signed, acknowledged, and dedicated by each owner of record of the portion of the plat that is amended.

(5) A management committee may sign and dedicate an amended plat as provided in Title 57, Chapter 8, Condominium Ownership Act.

(6) A plat may be corrected as provided in Section 57-3-106.

Amended by Chapter 136, 2014 General Session

17-27a-609.5. - Vacating a street, right-of-way, or easement.

(3) The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street, right-of-way, or easement if the legislative body finds that:

(a) good cause exists for the vacation; and

(b) neither the public interest nor any person will be materially injured by the vacation.

(4) If the legislative body adopts an ordinance vacating some or all of a public street, right-of-way, or easement, the legislative body shall ensure that one or both of the following is recorded in the office of the recorder of the county in which the land is located:

(a) a plat reflecting the vacation; or

(b) an ordinance described in Subsection (3).

(5) The action of the legislative body vacating some or all of a street, right-of-way, or easement that has been dedicated to public use:

(a) operates to the extent to which it is vacated, upon the effective date of the recorded plat, as a revocation of the acceptance of and the relinquishment of the county's fee in the vacated street, right-of-way, or easement; and

(b) may not be construed to impair:

(i) any right-of-way or easement of any lot owner; or

(ii) the franchise rights of any public utility.

Amended by Chapter 381, 2010 General Session

46-1-16. - Official signature -- Official seal -- Seal impression.

6) A notary acknowledgment on an annexation, subdivision, or other map or plat is considered complete without the imprint of the notary's official seal if:

(a) the notary signs the acknowledgment in permanent ink; and

(b) the following appear below or immediately adjacent to the notary's signature:

(i) the notary's full name and commission number appears exactly as indicated on the notary's commission;

(ii) the words "A notary public commissioned in Utah"; and

(iii) the expiration date of the notary's commission.

(7) A notary acknowledgment on an electronic message or document is considered complete without the imprint of the notary's seal if the following information appears electronically within the message:

(a) the notary's full name and commission number appearing exactly as indicated on the notary's commission; and

(b) the words "notary public," "state of Utah," and "my commission expires on_____ (date)".

Amended by Chapter 47, 2008 General Session

17-27a-103. - Definitions.

(37) "Official map" means a map drawn by county authorities and recorded in the county recorder's office that:

(a) shows actual and proposed rights-of-way, centerline alignments, and setbacks for highways and other transportation facilities;

(b) provides a basis for restricting development in designated rights-of-way or between designated setbacks to allow the government authorities time to purchase or otherwise reserve the land; and

(c) has been adopted as an element of the county's general plan.

(39) "Parcel boundary adjustment" means a recorded agreement between owners of adjoining properties adjusting their mutual boundary if:

(a) no additional parcel is created; and

(b) each property identified in the agreement is unsubdivided land, including a remainder of subdivided land.

(42) "Plat" means a map or other graphical representation of lands being laid out and prepared in accordance with Section 17-27a-603, 17-23-17, or 57-8-13.

(48) "Record of survey map" means a map of a survey of land prepared in accordance with Section 17-23-17.

(58) (a) "Subdivision" means any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

(b) "Subdivision" includes:

(i) the division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument; and

(ii) except as provided in Subsection (58)(c), divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

(c) "Subdivision" does not include:

(i) a bona fide division or partition of agricultural land for agricultural purposes;

(ii) a recorded agreement between owners of adjoining properties adjusting their mutual boundary if:

(A) no new lot is created; and

(B) the adjustment does not violate applicable land use ordinances;

(iii) a recorded document, executed by the owner of record:

(A) revising the legal description of more than one contiguous un-subdivided parcel of property into one legal description encompassing all such parcels of property; or

(B) joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances;

(iv) a bona fide division or partition of land in a county other than a first class county for the purpose of siting, on one or more of the resulting separate parcels:

(A) an electrical transmission line or a substation;

(B) a natural gas pipeline or a regulation station; or

(C) an unmanned telecommunications, microwave, fiber optic, electrical, or other utility service regeneration, transformation, retransmission, or amplification facility;

(v) a recorded agreement between owners of adjoining subdivided properties adjusting their mutual boundary if:

(A) no new dwelling lot or housing unit will result from the adjustment; and

(B) the adjustment will not violate any applicable land use ordinance;

(vi) a bona fide division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels; or

(vii) a parcel boundary adjustment.

(d) The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision under this Subsection (58) as to the un-subdivided parcel of property or subject the un-subdivided parcel to the county's subdivision ordinance.

Last amended in 2015

10-1-104. - Definitions.

(5) (a) "Municipality" means

(i) a city of the first class, city of the second class, city of the third class, city of the fourth class, city of the fifth class,

(ii) a town, as classified in Section 10-2-301.

(iii) a metro township as that term is defined in Section 10-2a-403 unless the term is used in the context of authorizing governing, or otherwise regulating the provision of municipal services.

(6) "Peninsula," when used to describe an unincorporated area, means an area surrounded on more than 1/2 of its boundary distance, but not completely, by incorporated territory and situated so that the length of a line drawn across the unincorporated area from an incorporated area to an incorporated area on the opposite side shall be less than 25% of the total aggregate boundaries of the unincorporated area.

(7) "Person" means an individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

(8) "Provisions of law" shall include other statutes of the state of Utah and ordinances, rules, and regulations properly adopted by any municipality unless the construction is clearly contrary to the intent of state law.

(9) "Recorder," unless clearly inapplicable, includes and applies to a town clerk.

(10) "Town" means a municipality classified by population as a town under Section 10-2-301.

(11) "Unincorporated" means not within a municipality.

Amended 2015 General Session

CONDOMINIUM OWNERSHIP ACT

TITLE 57 – 8

57-8-2. - Applicability of chapter.

This act shall be applicable only to property which the sole owner or all the owners submit to the provisions of the act by duly executing and recording a declaration as provided in the act.

Enacted by Chapter 111, 1963 General Session

57-8-10. - Contents of declaration.

(1) Before the conveyance of any unit in a condominium project, a declaration shall be recorded that contains the covenants, conditions, and restrictions relating to the project that shall be enforceable equitable servitudes, where reasonable, and which shall run with the land. Unless otherwise provided, these servitudes may be enforced by a unit owner or a unit owner's successor in interest.

(2) (a) For every condominium project, the declaration shall:

(i) include a description of the land or interests in real property included within the project;

(ii) contain a description of any buildings that states the number of stories and basements, the number of units, the principal materials of which the building is or is to be constructed, and a description of all other significant improvements contained or to be contained in the project;

(iii) contain the unit number of each unit, the square footage of each unit, and any other description or information necessary to properly identify each unit;

(iv) describe the common areas and facilities of the project; and

(v) describe any limited common areas and facilities and state to which units the use of the common areas and facilities is reserved.

(b) Any shutters, awnings, window boxes, doorsteps, porches, balconies, patios, or other apparatus intended to serve a single unit, but located outside the boundaries of the unit, shall constitute a limited common area and facility appertaining to that unit exclusively, whether or not the declaration makes such a provision.

(c) The condominium plat recorded with the declaration may provide or supplement the information required under Subsections (2)(a) and (b).

(d) (i) The declaration shall include the percentage or fraction of undivided interest in the common areas and facilities appurtenant to each unit and the unit owner for all purposes, including voting, derived and allocated in accordance with Subsection 57-8-7(2).

(ii) If any use restrictions are to apply, the declaration shall state the purposes for which the units are intended and the use restrictions that apply.

(iii) (A) The declaration shall include the name and address of a person to receive service of process on behalf of the project, in the cases provided by this chapter.

(B) The person described in Subsection (2)(d)(iii)(A) shall be a resident of, or shall maintain a place of business within, this state.

(iv) The declaration shall describe the method by which the declaration may be amended consistent with this chapter.

(v) Any further matters in connection with the property may be included in the declaration, which the person or persons executing the declaration may consider desirable, consistent with this chapter.

(vi) The declaration shall contain a statement of intention that this chapter applies to the property.

(e) The initial recorded declaration shall include:

(i) an appointment of a trustee who qualifies under Subsection 57-1-21(1)(a)(i) or (iv); and

(ii) the following statement: "The declarant hereby conveys and warrants pursuant to U.C.A. Sections 57-1-20 and 57-8-45 to (name of trustee), with power of sale, the unit and all improvements to the unit for the purpose of securing payment of assessments under the terms of the declaration."

(3) (a) If the condominium project contains any convertible land,

(b) The condominium plat recorded with the declaration may provide or supplement the information required under Subsection (3)(a).

(4) (a) If the condominium project is an expandable condominium project…,

(b) The condominium plat recorded with the declaration may provide or supplement the information required under Subsections (4)(a)(iv) through (a)(vii) and (a)(x) through (a)(xiii).

(5) If the condominium project is a contractible condominium project…,

(6) (a) If the condominium project is a leasehold condominium,

(7) (a) If the condominium project contains time period units, the declaration shall also contain the location of each condominium unit in the calendar year.

(8) (a) The declaration, bylaws, and condominium plat shall be duly executed and acknowledged by all of the owners and any lessees of the land which is made subject to this chapter.

(b) As used in Subsection (8)(a), "owners and lessees" does not include, in their respective capacities, any mortgagee, any trustee or beneficiary under a deed of trust, any other lien holder, any person having an equitable interest under any contract for the sale or lease of a condominium unit, or any lessee whose leasehold interest does not extend to any portion of the common areas and facilities.

Amended by Chapter 397, 2014 General Session

57-8-11. - Contents of deeds of units. A deed of units may include:

(1) a description of the land as provided in Section 57-8-10, including the book and page or entry number and date of recording of the declaration;

(2) the unit number of the unit and any other data necessary for its proper identification;

(3) percentage of undivided interest appertaining to the unit in the common or community areas and facilities; and

(4) any further particulars that the grantor and grantee consider desirable to set forth consistent with the declaration and this chapter.

Amended by Chapter 268, 2007 General Session

57-8-12. - Recording.

(1) The declaration, any amendment, any instrument by which the provisions of this act may be waived, and every instrument affecting the property or any unit shall be entitled to be recorded. Neither the declaration nor any amendment thereof shall be valid unless recorded.

Enacted by Chapter 111, 1963 General Session

57-8-13. - Condominium plat to be recorded.

(1) (a) Simultaneously with the recording of the declaration there shall be recorded a standard size, original linen (21" x 31") condominium plat with 6-1/4" x 1-1/2" recording information block, which map shall be made by a registered Utah land surveyor and shall set forth:

(i) a description of the surface of the land included within the project, including all angular and linear data along the exterior boundaries of the property;

(ii) the linear measurement and location, with reference to the exterior boundaries, of the building or buildings, if any, located or to be located on the property other than within the boundaries of any convertible lands;

(iii) diagrammatic floor plans of the building or buildings, if any, built or to be built on the property, other than within the boundaries of any convertible lands, in sufficient detail to identify each convertible space and physical unit contained within a building, including its identifying number or symbol, the official datum elevations of the finished or unfinished interior surfaces of the floors and ceilings and the linear measurements of the finished or unfinished interior surfaces of the perimeter walls, and the lateral extensions, of every such convertible space and unit;

(iv) a description or delineation of the boundaries of any unit or convertible space not contained or to be contained in a building or whose boundaries are not to be coextensive with walls, ceilings, or floors within a building, other than units located within the boundaries of any convertible lands, including the horizontal (upper and lower) boundaries, if any, as well as the vertical (lateral or perimetric) boundaries;

(v) a distinguishing number or other symbol for every physical unit identified on the condominium plat;

(vi) to the extent feasible, the location and dimensions of all easements appurtenant to the land included within the project;

(vii) the label "convertible space" for each such space, if any;

(viii) the location and dimensions of any convertible lands within the condominium project, with each such convertible land labeled as such, and if there be more than one such land, with each labeled with a different letter or number;

(ix) the location and dimensions of any withdrawable lands, with each such withdrawable land labeled as such, and if there be more than one such land, with each labeled with a different letter or number;

(x) if with respect to any portion or portions, but less than all, of the land included within the project the unit owners are to own only an estate for years, the location and dimensions of any such portion, with each labeled as a leased land, and if there be more than one such land, with each labeled with a different letter or number; and

(xi) any encroachments by or on any portion of the condominium project.

(b) Each such condominium plat shall be certified as to its accuracy and compliance with the provisions of this Subsection (1) by the land surveyor who prepared or who supervised the preparation of the same and shall be executed and acknowledged as provided in Subsection 57-8-10(8).

(2) When converting all or any portion of any convertible land or when adding additional land to an expandable condominium, the declarant shall record a new or supplemental condominium plat which shall contain the information necessary to comply with the requirements of Subsection (1) of this section. In any case where less than all of a convertible land is being converted, the condominium plat shall show the location and dimensions of the remaining portion or portions of the land in addition to otherwise meeting such requirements.

(3) When converting all or any portion of any convertible space into one or more units or limited common areas and facilities, the declarant shall record, with regard to the structure or portion of it constituting that convertible space, a supplemental condominium plat showing the location and dimensions of the vertical and horizontal boundaries of each unit formed out of this space. The supplemental map shall be certified as to its accuracy and compliance with this Subsection (3) by the land surveyor who prepared or who supervised the preparation of it.

(4) In interpreting the condominium plat or any deed or other instrument affecting a building or unit, the boundaries of the building or unit constructed or reconstructed in substantial accordance with the condominium plat shall be conclusively presumed to be the actual boundaries rather than the description expressed in the condominium plat, regardless of the settling or lateral movement of the building and regardless of minor variance between boundaries shown on the condominium plat and those of the building or unit.

Amended by Chapter 265, 2003 General Session

57-8-13.2. - Conversion of convertible land -- Amendment to declaration -- Limitations.

(1) The declarant may convert all or any portion of any convertible land into one or more units or limited common areas and facilities subject to any restrictions and limitations which the declaration may specify. Any such conversion shall be deemed to have occurred at the time of the recordation of the appropriate instruments under Subsection (2) of this section and Subsection 57-8-13(2).

(2) Simultaneously with the recording of the condominium plat pursuant to Subsection 57-8-13 (2), the declarant shall prepare, execute, and record an amendment to the declaration describing the conversion. The amendment shall assign an identifying number to each unit formed out of a convertible land and shall reallocate undivided interests in the common areas and facilities in accordance with Subsection 57-8-13.10(2). The amendment shall describe or delineate the limited common areas and facilities formed out of the convertible land, showing or designating the unit or units to which each is assigned.

(3) All convertible lands shall be deemed part of the common areas and facilities except for such portions of them as are converted in accordance with this section. No such conversions shall occur after five years from the recordation of the declaration, or such shorter period of time as the declaration may specify, unless three-fourths of unit owners vote in favor of converting the land after the time period has expired.

Amended by Chapter 265, 2003 General Session

57-8-13.6. - Expansion of project.

A condominium project may be expanded under the provisions of the declaration and of this act. Any such expansion shall be deemed to have occurred at the time of the recordation of the condominium plat under Subsection 57-8-13(2), together with an amendment to the declaration, duly executed and acknowledged by the declarant, including, without limitation, all of the owners and lessees of the additional land added to the condominium project. The amendment shall contain a legal description by metes and bounds of the land added to the condominium project and shall reallocate undivided interests in the common areas and facilities in accordance with Subsection 57-8-13.10(2).

Amended by Chapter 265, 2003 General Session

57-8-14. - Legal description of units.

(1) A deed, lease, mortgage, or other instrument may legally describe a unit by its identifying number or symbol as designated in the declaration or as shown on the condominium plat.

(2) Each description under Subsection (1) shall be considered:

(a) to be good and sufficient for all purposes; and

(b) to convey, transfer, encumber or otherwise affect the unit owner's corresponding percentage of ownership in the common or community areas and facilities even though the percentage of ownership is not expressly mentioned or described.

Amended by Chapter 268, 2007 General Session

57-8-22. - Removal of property from statutory provisions.

(1) All of the unit owners may remove a property from the provisions of this act by an instrument duly recorded to that effect, provided that the holders of all liens affecting any of the units consent or agree by instruments duly recorded, that their liens be transferred to the percentage of the undivided interest of the unit owner in the property.

(2) Upon removal of the property from the provisions of this act, the property shall be deemed to be owned in common by the unit owners. The undivided interest in the property owned in common which shall appertain to each unit owner shall be the percentage of undivided interest previously owned by such owner in the common areas and facilities.

Enacted by Chapter 111, 1963 General Session

57-8-27. - Separate taxation.

(1) Each unit and its percentage of undivided interest in the common or community areas and facilities shall be considered to be a parcel and shall be subject to separate assessment and taxation by each assessing unit, local district, and special service district for all types of taxes authorized by law, including ad valorem levies and special assessments. Neither the building or buildings, the property, nor any of the common areas and facilities may be considered a parcel.

(2) In the event any of the interests in real property made subject to this chapter by the declaration are leasehold interests, if the lease creating these interests is of record in the office of the county recorder, if the balance of the term remaining under the lease is at least 40 years at the time the leasehold interest is made subject to this chapter, if units are situated or are to be situated on or within the real property covered by the lease, and if the lease provides that the lessee shall pay all taxes and assessments imposed by governmental authority, then until 10 years prior to the date that the leasehold is to expire or until the lease is terminated, whichever first occurs, all taxes and assessments on the real property covered by the lease shall be levied against the owner of the lessee's interest. If the owner of the reversion under the lease has executed the declaration and condominium plat, until 10 years prior to the date that the leasehold is to expire, or until the lease is terminated, whichever first occurs, all taxes and assessments on the real property covered by the lease shall be separately levied against the unit owners having an interest in the lease, with each unit owner for taxation purposes being considered the owner of a parcel

consisting of his undivided condominium interest in the fee of the real property affected by the lease.

(3) No forfeiture or sale of the improvements or the property as a whole for delinquent real estate taxes, special assessments, or charges shall divest or in anywise affect the title to an individual unit if the real estate taxes or duly levied share of the assessments and charges on the individual unit are currently paid.

(4) Any exemption from taxes that may exist on real property or the ownership of the property may not be denied by virtue of the submission of the property to this chapter.

(5) Timeshare interests and timeshare estates, as defined in Subsection 57-19-2(19), may not be separately taxed but shall be valued, assessed, and taxed at the unit level. The value of timeshare interests and timeshare estates, for purposes of ad valorem taxation, shall be determined by valuing the real property interest associated with the timeshare interest or timeshare estate, exclusive of the value of any intangible property and rights associated with the acquisition, operation, ownership, and use of the timeshare interest or timeshare estate, including the fees and costs associated with the sale of timeshare interests and timeshare estates that exceed those fees and costs normally incurred in the sale of other similar properties, the fees and costs associated with the operation, ownership, and use of timeshare interests and timeshare estates, vacation exchange rights, vacation conveniences and services, club memberships, and any other intangible rights and benefits available to a timeshare unit owner. Nothing in this section shall be construed as requiring the assessment of any real property interest associated with a timeshare interest or timeshare estate at less than its fair market value. Notice of assessment, delinquency, sale, or any other purpose required by law is considered sufficient for all purposes if the notice is given to the management committee.

Amended by Chapter 166, 2012 General Session

57-8-35. - Effect of other laws -- Compliance with ordinances and codes -- Approval of projects by municipality or county.

(3) From and after the time a municipality or county shall have established a planning commission, no condominium project or any condominium plat, declaration, or other material as required for recordation under this chapter shall be recorded in the office of the county recorder unless and until the following mentioned attributes of said condominium project shall have been approved by the municipality or county in which it is located.

Amended by Chapter 254, 2005 General Session

57-8-55. - Consolidation of multiple associations of unit owners.

(1) Two or more associations of unit owners may be consolidated into a single association of unit owners as provided in Title 16, Chapter 6a, Part 11, Merger, and this section.

(2) Unless the declaration, articles, or bylaws otherwise provide, a declaration of consolidation between two or more associations of unit owners to consolidate into a single association of unit owners is not effective unless it is approved by the unit owners of each of the consolidating associations of unit owners, by the highest percentage of allocated voting interests of the unit owners required by each association of unit owners to amend its respective declaration, articles, or bylaws.

(4) A declaration of consolidation under Subsection (2) is not effective until it is recorded in the office of each applicable county recorder.

(5) Unless otherwise provided in the declaration of consolidation, the consolidated association of unit owners resulting from a consolidation under this section:

(a) is the legal successor for all purposes of all of the consolidating associations of unit owners;

(b) the operations and activities of all of the consolidating associations of unit owners shall be consolidated into the consolidated association of unit owners; and

(c) the consolidated association of unit owners holds all powers, rights, obligations, assets, and liabilities of all consolidating associations of unit owners.

Enacted by Chapter 152, 2013 General Session

PROBATE CODE

75-1-201. - General definitions.

(3) "Beneficiary," as it relates to trust beneficiaries, includes a person who has any present or future interest, vested or contingent, and also includes the owner of an interest by assignment or other transfer; as it relates to a charitable trust, includes any person entitled to enforce the trust; as it relates to a "beneficiary of a beneficiary designation," … or other nonprobate transfer at death; and, as it relates to a "beneficiary designated in a governing instrument," includes a grantee of a deed, a devisee, a trust beneficiary, a beneficiary of a beneficiary designation, a donee, appointee, or taker in default of a power of appointment, and a person in whose favor a power of attorney or a power held in any individual, fiduciary, or representative capacity is exercised.

(9) "Descendant" of an individual means all of his descendants of all generations, with the relationship of parent and child at each generation being determined by the definition of child and parent contained in this title.

(10) "Devise," when used as a noun, means a testamentary disposition of real or personal property and, when used as a verb, means to dispose of real or personal property by will.

(11) "Devisee" means any person designated in a will to receive a devise. For the purposes of Title 75, Chapter 3, Probate of Wills and Administration, in the case of a devise to an existing trust or trustee, or to a trustee in trust described by will, the trust or trustee is the devisee, and the beneficiaries are not devisees.

(14) "Estate" includes the property of the decedent, trust, or other person whose affairs are subject to this title as originally constituted and as it exists from time to time during administration.

(21) "Heirs," except as controlled by Section 75-2-711, means persons, including the surviving spouse and state, who are entitled under the statutes of intestate succession to the property of a decedent.

(22) "Incapacitated" or "incapacity" is measured by functional limitations and means a judicial determination after proof by clear and convincing evidence that an adult's ability to do the following is impaired to the extent that the individual lacks the ability, even with appropriate technological assistance, to meet the essential requirements for financial protection or physical health, safety, or self-care:

(a) receive and evaluate information;

(b) make and communicate decisions; or

(c) provide for necessities such as food, shelter, clothing, health care, or safety.

(30) "Mortgage" means any conveyance, agreement, or arrangement in which property is used as security.

(36) (a) "Personal representative" includes executor, administrator, successor personal representative, special administrator, and persons who perform substantially the same function under the law governing their status.

(39) "Property" includes both real and personal property or any interest therein and means anything that may be the subject of ownership.

(42) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(46) "Sign" means, with present intent to authenticate or adopt a record other than a will:

(a) to execute or adopt a tangible symbol; or

(b) to attach to or logically associate with the record an electronic symbol, sound, or process.

(50) "Successors" means persons, other than creditors, who are entitled to property of a decedent under the decedent's will or this title.

(58) "Will" includes codicil and an

Amended by Chapter 364, 2013 General Session

75-3-101. - Devolution of estate at death -- Restrictions.

The power of a person to leave property by will and the rights of creditors, devisees, and heirs to his property are subject to the restrictions and limitations contained in this code to facilitate the prompt settlement of estates. Upon the death of a person his real and personal property devolves to persons to whom it is devised by his last will or to those indicated as substitutes for them in cases involving lapse, renunciation, or other circumstances affecting the devolution of testate estate, or in the absence of testamentary disposition, to his heirs, or to those indicated as substitutes for them in cases involving renunciation or other circumstances affecting devolution of intestate estates, subject to homestead allowance, exempt property and family allowance, rights of creditors, elective share of the surviving spouse, and administration.

Enacted by Chapter 150, 1975 General Session

75-3-901. - Successors' rights if no administration.

In the absence of administration, the heirs and devisees are entitled to the estate in accordance with the terms of a probated will or the laws of intestate succession. Devisees may establish title by the probated will to devised property. Persons entitled to property by homestead allowance, exemption, or intestacy may establish title thereto by proof of the decedent's ownership, his death, and their relationship to the decedent. Successors take subject to all charges incident to administration, including the claims of creditors and allowances of surviving spouse and dependent children, and subject to the rights of others resulting from abatement, retainer, advancement, and redemption.

Enacted by Chapter 150, 1975 General Session

57-1-2. - Words of inheritance not required to pass fee.

The term "heirs," or other technical words of inheritance or succession, are not requisite to transfer a fee in real estate.

No Change Since 1953

75-3-907. - Distribution in kind -- Evidence.

If distribution in kind is made, the personal representative shall execute an instrument or deed of distribution assigning, transferring, or releasing the assets to the distributee as evidence of the distributee's title to the property.

Enacted by Chapter 150, 1975 General Session

22-2-1. - Death of trustee -- Trust estate vests in successor.

Upon the death of a sole or surviving trustee of an express trust the trust estate does not descend to his heirs or pass to his personal representatives, but shall by virtue hereof, upon the appointment and qualification of a successor to such trustee, become immediately vested in such successor in trust.

No Change Since 1953

75-1-302. - Subject matter jurisdiction.

(1) To the full extent permitted by the Constitution of Utah, the court has jurisdiction over all subject matter relating to:

(a) estates of decedents, including construction of wills and determination of heirs and successors of decedents, and estates of protected persons;

(b) protection of minors and incapacitated persons; and

(c) trusts.

(2) The court has full power to make orders, judgments, and decrees and take all other action necessary and proper to administer justice in the matters which come before it.

Enacted by Chapter 150, 1975 General Session

UTAH UNIFORM PROBATE CODE

TITLE 75 CHAPTER 5

PROTECTION OF PERSONS UNDER DISABILITY AND THEIR PROPERTY

Part 2 – Guardians of minors

Part 3 – Guardians of incapacitated persons

Part 4 – Protection of Property of Persons Under Disability and Minors

75-5-401. - Protective proceedings.

(1) Upon petition and after notice and hearing in accordance with the provisions of this part, the court may appoint a conservator …

Amended by Chapter 375, 2001 General Session

75-5-420. - Conservators -- Title by appointment.

(1) The appointment of a conservator vests in the conservator title as fiduciary to all property of the protected person.

Amended by Chapter 274, 2012 General Session

78B-3-105. - Definition of heir. As used in Sections 78B-3-106 and 78B-3-107, "heirs" means:

(1) the following surviving persons:

(a) the decedent's spouse;

(b) the decedent's children as provided in Section 75-2-114;

(c) the decedent's natural parents, or if the decedent was adopted, then his adoptive parents;

(d) the decedent's stepchildren who:

(i) are in their minority at the time of decedent's death; and

(ii) are primarily financially dependent on the decedent.

(2) "Heirs" means any blood relative as provided by the law of intestate succession if the decedent is not survived by a person under Subsections (1)(a), (b), or (c).

Renumbered and Amended by Chapter 3, 2008 General Session

75-7-816. - Recitals when title to real property is in trust -- Failure.

(1) When title to real property is granted to a person as trustee, the terms of the trust may be given either:

(a) in the deed of transfer; or

(b) in an instrument signed by the grantor and recorded in the same office as the grant to the trustee.

(2) If the terms of the trust are not made public as required in Subsection (1), a conveyance from the trustee is absolute in favor of purchasers for value who take the property without notice of the terms of the trust.

(3) The terms of the trust recited in the deed of transfer or the instrument recorded under Subsection (1)(b) shall include:

(a) the name of the trustee;

(b) the address of the trustee; and

(c) the name and date of the trust.

(4) Any real property titled in a trust which has a restriction on transfer described in Section 25-6-14 shall include in the title the words "asset protection trust."

Enacted by Chapter 89, 2004 General Session

UTAH COORDINATE SYSTEM

57-10-1. - Plane coordinate systems designated -- Zones within the systems by county.

(1) The systems of plane coordinates that have been established by the National Ocean Service/National Geodetic Survey (formerly the United States Coast and Geodetic Survey) or its successors for defining and stating the geographic positions or locations of points on the surface of the earth within the state of Utah are known and designated as the Utah Coordinate System of 1927 and the Utah Coordinate System of 1983.

(2) For the purpose of the use of these systems, the state is divided into three zones: North, Central, and South Zones.

(a) The area now included in the following counties constitutes the North Zone: Box Elder, Cache, Daggett, Davis, Morgan, Rich, Summit, and Weber.

(b) The area now included in the following counties constitutes the Central Zone: Carbon, Duchesne, Emery, Grand, Juab, Millard, Salt Lake, Sanpete, Sevier, Tooele, Uintah, Utah, and Wasatch.

(c) The area now included in the following counties constitutes the South Zone: Beaver, Garfield, Iron, Kane, Piute, San Juan, Washington, and Wayne.

Repealed and Re-enacted by Chapter 60, 1988 General Session

57-10-2. - Zones must be named in maps and documents

Repealed and Re-enacted by Chapter 60, 1988 General Session

57-10-3. - North to South and East to West coordinate values

The plane coordinate values for a point on the earth's surface used to express the geographic position or location or point in the appropriate zone of this system shall consist of two distances expressed in U.S. survey feet and decimals of a foot when using the Utah Coordinate System of 1927 and expressed in meters and decimals of a meter when using the Utah Coordinate System of 1983.

(1) One of these distances, known as the "x-coordinate" or "E-coordinate," shall give the position in an east-west direction; the other, known as the "y-coordinate" or "N-coordinate," shall give the position in a north-south direction.

(2) These coordinates shall be made to depend upon and conform to plane rectangular coordinate values computed on the systems defined in this chapter for the monumented points of the North American Horizontal Geodetic Control Network, as published by the National Ocean Service/National Geodetic Survey (formerly the United States Coast and Geodetic Survey) or its successors.

(3) Any such station may be used for establishing a survey connection to either Utah coordinate system.

Repealed and Re-enacted by Chapter 60, 1988 General Session

57-10-4. - Legal effect of descriptions using coordinate values.

(1) A description of the location of any survey station or land boundary corner in the state is complete, legal, and satisfactory if it is expressed by use of the system of plane coordinates defined in this chapter.

(2) For purposes of sale or title transfer, no real property may be described solely by reference to coordinate values from the Utah coordinate system or any other coordinate system.

(3) When coordinates based on the Utah coordinate system are used in the description of any tract of land, they are supplemental to the basic description relating to existing recognized monuments and land lines of record.

(4) The description by reference to the subdivision, line, or corner of the United States public land surveys prevails over the description by coordinates, if there is any conflict between the descriptions.

Repealed and Re-enacted by Chapter 60, 1988 General Session

57-10-6. - Utah Coordinate Systems of 1927 and 1983 defined.

Amended by Chapter 62, 2001 General Session

57-10-7. - Coordinates required to be based on control stations.

Amended by Chapter 167, 1990 General Session

57-10-8. - Use of terms on maps and documents.

(1) Any document identifying or using a coordinate system shall, in accordance with Section 57-10-9, clearly and completely identify the system used.

(a) The use of the term "Utah Coordinate System of 1927 (North, Central, South) Zone" on any map, report of survey, or other document shall be used to reference the system, the coordinates, and the unit of measure as defined in Subsection 57-10-6(1).

(b) The use of the term "Utah Coordinate System of 1983 (HARN 1994, or the current federal coordinate update used as the basis of the system being used) (North, Central, South) Zone" shall be used to reference the system, the coordinates, and the unit of measure as defined in Subsection 57-10-6(2).

(2) Anyone using a coordinate system similar to the Utah coordinate system, such as one where a modified elevation datum is used, shall clearly include "modified" in the title of the coordinate system.

(3) Any survey or map based on any such modified coordinate system shall show the title of the coordinate system, including "modified" in the title and show the appropriate combined adjustment factor relating the system to the Utah coordinate system.

Amended by Chapter 62, 2001 General Session

57-10-9. - Use of coordinate system optional.

The use of the Utah coordinate system by any person, corporation, or governmental agency engaged in land surveying or mapping, or both, is optional.

Amended by Chapter 62, 2001 General Session

57-10-11. - 1983 system to be used after certain dates.

After January 1, 2002, any person, corporation, municipality, county, or state agency who is not utilizing an existing county coordinate system and is establishing a new countywide coordinate network for surveying or mapping, or both, must conform to the Utah Coordinate System of 1983, along with the current federal coordinate update.

Amended by Chapter 62, 2001 General Session

Mines and Mining

40-1-4. Copy of location notice to be recorded.

Within 30 days after the date of posting the location notice upon the claim, the locator, or the locator's assigns, shall record a substantial copy of the notice of location in the office of the county recorder of the county in which the claim is situated.

Amended by Chapter 85, 1999 General Session

Land Conservation Easement

57-18-4. - Requirements for creation.

1) Any property owner may grant a conservation easement to any other qualified person as defined in Section 57-18-3 in the same manner and with the same effect as any other conveyance of an interest in real property.

(2) (a) A conservation easement shall be in writing and shall be recorded in the office of the recorder of the county in which the easement is granted.

(b) Within 10 days after a conservation easement is recorded, the owner of real property for which the conservation easement is granted shall deliver to the assessor of the county in which the property is located a copy of the conservation easement and proof that the conservation easement has been recorded.

(c) Before January 1, 2012, each owner of property subject to a conservation easement recorded before May 10, 2011, shall deliver to the assessor of the county in which the property is located a copy of the conservation easement and proof that the conservation easement has been recorded.

What are some of the main statutorily required functions of a county recorder's office with respect to mapping/platting functions?

The county recorder

1. Is custodian of all recorded documents…and shall determine appropriate method for public to obtain copies of public records (includes maps and plats) UCA 17-21-1(1-2)
2. Shall establish procedures to govern electronic submission of plats UCA 17-21-1(4)
3. Shall keep an index of recorded maps, plats, and subdivisions UCA 17-21-6(1)(g)
4. Shall prepare and keep ownership plats drawn to a convenient scale, which shows record owners of each tract of land in the county, together with dimensions of tract (See section for modifications) UCA 17-21-21(1)
5. Each year prepares copies of ownership plats and descriptions, showing record owners at noon on January 1, transmits copies to county assessor. Reports all changes in recorded ownership. Transmits changes of ownership on appropriate forms that show current owner's name and full legal description conveyed. In cases in which only part of property is conveyed, transmits additional form showing full legal description of portion retained. [Remainder parcels] UCA 17-21-22(1-2)
6. Verifies that new subdivision plats proposed for recording meet recording requirements, i.e. each owner of record of land described on the plat has signed the owner's dedication, and is acknowledged as provided by law. UCA 17-27a-603(4)(a)
7. Records and maintains records, including plats, of annexations, boundary adjustments for municipalities, counties, taxing districts, school districts, etc. UCA 10-2-4(91)(b)

DEFINITIONS

Terms commonly seen in Recorders' Records

Black's Law Dictionary, Tenth Edition, © 2014

Absolute Conveyance: A conveyance in which a right or property is transferred to another free of conditions or qualifications.

Appurtenance: Something that belongs or is attached to something else; something that is part of something else that is more important.

Bargain and sale: (1) A negotiated transaction, usually for goods, services, or real property. (2) A written agreement for the sale of land whereby the buyer would give valuable consideration (recited in the agreement) without having to enter the land and perform livery of seisin, so that the parties equitably "raised a use" in the buyer. The result of the transaction is to leave the legal estate in fee simple in the seller and to create and equitable estate in fee simple in the buyer until legal title is transferred to the buyer by the delivery of a deed.

Bargain and sale deed: A deed that conveys property to a buyer for valuable consideration but that lacks any guarantee from the seller about the validity of the title.

Cadastre: A survey and valuation of real estate in a county or region compiled for tax purposes.

Chattel: Movable or transferable property; personal property, especially a physical object capable of manual delivery and not the subject of real property. Ex. Chattel mortgage

Chattel Real: A real property interest that is less than a freehold or fee, such as a leasehold estate. The most important chattel real is an estate for years in land, which is considered a chattel because it lacks the indefiniteness of time essential to real property. Also termed real chattel.

Conveyance: The voluntary transfer of a right or property.

Deed: (2) A written instrument by which land is conveyed. (3) At common law, any written instrument that is signed, sealed, and delivered and that conveys some interest in property. Also termed (in senses 2 and 3) evidence of title.

Enfeoffment: (1) At common law, the act or process of transferring possession and ownership of an estate in land. (2) The property or estate so transferred. (3) The instrument or deed by which one obtains such property or estate.

Fee Simple: An interest in land that, being the broadest property interest allowed by law, endures until the current holder dies without heirs; esp. a fee simple absolute. Often shortened to fee; also termed estate in fee simple; fee simple title; exclusive ownership; feudum simplex; estate in fee.

Freehold: (1) An estate in land held in fee simple, in fee tail, or for term of life; any real property interest that is or may become possessory. At common law, these estates were all created by enfeoffment with livery of seisin. (2) The tenure by which such an estate is held. Also termed freehold estate, estate in freehold, freehold interest, frank-tenement; liberum tenementum.

Grant: (1) An agreement that creates a right or interest in favor of a person or that effects a transfer of a right or interest from one person to another. Examples include leases, easements, charges, patents, franchises, powers, and licenses. (2) The formal transfer of real property. (3) The document by which a transfer is effected; esp. deed. (4) The property or property rights so transferred.

Grantee: One to whom property is conveyed.

Grantor: (1) Someone who conveys property to another; (2) Settlor.

Greenbelt: An undeveloped area of land around a city, esp. one set aside for parks or farmland or preserved as natural wilderness.

Hereditaments: (1) Any property that can be inherited; anything that passes by intestacy. (2) Real property; land.

Intestacy: The quality, state, or condition of a person's having died without a valid will.

Operative Words: In a transactional document, the words that actually effect the transaction; the particular phraseology by which the object of a legal instrument is given effect. For example, in a conveyance, the operative words are those that pass title.

Owner: Someone who has the right to possess, use, and convey something; a person in whom one or more interests are vested. An owner may have complete property in the thing or may have parted with some interests in it (as by granting an easement or making a lease)

Property: (1) Collectively, the rights in a valued resource such as land, chattel, or an intangible. It is common to describer property as a “bundle of rights”. Those rights include the right to possess and use. (2) Any external thing over which the right of possession, use, and enjoyment are exercised.

Real Property: Land and anything growing on, attached to, or erected on it, excluding anything that may be severed without injury to the land. Real property can be either corporeal (soil and buildings) or incorporeal (easements).

Record Owner: (1) A property owner in whose name the title appears in the public records. (2) Stockholder of record.

Seisin: (1) Completion of the ceremony of feudal investiture by which the tenant was admitted into “freehold”. (2) Possession of a freehold estate in land ownership.

Settlor: (1) Someone who makes a settlement of property, especially one who sets up a trust; Also termed creator, donor, trustor, grantor, founder. (2) A party to an instrument. Also spelled (in both senses) settler.

Tenancy: (1) The possession or occupancy of land under a lease; a leasehold interest in real estate. (2) The period of such possession or occupancy. (3) The possession of real or personal property by right or title, especially under a conveying instrument such as a deed or will.

> *NOTE: See The Black’s Law Dictionary for definition of 28 different tenancy relationships or circumstances, i.e. Joint Tenancy, Tenancy in Common, et al.*

Tenement: Property, (esp. land) held by freehold; an estate or holding of land.

Vest: (1) To confer ownership (of property) on a person; (2) To invest (a person) with the full title to property; (3) To give (a person) an immediate, fixed right of present or future enjoyment; (4) To put (a person) into possession of land by the ceremony of investiture.

NOTE: The Utah Code Annotated contains definitions of terms of art as relates to this industry, and the laws governing it. We refer the reader to the various code sections for specific statutory definitions.

PRINCIPLES OF

LAND RECORDS AND TITLE SEARCHING

FOR CADASTRAL MAPPING

Chapter 2

2015 Cadastral Mapping Manual

The legal basis for maintaining the maps and plats of all real property parcels in the counties of the State of Utah comes from the various statutes contained in the Utah Code Annotated, (UCA) as well as the rules as amended from time to time, contained in the Standards of Practice developed and published by the Utah State Tax Commission.

County Recorders are responsible to the County legislative body for accurate identification and portrayal of all parcel boundaries and descriptions for use in valuation and taxation of parcels for the county's portion of the annual real property taxes. Annually, the County Recorder has a statutory responsibility to transmit to the County Assessor copies of all ownership plats and descriptions, showing record owners at [as of 12:00 o'clock] noon on January 1 of each year. In addition to the transmission of plats, the Recorder must transmit the changes of ownership on appropriate forms that show the current owner's name and a full legal description of the property conveyed; and where only a part of the grantor's property is conveyed, transmit an additional form showing a full legal description of the portion retained. Much of this is accomplished by the use of computer technology. (See UCA 17-21-22)

" Cadastre" is defined by The American Heritage Dictionary, Second College Edition (ISBN 0-395-32943-4) as "a public record, survey, or map of the value, extent, and ownership of land as a basis of taxation." Cadastre mapping is crucial to accurate reporting and portrayal of boundaries and descriptions, which in turn constitutes the basis for area calculation (square footage or acreage) upon which assessment valuation is made in this process. Cadastral mappers must be able to determine location of lawful boundaries as established and determined by the official records of the County Recorder, and have the skills necessary to be able to draw the boundaries of such parcels on an area plat for taxation purposes.

In order to accurately identify the owners of title to property, by its boundaries, the cadastral mapper must be able to search the records in the Recorder's office in order to determine who the lawful record owner of the fee simple title is, and thus who must lawfully and appropriately receive the tax notice. In addition, a cadastre mapper must also be sufficiently skilled to be able to identify any conflicts between the same, including any overlapping of parcel descriptions.

Some of the resources available to make such a search are identified under the topic of General Duties of the Recorders – Records and Indexes, found in Utah Code Annotated, Title 17-21-6. An array of indexes kept in accordance with this title allows the searcher multiple options for searching a record for ownership.

In addition to the above referenced statutorily required indexes, many counties maintain an index of parcel ownership genealogy that lists the succession of title owners for each parcel, by deeds or other conveyances, without the other extraneous entries of record. "**Deed index file"** is a common nomenclature for this particular resource.

FUNDAMENTAL PRINCIPLES OF TITLE SEARCHING

This portion of instruction is intended to highlight certain basic fundamentals and definitions common to all searches made in the public records to determine real property ownership. There are many purposes for which one might search the records of the County Recorder. One size does not fit all occasions in this regard, but all instances of title searching have some common principles.

1. RECORDS ARE PUBLIC: All documents or instruments duly recorded or filed with the County Recorder are considered public records, as defined by the statutes of the Utah Code Annotated. (UCA 17-21-3, UCA 17-21-19)

2. INSPECTION OF RECORDS: A record which is a public record is required by state statute to be made available for public inspection, and for which copies may be obtained, unless otherwise “protected” or “controlled” for privacy reasons by statute. These protected types of records may require certain and specific permissions or qualifications to be inspected or copied. (UCA 17-21-1)

3. INDEXES: The indexes to the records (Tract Indexes, Abstracts, other indexes), are statutorily required to be kept, and to be made available for public inspection. These and other resources in the office of Recorder such as tax plats are generally considered to be work product, and are not statutorily certifiable as records. Copy availability varies from county to county. Some counties may provide certification of some of these resources. (UCA 17-21-6)

4. GENEALOGY: All parcel titles have a genealogy, also called a “chain” of title, (pedigree), which should begin at the first instance of transfer or conveyance, from the originating government authority, likely the United States of America, or any of its agencies. The chain of title concludes with the current owner of record.

5. ALL PROPERTY PARCELS HAVE A UNIQUE DEFINED DESCRIPTION: The definition of the parcel of real property is called its “legal” description, as in, for use in “legal” or official documents, records, or proceedings, and for assessment and taxation purposes. The parcel’s legal description forms the basis on which real property taxes are assessed, and notices prepared. All parcel descriptions contained within the records of the County Recorder are taken from official, duly recorded documents or instruments of conveyance, or as created by dedicated and recorded subdivision, condominium or PRUD, or townsite survey plats; or, they may be created for the purposes of taxation by county personnel, as in the case of remainder parcels following a division or split of a parent parcel. Each parcel has a description unique to the parcel. No two parcels within a county will have identical parcel descriptions. They must be written so as to be traceable on the ground.

6. ALL PARCELS HAVE A UNIQUE TAX PARCEL NUMBER: Each parcel must also have a unique identifying designator, also referred to as a Tax Parcel Number, Tax ID Number, Tax Serial Number, Parcel ID Number, etc. which distinguishes it from any other parcel in the county records, for taxation purposes. This may be an alpha or numeric set, or a

combination of both, depending on identification numbering convention used by the individual county. (Utah State Tax Commission Standards of Practice)

7. COUNTY RECORDER: The County Recorder is a duly elected county official, and is statutorily charged to protect the records, as their custodian. He/she is also charged with making all county records available to the public for inspection and copying, with a few exceptions. The recorder has the authority to determine how copies of the record will be made available to the public, as well as how searching is to be done in his/her respective office. Opinions vary between recorders, and thus office practices and interpretations of the application of the law may vary between counties. Local conditions prevail as to how and where the public may search and copy official records. (UCA 17-21-1)

PRACTICAL APPLICATIONS

1. RECORDS: The larger portion of records of the County Recorders in Utah will typically be found in bound volumes inside a secure and protected “vault” area, under the control and protection of the County Recorder. As technology has evolved, more recent records may be found in electronic form, in computer folders, files, and indexes. Each county differs from another in style and content.

2. USE OF PENS, ETC.: Because the records of the County Recorder are considered permanent, use of pens, markers, or other permanent annotation tools should be restricted (outlawed) around the records which are in paper form, either during the search, or during the examination. (Index or Abstract books, document images, etc.) Pencils are the recommended and preferred writing implement.

3. COPIES OF RECORDS: There is an expense to produce copies of records, and those requesting copies should be prepared to pay for them at the time they are made. Costs vary between counties. (UCA 17-21-18.5)

4. OFFICE HOURS: Business hours for the offices of County Recorders are established by each county’s legislative body. They are usually defined by county ordinance in the county code. There should be no expectation of variance to the business hours by special privilege for title professionals, or other regular and frequent patrons.

5. LEGAL COUNSEL OR ADVICE: County officers and employees should refrain from offering legal advice to the public. Should such advice be required, it should be obtained from competent legal counsel.

6. SEARCHING TOOLS: County office resources are tax-dollar funded, and therefore limited, and any instruments, implements or supplies necessary for a title search should be provided by the office patron for their personal use, and not expected to come from county resources. (Note pads, pencils, scales and other drafting tools)

METHODOLOGY

Search methods vary between title professionals and others, including county officials, who search the records, as determined by the circumstance or need. They may include:

1. **Name search** – Searches conducted using the Grantors' and Grantees' names as the search criteria. This may include Mortgagee/Mortgagor names as well.
2. **Tract or Parcel Search** – Searches conducted using property descriptions as the basis for the search
3. **Document Type Search** – Searches based on document type, i.e. Right of Way, Easement, Deed type, Court Decree, Power of Attorney, etc.
4. **Date/Time search** – Searches based on a calendar date or approximation of when a transaction may have occurred, or a span of time during which multiple transactions occurred.
5. **Deed Index File search** – Searches utilizing the Deed Index File, and confined to information contained in the Deed Index file, typically, conveyances of record.

NOTE: A simple Deed Index file search which does not include a search of the parcel Abstract may not identify all the complexities of title that a thorough abstract search may reveal.

HOW TO DO "THE SEARCH"

The steps and processes for "searching" the title outlined here are generally universal for all who would search public records for information regarding individual parcels of real property, regardless of the purpose. Title professionals employ specific methods most efficient for their particular role, which typically involves ownership, risk identification, risk mitigation and/or assumption, typical of most any insurance business. They are in the business of "insuring" title for the benefit of a purchaser and/or a lender, as to lien priority and ownership limitations as claimed or identified in various public records.

In their risk assumption, title insurance companies sometimes find it acceptable to allow or "overlook" or assume the risk, and hence, the liability for certain title defects or deficiencies. In other cases, they choose to take exception to them in their insurance coverage. Under those circumstances, the title deficiency or defect may end up not being cured through a sale or loan closing process, and may remain a burden on the title indefinitely.

The county's interest is typically limited to making sure the true owner of title receives the annual tax assessment notices, and that the property he/she is taxed for is accurately identified, described, and quantified for evaluation and assessment. Also, the county needs to assure that there are no discrepancies that cause a property to be taxed more than once, to more than a single owner of record. If there are defects in the title, they may not affect the determination of ownership for taxing purposes.

STEP ONE: IDENTIFY THE PROPERTY

The first step in the search process is to **identify the subject property** by its legal description. The term is interchangeable with the term “property description”. Once the description has been determined, it is helpful to locate the parcel on the current county ownership plat, which graphically displays its place and boundaries in relation to adjoining parcels. Note that the property description which is the topic of the search may circumscribe multiple smaller tracts created over time through splits from a larger parcel, or may be currently a larger parcel resulting from combination of smaller parcels which have come together under common ownership over a period of time.

STEP TWO: IDENTIFY THE PURPOSE

In order to optimize efforts and maximize efficiency in the search, it’s important to determine the purpose of the search, and its scope or limits.

TYPICAL PURPOSES:

1. Resolution of ownership or boundary or area disputes.

2. Discovery of easements, encroachments, or other encumbrances.

3. Determination of ownership for taxation purposes.

4. Genealogical or historical research. (Office patrons occasionally ask for this kind of assistance)

TYPICAL SCOPE: Ask the questions:

1. Does the search need to be conducted from the beginning of records, usually represented by a Patent or Grant Deed, to the present, or are the time parameters for the search something shorter or more refined?

   Example 1: Search all records from May 1, 1927 through January 27, 1946.

2. Is the search defined by parties?

   Example 2: Search all records of this property from the time John Doe received the property, until it was received by James Roe.

3. Is the search requirement only for specific kinds of instruments during a given period of time?

   Example 3: Search all records for recorded Easements and Rights of Way on the tract, from beginning to present.

4. Is the search a combination of some of the above?

   Example 4: What easements in favor of Telluride Power Inc. were recorded on the tract between January 1, 1918 and December 31, 1941?

5. Does the scope of the search include an examination of those documents, and are copies required? What information contained in the documents is relevant and should be noted?

STEP THREE: CREATE A "CHAIN" OF TITLE

Depending on the purpose and scope of the search, the searcher may need to create and examine a **"chain of title".** The series of conveyance documents discovered in a search should create a "chain" that links owners together through a series of purchase and sale transactions (Grants).

Example: **Party A** grants to **Party B. Party B** grants to **Party C. Party C** grants to **Party D**, etc.

The cadastral mapper uses multiple resources contained in the Recorder's office for the title search, including current ownership plats, and other maps, in conjunction with tract indexes, otherwise known as "Abstracts", deed indexes of various styles such as card indexes, file indexes, aperture card files, or other indices. It is important to note that the terms "Plats" and "Maps" are different. Plats are usually a work product of the cadastral mapper which delineate property boundaries, area, and identify record ownership, for taxation purposes, while maps may be commercially produced graphical representations or aerial photographs of ground features that may or may not include ownership boundaries. They may also be the work product of a GIS (Geographic Information System) operation.

Title professionals annotate their findings on what some call a **"drain sheet",** or **"chain sheet"**. A chain sheet is notation that charts the history of ownership and other interests in and of the parcel. As documents are discovered, searchers annotate the index information found in the Abstract; i.e. Book and page of instrument or its Entry Number, document and recording dates, parties to the transaction, any other pertinent information required.

Conveyance Documents include Quit Claim Deeds, Warranty Deeds, Special Warranty Deeds, Personal Representative Deeds, Court Decrees, (Decrees of Divorce, Partition, Distribution, Quiet Title, Final Orders of Condemnation,) Declarations of Taking Through Eminent Domain by Public entities, Trustees Deeds (not to be confused with Trust Deeds, which are loan documents like mortgages), Sheriff's Deeds, Boundary Line Agreements and/or Adjustments, Subdivision/Condominium/PRUD Dedication Plats, and any other document that contains similar conveyance language and/or intent.

NOTE: The county recorder may find it expedient to rely on suspected intent of recorded instruments, when the document itself is silent as to specifics. This type of determination is usually subjective, and therefore may create a liability or risk on the part of the county. Caution should be taken when making assumptions based on suspected but otherwise undisclosed intent.

In the chain of title, **fee simple title** is the usual expected conveyance. However, lesser rights or "estates" can be conveyed as well, and estates can be divided by fractions or percentages. At the end of the process, however, one or more parties will have all, or 100% of the ownership. For taxation purposes, a fragmented or split title is inconsequential, so long as one of the parties in interest receives the annual tax notices. Interests or estates may also be encumbered with obligations to other parties not in title.

Interests or estates may also be encumbered with obligations to other parties not in title. Examples include unresolved mortgage interests, rights of way, easements, other surface or sub-surface or air rights. All of these “rights” may be discovered during the search, and some may impact on value for taxation.

NOTE: Deeds do not always come to the recorder’s office in a logical order or chronologically functional sequence. Searchers must account for interests conveyed “out of order” sequentially, to determine whether a lawful transfer of title has taken place. There are two “terms of art” to remember: **“After-acquired title”**, and **“Prior-acquired title”**. Each is conditional upon the type of conveyance instrument used, and the order in which it was signed and sealed, delivered, and recorded. NOTE: Delivery is an important element of a lawful conveyance, and a “shoe box deed” which has not been delivered to the Grantee may not be legally binding on parties.

CAUTION: An exchange of Quit Claim Deeds and/or Warranty Deeds does not always accomplish a lawful conveyance.

Abstracts, or tract indexes, are commonly arranged by property site location; i.e. in the case of **metes and bounds** descriptions, usually by Township/Range, then by Section in said Township/Range, and then further by Quarter Section, within the Section.

Example: NE ¼ Sec 4, T4NR2W

Most counties in Utah have **Townsites** which may be divided into Plats or Tracts, then further divided into Blocks, and Lots in the Blocks. Abstracts for these tracts may be organized by that same method; i.e. Townsite, then Plat or Tract, then Block, then by lot.

Example: Lot 2, Block 4, Plat A, Farmington Townsite Survey.

Abstracts may also be kept for individual dedicated **subdivisions**, **condominiums, PRUD’s**, etc. likely arranged alphabetically within the Abstract book(s), and indexed in the Abstract by lot or unit number, or in the case of Time Shares, by Time Period.

Example: Lot 18, Somebody Sub.
Example: Unit 2, Bldg 20, Hob Nob Condominium.
Example: Unit 38, My Space PRUD, a Planned Residential Unit Development

All tract indexes contain references to where the document or its copy or transcription may be found in the Recorder’s office for examination. In conformance with UCA 17-21-6, the index will also show for each document indexed, its type of instrument, parties’ names, execution dates of instruments, recording date and time, and a chronological or sequential “entry number”, showing the document’s place among all documents recorded, the recording fee, any consideration and its amount, and a brief description of, or reference to the property which is the subject of the document.

The Tract Index or Abstract books contain the list of recorded documents in the chronological order in which they are received, indexed according to their location. Hence, they will not be in a more specific order, such as a pure alphabetical order of parties' names. Once the search reaches the computer era, that order can be rearranged for convenience in searching, depending on the computer program the county is using.

Historically, the Tract Index entries begin with documents filed at the date of beginning of official record keeping in each county, (in the 19th century in Utah), and they run chronologically to the point, in most counties, when the book form of index ends and a computerized indexing system begins. Typically, there is a nominal overlap between tract index books and the county computerized index system. Depending on the scope of the search, both books and computer systems may need to be searched.

NOTE: Current Utah law (2012 A.D.) denotes that a document indexed in any one (but fewer than all) of a number of different statutorily required indexes constitutes "legal notice". Hence, a prudent title searcher would examine all the indexes available, understanding that a document may have been omitted from one or another particular index. (See UCA 17-21-6(3)(g))

At times the information on the recorders computer program does not contain all the information one needs to resolve vesting questions or other issues on a property. One may, however, find the information one needs in the "**Deed index file"** on the property index cards.

These cards may contain:

- Deed references to vesting documents from the current date backwards in time to the patent.
- Deed references that created breakdowns (splits) on the original parcel.
- Deed references for easements or right of ways.
- Deed references for annexations, road dedications or special taxing districts.
- Recorder's office employee comments about gaps, overlaps, remaining interest of owners, or other information the employees may have kept about owners of the property or issues that have been addressed in the past. (Sometimes, such information is best kept confidential)

These cards may be the original card created by the recorder's office for the parent parcel. Depending on the procedures of the office, the original card and any successive cards may have been retired to an inactive file when the corresponding parcel number was deleted. In that instance, the searcher may have to investigate these other cards.

COMPUTER INDEXES AND SEARCHING

Most if not all of Utah's county recorder offices have deployed computers for abstracting and indexing. Following the search from the Abstract, or "books", as has been outlined, the searcher typically is able to continue the search using the information on the computer through a present verified abstract date.

Computer systems vary from county to county, and so the process to find information may also vary, county to county. Generally, indexes on the computers include most or all of the following: Abstract, Document, Party Names, Document by Location, Situs address (site or location) and Owner Mailing Address, Water Claims, Mining Claims and Subdivision and Township Indexes.

Access to these individual indexes may require knowledge of access codes or some other form of access control feature that has been installed to minimize security risks and preclude unlawful practices or searches. For instance in some counties, access to information on the county land systems computer requires using the parcel's Land Serial Number, comparable to other counties' Parcel number, APN, Sidwell No., Tax Serial Number, or Account Number. Since each county operates independently of others, and each system has individual characteristics, suffice it to say here that familiarity with the county system is essential for optimum efficiency in title searching.

Proceeding through the on-screen computer abstract, the procedure is much the same as has been outlined previously; annotating each document, being aware of any changes in the description, ownership changes that may take place on some or all of the original platted description.

It is typical among the counties, by practice and by adherence to the Utah State Tax Administration Standards of Practice, that each parcel of land within a given county is identified and recognized by an identifier unique to each parcel, usually in the form of a tax serial number which is applicable ONLY to a single parcel description and distinct footprint. When that footprint (description) changes, and the acreage or configuration changes in ANY way, (See Footnote 1) one can expect to see a NEW tax serial number assigned, and the former tax serial number deactivated, disabled, or deleted from the inventory of parcel identifiers. This method varies between counties, and may or may not be the practice in some counties. Bear in mind, it is the "dirt" you're investigating, not the tax serial number.

Footnote 1: Metes and bounds descriptions may be improved upon by survey descriptions, which may alter the description, but not change its footprint or acreage. In such cases, the parcel described MATCHES the description of record in substance, and no new tax serial number is required.

There are certain terms that need to be understood by their definition:

1. Parent Parcel – The original parcel described as it existed before the split, division, subdivision, or combination that created the change in parcel boundaries.

2. Child Parcel – A parcel created when the original or "parent" parcel is split, divided, or otherwise changed resulting in a different number of parcels than there were previously.

3. Remainder Parcel – The left over portion of an original parcel that was not included in or described as part of the split, division, or subdivision of that parcel. Also known as that parcel remaining in the Grantor's name after the original parcel is split and part is conveyed to another party.

NOTE: The descriptions for these remainders may be generated by deeds of record, or commonly, they are created by the County Recorder or Surveyor, for the purpose of identifying "left over" property for taxing purposes.

It is recommended that a new tax serial number be assigned to a "child" parcel (offspring from the "parent" parcel), and the remainder parcel also be assigned a new tax serial number. Old numbers undergoing any of the above processes are/should be deleted from the inventory (sometimes termed "killed"). The implication of that term is that the number is no longer a viable taxing number, and should not be reassigned to a different parcel. It will always refer to a specific parcel which no longer exists.

Deleted numbers and their legal descriptions and abstracts are often kept available for research on the computer in counties. But the searcher needs to be aware that changes in tax serial numbers do occur. And when that happens, the searcher must follow the parcel, (the dirt) regardless of its assigned tax serial number, new or old. (This issue becomes a concern during the reconveyance process for trust deeds, when the property originally encumbered changes its configuration and is re-numbered among county parcels)

STEP FOUR: WRITE DOWN DOCUMENT REFERENCES

Document, annotate and write down the results of the search in clear and understandable order and terms. This may be as simple as an annotated list of documents found, in the order in which they are recorded.

STEP FIVE: EXAMINE THE DOCUMENTS

Each document discovered and annotated in the search must be **examined** to assure that it meets the lawful purposes for which it was intended, and also to determine that it conforms to the law in its construction and execution. For example, one should ask the question, "is it properly executed, acknowledged, and notarized, and does it properly convey the interest or right as expected? Or, is it something less?"

NOTE: The act of recordation in the Recorder's office is for the purpose of giving public notice of an action. It does not automatically accord validation or effectiveness to the document or its stated purpose. ALSO: If a document is not duly recorded in the Recorder's office in the course of a transaction, the omission of recordation does not invalidate or nullify the transaction. It merely omits public notice in the Recorder's office that such a transaction transpired.

ADDITIONALLY, there are some lawful presumptions regarding title to real property that are allowed by statute in the Utah State Code because of otherwise duly recorded documents, and the searcher should acquaint himself/herself with those presumptions. (UCA 57-4a-4)

STEP SIX: SUMMARIZE THE RESULTS OF THE SEARCH

Summarize the search results, boil off all the fat, (claims made in the record that have also been resolved and released in the record) and determine the net results of the search. Does it meet expectations, resolve the question or dispute, or clarify the issue? Are the goals for the search met? It is at this point, title insurance professionals would produce a written "title report", or "preliminary report", sometimes called a "Commitment for Title Insurance", or "Binder", in preparation for an escrow closing, sale, or refinance, of the subject property.

SUMMATION

After thoroughly examining the documents, the searcher should be able to ascertain the current legal description of record, its bounds and area, the current owner(s) of record and any other encumbrances on the property affecting boundaries; i.e. easements, encroachments, over-laps, gaps, and any other interests in the property which are made apparent by a thorough search.

The searcher needs to be aware that there may be Judgments which may be filed in various courts or other jurisdictions that may bear on the ownership of the property. The searcher may need to pursue a name search in those localities to identify any such encumbrances.

BASICS OF DRAFTING

FOR

CADASTRAL MAPPING

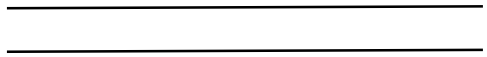
Chapter 3

2015 Cadastral Mapping Manual

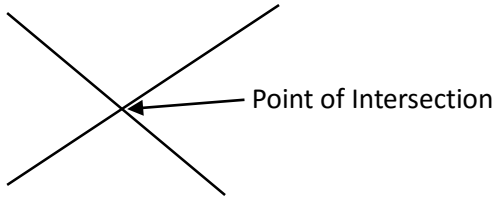
Basic Definitions

Drafting - in connection with cadastral mapping, is the art of representing records on a plane surface such as paper, linen or mylar with aid of instruments.

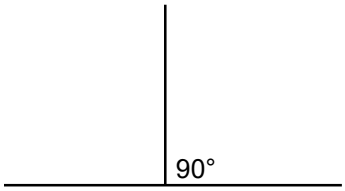
Parallel Lines - are any lines that are the same distance apart throughout their length, as shown below.



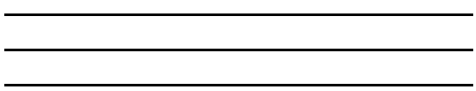
Intersecting Lines - are any lines that cross each other, as shown below. The point at which they cross is called the point of intersection.



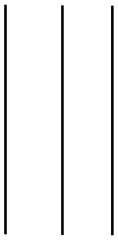
Perpendicular Lines - are lines that are at right angles (90°) with each other, as shown below.



Horizontal Lines - as used in drafting, are straight lines that are parallel to the top and bottom of the drawing, as shown below.

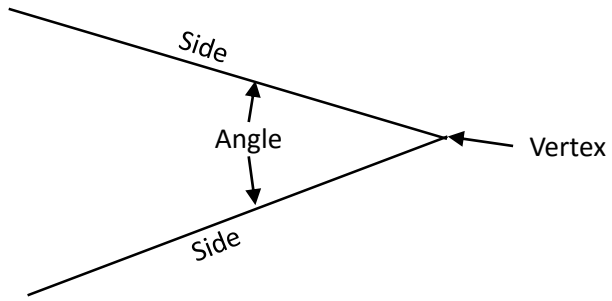


Vertical Lines - as used in drafting, are straight lines that are parallel to the sides of the drawing, as shown below.

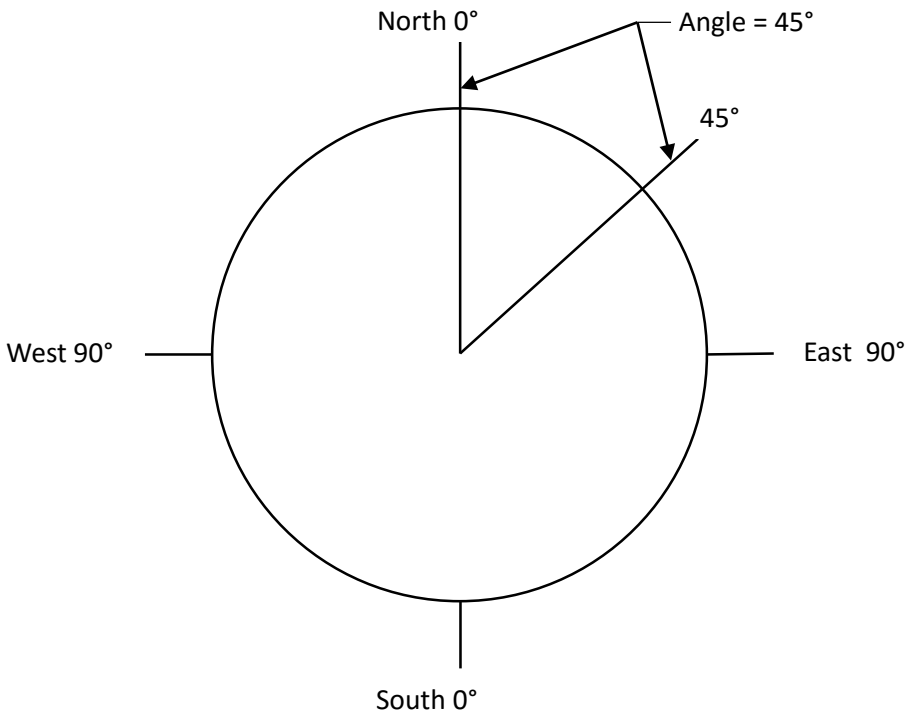


On a particular drawing, all horizontal lines are parallel to each other; all vertical lines are parallel to each other and every horizontal line is perpendicular to every vertical line. Lines that are neither horizontal nor vertical are referred to as oblique or inclined lines.

Angles - An angle is the opening between straight lines that meet or intersect. The lines are called the sides of the angle and the point where sides meet is called the vertex of the angle, as shown below.



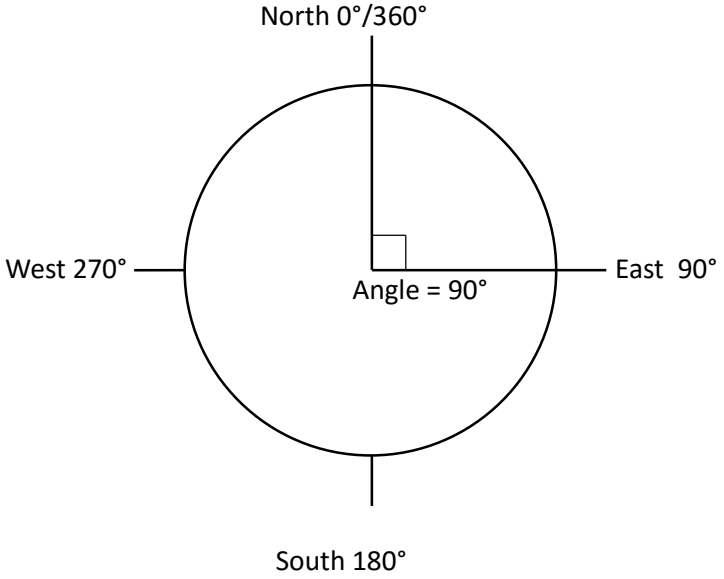
Measurements of Angles - Angles are measured in relation to a circle containing 360° (° = degrees). Degrees are broken down into minutes, there are 60 minutes (') in one degree. Minutes are further broken down into seconds, 60 seconds (") equals one minute. Any given angle may therefore be measured by drawing a circle with a vertex of the angle as the center of the circle and finding the number of degrees in the circle lying between the sides of the angle, as shown below.

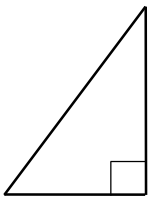


Degrees, minutes and seconds and their use in cadastral mapping are further discussed in greater detail in the elements of surveying and mapping chapters of this manual.

Types of Triangles – There are four general types of triangles, below is a brief description of each type.

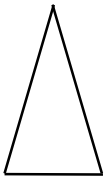
Right Triangle - Two sides of a triangle are perpendicular to each other, the angle is a right angle. A right angle is always 1/4 of a circle (360°) and is always equal to 90°, as shown below.





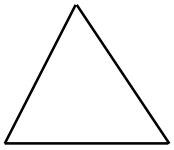
Right Triangle

Isosceles Triangle – Two sides of the triangle have the same length.



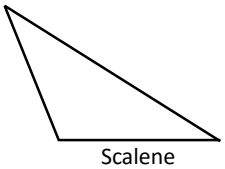
Isosceles Triangle

Equilateral Triangle – Three sides of the triangle have the same length and all three angles are equal.



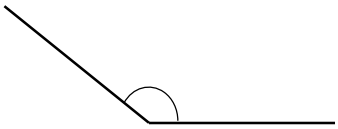
Equilateral Triangle

Scalene Triangle – The three sides of the triangle all have different lengths.

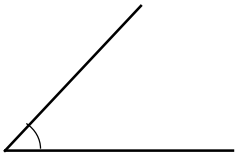


Scalene Triangle

Oblique Angles - any angle that is not a right angle is an oblique angle. An oblique angle that is less than a right angle is an acute angle. An oblique angle greater than a right angle is an obtuse angle, as shown below.

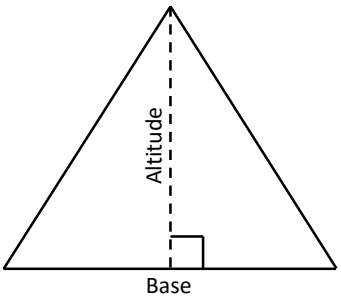


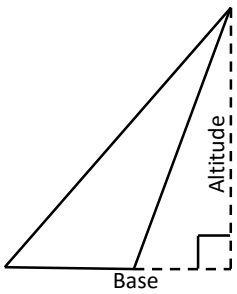
Obtuse Angle



Acute Angle

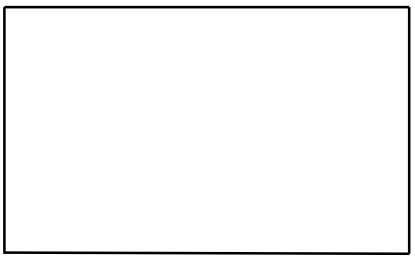
Altitude of Triangle - is represented by a line that is perpendicular to the base and is drawn from the vertex to the base or a prolongation of the base as shown below.





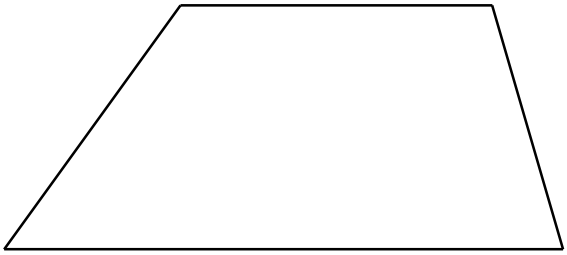
Parallelograms - have four sides and two pairs of parallel sides and the parallel sides have the same length. If the sides of one pair are perpendicular to the other pair, it is a rectangle. Both are shown below.

Parallelogram



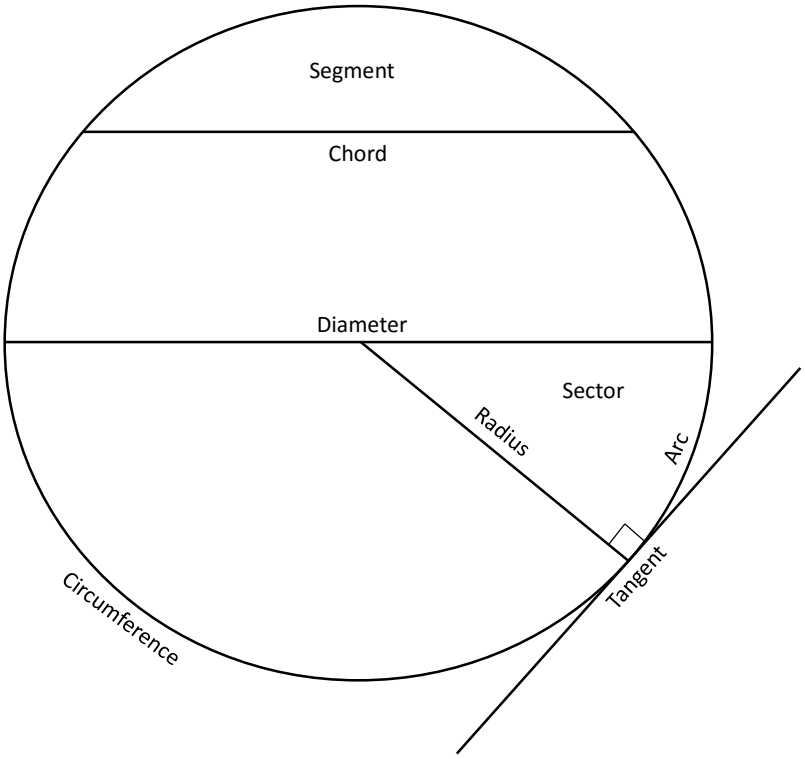
Rectangle

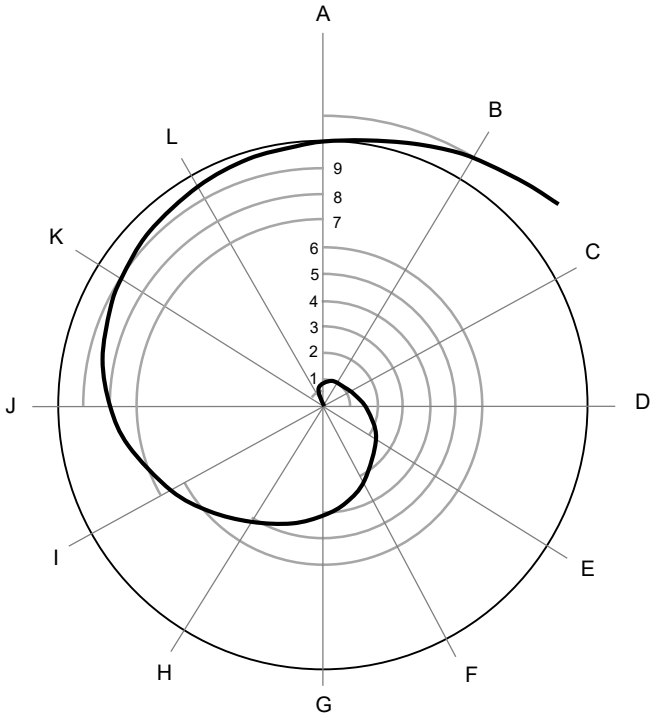
Trapezoid - has four sides and only two sides are parallel, as shown below.



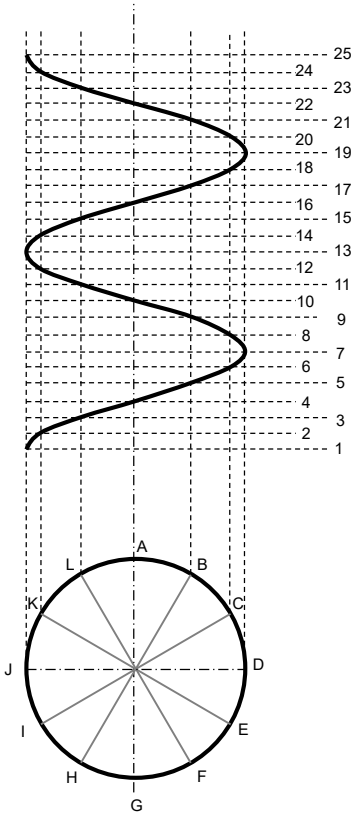
Trapezoid

Elements of a Circle - below are shown the principal terms used in connection with circles.





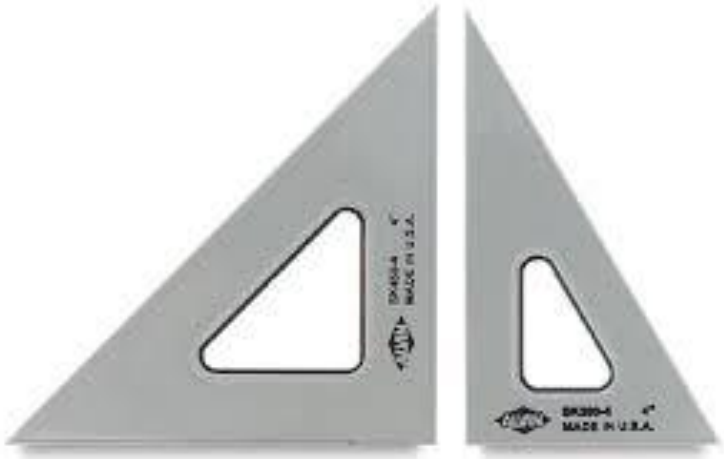
Spiral



Helix

Drafting Equipment

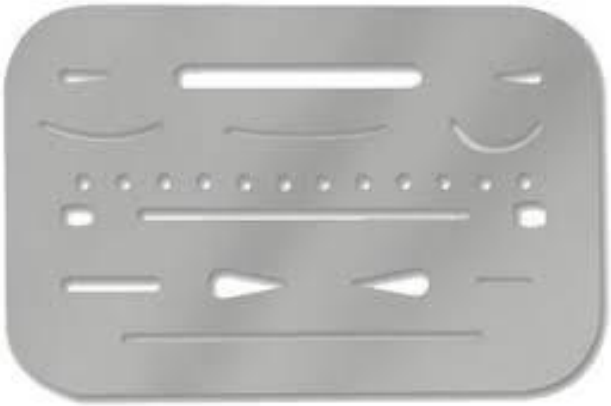
Drafting Triangles - are of 2 shapes, one is a 45° triangle and the other is a 30°- 60° triangle, as shown below.



Electric Eraser - is used for a variety of erasing applications whether penciled, inked, or typed. A sample of an electric eraser is shown below.

In the State of Utah, some cadastral mapping is done on film base material that has a matte surface on one side. Electric erasers should NOT be used on this type of surface because they remove too much of the matte surface when erasing, hand erasing pencil lines is the preferred. Erasing ink is easy because ink stays on the surface of the film and can be removed with a dampened eraser.

Erasing Shield - is used to protect the lines around those being erased.

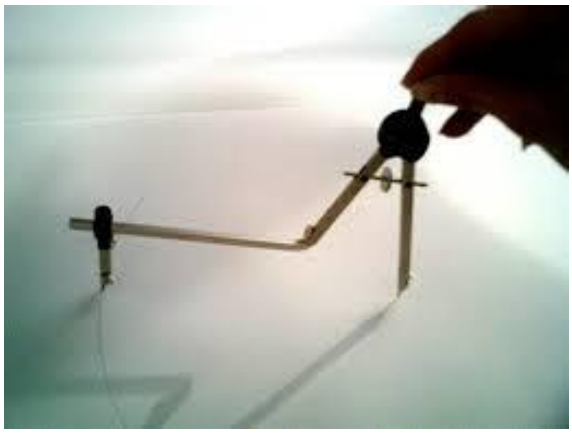


Engineers Scale - is a tool for measuring distances and transferring measurements at a fixed ratio of length and is divided into decimalized fractions of an inch. The cross-section is like an equilateral triangle, which enables the scale to have six edges indexed for measurement. The scale is graduated in units of 1 inch divided into 10, 20, 30, 40, 50, and 60 parts. In using the scale for cadastral mapping, each unit may represent 10', 20', 30', etc., depending on the scale of the drawing. Each part within the inch equals 1' or 10' depending on the scale of the drawing.

Compass - a drawing instrument used to construct circles or arcs. A combination compass provides a lead attachment, ink attachment and an extension piece to increase the radial capacity of the compass.

Drawing Circles and Arcs with a Compass - after the compass has been adjusted to the desired radius, place the needle point at the center of the required circle. Turn the compass, using the needle point as a pivot, describing the desired circle or arc as shown below.

When it is necessary to draw circles or arcs larger than the compass will permit, insert the extension and use as shown below.



Small Bow Compass - when it is necessary to draw a circle or arc of a small radius, it is advisable to use a small bow compass. It is similar to the large compass except it is smaller in size and has no provision for and extension piece as shown below.

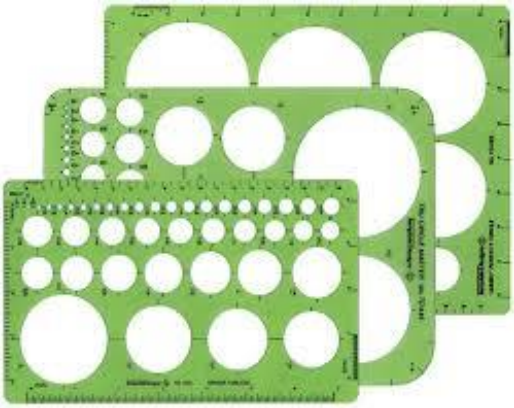
Dividers - are instruments similar to the compass but have needle points in each leg. They are used for stepping off spaces or transferring distances on drawings. A compass can be used as dividers by substituting a needle in place of the pencil or pen. A sample of dividers is shown below.

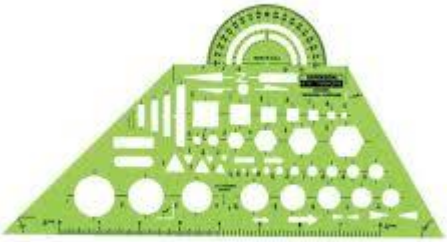
Adjustable Curve – is used for drawing arcs of different radii, it can be quickly adjusted to the desired radius as shown below.

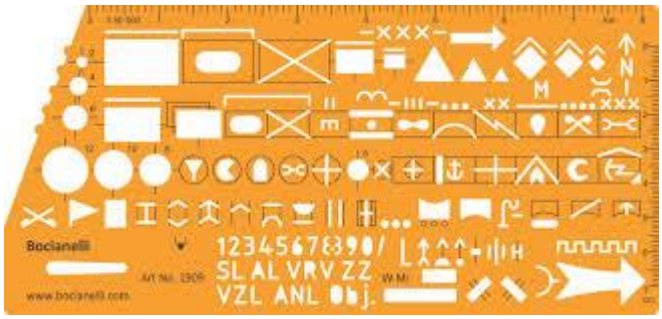
Flexible Curve - gives the mapper unlimited curves and holds any shape after adjusting.

Railroad Curves - can be used when it is required to draw a circular arc whose radius is greater than can be obtained with a compass and extension. They usually come in sets showing the degree of curve and length of radius in inches at a scale of 100 feet to the inch, as shown below.

Templates - can be of great assistance to the mapper and come in a great variety of shapes and sizes, a few samples are shown below.

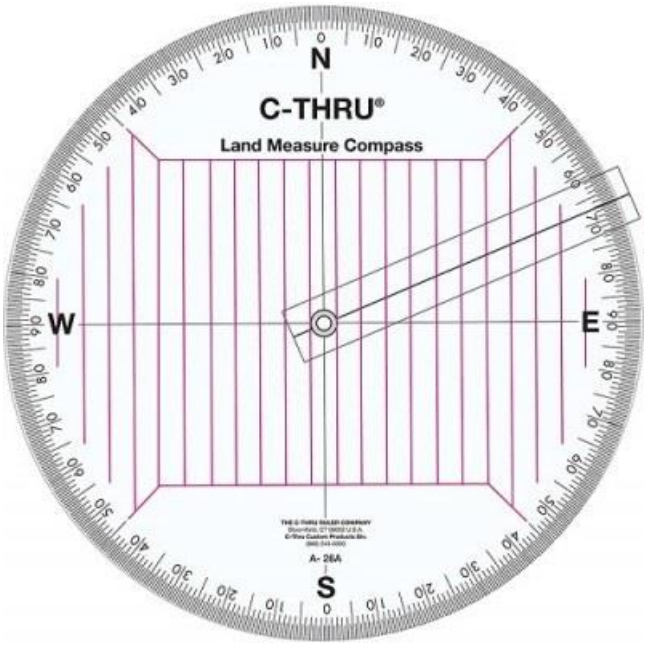






Protractor - is an instrument for measuring or laying out of angles. Protractors come in full circles (360°) or half circles (180°) and are divided into degrees and half-degrees. Every tenth degree is numbered, and the numbers run in both directions, as shown below.

Land Measure Compass – a specific type of protractor for measuring or laying out of angles or based on compass direction usually referred to as bearings. The Land Measure Compass is laid out in a full circle and is broken into four 90° directional quadrants with the measurements divided into degrees and half-degrees. It has a movable arm for assistance measuring existing angles.

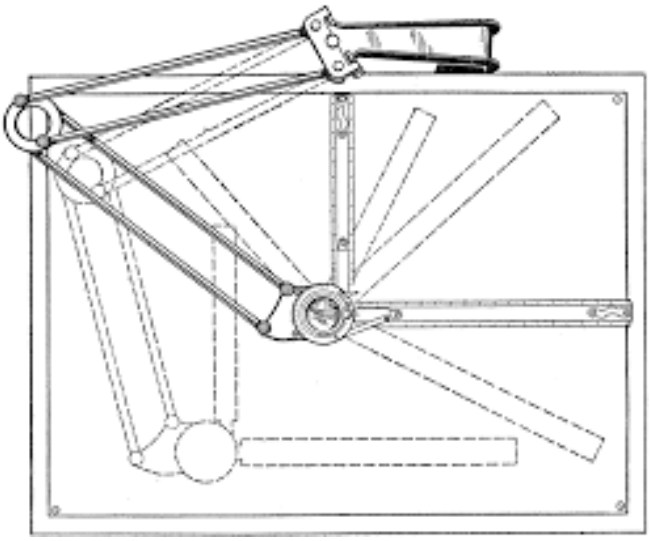


Irregular Curve - also known as a french curve. The various parts of its edges are curves with different radii and it is used for drawing lines with irregular curvatures. A sample of an irregular curve is shown below.

Drafting Machines

Drafting Machines have taken the place of the T square, triangles, scales, and the protractor. The two typical types of drafting machines are shown below.

Elbow Drafting Machines – have taken the place of the T square, triangles, scales, and the protractor. A drafting machines and its parts are shown on the following page.



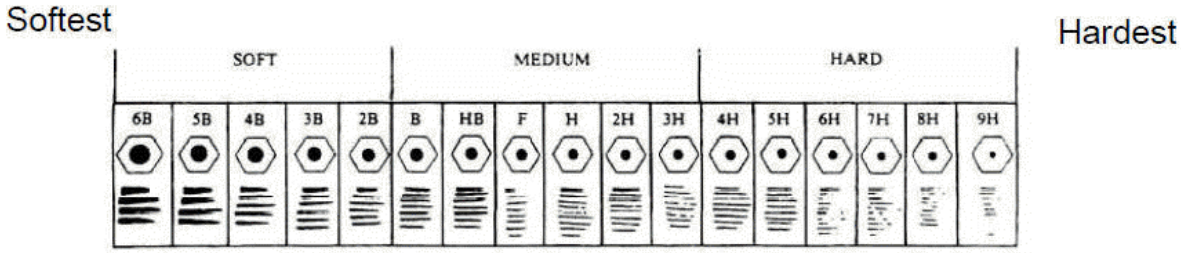
The arms contain steel bands working on pulleys that provide a parallel motion to the scales. The scales are removable so they can be changed to different scales.

Below is an enlargement of a typical head.

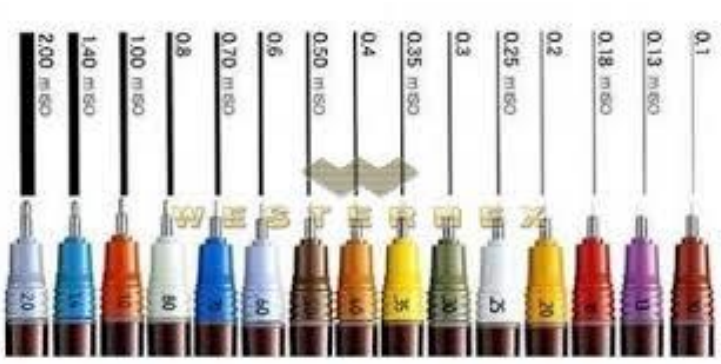
Track Drafting Machines - became very popular with cadastral mappers because it serves all the functions of a traditional drafting machine with additional advantages. The track drafting machine uses less space because the rails do not exceed the table surface as the arms do on a traditional elbow drafting machines but still covers 93% of the table surface. They glide easily to any position on the board and the vertical rail assures constant right angle stability. Some units are equipped with a base line indicator that permits the drawing of oblique lines at any angle and a return to the original baseline.

Drafting Pencil – Drafting Pencils are similar to your standard mechanical pencils but they have a longer sleeve tip where the lead comes out. The longer sleeve on a drafting pencil allows it to glide better along a ruler or template. They are also available in many different lead sizes, including 0.3 mm and 0.9 mm, as well as your usual 0.7 mm and 0.5 mm.

Drafting Lead – these are made of graphite, mixed with varying quantities of clay to produce different degrees of hardness and shade of darkness: 9B (very soft), 8B, 7B, 6B, 5B, 4B, 3B, 2B, B, HB, F, H, 2H, 3H, 4H, SH, 6H, 7H, 8H, 9H (very hard). There are also special leads made for work on mylar that vary in hardness. The softer the pencil lead is, the darker it shows up. The HB lead is the same as a standard #2 pencil lead.



Ink Pens - ink lines are made from a variety of pens, the most common being the reservoir pens. The width of lines created by these pens is determined by the number of the point used, the smaller the number the narrower the line and increasing in width as the number increases, as shown below. These pens are ideal for accurate line placement along a straight edge, curve or triangle, and free-hand drawing and lettering.



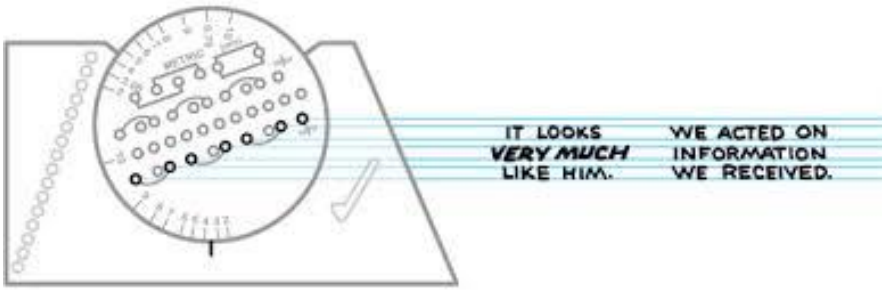
Ultrasonic Cleaners - can be used to clean inking equipment in seconds without taking apart pens, nor is ink removal necessary. The ultrasonic cleaner can also be used to clean disassemble pen parts if desired.

Lettering

Vertical Single-Stroke Lettering - Single-stroke lettering does not mean that the entire letter is formed with a single stroke, but means a line is made with one stroke. The directions of the strokes are indicated by the small arrows by the letters and the order in which the strokes are made are shown in the examples below.

Inclined Single-Stroke Lettering -

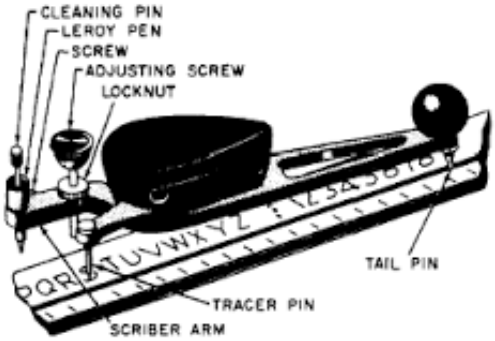
Letter Guides - there are various devices that can be used for drawing for lettering. One of these is known as the Ames Lettering Instrument as shown below. It consists of a disc inserted in a frame which can be rotated for different sized spaces.



A common practice among cadastral mappers is to use a lettering guide to create a series of different sized lines on a separate piece of paper and positioning it under the original drawing and use these lines as a guide for lettering. This lined paper can be moved to any desired position and eliminates the need for lettering guide lines directly on the original drawing.

Precautions in Lettering - Besides being formed properly, the letters on a drawing should always be in good alignment. Horizontal guide lines should always be used and the letters should have the heights indicated by the guide lines. The width of numerals, except 1, should be 5/6 of the height.

Lettering Devices - One of the cadastral mapper's most useful tools is the lettering set, with which perfect lettering can be made easily and rapidly. The Leroy Lettering Instrument is perhaps the most successful lettering device in use, as shown below.



You need only three basic items. This is how to use them.

1. LEROY Template - Choose the template with the size and style of lettering you want. (There are many styles and sizes of alphabets, as well as graphical symbols. Also, templates can be made specially for you to your own design.) Lay it along your straightedge.

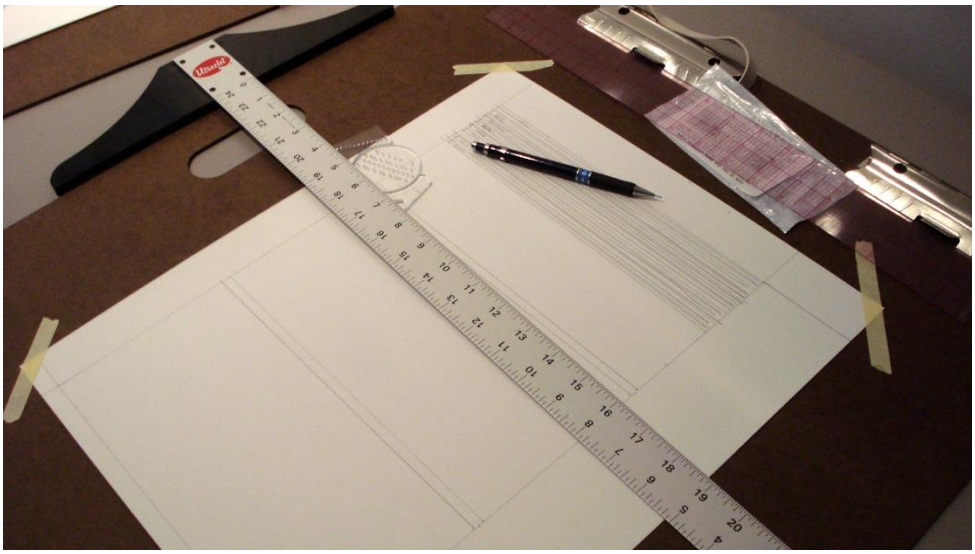
2. LEROY Pen or Pencil
   LEROY Pen - Choose the type of pen (Reservoir or Standard) with the width that best suits the job you are doing. Set the pen in the socket in the upper arm of the scriber.
   LEROY Pencil - For pencil lettering work, you can use either the LEROY 0.5 mm Pencil or the LEROY Lead Clutch that holds any regular draftsmen's lead. Both work with all LEROY scribers.
   .

3. LEROY Scriber - Set the tail pin of the scriber in the straight guide groove of the template. With the tracer pin of the scriber simply trace the engraved letters in the template. The pen reproduces the letter or symbol in full view, above the template.

Standard Lettering Set

Electronic Lettering Devices - are available that produce a variety of lettering styles, symbols and designs used in cadastral mapping. These devices provide fast, quality ink lettering directly on the original drawing, as shown below.

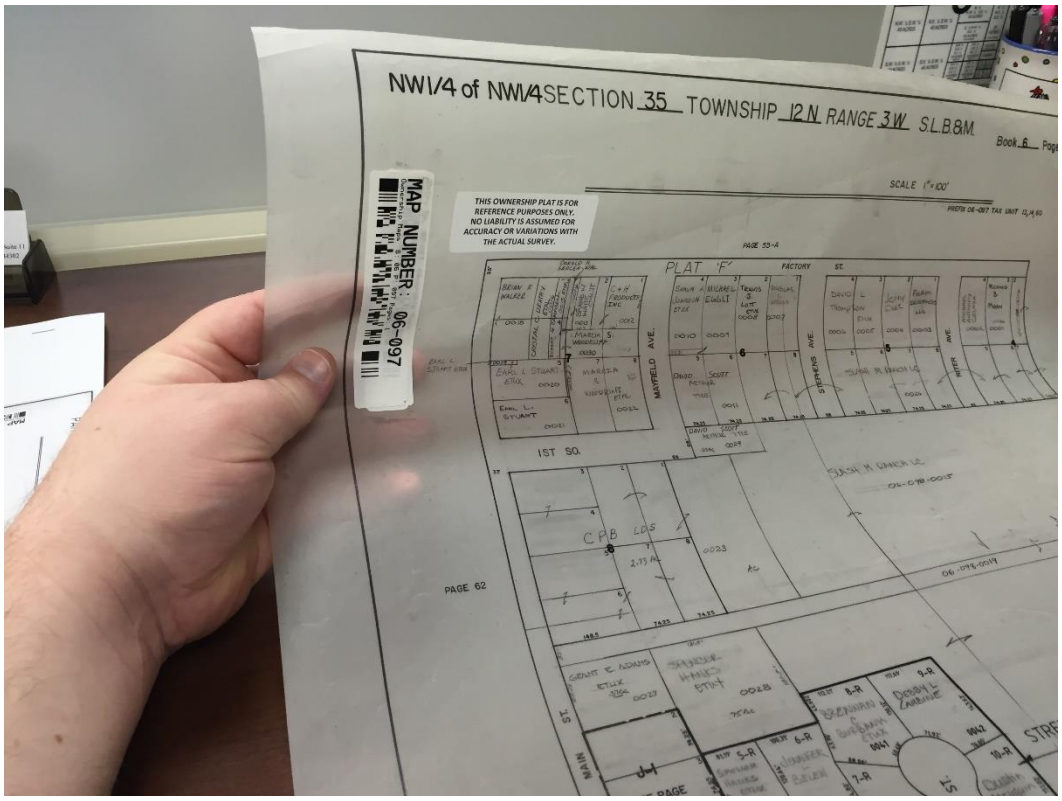
T Square Ruler - a technical drawing instrument used by draftsmen primarily as a guide for drawing horizontal lines on a drafting table. It can be used with a lettering instrument, drafting triangle, or other drafting tools to keep the tools and lines "square" or perpendicular to the sides. Its name comes from its resemblance to the letter T.



Drafting Media - Most non-digital cadastral mapping in the State of Utah is done on a stable base, reproducible polyester film.

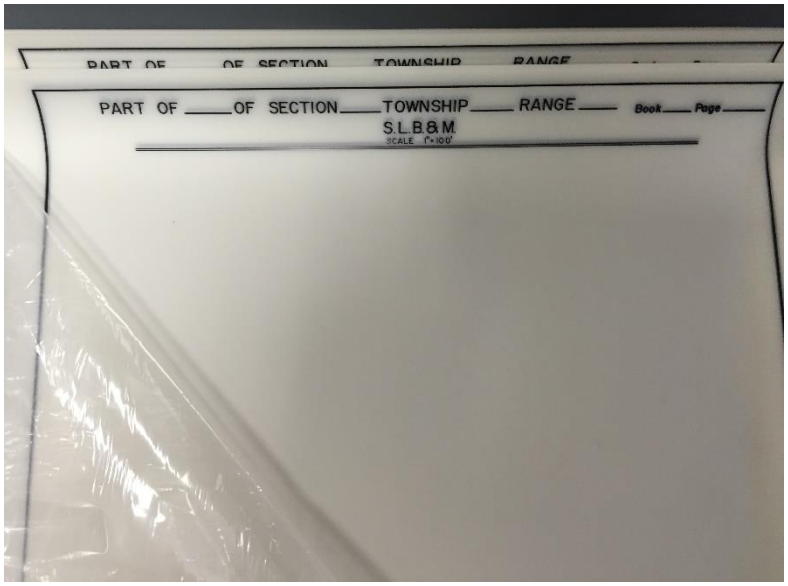
The advantages of film are:

- Copies of maps can be reproduced on standard copying equipment.
- Map information can be changed without physically damaging the master maps.
- Maps will not tear or change in scale.
- Maps can be microfilmed for reproduction, security and storage.



This type of Media is produced by bonding a drawing surface to polyester film, this surface is commonly called a "matte" surface. This matte surface is receptive to pen and pencil work and is able to withstand revisions with little surface degradation if proper film erasers are used. For best results plastic leads, vinyl erasers and specially formulated inks are recommended for drafting film.

This type of drafting film is available with a matte surface on one side or both sides, and comes in thickness from 2mil (.002) to 7 mil (.007). It is available with a non-reproducible grid if desired.



The most common type of drafting film used for cadastral mapping is a one sided matte surface film, 3 mil thickness, white or blue tint.

In the past the drafting film type of media was extremely popular and a broad range special leads, inks and erasers were available.

As digital CAD and GIS software gains popularity some of these drafting supplies mentioned in this chapter have become difficult to obtain. However most of the drafting supplies can still be purchased from an online store.

ELEMENTS OF SURVEYING

FOR CADASTRAL MAPPING

Chapter 4

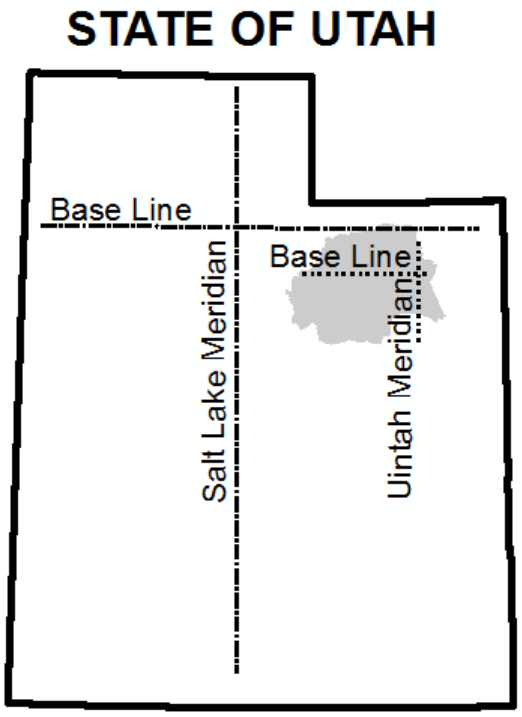
2015 Cadastral Mapping Manual

Elements of Surveying and Mapping

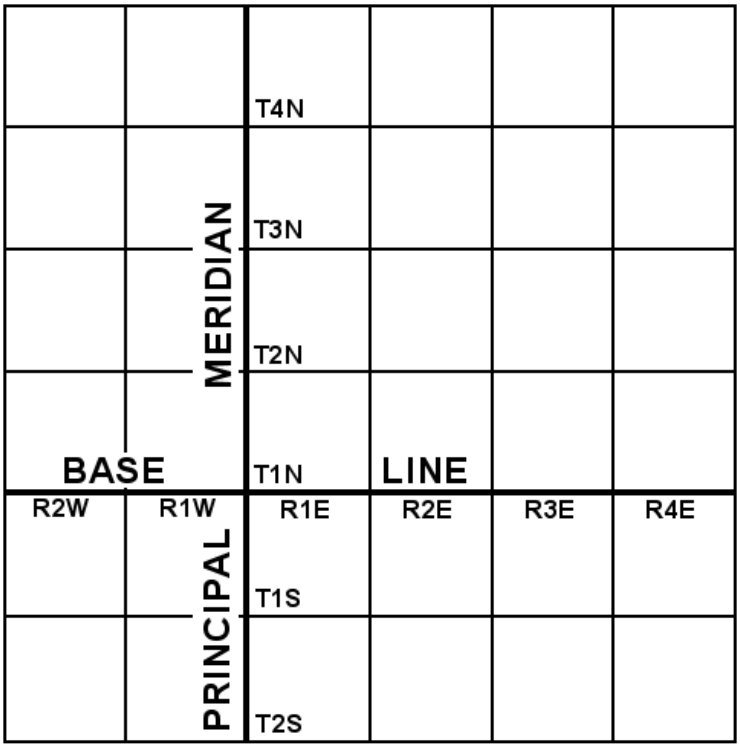
Utah's system of land surveying is the rectangular survey system as set forth on May 20, 1785 by the Continental Congress. Subsequent legislation and regulations have added refinements.

Under the rectangular survey system the State of Utah is plotted into a grid of squares, six miles to each side, called "Townships".

These Townships are determined from an initial point of intersection of a north-south line and an east-west line. The north-south line is called a Principal meridian and is identified by a name - The Salt Lake Meridian, for example. The east-west line becomes the base line for that Meridian. The State of Utah has two (2) principal meridians, the Salt Lake Meridian and the Uintah Special Meridian (shown in grey).

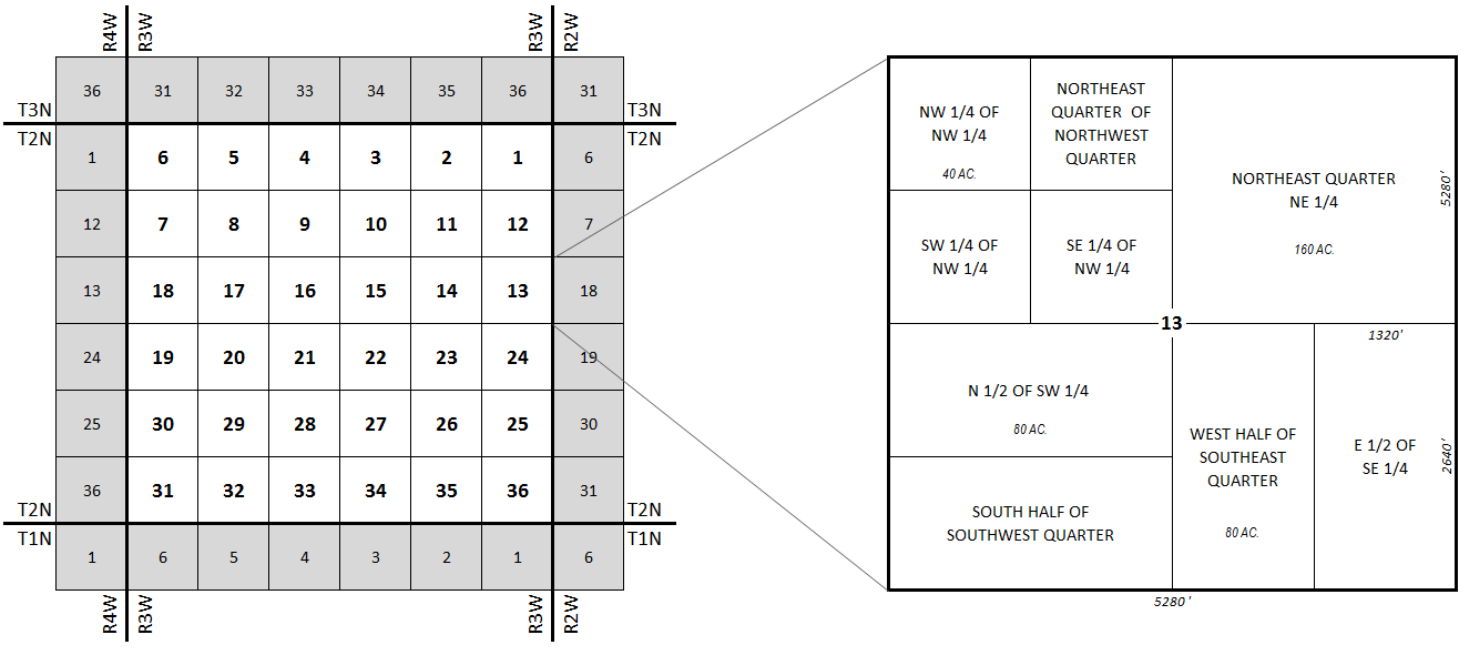


Working along the principal meridian and base line, the townships are set at six (6) mile intervals, and then by extension, the townships are marked off into a grid. Each of the six (6) mile squares is a township of 36 square miles or approximately 23,040 acres. Any specific township can then be located according to its relationship to the appropriate meridian and the base line.



See the end of this chapter for or more information on the Public Land Survey system and Section Township and Range

The township is further divided into sections of 1 mile squares containing 640 acres. Individual sections are identified by a numbering system that starts with section 1 in the northeast corner of the township and ends with section 36 in the southeast corner.

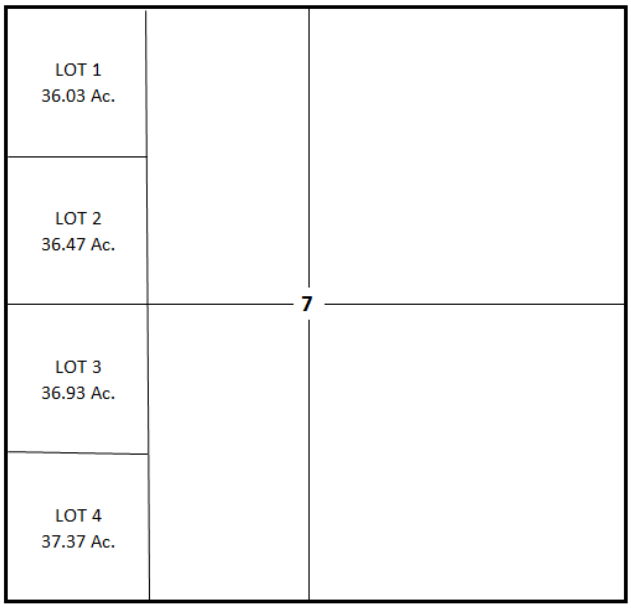


T 2 N, R 3 W S.L.B. & M.

The sections can be further subdivided into quarter sections of 160 acres. Quarter sections can be divided into half quarters of 80 acres or into quarter-quarter sections of 40 acres, etc.

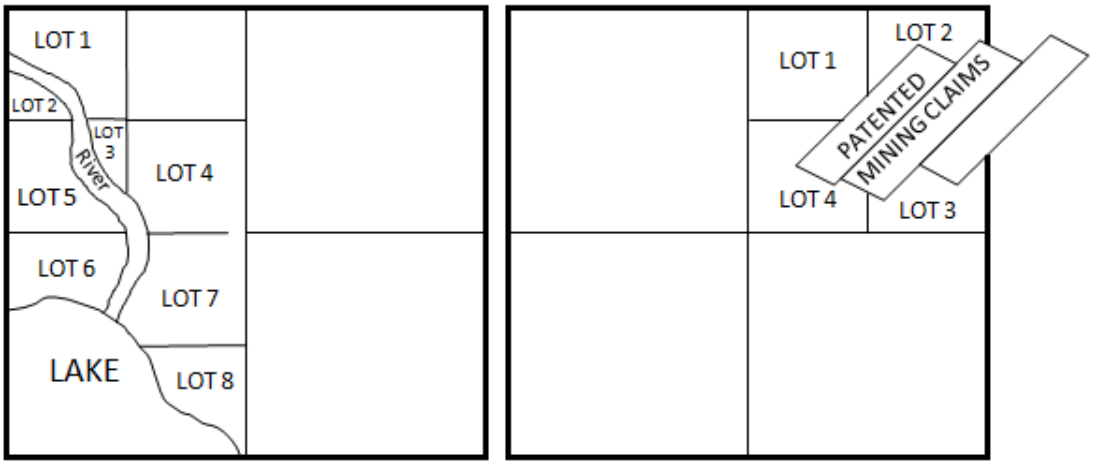
These portions of sections can easily be described in short form with the name of the base and principal meridian “NE1/4 NW1/4 Sec. 13, T 2 N, R 3 W. S. L. B. & M.

Fractional or aliquot parts of sections can be legally and correctly described as lots to make up for surpluses and shortages. These types of lots are frequently used on the west and north edges of townships to take up surpluses and shortages as shown below.

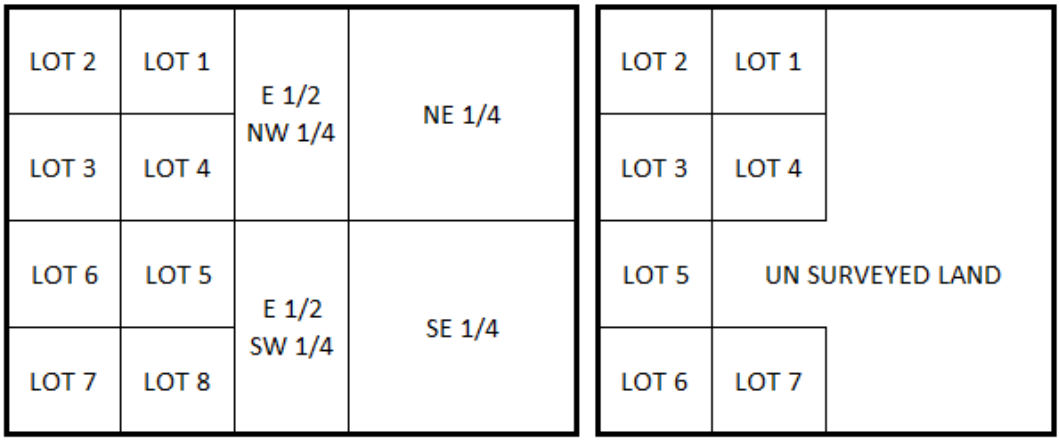


Special surveys may involve areas of land that are not aliquot parts of sections but are designated as lots or tracts. In common usage the term "tract" is applied to an expanse of land of no particular size, often irregular in form. In modern public land surveys the term is used specifically to mean a parcel of land that lies in more than one section or that cannot be identified in whole as a part of a particular section. It is properly described by tract number and township. Tracts within a township are numbered beginning with 37 or the next highest unused numerical designation to avoid confusion with section numbers.

Section lots are also used to describe parts of fractional sections remaining after portions are removed to lakes, navigable rivers, patented mining claims, farm lots, reservations, etc. The following are examples:



Sectional lots are used to fill out excessively oversized sections (or sections that are only partially surveyed). The following are examples:



AN OVER SIZED SECTION

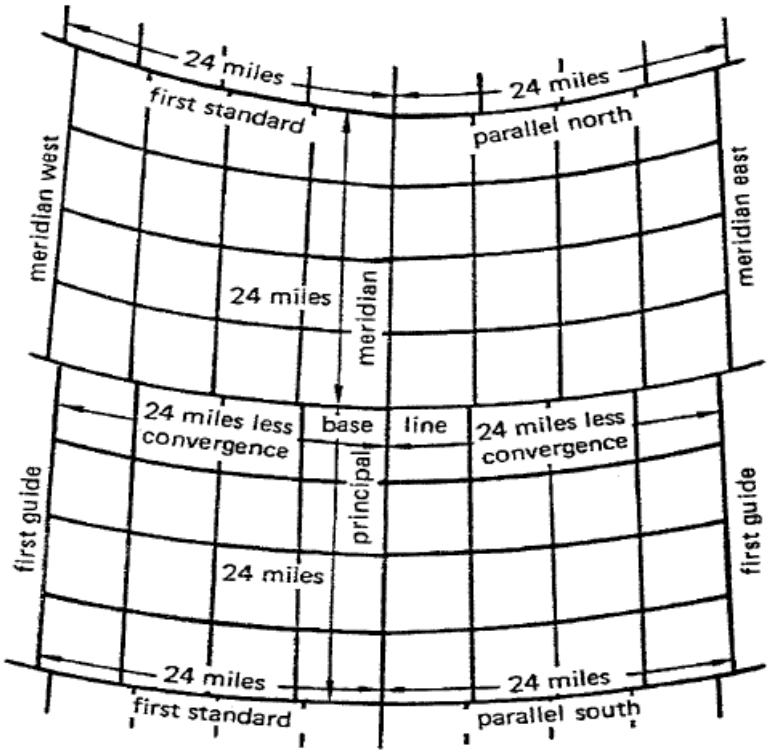
A PARTIALLY SURVEYED SECTION

In a legal description, a section lot can be described as follows: Lot 2, Section 16, T.6 S. R.13 W. S.L. B. & M.

Adjustments for Earth's Curvature

All north-south township lines are true meridians (ie. They are longitude lines). All east-west township lines are latitude lines. Because of the shape of the Earth and the fact that townships lines point toward the north pole, the north end of a township is more narrow than the south end. This difference is compensated by establishing section lots (irregularly sized fractions of sections) along the west side of the township. Compensation is also made along the north side of the township.

	Changing error compensated					
	6	5	4	3	2	1
Chaining and convergence compensated	7	8	9	10	11	12
	18	17	16	15	14	13
	19	20	21	22	23	24
	30	29	28	27	26	25
	31	32	33	34	35	36



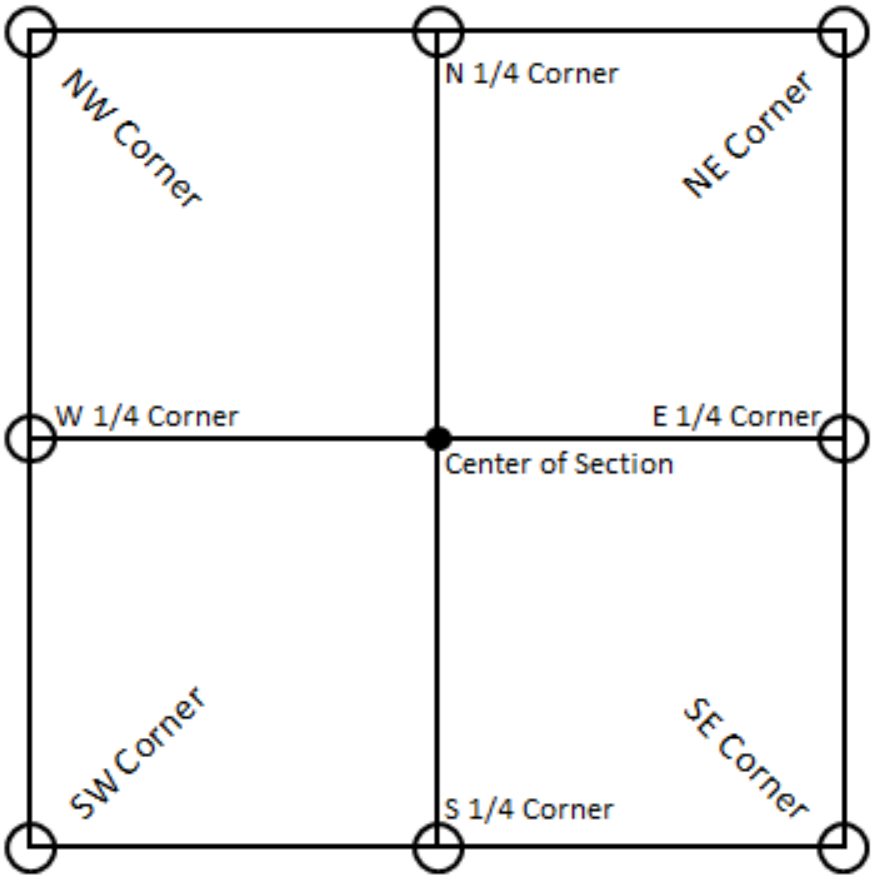
A quadrangle is twenty-four (24) miles square and consists of 16 townships. Because of the convergence of meridians, quadrangle corners do not coincide except along the principal meridian. Adjustments for the Earth's curvatures are made between quadrangles, but, normally within each quadrangle the township corners coincide.

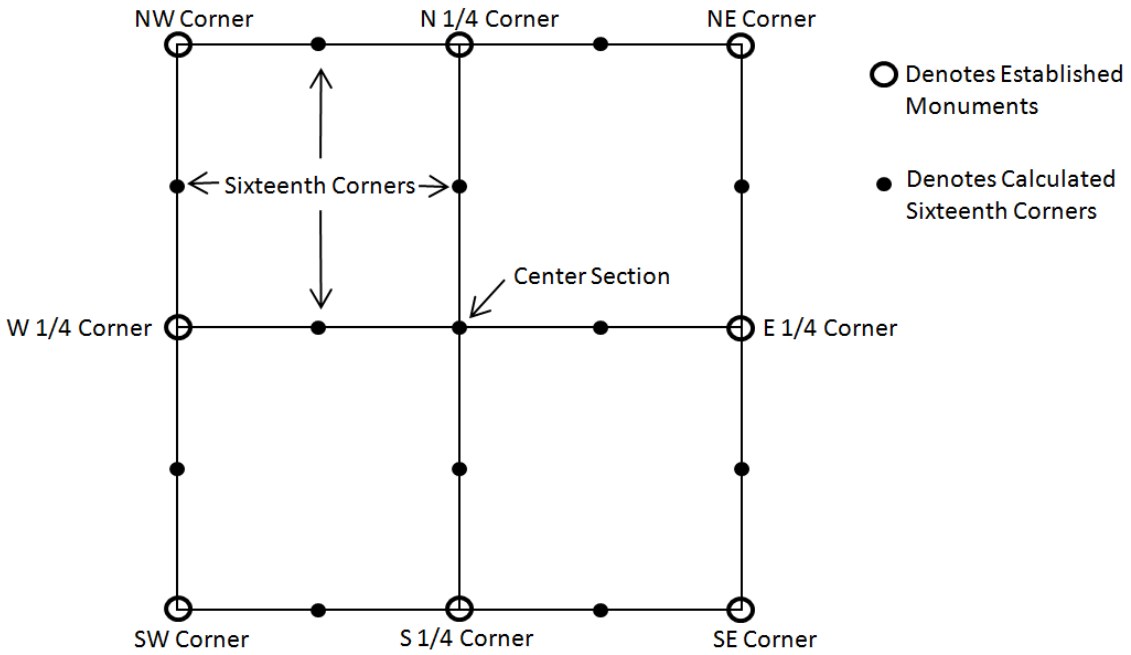
Fractional Division of a Section

For a regular section containing no sectional lots, the process of subdividing the section into quarter and quarter - quarters is as follows:

1. The section to be divided must have all section corner monuments and quarter corner monuments in place. There must be bearings and distances between the monuments around the perimeter of the section. You must be provided with or be able to calculate relative coordinates at each quarter corner.

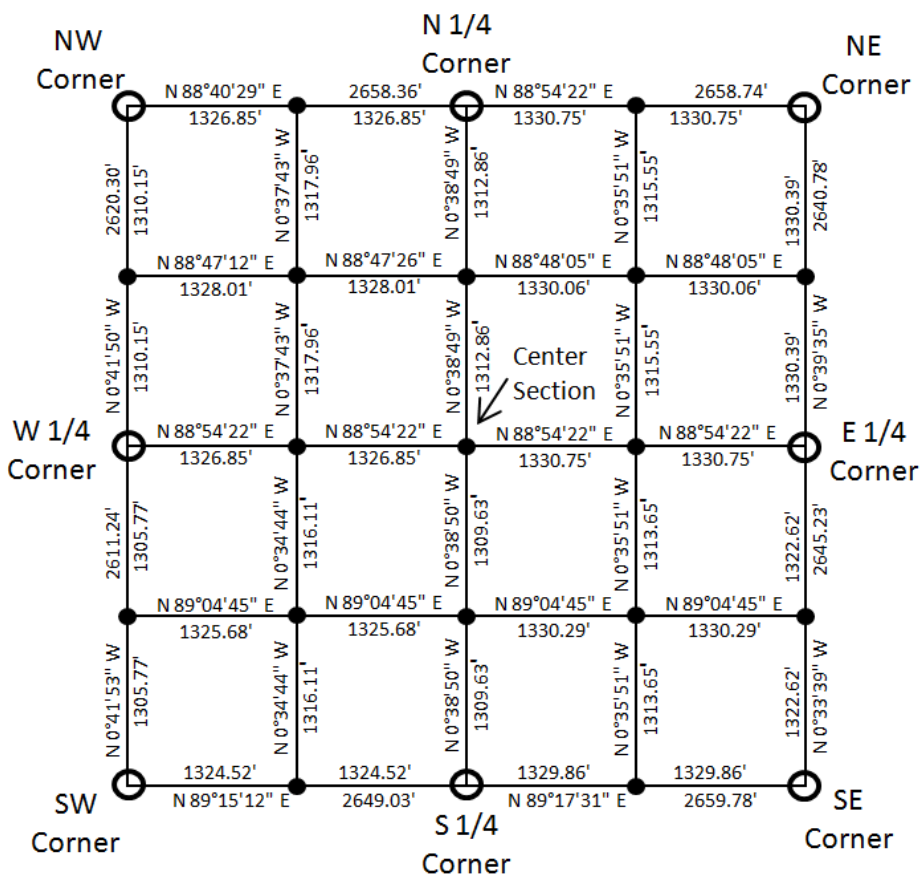
2. To subdivide a section into quarter sections, run straight lines from the established quarter section corners to the opposite quarter section corners. The point of intersection of the lines thus run will be the corner common to the several quarter sections, or the legal center of the section.





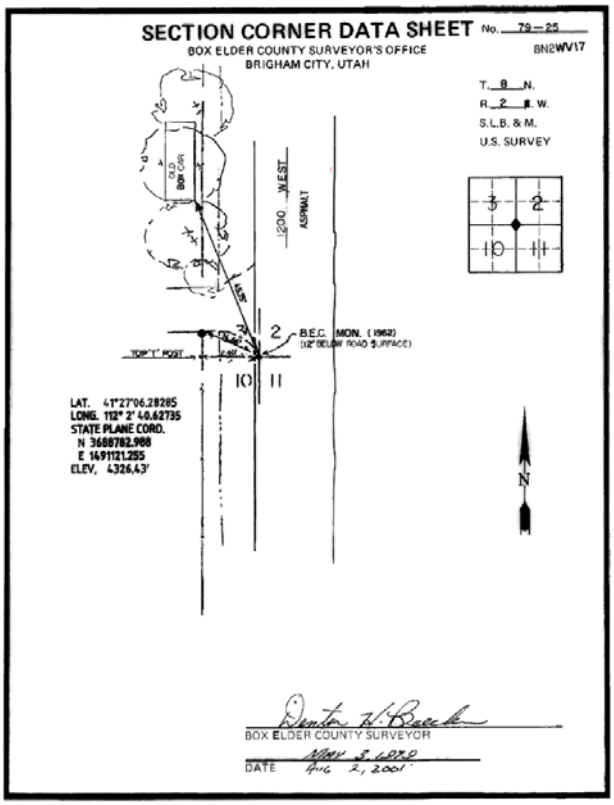
Sixteenth corners are located at mid-point along section and quarter section lines.

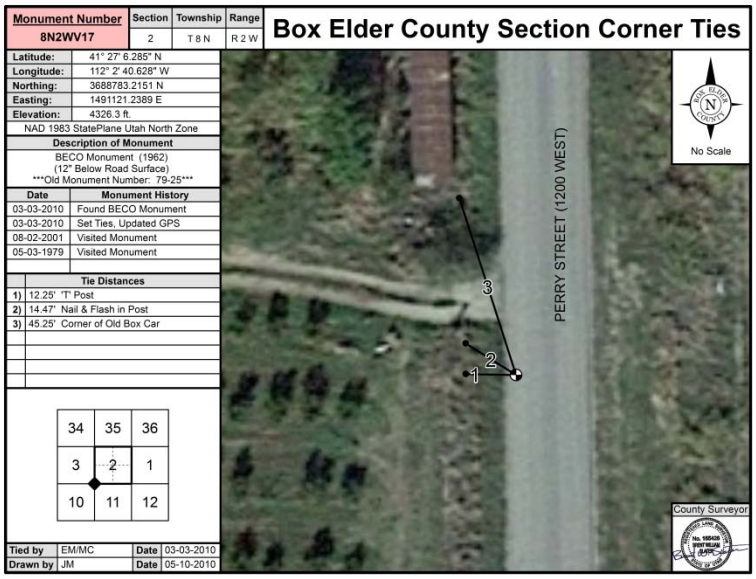
3. Preliminary to the subdivision of quarter sections into sixteenths, the sixteenth - section corners will be established at points midway between the section and quarter - section corners and between the quarter – section corners and the center of the section (As shown below). The lines connecting the sixteenth corners bisect each other. The following is a section divided into sixteenths.

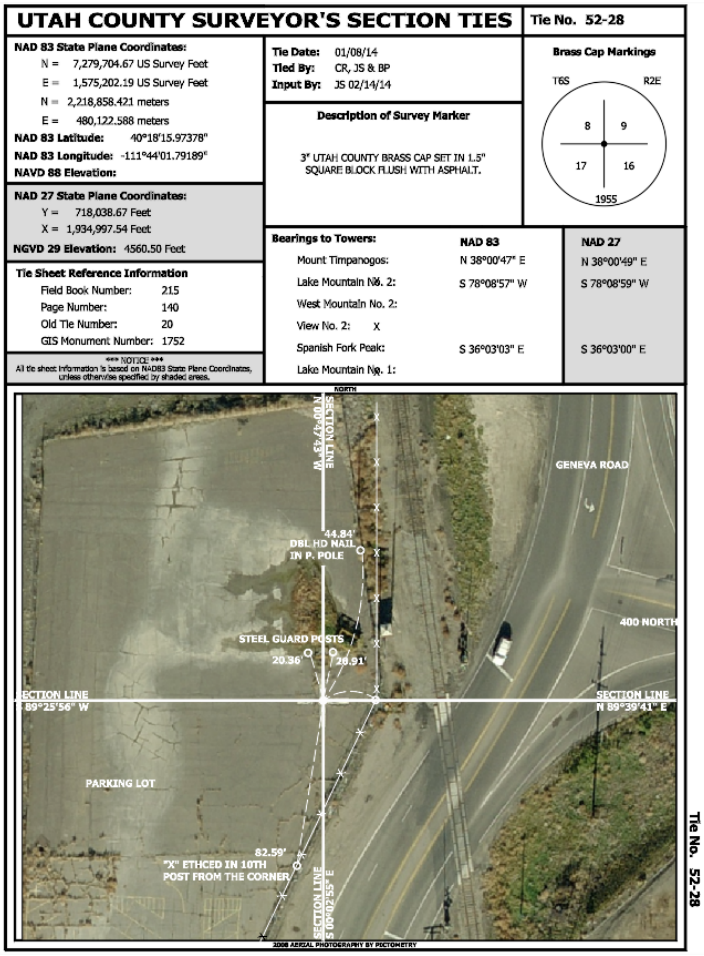


Any irregular sections, that is, those containing section lots or missing section corners or quarter corner monuments, should probably be deferred to the county surveyor for subdivision into fractional sections. If the burden for this type of subdivision falls on the Recorder, she/he should follow the principles outlined in chapter 3 of the manual of surveying instructions published by the U.S. department of the Interior, Bureau of Land Management or defer to the County Surveyor.

All section corners and quarter corners should be monumented on the ground with a corner monument, with the corner information stamped on the top. These monuments are used for measurement purposes to locate properties on the ground. The location of these corners is normally on file with the county surveyor of each county on section corner data sheets as shown.







Most government surveys show quarter sections and sections that measure exactly 2640 feet and 5280 feet on a side with interior angles of 90° and 180°. Unfortunately most sections vary greatly from these values and this causes many artificial overlaps and gaps to exist in the county recorder's maps. These problems can often be overcome by accurate surveys of existing sections corners by the county surveyor.

Re-surveys of this type have always been necessary to properly locate existing corners and to restore obliterated or lost original monuments. However, no resurvey can impair the bona fide land rights of affected claimants. Corners established in original surveys are forever fixed in position even though they may not fall precisely at a stated bearing and distance from a previous point. Many counties in the state of Utah are employing the State Plane Coordinate System. The major advantages of this system are:

1. There exists a consistent basis of bearing throughout the entire state coordinate system within a zone.

2. All of the monuments within the system are related to each other mathematically.

3. The use of state coordinates and state coordinate monumentation helps to eliminate the accumulation of error in long traverses.

4. A monument or a station with a state plane coordinate becomes a permanent monument in that it can be reestablished, if needed, from any other known monument having a state plane coordinate.

5. We are not limited in the position we select for a particular station or monument under the state coordinate system. The monument may be located anywhere. This makes it possible to locate monuments in convenient positions such as within roadways or sidewalks where they can be used without interference by buildings, structures, farming or other activities.

6. Once a station has been given a state coordinate it is not necessary to ever use that particular station again as long as it can be related to another station of known state coordinate in the same area.

7. A state plane coordinate system can be established and overlapped on the already existing sectional system.

Most of the disadvantages of the sectional system are overcome by utilization of the state coordinate system and the sectional system combined.

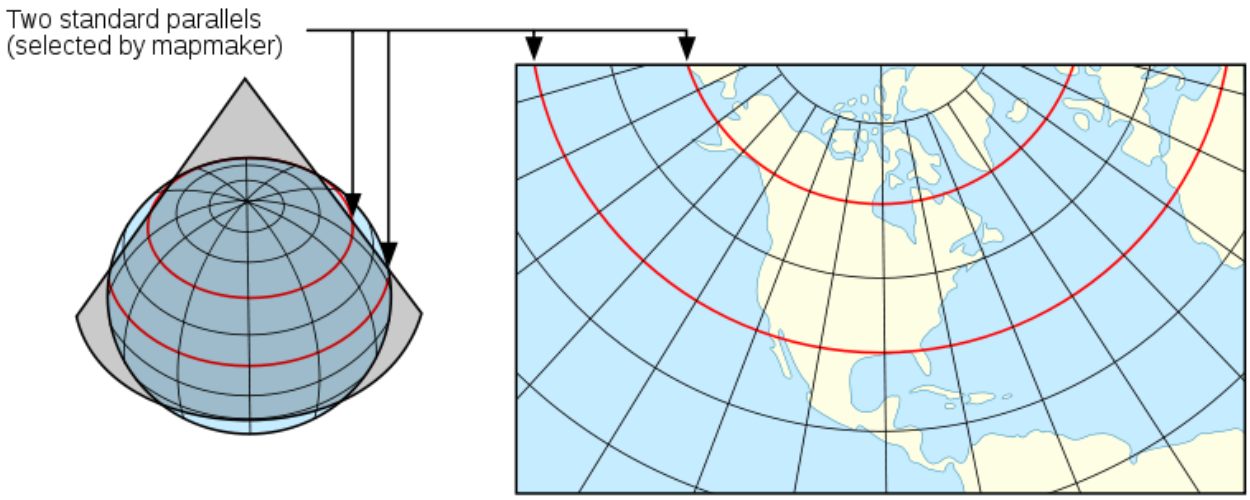
Basic Facts About the Utah State Coordinate System

Many people are under the impression that the use of the Utah State Coordinate System is difficult. This is not true. State coordinates are established for Utah by the coast and Geodetic Survey in such a manner that their utilization is simple and straightforward.

Some of the important facts that must be understood about the state coordinate system are as follows:

1. The Lambert Conformal Projection located on the sea level plane is used as the basis for establishing the Utah State Coordinate System.

LAMBERT PROJECTION CONE



2. All state coordinate meridians (north-south lines) are parallel to each other. All bearing are based on a central astronomic meridian bearing North. In Utah, the central meridian, where the astronomic bearing of North was established, is located at a longitude of 111° 30'. All bearings are based on right angles measured from this meridian.

3. X coordinates in the Utah State Coordinate System are East coordinates measured East from an X equals 0 base line located west of the state of Utah. The central meridian (longitude = 111° 30') is located at an X coordinate of 2,000,000.00 feet.

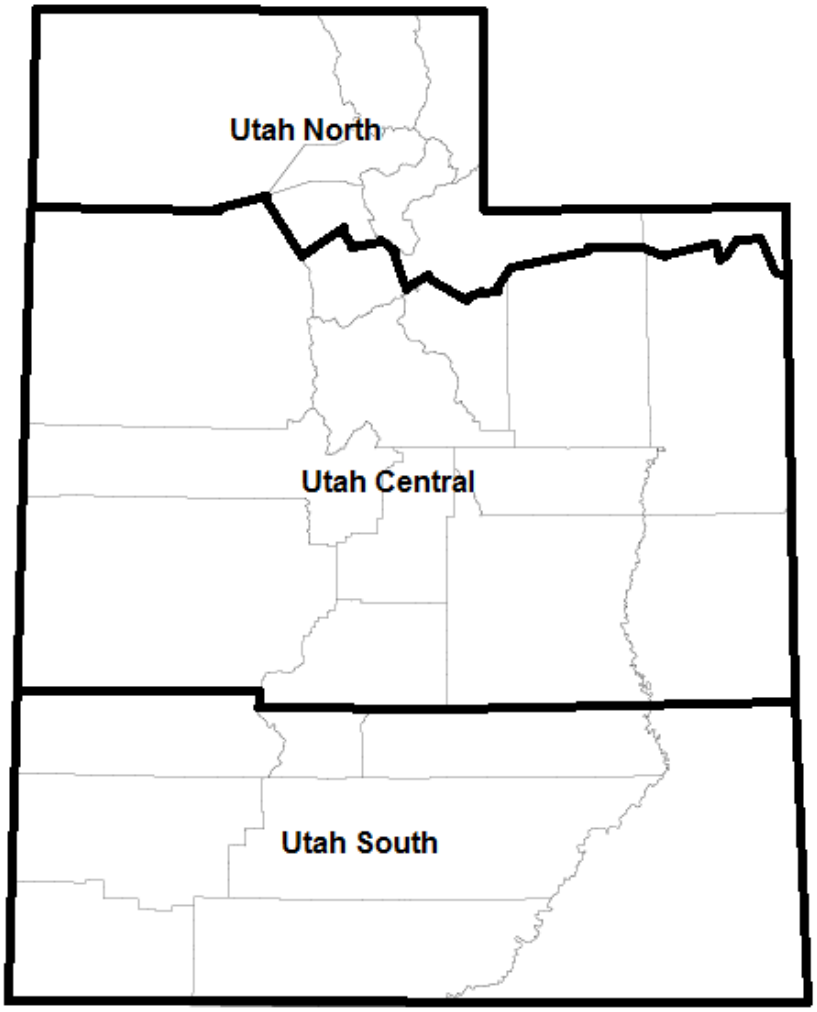
4. Y coordinates in the Utah State coordinate System are-North coordinates measured North from a Y equals 0 base line located south of any zone in the state of Utah. For better accuracy within the state of Utah there are three state coordinates zones in the North-South direction. These are the North, Central and South zones. In these zones, Y coordinates vary from about 70,000.00 feet to about 1, 000, 000.00 feet.

5. As a person travels north within a state coordinate zone, his state coordinate increases. If the travel is south the state coordinate decreases within the state.

6. As a person travels east within a state, his state coordinate increases. If the direction of travel is west within the state, the state coordinate decreases.

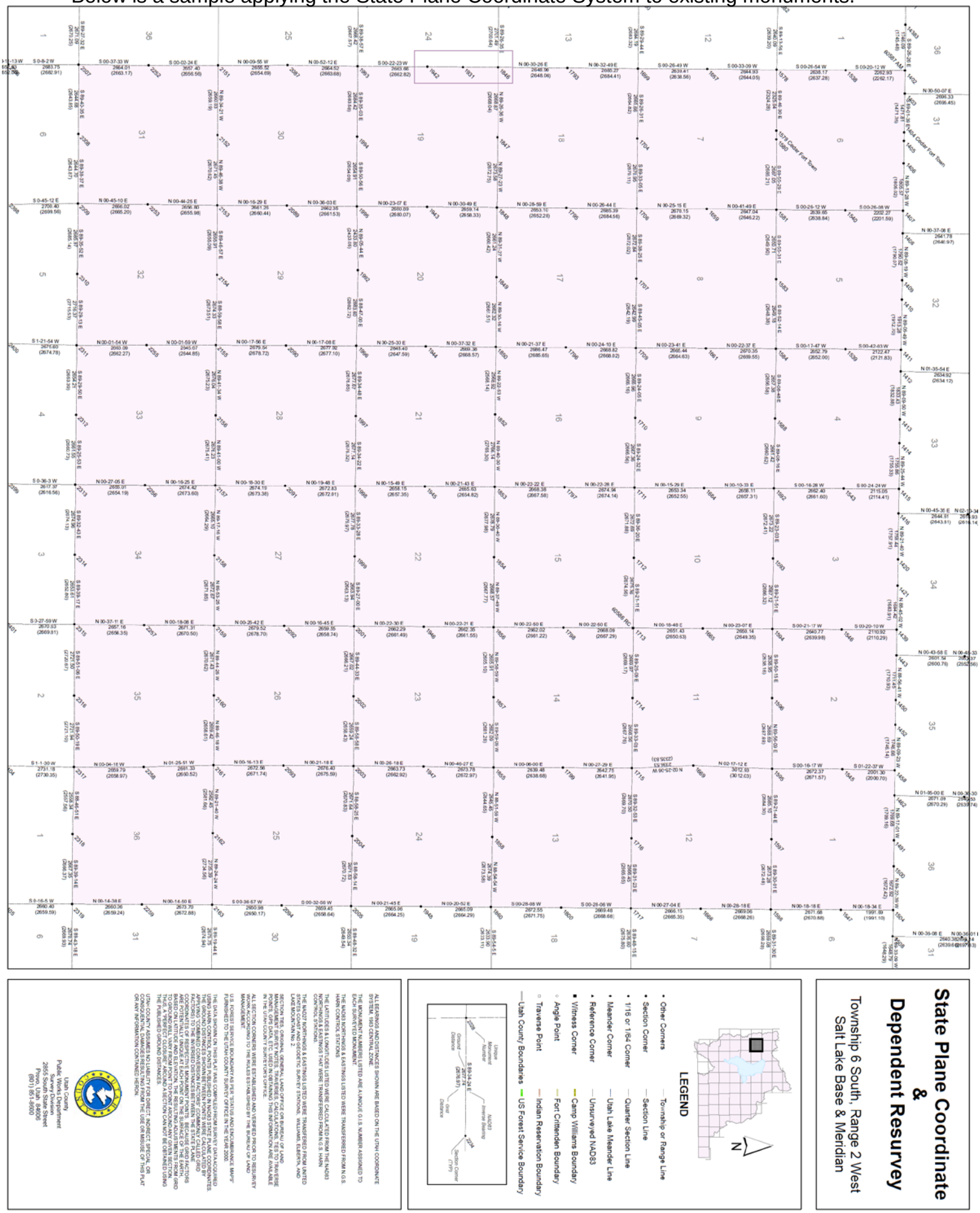
The accompanying illustration is a sketch of a state coordinate zone map which shows the location of the zones within the state of Utah with respect to the county boundaries. Some of the more important features of the basic coordinates system appear on the sketch shown.

STATE COORDINATE ZONE MAP FOR UTAH



See Title 57, Chapter 10 for Nad 83 definition and update on the Utah Coordinate System-statute.

Below is a sample applying the State Plane Coordinate System to existing monuments.



Survey Accuracy

The use of coordinate geometry in mapping allows the drawing of extremely accurate maps. If, however the deed's legal descriptions are inaccurate or the section monument's mathematical framework is not right, the resulting maps can be very confusing. Gaps or overlaps which may not exist will cloud the map. It may also prevent the mapper from being able to write accurate remnant descriptions when a parcel split occurs.

The legal description on deeds that we use in mapping to make up the taxing descriptions and construct our maps generally comes from land surveys performed by licensed land surveyors. To measure the bearings and distances between property corners, the survey instruments used are either:

1. A theodolite (for measuring bearings) and a chain, tape or an electronic distance meter.
2. A total station (an electronic distance meter which includes a theodolite).
3. G. P. S. (Global Positioning System).

The technologies in items 1 and 2 above are currently used by most land surveyors. Where it is practical, many surveyors are migrating to G. P. S. (item 3). To meet today's requirements for a higher degree of accuracy the whole field of surveying has improved.

1. Instrumentation has improved. The application of GPS into surveying equipment has improved accuracy a great deal.
2. The use of computers has allowed surveyors to use better survey techniques and adjust for error.
3. Stricter surveyor license requirements and periodic renewal of the licenses have helped produce much better surveyors.

Excluding GPS, standards of accuracy have been established and are as follows:

1. <u>First Order Accuracy</u> - one part in 25,000 parts or better. This order of accuracy is used in the accurate placement of survey control monuments (ie., section corners, street control monuments, etc...) or surveying valuable commercial property.
2. <u>Second Order Accuracy</u> - one part in 10,000 parts or better. This is the level of accuracy currently used for most private property surveys.
3. <u>Third Order Accuracy</u> - below one part in 10,000 parts. Many of the older surveys fall into this category.

It is not unusual for a surveyor to traverse from a section corner to a property corner and cover 5,000 feet in the process. If the level of accuracy is barely second order (one part in 10,000 parts) that point could be 0.50 feet off from the absolute location.

Mappers can locate points and lines on the computer or through calculations to within 0.01 feet or closer. In order to map this accurately, mappers do not have the constraints and challenges that a surveyor has surveying the real world. To expect two adjoining properties surveyed by two different surveyors to match up exactly mathematically is ludicrous. On the other hand if the difference is much more than 0.50 - 1.0 feet, there may be a problem with one or both of the surveys.

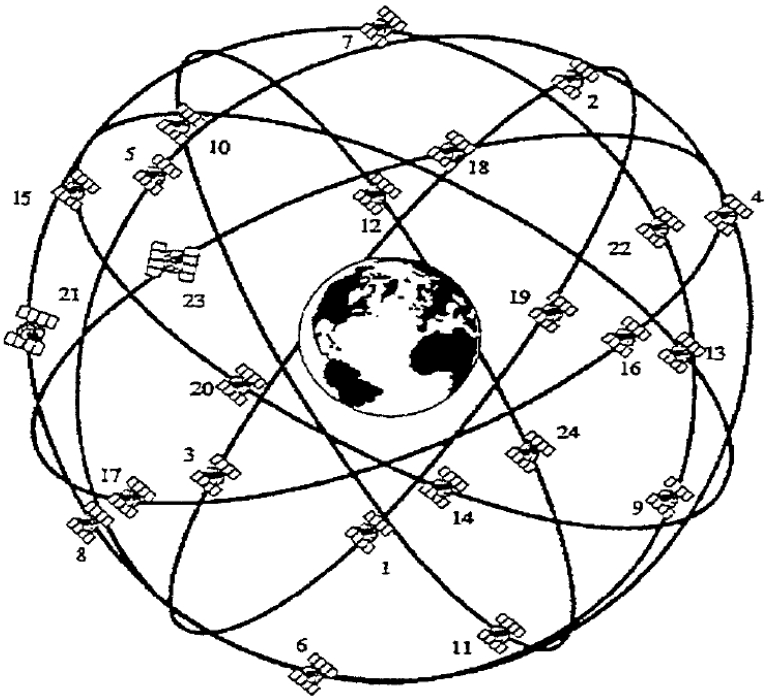
When comparing adjacent parcels which are surveyed from different section monuments (or city block corners), the results are only going to _bp.as accurate as the measured distances (and bearings) between the monuments. GLO (Government Land Office) published distances for sections are often 20 - 50 feet off from the accurately measured distances. In conclusion, a map can only represent property as correctly as the accuracy of the legal descriptions on the conveying documents and the mathematical accuracy of the framework of the section monuments or city blocks.

A computer is required to do coordinate geometry mapping precisely. If the data (deed descriptions and survey monument grid) to be mapped are accurate then the maps drawn up from it can represent the owner's title very precisely. The map becomes a valuable tool to surveyors, title companies, attorneys and land owners. If the data are inaccurate then, mapping that data precisely would give questionable results. Gaps or overlaps between properties would be suspect and the map could only be used as rough reference tool.

GPS

(Global Positioning System)

When people talk about "a GPS," they usually mean a GPS receiver. The Global Positioning System (GPS) is actually a constellation of Earth-orbiting satellites with originally 27 satellites. 24 were in operation with three extras in case one failed. The U.S. military developed and implemented this satellite network as a military navigation system, but soon opened it up to everybody else. In 1994 the U.S. Defense Department launched the last of the original 24 high orbiting satellites that make up the base of GPS Each of these solar-powered satellites circles the globe at about 12,000 miles per hour, making two complete rotations every day. The orbits are arranged in 6 orbits around the earth so that at anytime, anywhere on Earth, there are at least four satellites "visible" in the sky. With this full complement of satellites it is possible with the aid of receivers to locate specific positions anywhere in the world 24 hours a day.

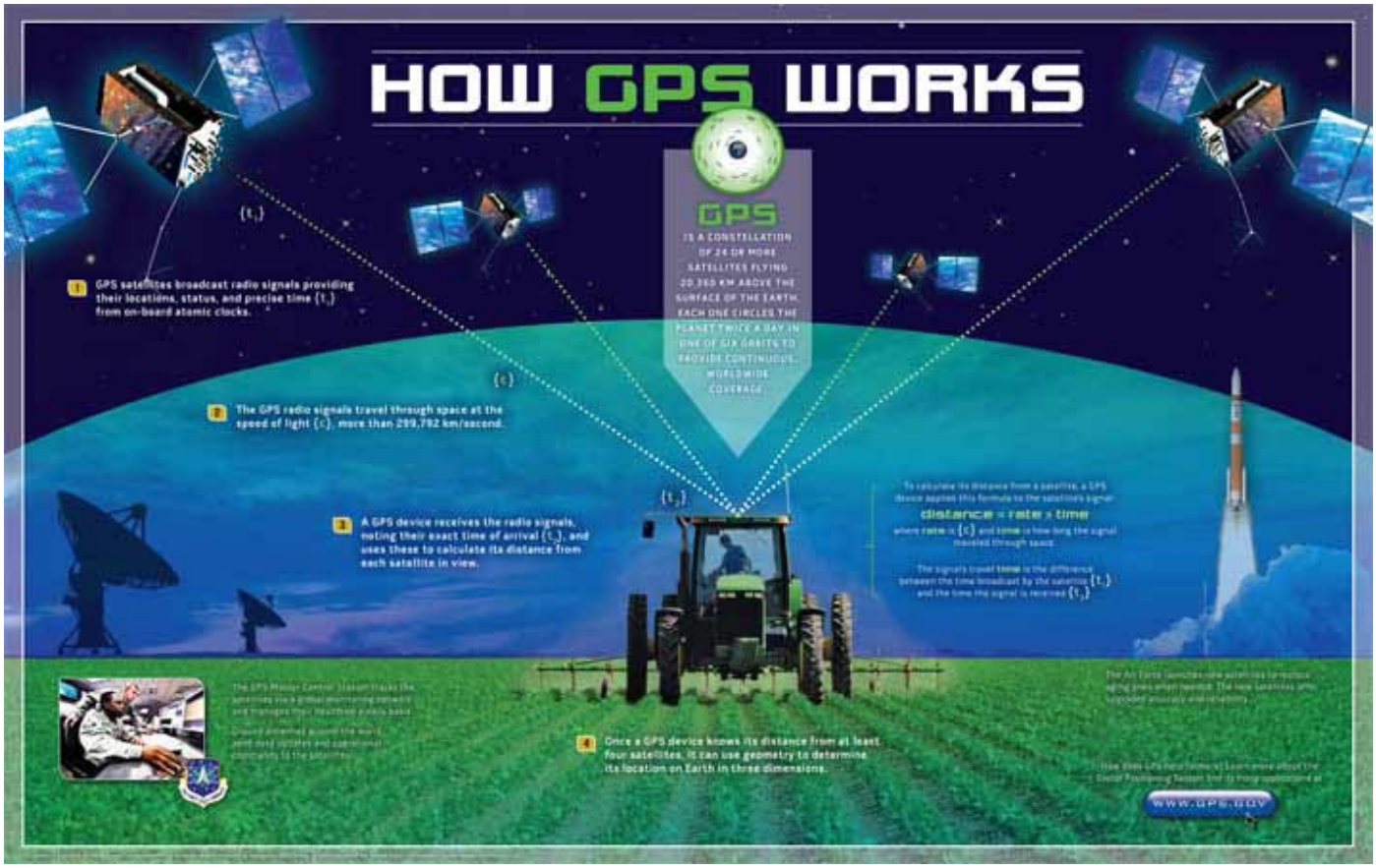


Since 1994 GPS has become more common place and more devices have GPS receivers. Additional newer satellites have been launched into orbit replacing most the original 27 and the GPS constellation is now a mix of old and new satellites. As of December 11, 2015, there were 31 operational satellites in the GPS constellation. This does not include the decommissioned GPS satellites ("residuals") kept in orbit in case there is a need to reactivate them.

Though GPS was originally created as a device for accurate navigation for the military, use for it outside the military is mushrooming. GPS receivers are becoming small enough and cheap enough to be carried by just about anyone and applications are almost limitless. Currently, a unit the size of a cellular phone can help guide outdoors men back to their vehicle. Some new automobiles have a GPS unit built in which can help guide emergency vehicles to it in case of an accident or emergency. Since the system can locate a point in three dimensions it could work as a traffic control device for aircraft as well. Almost all new Cellular phones have a GPS receiver enabling most

The GPS space segment consists of a constellation of satellites transmitting radio signals to users. The United States is committed to maintaining the availability of at least 24 operational GPS satellites, 95% of the time. To ensure this commitment, the Air Force has been flying 31 operational GPS satellites for the past few years.

For Official U.S. Government information about the Global Positioning System (GPS) and related topics visit **http://www.gps.gov/**

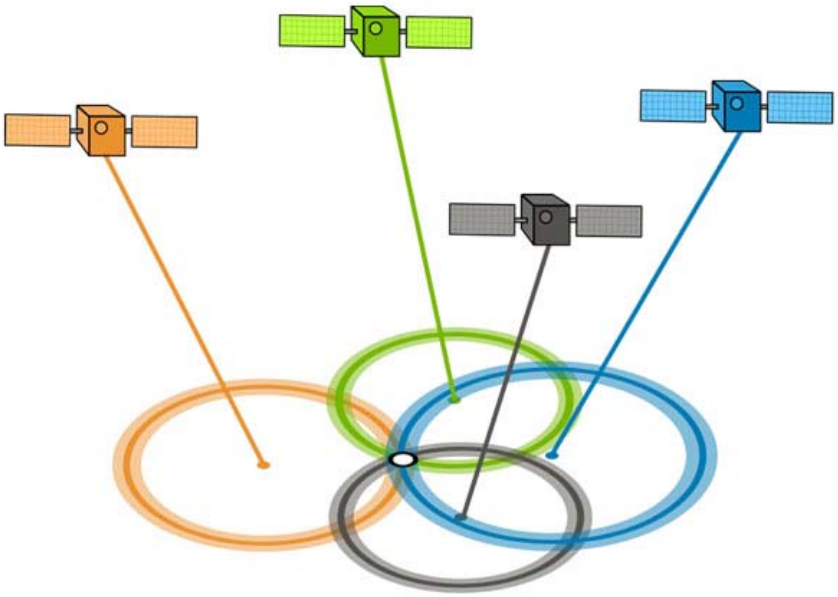


How GPS Works

GPS uses receivers on the earth's surface and orbiting satellites to exchange information and uses this information to deduce its own location.

If the receiver can receive signals, in an un-obstructed direct line between a satellite and the receiver from at least 4 satellites, the point or location of the receiver can be determined through triangulation. Receivers generally look to connect to more than 4 satellites to improve location accuracy and provide precise altitude information.

In order to make the simple location calculation the GPS receiver has to know two things; the location of at least four satellites in the sky and the distance between the GPS receiver and each of those satellites.

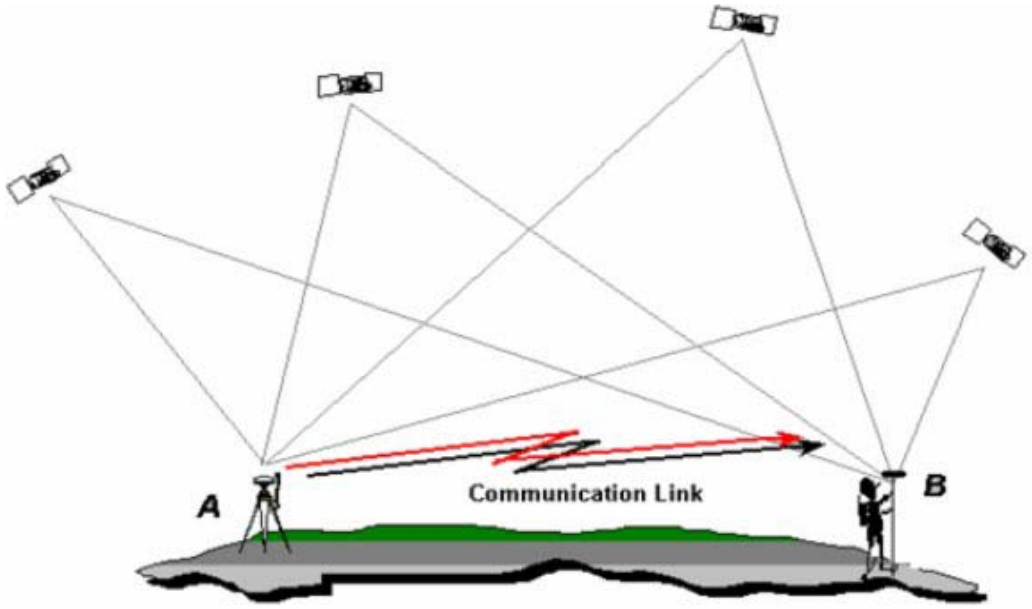


The GPS receiver figures both of these things out by analyzing high-frequency, low-power radio signals from the GPS satellites. Better units have multiple receivers, so they can pick up signals from several satellites simultaneously.

Surveying Using GPS

GPS Receivers that are more precise and accurate are now available to land surveyors. County Surveyors are using GPS to locate section corners and control monuments with a high degree of accuracy. Private land surveyors are using GPS to do property surveys. Unless you are surveying next to a building or steep mountain it is not a problem to receive signals from at least 4 satellites. In fact there are normally 6-7 or as many as 9 satellites accessible at any given time.

Because of changes in the atmosphere and ionosphere, radio waves from the satellites do not maintain a constant speed. The interferences make it difficult to get an exact distance. To adjust for these interferences, surveyors have two receivers. One is a stationary receiver called a base station. That stationary base station is set up on a known point, such as a survey monument, to act as a standard, and the other is a roving receiver used to locate the coordinates of the property corners.



A= Stationary Base Station Receiver B= Roving Receiver

The stationary receiver can make adjustments for the atmosphere interference to reflect the known coordinates on its monument. The stationary base station receiver then transmits those adjustments to the roving receiver so it can make those same adjustments and get a true reading of the coordinates for the property corners.

↑ Survey Controller

↑ GPS Base Station Receiver and radio transmitter

↑ GPS Rover Receiver

Some of the advantages to GPS surveying are:

1. One person survey crew. Only one person is required to locate the receiver over the survey monument or property corner to get a coordinate reading.

2. You do not have to be in line of sight view of a survey monument (nor do you need to traverse into the property from the survey monument).

3. You can survey in stormy or foggy weather or at night.

4. High degree of accuracy. Accuracy for most GPS surveys would be equivalent to first order survey accuracy obtained through the older survey technology. GPS actually establishes a new standard of accuracy in surveying. For a long traverse using the older technology, the amount of error can accumulate and become greater the more corners in the survey and the longer the traverse. Using GPS, each point of a survey is independent of every other point, and point locations are within one centimeter of the absolute location. So whether the survey is a small subdivision lot or a large parcel with many corners the accuracy of the location for each corner in each parcel is the same.

5. Completing a survey is much faster.

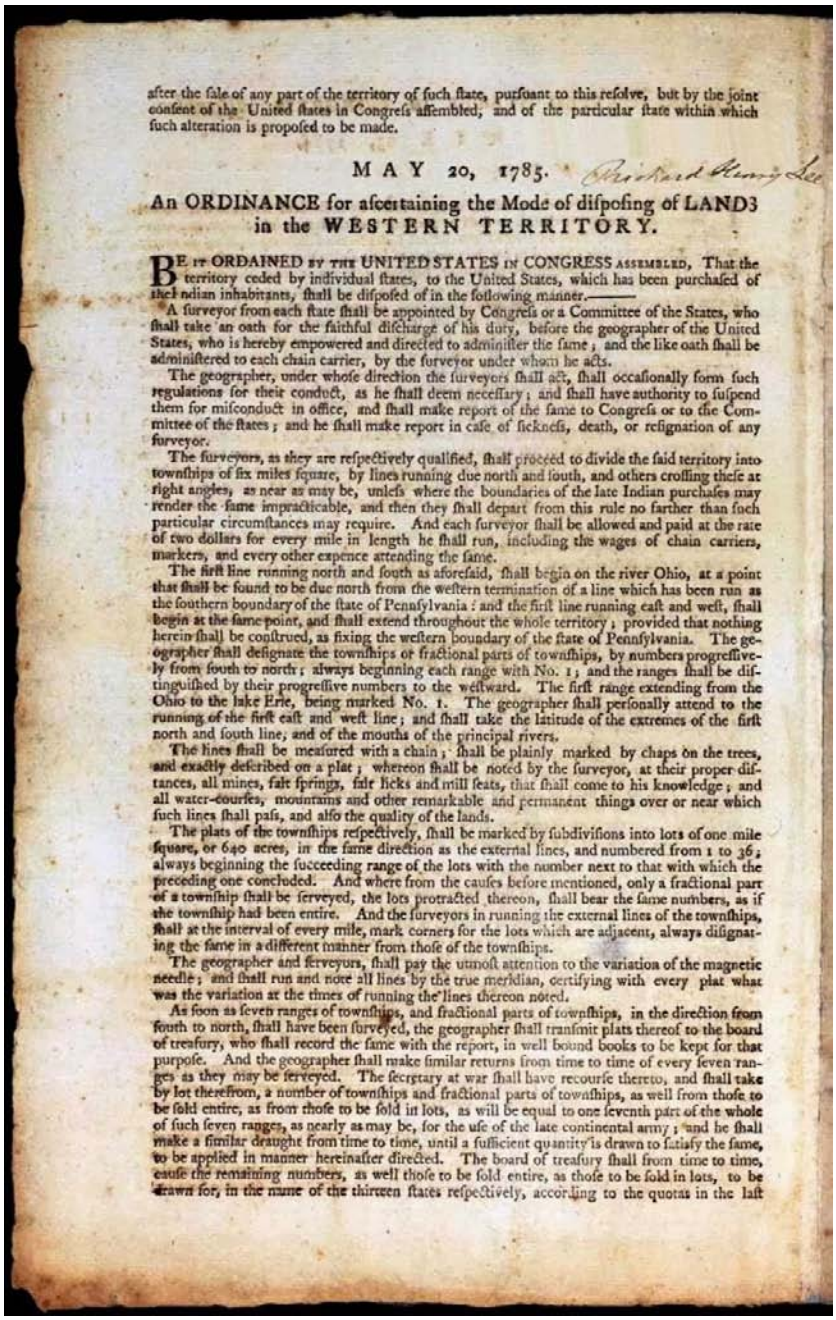
6. The result will give elevations (Z coordinates) as well as X (East and West), Y (North and South) coordinates.

Though surveyors at present must go through a considerable learning curve to operate GPS equipment, it is becoming easier to operate as the new equipment evolves. GPS surveying equipment is also getting less expensive all the time.

Interesting information about the history of the Public Land Survey System (PLSS)

Utah's system of land surveying is the rectangular survey system as set forth in 1785 by the Continental Congress.

The Land Ordinance of 1785 was adopted by the United States Congress of the Confederation on May 20, 1785. It set up a standardized system whereby settlers could purchase title to farmland in the undeveloped west. Congress at the time did not have the power to raise revenue by direct taxation, so land sales provided an important revenue stream. The Ordinance set up a survey system that eventually covered over three-fourths of the area of the continental United States.



after the ſale of any part of the territory of ſuch ſtate, purſuant to this reſolve, but by the joint conſent of the United ſtates in Congreſs aſſembled; and of the particular ſtate within which ſuch alteration is propoſed to be made.

MAY 20, 1785. Richard Henry Lee

An ORDINANCE for aſcertaining the Mode of diſpoſing of LANDS in the WESTERN TERRITORY.

BE IT ORDAINED BY THE UNITED STATES IN CONGRESS ASSEMBLED, That the territory ceded by individual ſtates, to the United States, which has been purchaſed of the Indian inhabitants, ſhall be diſpoſed of in the following manner.——

A ſurveyor from each ſtate ſhall be appointed by Congreſs or a Committee of the States, who ſhall take an oath for the faithful diſcharge of his duty, before the geographer of the United States, who is hereby empowered and directed to adminiſter the ſame; and the like oath ſhall be adminiſtered to each chain carrier, by the ſurveyor under whom he acts.

The geographer, under whoſe direction the ſurveyors ſhall act, ſhall occaſionally form ſuch regulations for their conduct, as he ſhall deem neceſſary; and ſhall have authority to ſuſpend them for miſconduct in office, and ſhall make report of the ſame to Congreſs or to the Committee of the ſtates; and he ſhall make report in caſe of ſickneſs, death, or reſignation of any ſurveyor.

The ſurveyors, as they are reſpectively qualified, ſhall proceed to divide the ſaid territory into townſhips of ſix miles ſquare, by lines running due north and ſouth, and others croſſing theſe at right angles, as near as may be, unleſs where the boundaries of the late Indian purchaſes may render the ſame impracticable, and then they ſhall depart from this rule no farther than ſuch particular circumſtances may require. And each ſurveyor ſhall be allowed and paid at the rate of two dollars for every mile in length he ſhall run, including the wages of chain carriers, markers, and every other expence attending the ſame.

The firſt line running north and ſouth as aforeſaid, ſhall begin on the river Ohio, at a point that ſhall be found to be due north from the weſtern termination of a line which has been run as the ſouthern boundary of the ſtate of Pennſylvania: and the firſt line running eaſt and weſt, ſhall begin at the ſame point, and ſhall extend throughout the whole territory; provided that nothing herein ſhall be conſtrued, as fixing the weſtern boundary of the ſtate of Pennſylvania. The geographer ſhall deſignate the townſhips or fractional parts of townſhips, by numbers progreſſively from ſouth to north; always beginning each range with No. 1; and the ranges ſhall be diſtinguiſhed by their progreſſive numbers to the weſtward. The firſt range extending from the Ohio to the lake Erie, being marked No. 1. The geographer ſhall perſonally attend to the running of the firſt eaſt and weſt line; and ſhall take the latitude of the extremes of the firſt north and ſouth line, and of the mouths of the principal rivers.

The lines ſhall be meaſured with a chain; ſhall be plainly marked by chaps on the trees, and exactly deſcribed on a plat; whereon ſhall be noted by the ſurveyor, at their proper diſtances, all mines, ſalt ſprings, ſalt licks and mill ſeats, that ſhall come to his knowledge; and all water-courſes, mountains and other remarkable and permanent things over or near which ſuch lines ſhall paſs, and alſo the quality of the lands.

The plats of the townſhips reſpectively, ſhall be marked by ſubdiviſions into lots of one mile ſquare, or 640 acres, in the ſame direction as the external lines, and numbered from 1 to 36; always beginning the ſucceeding range of the lots with the number next to that with which the preceding one concluded. And where from the cauſes before mentioned, only a fractional part of a townſhip ſhall be ſerveyed, the lots protracted thereon, ſhall bear the ſame numbers, as if the townſhip had been entire. And the ſurveyors in running the external lines of the townſhips, ſhall at the interval of every mile, mark corners for the lots which are adjacent, always diſignating the ſame in a different manner from thoſe of the townſhips.

The geographer and ſerveyors, ſhall pay the utmoſt attention to the variation of the magnetic needle; and ſhall run and note all lines by the true meridian, certifying with every plat what was the variation at the times of running the lines thereon noted.

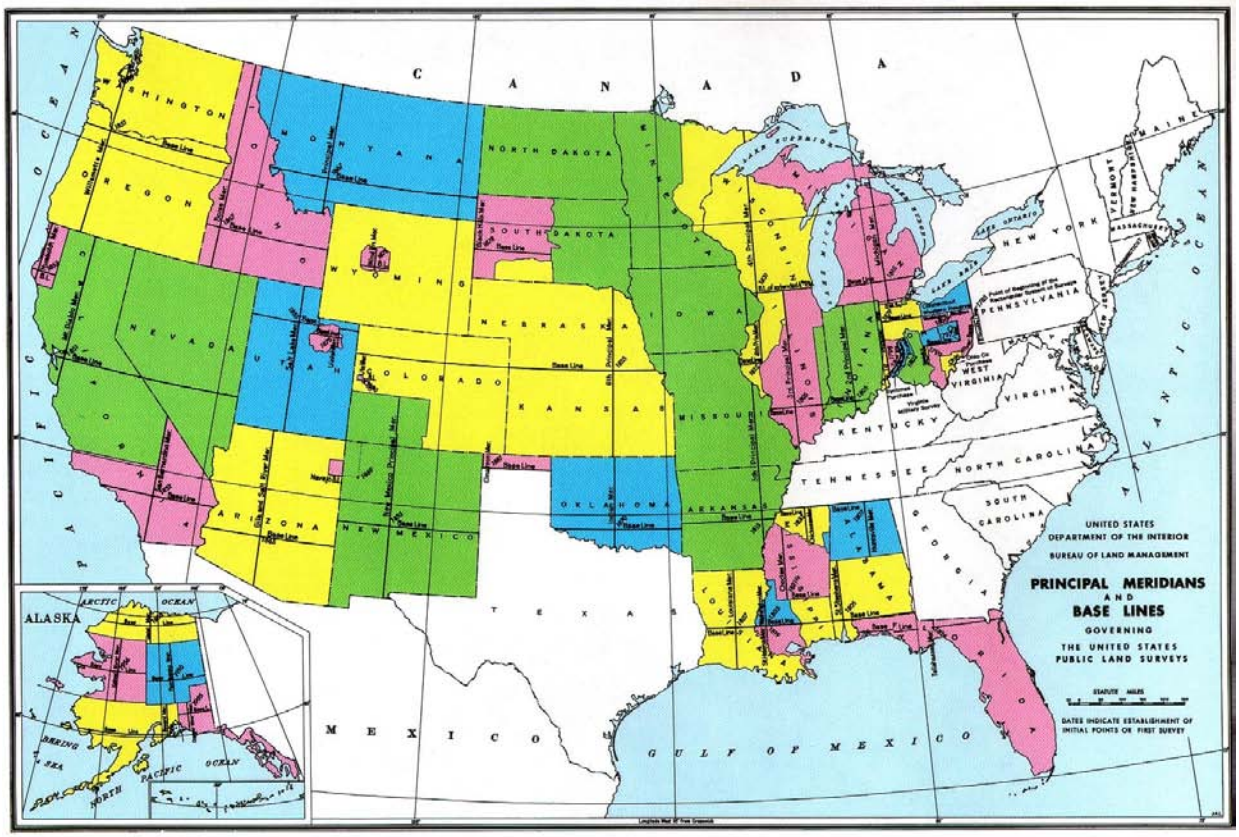
As ſoon as ſeven ranges of townſhips, and fractional parts of townſhips, in the direction from ſouth to north, ſhall have been ſurveyed, the geographer ſhall tranſmit plats thereof to the board of treaſury, who ſhall record the ſame with the report, in well bound books to be kept for that purpoſe. And the geographer ſhall make ſimilar returns from time to time of every ſeven ranges as they may be ſerveyed. The ſecretary at war ſhall have recourſe thereto, and ſhall take by lot therefrom, a number of townſhips and fractional parts of townſhips, as well from thoſe to be ſold entire, as from thoſe to be ſold in lots, as will be equal to one ſeventh part of the whole of ſuch ſeven ranges, as nearly as may be, for the uſe of the late continental army; and he ſhall make a ſimilar draught from time to time, until a ſufficient quantity is drawn to ſatisfy the ſame, to be applied in manner hereinafter directed. The board of treaſury ſhall from time to time, cauſe the remaining numbers, as well thoſe to be ſold entire, as thoſe to be ſold in lots, to be drawn for, in the name of the thirteen ſtates reſpectively, according to the quotas in the laſt

Land was systematically surveyed into square townships, six miles on each side. Each of these townships were subdivided into thirty six sections of one square mile or 640 acres. These sections could then be further subdivided for re-sale by settlers and land speculators.

The intent of the system was to survey and monument the western lands prior to patenting the lands to private citizens. The surveyed sections provided standard sized and shaped parcels of land, interrelated by reference to townships and initial points. Simple aliquot part descriptions, dividing sections into halves and fourths etc, were all that were necessary to describe with certainty a parcel of land.

The basic framework of PLSS lines consists of principal meridians, base lines, standard parallels, guide meridians, township lines and section lines. The corners established by the original surveys include standard, township, section, quarter-section, closing, and witness corners.

The early surveying, particularly in Ohio, was performed with more speed than care, with the result that many of the oldest townships and sections vary considerably from their prescribed shape and area. Proceeding westward, accuracy became more of a consideration than rapid sale, and the system was simplified by establishing one major north-south line (principal meridian) and one east-west (base) line that control descriptions for an entire state or more. For example, a single Willamette Meridian serves both Oregon and Washington. County lines frequently follow the survey, so there are many rectangular counties in the Midwest and the West.



The ordinance was also significant for establishing a mechanism for funding public education. Section 16 in each township was reserved for the maintenance of public schools and later sections 2, 32 and 36 of each township were also designated as "school sections".

The use of surveyors to precisely chart out the new townships in the westward expansion was directly influenced by the New England land system, which similarly relied on surveyors and local committees to clearly delineate property boundaries. Defined property boundary lines and an established land title system, provided colonials with a sense of security in their land ownership, by minimizing the likelihood of ownership or boundary disputes.

Utah's system of land surveying that was set up as a result of the Land Ordinance of 1785 and established the basis for the Public Land Survey System that we use today. The State of Utah is plotted into a grid of squares, six miles by six miles, called "Townships".

BASIC MATHEMATICS

FOR

CADASTRAL MAPPING

Chapter 5

2015 Cadastral Mapping Manual

Introduction

Data which a mapper must use to solve problems comes from a myriad of sources both new and old. The general need for the precise location of land did not exist until the 1960's when the values of land began to increase at a rapid rate. At the present time most land values are 10 - 50 times higher than they were in the early 1960's. Careful licensing of land surveyors in addition to the high technology equipment, ie: G.P.S. equipment, electronic distance meters, computers, etc ... developed for their use, has greatly increased the precision of the land survey. Many legal descriptions which appear on older documents and some newer documents were determined by "self surveys", (ie. rough measurements of bearings and distances by untrained persons with improper equipment), "table top surveys', (descriptions made up by information from GLO maps, deeds or tax descriptions).

How do mappers handle a set of data? How do they reconcile data from an old inaccurate description with data from a more precise description? How do they calculate acreage of irregular parcels? This section on mathematics will deal with these and other problems commonly encountered by the cadastral mapper.

The old saying, "There are more ways than one to skin a cat," was never more applicable than it is in solving mathematics problems. Problems and their solutions presented in this section are based on the most concise approach. If the reader wishes to solve the problems with a different approach, that is entirely his/her option as long as sound principles are followed.

Many cadastral mappers have found calculators, to be most valuable in the day to day work routine. If these problems can be solved more efficiently through the use of a calculator, by all means use one. Some Recorder's office mapping departments have graphics computers with good coordinate geometry software which have the ability to solve problems by direct interaction with the drawing on the computer screen. Although a computer is not allowed for the exam, a non programmable calculator may be used on the exam to assist with the mathematical calculations.

Treatment of Data - Significant Figures:

When the length of a line in a legal description is described as being 243.32 feet long, we can assume that the individual doing the measuring had equipment capable of measuring within ±0.01 feet of the absolute length unless otherwise specified. The absolute value of the above measurement lies at some point between 243.31 feet and 243.33 feet. The length of a line given as 100.00 feet is also accurate to within ±0.01 feet even though the numeric place holders are zeros. This number is significant to the nearest hundredth (0.01) of a foot. A measurement reported as 1178.7 feet is only accurate to within ±0.1 feet, significant to the nearest tenth of a foot. 423 is significant to the nearest one foot (±1.0 feet). When adding a group of numbers, the result is only as accurate as the one number of the group having the least significant figures to the right of the decimal.

Example:

Add	372.2
	21.03
	14.637
Result	407.8~~67~~

The last two digits of this result are insignificant. The result should be rounded off to the nearest tenth (0.1) ie. The result should be rounded to 407.9 because one of the original numbers, 372.2 is the number of the group being added with least significant figures to the right of the decimal.

When multiplying a measured distance by a factor, the resulting answer should only be expressed to as many places to the right of the decimal as the original distance. For example, when multiplying 271.14 feet by 0.29993 the result is 81.32 feet (not 81.32398 ... feet).

In order to preserve accuracy without imposing artificial accuracy, the following rules should be followed when converting between any units of measure. Carry the resulting answer to as many places of accuracy as the smallest of the original units.

This same principle can be applied when dealing with bearings. For example, the bearing N *89°27'* W implies that the angle measured is only accurate to within 1' (one minute) of the reported bearing. However, if the bearing is reported as N 89°42'00" E, then you can assume that this bearing is accurate to within 1" (one second). The mapper should use what information is reported and consider that in their calculations.

Definitions & Formulas

<u>Coordinates</u>: Coordinates are a set of numbers which describe the distance north (or south) and east (or west) from a monument or reference point. Generally north and east distances are considered positive and south and west are considered negative. For the purpose of this text we will label coordinates as ordered pairs as follows:

1. The coordinate of a point north 200 feet and east 50 feet from a monument or reference point will be labeled (E 50, N 200) or (50, 200).

2. For a point south 143 feet and east 270 feet it will be labeled (E 270, S 143) or (270, -143).

*NOTE: South and west coordinates are always considered negative because of their locations on their respective number lines.

In counties set up with state plane coordinates, the coordinates can be expressed as grid coordinates. The convention used for expressing state plane coordinates is a line with the easting on the top of the line and the northing on the bottom as follows:

$$\frac{1{,}945{,}372.43 \quad (E)}{764{,}006.72 \quad (N)}$$

This allows the coordinates to be placed in a smaller space than they would if expressed as ordered pairs.

Course: A course is a unit of measure used in mapping which gives a direction (bearing) and length (distance) of a line.

An example of a course is S 29°18'30" E 21.18 feet. The bearing is S 29°18'30" E and the distance is 21.18 feet. A course may also describe a radius curve, a spiral curve, or an irregular line defined by a canal, stream, river, ridge or gully etc.

Converting degrees, minutes and seconds to decimal degrees.

To perform some calculations in this and the advances Math sections it may be necessary to convert angles from degrees, minutes and seconds to decimal degrees. At a later stage in some problems you will then need to convert angles back from decimal degrees to degrees, minutes and seconds. If you have a calculator which will perform these conversions directly - use it. If not, convert degrees, minutes and seconds to decimal degrees as follows:

Degrees, Minutes and Seconds Conversion		Conversion Example 27°37'14"		Example Converted to Decimal Equivalent	
Degrees	=	27°	=	27°	Deg
$\frac{\text{Minutes}}{60}$	=	$\frac{37}{60}$	=	0.61667	Deg
$\frac{\text{Seconds}}{3600}$	=	$\frac{14}{3600}$	=	0.00389	Deg
Add Above Amounts			Total	27.62056	Deg
27.62056 Degrees is the decimal equivalent of 27°37'14"					

To convert decimal degrees back to degrees, minutes and seconds use the following steps:

1. For the angle expressed in decimal degrees, 48.25667°, take that portion of the number to the left of the decimal - 48. that will be the degrees (48°).

2. Take that portion of the number in the example which lies to the right of the decimal and multiply it by 60.

   0.25667 x 60 = 15.40002

   The portion of the number to the left of the decimal is the minutes (15').

3. Take the portion of the product (in step 2) to the right of the decimal and multiply it by 60.

   0.40002 x 60 = 24.0001

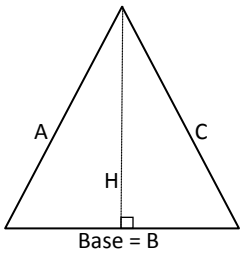
   Round off, the portion of the product to the left of the decimal is the seconds (24").

The example decimal degrees, 48.25667° converts to 48°15'24"

Traverse: To travel from one point to another. In mapping it means to move along the course of a legal description to define or trace a property boundary.

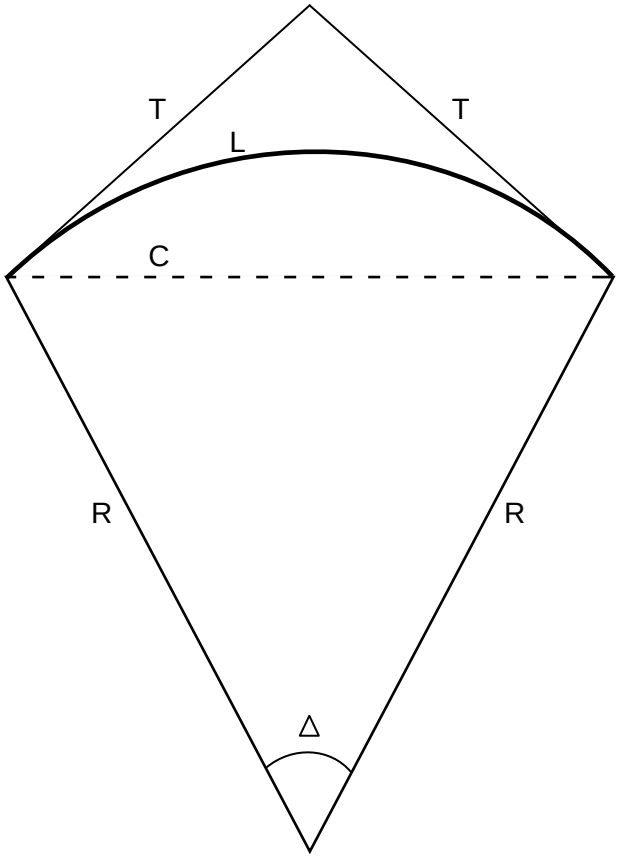
Inverse Traverse: The calculation of bearing and distance between two points of known coordinates. (See the trigonometry portion of the advanced mathematics.)

Triangle: Any three (3) sided figure.



Area = ½ Base x Height

Perimeter = A + B + C



Simple Curve Definitions:

R = Radius:

△ = (Delta) Central angle

L = Length along curve or Arc Length

T = Tangent length

C = Chord or Long Chord

Simple curves, when degree of curve is given.

$$R = \frac{50}{\sin\left(\frac{\text{degree curve}}{2}\right)}$$

(Railroad Practice)

$$\text{Degree Curve} = \frac{5729.578}{R}$$

(Highway Practice)

These both give the same results

A one degree (1°) curve in highway or railroad practice is one with a radius of 5729.578 feet. A curve with this radius and a 1° central angle yields 100.00 ft. of arc length.

Highway and railroad construction engineers in years past used this convention (degrees of curvature) as an easy reference to curves with radius lengths which were commonly used in highway construction.

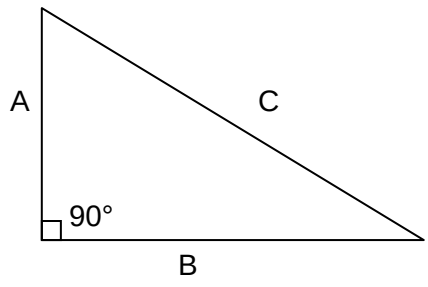
Geometry: is a branch of mathematics concerned with questions of shape, size, relative position of figures, and the properties of space. The word Geometry comes from a combination of the Greek words geo, "earth" and metron, "measure"

Geometry elements of a right triangle are as follows:

A = Altitude (or height)

B = Base

C = the long side



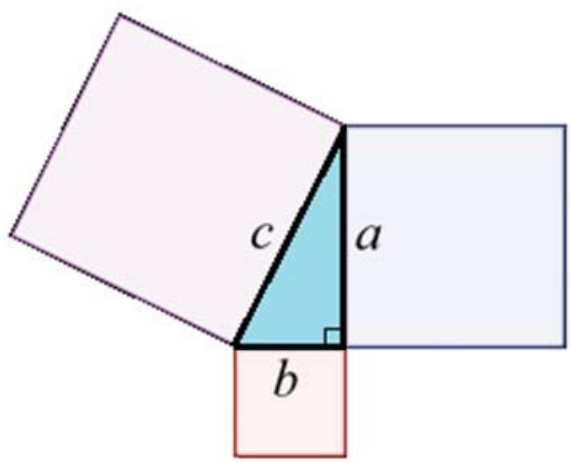
Geometric relations involving a right triangle are as follows:

The Pythagorean Theorem says that $A^2 + B^2 = C^2$

If the length of A and B are known then C can be calculated as follows: $C = \sqrt{A^2 + B^2}$

If the length of B and C are known then A can be calculated as follows: $A = \sqrt{C^2 - B^2}$

If the length of A and C are known then B can be calculated as follows: $B = \sqrt{C^2 - A^2}$

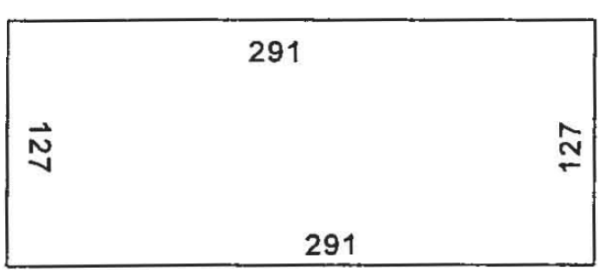


Sample Problems Involving Basic Mathematic Functions

1. Find acreage of parcels of ground with the following legal descriptions. (Included are Solutions)

   A. Beginning at a point North 1163 feet and East 2034 feet from the Southwest corner of section 16, Township 10 South, Range 10 East, Salt Lake Base & Meridian. Running thence North 127 feet; thence East 291 feet; thence South 127 feet; thence West 291 feet to the point of beginning.

Solution: Parcel described is a rectangle which would appear as follows:



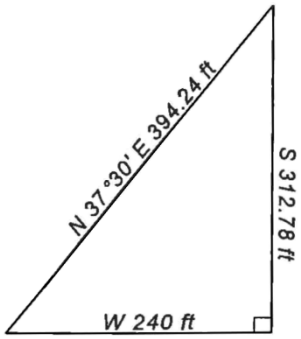
Area of a rectangle is: $A = L \times W$

$A = (291) \times (127)$ ft
$A = 36957$ sq ft

Area in acres: $\text{ac.} = \frac{\text{sq ft}}{43560}$

$\frac{36957}{43560} = 0.85\text{ac}$

B. Com N 17.5 ft and W 23 ft from the E ¼ Cor Sec 16, T 10 S, R 10 E, SLM; W 240 ft; N 37°30' E 394.24 ft; S 312.78 ft to beg.



Solution: A = ½BH

A = ½ (240 ft)(312.78 ft)
A = 37533.6 sq ft

Area in acres: ac. = $\frac{\text{sq ft}}{43560}$

$\frac{37533.6}{43560}$ = 0.86 ac

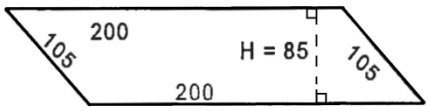
2. Find acreage for the following figures.

A. Solution: Area of a parallelogram = Base x Height

A = (200 ft)(85 ft)

A = 17,000 sq ft

Area in acres: $\frac{17000}{43560}$ = 0.39ac.



B. Solution: Area of a trapezoid = $\frac{(A+B)}{2}$ h

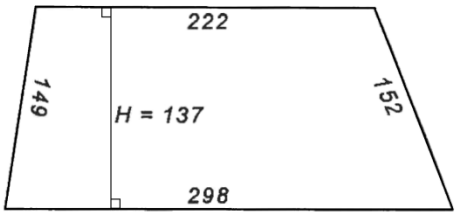
A=($\frac{222+298}{2}$)137

A=($\frac{520}{2}$)137

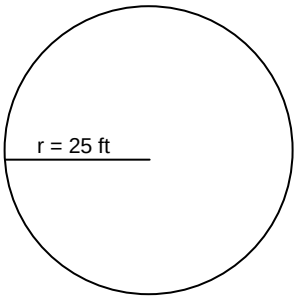
A=(260ft) (137ft)

A=35,620 sq ft

Area in acres: $\frac{35620}{43560}$ = 0.82ac.



C. Solution: Area of a circle = πr^2



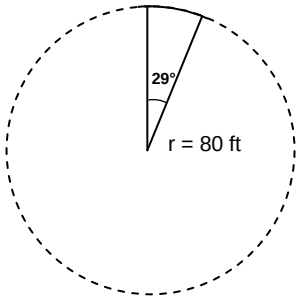
A=(3.1416)(25ft)^2

A=(3.1416)(625 sq ft)

A=1963.50 sq ft

Area in acres: $\frac{1963.50}{43560}$ = 0.05ac.

D. Finding the area of part or a sector of a circle. A full circle has central angle of 360° and a sector is a fraction of a full circle. Hence, the area of the sector is that fraction times the area. If the central angle is expressed in degrees, minutes and seconds, convert the angle to decimal degrees.



Area of a sector = $(\frac{\Delta}{360})(\pi r^2)$

A= $(\frac{29}{360})$ (3.1416)(80ft)^2

A= (0.08)(3.1416)(6400 sq ft)

A= (0.08)(20106.24 sq ft)

A=1608.50 sq ft

Area in acres: $\frac{1608.50}{43560}$ = 0.04ac.

Rotation of Bearings

Occasionally a legal description will traverse along a section line but call out a different basis of bearing than the one customarily used for that section. For the purpose of obtaining coordinates which are compatible with those of other parcels of land in that area, there are two methods to rotate the description.

Method 1 Mathematically calculate the rotated bearing for each course of the description to match with section bearings of all parcels for that section. Then draw the parcel using the mathematically rotated bearings.

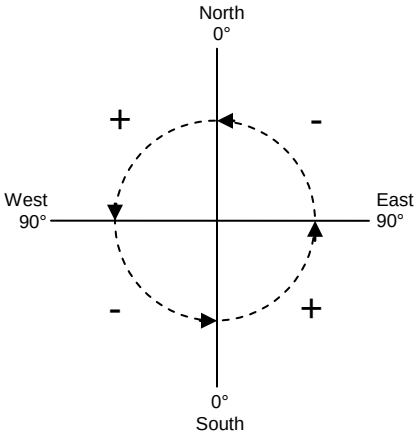
Method 2 Draw the parcel using the original description and then physically rotate that description and its basis of bearing to match the one customarily used for that section. We will discuss two versions of this method when we talk about mapping descriptions and then with GIS.

Do not label that parcel on the plats with the rotated bearings nor reflect the rotation in the tax description. The tax description should always reflect the legal description on the document. This will help prevent the tax payer from being confused over the difference between the deed description and tax description.

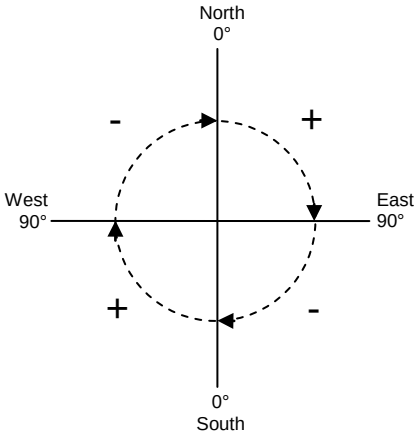
If drawing up a description with a drafting machine, requiring rotation from the normal bearing, that rotation can be accomplished by re-adjusting the head of the drafting machine to coincide with the description, and then draw the description as it reads.

For those using computers, there is normally a provision for rotating the courses of a legal description. (Refer to Chapter 7 on GIS)

When rotating a description, you rotate each bearing in the description the same direction. The same rotation will be positive or negative depending on the direction of rotation and quadrant it is in. The quadrant is the same as the direction of the bearing. Sometimes you will need to add the rotation angle amount or subtract the rotation angle amount depending on the quadrant. See the diagram below for your rotation and quadrant to determine if you need to add or subtract the rotation angle.



Rotating Counter Clockwise



Rotating Clockwise

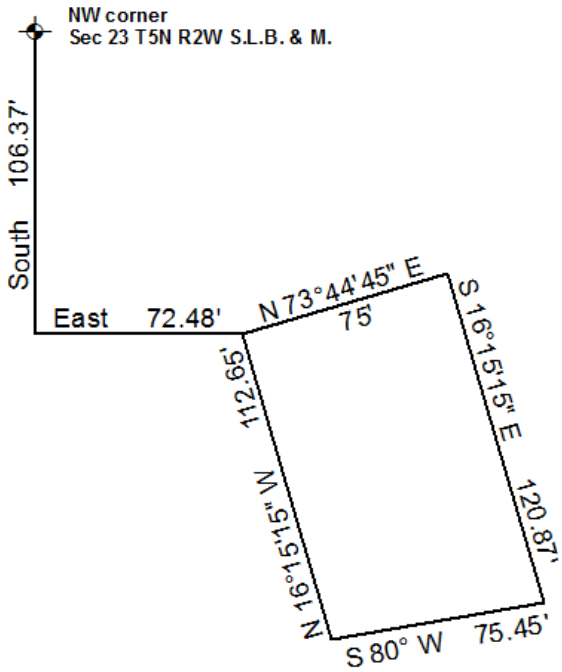
For more advanced details on how to rotate a bearing in a legal description mathematically see the advanced mathematics section in the appendix.

Method 1 Example: Basic mathematical rotation of a legal description

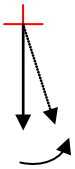
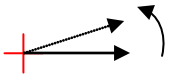
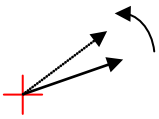
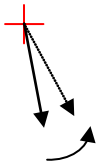
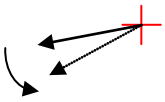
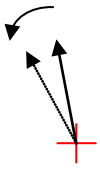
For this example we will be using the same legal description we will use in the mapping section but this one we will be rotating it 10° counter clockwise. Each bearing in the description will have to be individually rotated.

Original Legal Description

Part of the NW quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian. Beginning at a point South 106.37 feet and East 72.48 feet from the Northwest corner of said section. Running thence North 73°44'45" East 75 feet; thence South 16°15'15" East 120.87 feet; thence South 80° West 75.45 feet; thence North 16°15'15" West 112.65 feet' to the point of beginning.



Now we need to separate out each bearing from the example legal description and mathematically calculate the rotation of each one of them for 10° counter clockwise. The direction of the bearing will determine if we add the 10° or subtract the 10° to move counter clockwise.

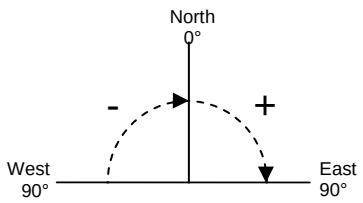
Original Bearing			**Rotated Bearing** (10°)		
(South) S 00°0’0” E	+ 10°		S 00°0’0” E + 10° S 10°0’0” E	=	S 10° E
(East) N 90°0’0” E	- 10°		N 90°0’0” E - 10° N 80°0’0” E	=	N 80° E
N 73°44’45” E	- 10°		N 73°44’45” E - 10° N 63°44’45” E	=	N 63°44’45” E
S 16°15’15” E	+ 10°		S 16°15’15” E + 10° S 26°15’15” E	=	S 26°15’15” E
S 80° W	- 10°		S 80°0’0” W - 10° S 70°0’0” W	=	S 70° W
N 16°15’15” W	+ 10°		N 16°15’15” W + 10° N 26°15’15” W	=	N 26°15’15” W

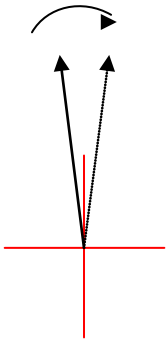
Rotated Legal Description (10°)

Part of the NW quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian. Beginning at a point South 10° East 106.37 feet and North 80° East 72.48 feet from the Northwest corner of said section. Running thence North 63°44'45" East 75 feet; thence South 26°15'15" East 120.87 feet; thence South 70° West 75.45 feet; thence North 26°15'15" West 112.65 feet' to the point of beginning.

When you rotate a description and it crosses into a new quadrant, you have to switch from addition to subtraction or from subtraction to addition.

Example: We start with a bearing of North 02°00’00” West and we rotate it 5° clockwise.





We begin in the Northwest quadrant and so we begin by subtracting the rotation angle. However once we reach 0° we are headed directly North and in order to continuing to rotate clockwise we start to rotate into the Northeast quadrant where we add in order to rotate clockwise.

Then there are still 3° of rotation remaining of the original 5° rotation. So we now add the 3° to get the result North 03°00’00” East.

NOTE: *This basic math section shows only simple rotations to help you understand the concept of rotating bearings and descriptions. Actual rotations of legal descriptions to match the basis of bearing with the section line bearing is almost always rotated with more precision than a whole degree and includes rotating degrees minutes and seconds. If you need to rotate a description mathematically, each individual bearing should be converted to decimal degrees in order to perform the math functions and then be converted back into degrees minutes and seconds to draw that bearing.*

MAPPING DESCRIPTIONS

AND DRAFTING

PARCEL BOUNDARIES

FOR CADASTRAL MAPPING

Chapter 6

2015 Cadastral Mapping Manual

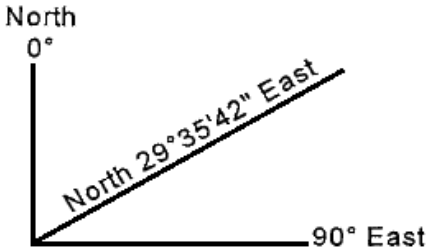
Another method of describing land, aside from the fractional section method, is called the "Metes and Bounds" method.

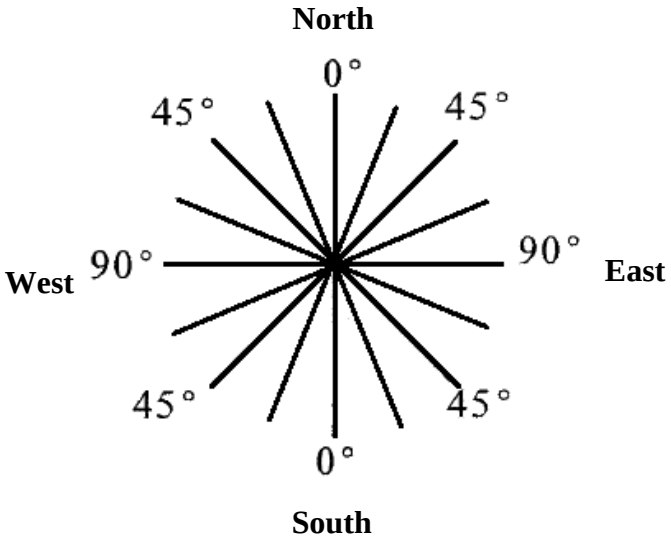
Metes and Bounds: a description beginning at a point and following all the boundary lines of a parcel of land around the perimeter and back to the point of beginning, by the use of a bearing and distance for each line of the boundary with the beginning point described and tied to a permanent known location such as a section corner.

Bearings are determined as follows:

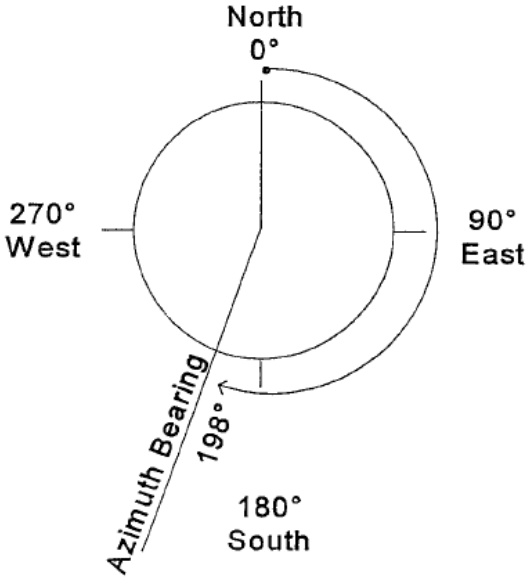
There are 90 degrees from North to East
There are 60 minutes in 1 degree
There are 60 seconds in 1 minute

Example



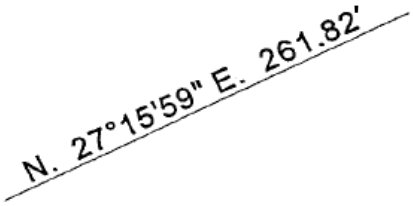


Another type of bearing use in cadastral mapping is the Azimuth bearing. The Azimuth bearing is determined in angular degrees in a clockwise direction from north point being zero degrees to 360 degrees. Although this type of bearing is rarely used in property descriptions, it is very useful in computer programming with mapping applications because it is always in relation to the same point (North).



Measurements are normally given in feet and 100th of a foot, the symbol for feet is '.

Example of bearing and dimension of a line



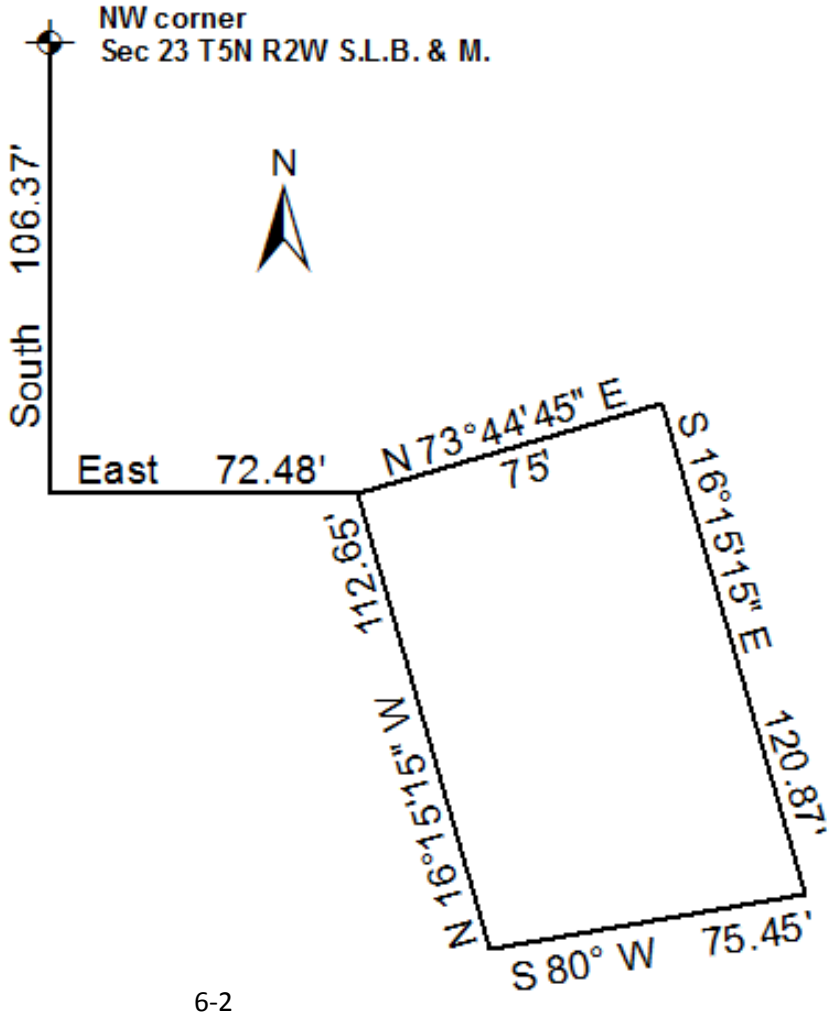
Other measurements that may be used.

1 Link = .66'	1 Perch = 16.5'	1 Furlong = 660'
1 Chain = 66'	1 Vara = 2.78'	1 Mile = 5280'
1 Rod = 16.5'	1 Yard = 3.00'	1 Meter = 3.2808'

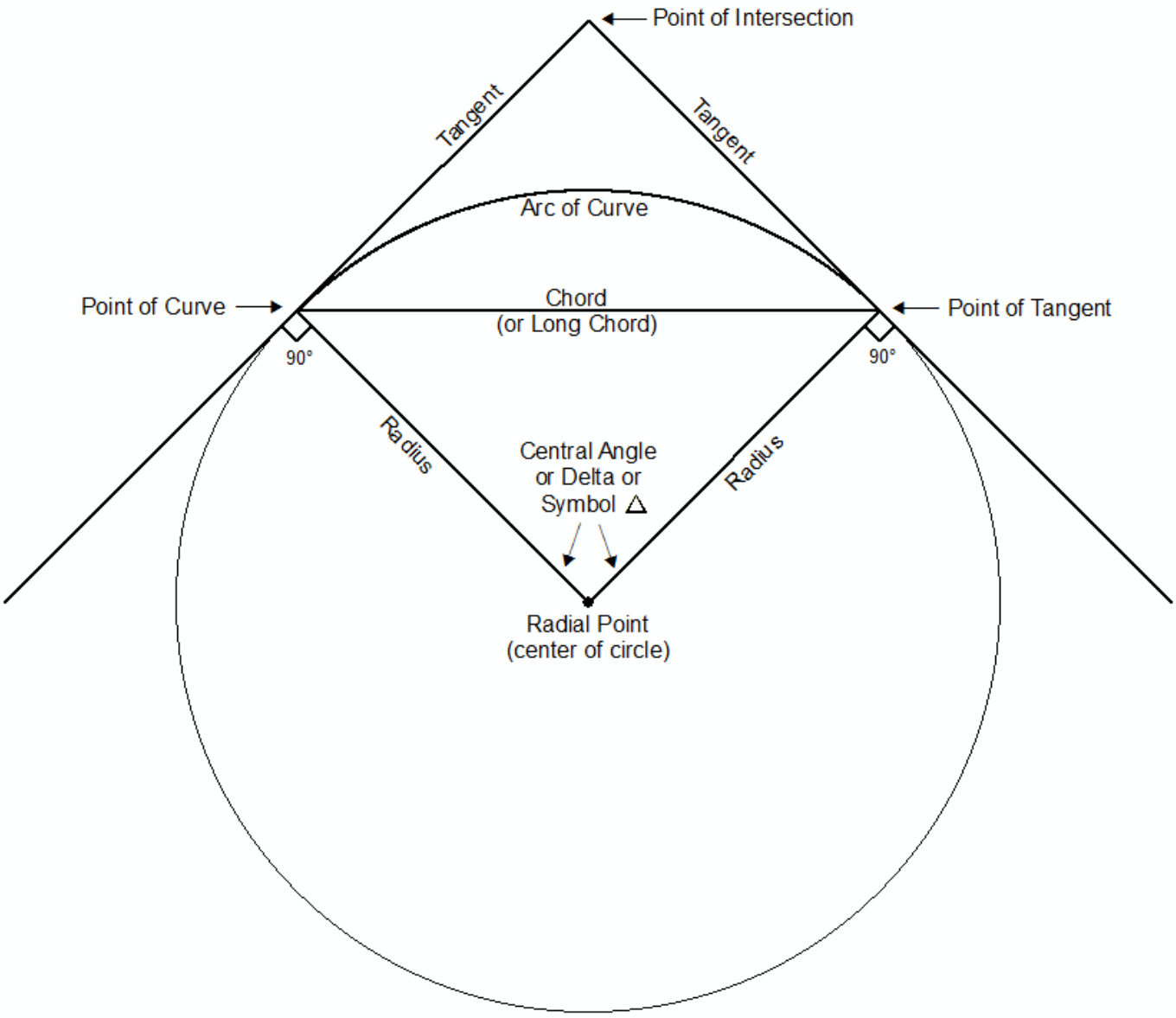
Example of Metes and Bounds Description

Example 1

Part of the NW quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian. Beginning at a point South 106.37 feet and East 72.48 feet from the Northwest corner of said section. Running thence North 73°44'45" East 75 feet; thence South 16°15'15" East 120.87 feet; thence South 80° West 75.45 feet; thence North 16°15'15" West 112.65 feet' to the point of beginning.



Curves are also often used in metes and bounds descriptions. Below is an example of the elements of a curve used in mapping. Elements of a curve are identified as parts of a sector of a circle.

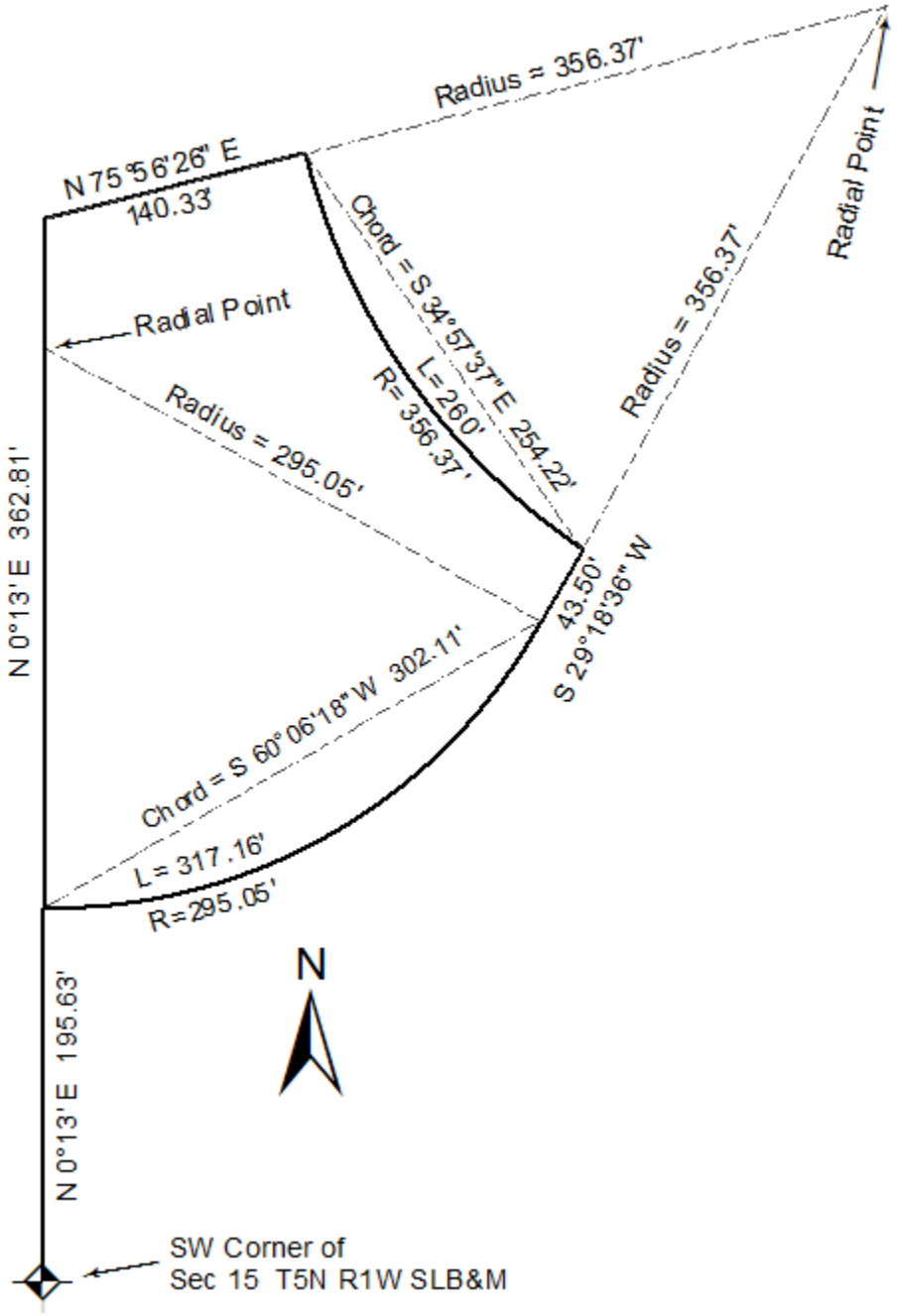


Examples of Curves in Metes and Bounds Descriptions

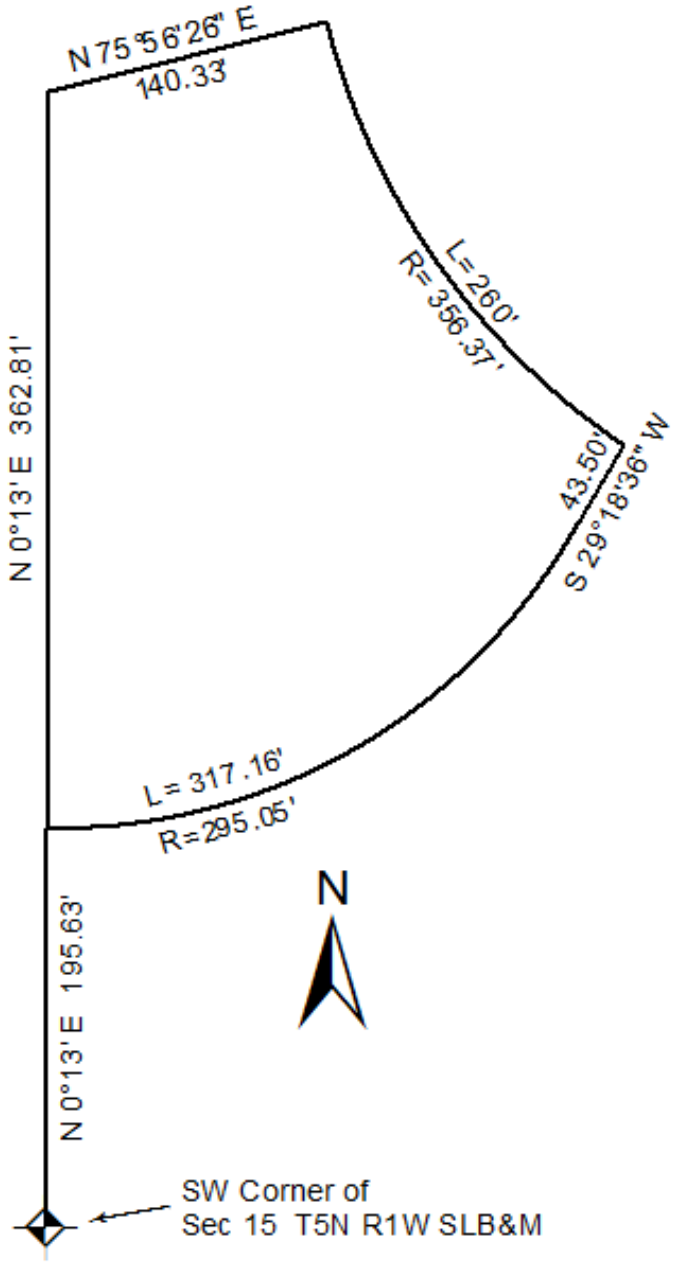
Example 2

Beginning at point North 0°13’ East 195.63 feet along the section line from the Southwest corner of Section 15, Township 5 North, Range 1 West, Salt Lake Base and Meridian. Running thence North 0°13' East 362.81feet; thence North 75°56'26" East 140.33 feet; thence to the left 260 feet along the arc of a curve whose radius is 356.37 feet whose chord bears South 34°57'37" East 254.22 feet; thence South 29°18'36" West 43.50 feet; thence to the right 317.16 feet along the arc of a curve whose radius is 295.05 feet and whose chord bears South 60°06'18" West 302.11 feet to the point of beginning.

Example of Construction Phase of Description with Curves.



Here is the completed drawing of the same description with curves.

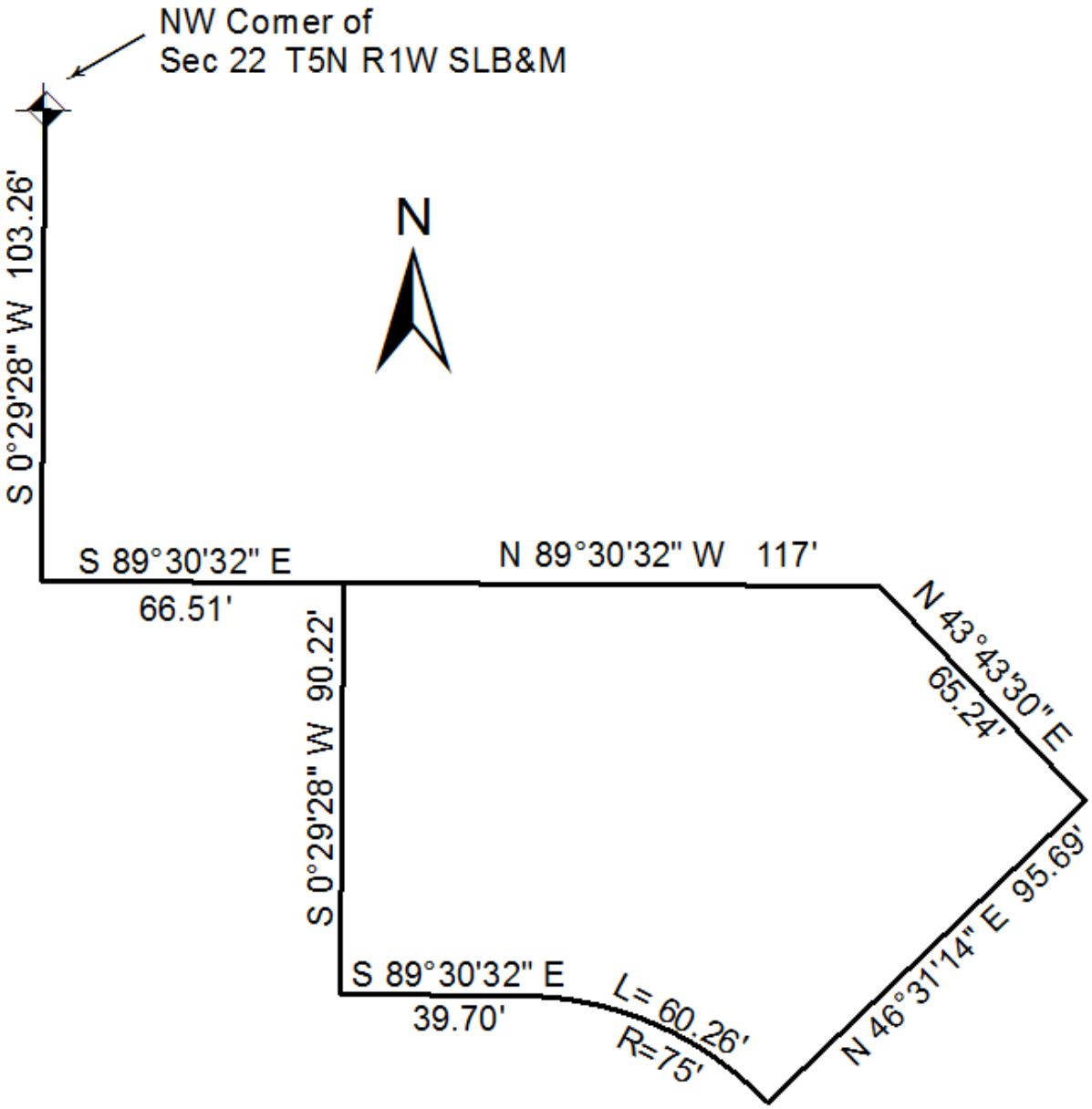


On some occasions a property description will not contain a chord, in this event it must be assumed, when totally void of all other information, that it is a regular curve with the radius being at a right angle (90°) to the last course given, and that it is tangent to the bearing of the previous line.

Example of Metes and Bounds Description without Chord

Example 3

Beginning at a point South 0°29'28" West 103.26 feet along the section line and South 89°30'32" East 66.51feet from the Northwest corner of Section 22, Township 5 North, Range 1 West, Salt Lake Base and Meridian. Running thence South 0°29'28" West 90.22 feet; thence South 89°30'32" East 39.70 feet; thence along a 75 foot radius curve to the right 60.26 feet; thence North 46°31'14" East 95.69 feet; thence North 43°43'30" West 65.24 feet; thence North 89°30'32" West 117 feet to the point of beginning.



Drawing a Metes and Bounds Description by Hand

Traverse: To travel from one point to another. In mapping it means to move along the course of a legal description to define or trace a property boundary.

Drawing or traversing a legal description by hand requires four essential items or tools:

1) Engineers Scale 2) Pencil 3) Eraser 4) Protractor -or- Land Measure Compass

To draw a meets and bounds description, let's use the legal description from example1.

> Part of the NW quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian. Beginning at a point South 106.37 feet and East 72.48 feet from the Northwest corner of said section. Running thence North 73°44'45" East 75 feet; thence South 16°15'15" East 120.87 feet; thence South 80° West 75.45 feet; thence North 16°15'15" West 112.65 feet' to the point of beginning.

The description can be broken down into several parts and those parts are used in the following six steps to traverse or draw the legal description.

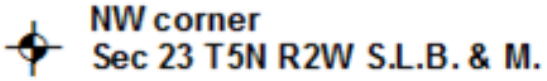
Step 1 The Defined Area

The first step is to determine what area you are working in. This could be the section township and range or it could be the lot, block and plat within a city or it could be another defined area in the description. For the example we are using the area is: *"Part of the NW quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian."*

Step 2 Find the Reference Point

One purpose for monumenting section corners and quarter corners in a section is to provide a reasonably close point from which to survey various properties within a section. It is comparatively easy to understand the relationship of two descriptions when they both reference the same monument.

The reference point in the description is the section corner or other known point that the description uses to tie the parcel boundary to a specific location. It is usually two or three calls into the description before it is stated. In the above example the reference is:
"… from the Northwest corner of said section."

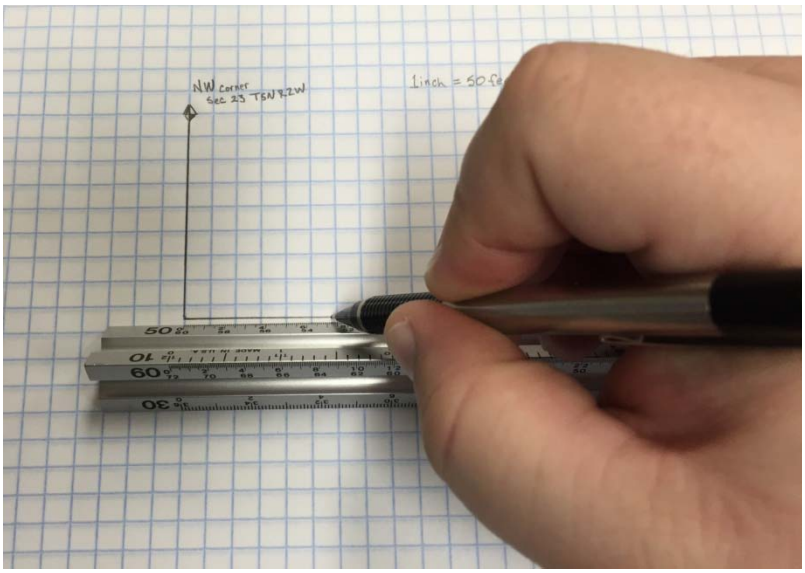


Step 3 Getting to the start

With a few exceptions, most legal descriptions give a set of bearings and distances from a known location such as a section corner to the starting point of the parcel being described.

In our example we have two bearings that take us from our section corner to the starting point.

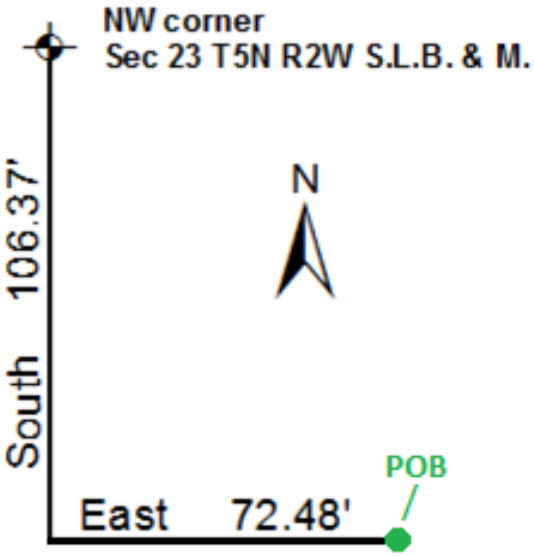
"*… a point South 106.37 feet …*
… and East 72.48 feet from…"



Step 4 The Point of Beginning

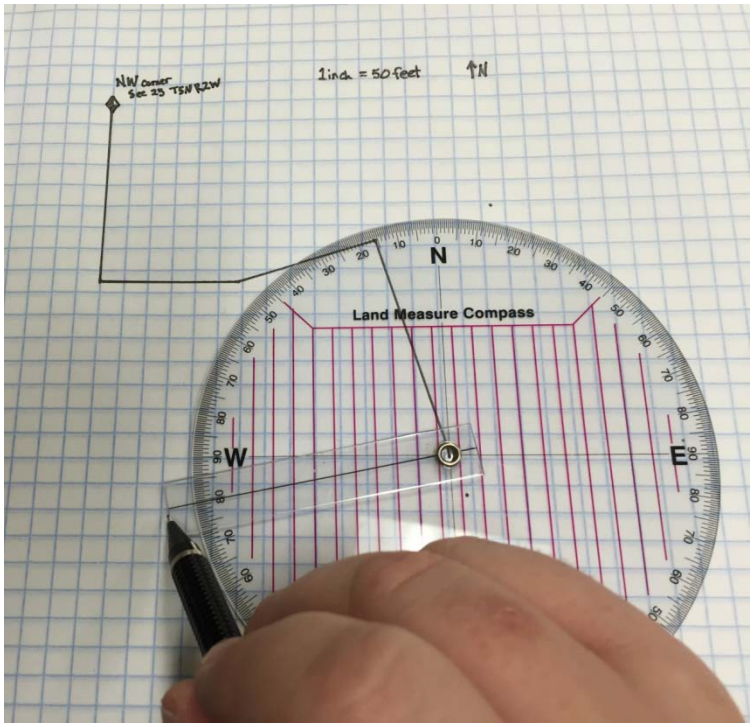
The starting point is usually known as the point of beginning. If the description has no closing errors this starting point should also be the ending point for the parcel. Any bearings and distances prior to the starting point are references. They do not describe the boundary of the parcel but are used to define where the parcel boundary is in relation to a known location.

"Beginning at a point... …to the point of beginning."



Step 5 The Property Boundaries

This is where we measure each of the angles or bearings in the description and draw a line along that bearing for the given distance. Each new bearing starts at the end of the previous bearing and distance.



"Running thence

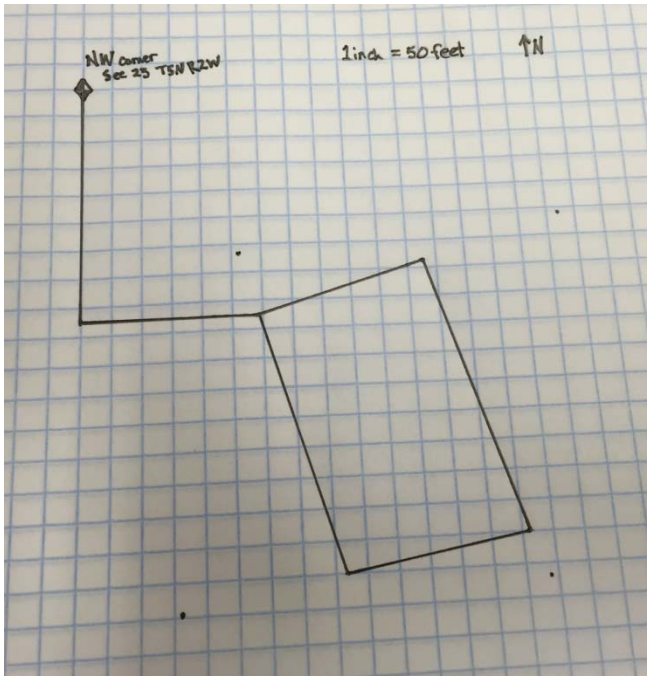
North 73°44'45" East
75 feet;

thence South 16°15'15" East
120.87 feet;

thence South 80° West
75.45 feet;

thence North 16°15'15" West
112.65 feet…"

When we have drawn the entire perimeter of the parcel boundary lines from the legal description ending back at the point of beginning we have a completed parcel drawing.



Step 6 Rotate the Description

Sometimes the description needs to be rotated to meet the section line. There is more than one way to rotate a description.

A. Rotating Mathematically (Method 1)

Remember the mathematically rotated description from the chapter on basic mathematics. We rotated the legal description 10° counter clockwise.

<u>Original Legal Description</u>

Part of the NW quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian. Beginning at a point South 106.37 feet and East 72.48 feet from the Northwest corner of said section. Running thence North 73°44'45" East 75 feet; thence South 16°15'15" East 120.87 feet; thence South 80° West 75.45 feet; thence North 16°15'15" West 112.65 feet' to the point of beginning.

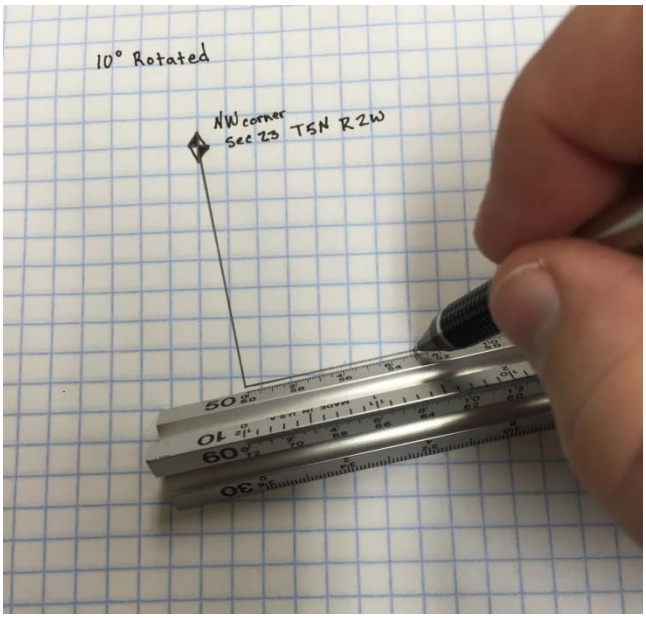
<u>Rotated Legal Description</u> (10°)

Part of the NW quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian. Beginning at a point South 10° East 106.37 feet and North 80° East 72.48 feet from the Northwest corner of said section. Running thence North 63°44'45" East 75 feet; thence South 26°15'15" East 120.87 feet; thence South 70° West 75.45 feet; thence North 26°15'15" West 112.65 feet' to the point of beginning.

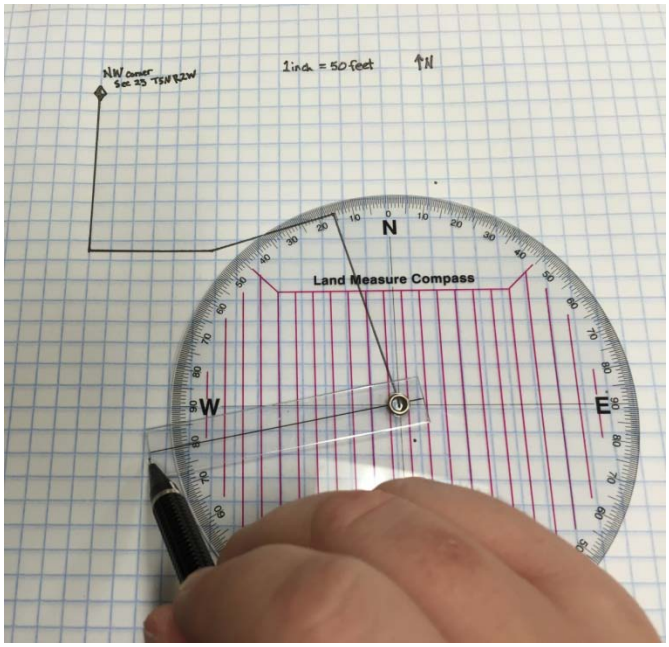
We have mapped the original legal description, and we have the mathematically rotated description. If we draw that rotated description and compare it to the original description we have drawn we can see the difference.

<u>Original</u>

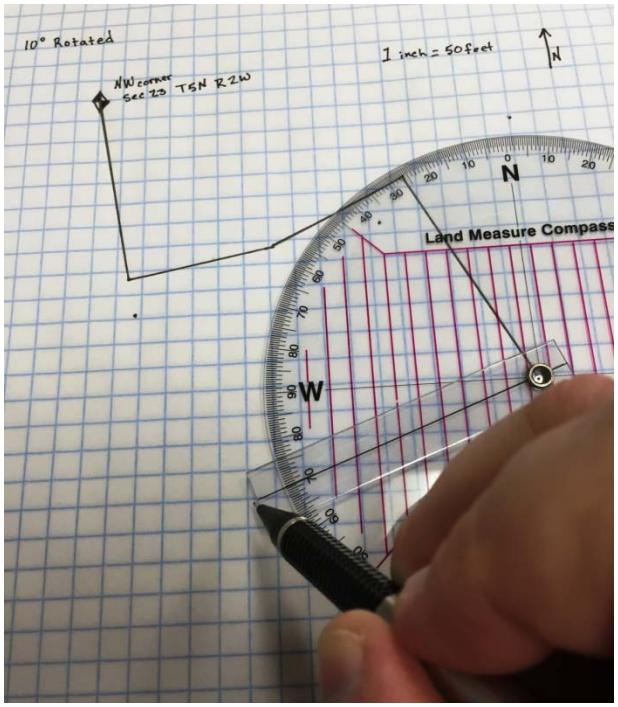
<u>Rotated</u>



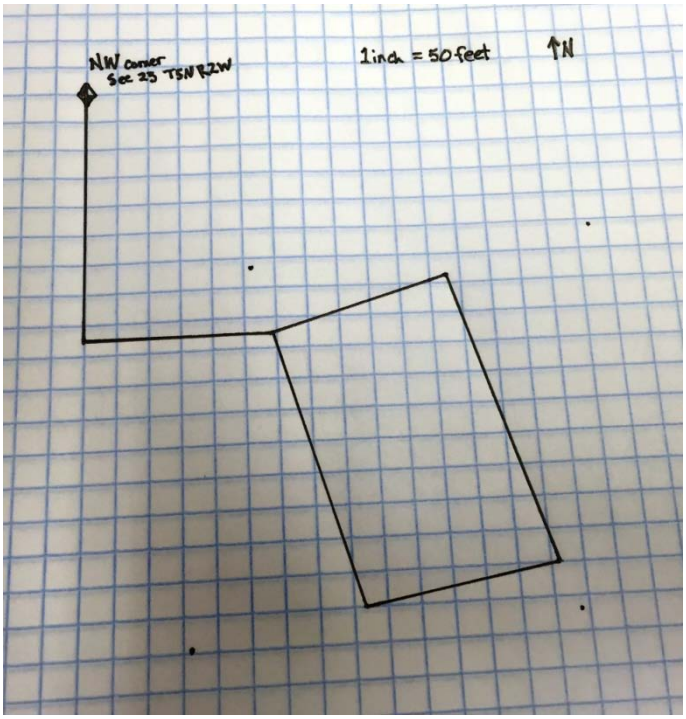
Original



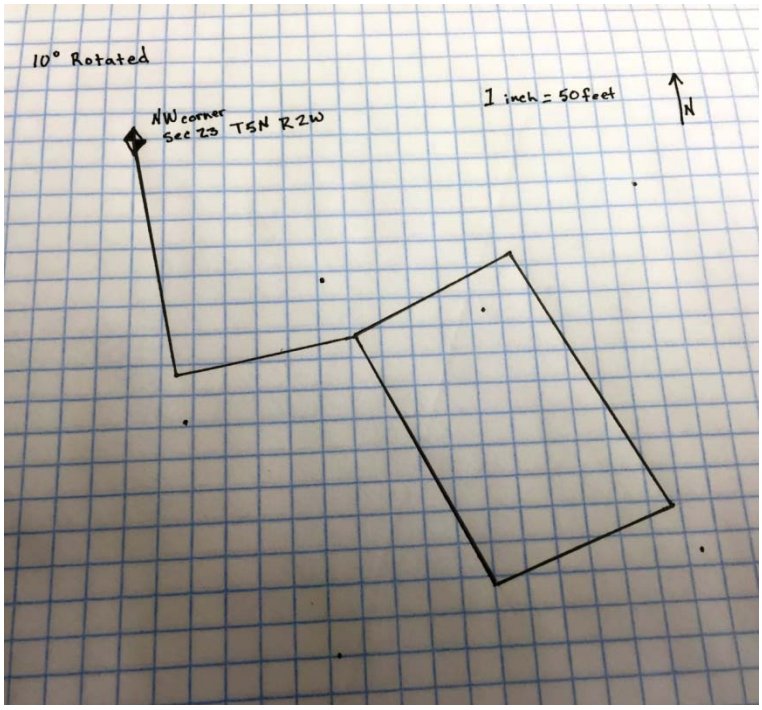
Rotated



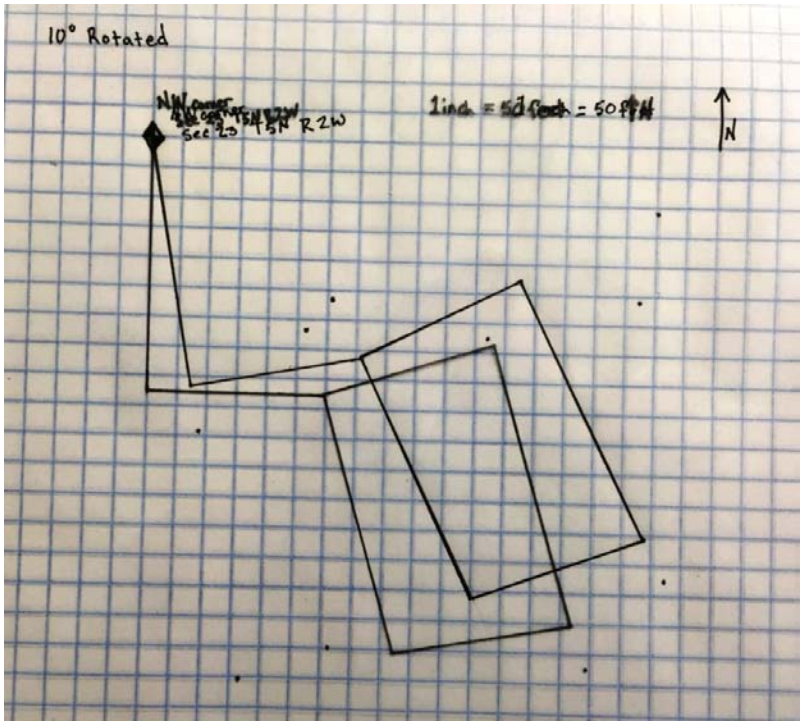
Original



Rotated



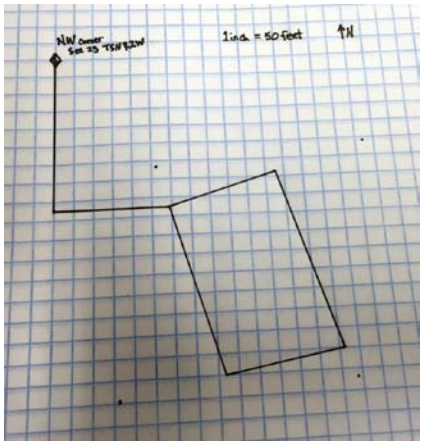
Now if we take both the original and the rotated descriptions and lay them on top of each other, we can see how much 10° makes a difference in how the description sits.



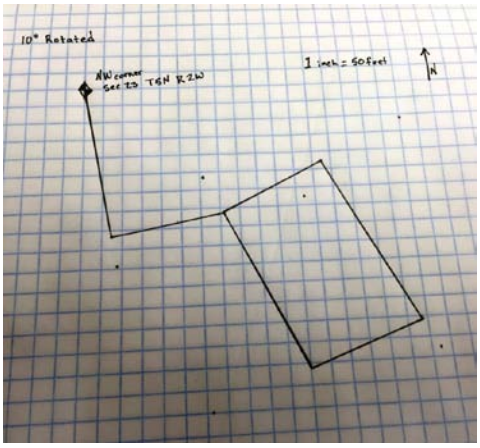
B. Rotating Manually (Method 2)

For this rotation example we are going to use the same two descriptions used in the above example. This is Method 2 as mentioned in the basic mathematics chapter.

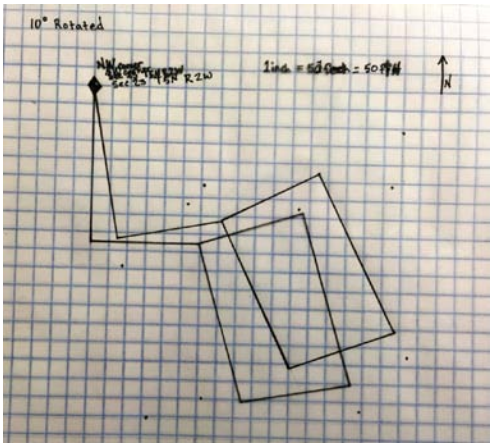
Original



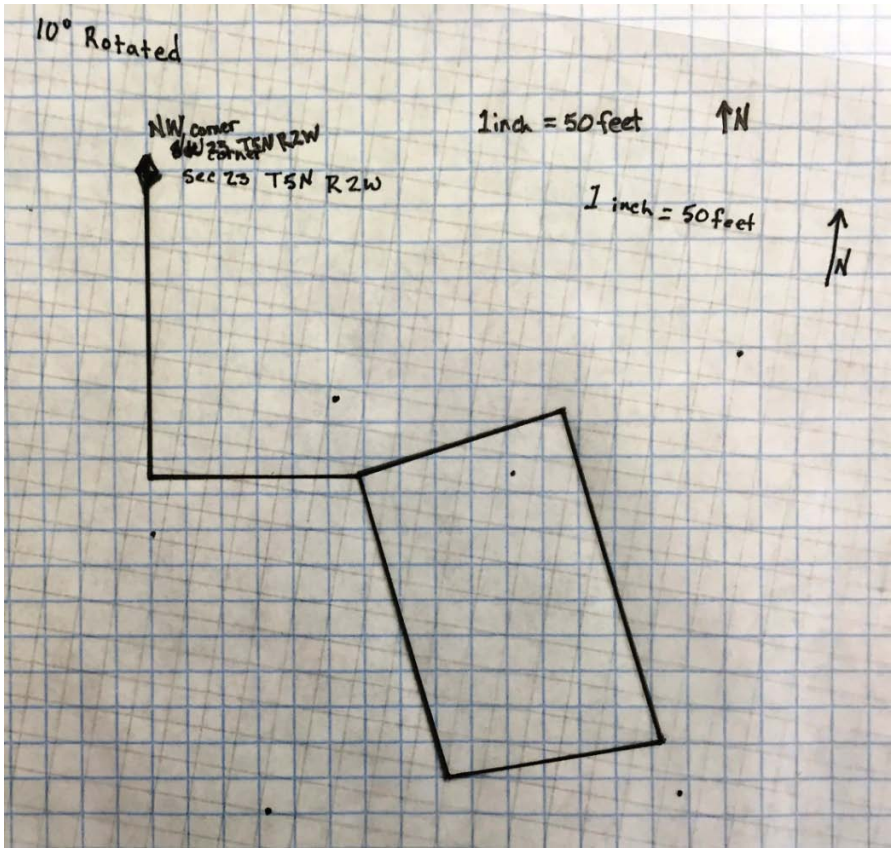
Rotated



Overlapping



The grid lines of the graph paper that run through our section corner as our section lines. We physically rotate the adjusted description using the section corner as the axis of the rotation, and rotate until our first bearing line matches up with the section line. These two descriptions now line up exactly the same.

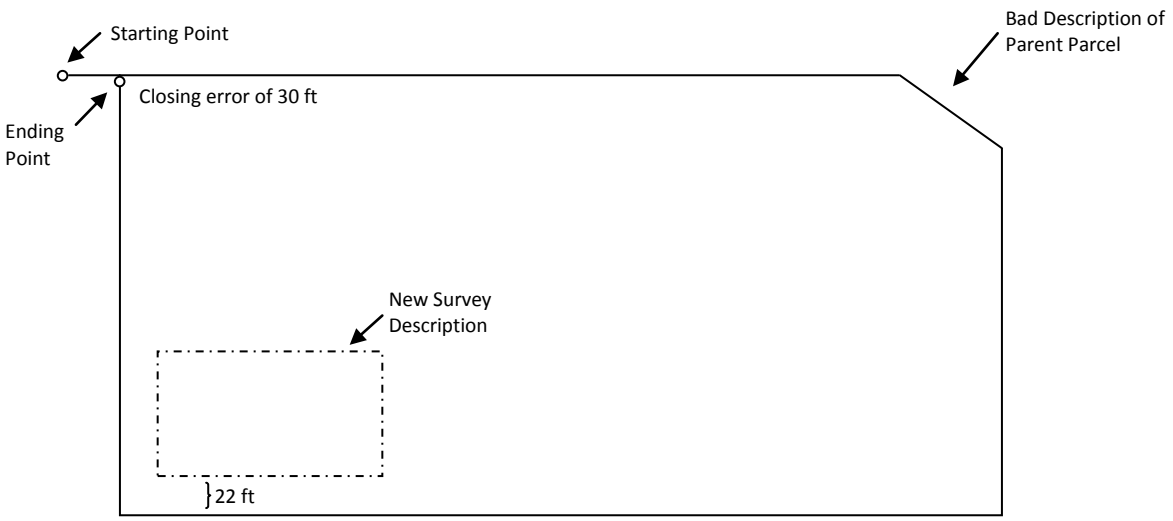


We see that a property description can be rotated mathematically to line up with the rest of the section drawings, and it can also be physically rotated without doing the math, and the result is the same.

Precision of Legal Descriptions

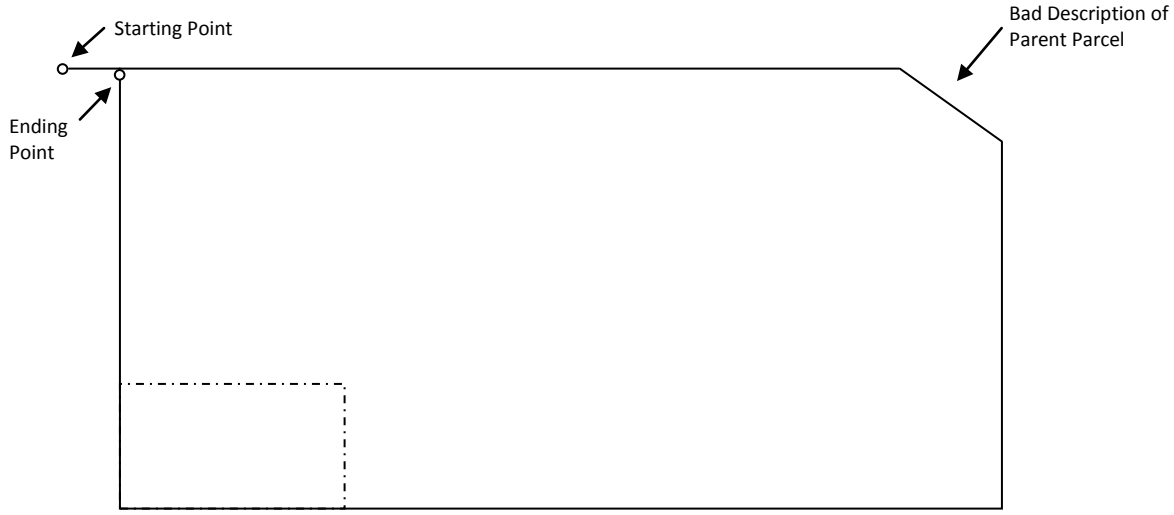
Because of various problems, some legal descriptions are not precise and may have a problem closing perfectly. In order to make the reference in this context brief, we could refer to such inaccurate descriptions as “bad” descriptions. If traversing a “bad” description starting from the place of beginning and going through all courses and the last course, and it does not return to the place of beginning, it is said that the description does not close. The error(s) may have been created in any course(s) of the description. There is nothing the mapper can do to improve the legal description reflected on the recorded document. Assume that a party owns a parcel of real property conveyed to him by a “bad” description and he conveys a parcel reflecting a current survey description which closes. It is impossible to locate precisely the new description on a plat with reference to the “bad” description. The “bad” description can be shifted to fit the new description only to the extent that the “bad” description misses closure. The remnant description will miss closure just as far as the Original description did before the new parcel was conveyed.

Example 1:



The illustration mapped is a representation of two parcels. The larger solid lined parcel represents the parent parcel with a “bad” description. The smaller parcel represented by broken lines in the southwest corner is a good survey description of a parcel being segregated or split off.

For all practical purposes, the two parcels in some instances can be represented as shown in the drawing below.



** Consideration should be given to the following:

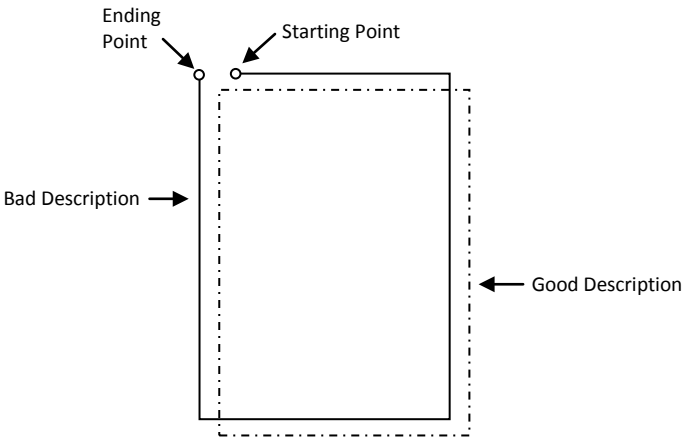
A. Boundaries of adjacent parcels

B. Natural or physical boundaries called out by documents for both parcels, such as roads, streams, canals, railroad right-of-ways, fences, ditches, etc ...

C. Recitation of boundaries called out on previous conveying documents.

Since the larger parcel doesn't close by 30 feet, we have that much latitude to locate the smaller parcel as good judgment would dictate. Note the "bad" description is not improved by this arrangement. The same principle may apply to direct changes.

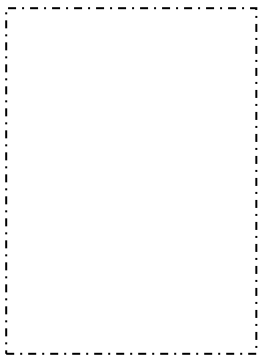
Example 2:



Solid line represents a bad description owned by party A.

Party A sells to Party B via a new description which closes and is represented by the broken line.

It would seem reasonable to show party B as the new owner and also change the old description to the new correct description on the tax rolls. ***



Doing away with the old lines, we would show only the new description with party B as owner.

*** Careful consideration should be given to:

A. Boundaries of adjacent parcels. The “bad” description may follow exactly the title lines of adjoining properties for part of the description. Those lines must be honored. In such a case, the new description may encroach on other parties and (or) result in a remnant description for party A.

B. Natural or physical boundaries.

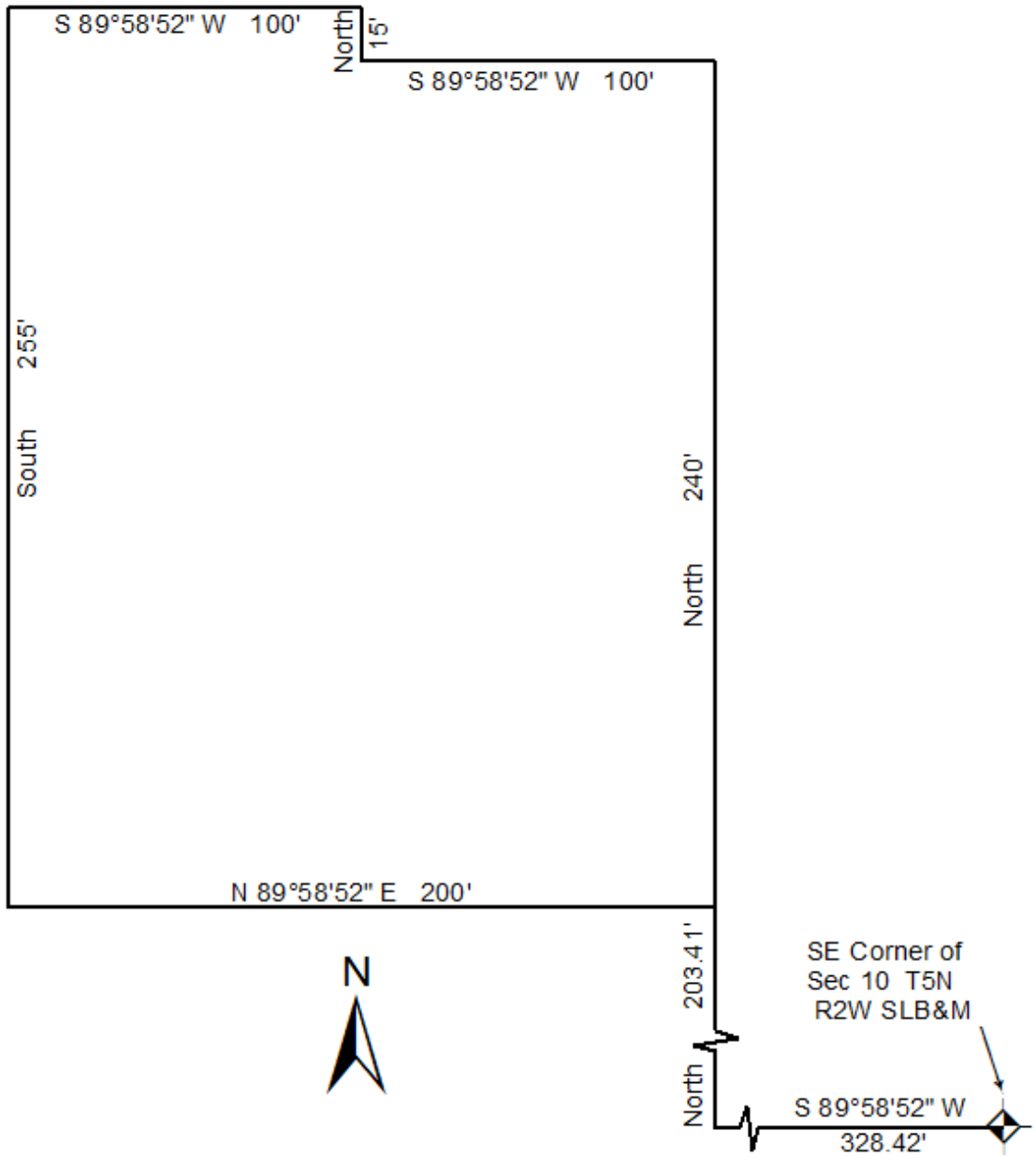
C. Recitation of boundaries.

Parcel Splits

Very often, in the course of cadastral mapping, the mapper is required to prepare property descriptions for remaining parcels, created when the entire parcel does not change ownership.

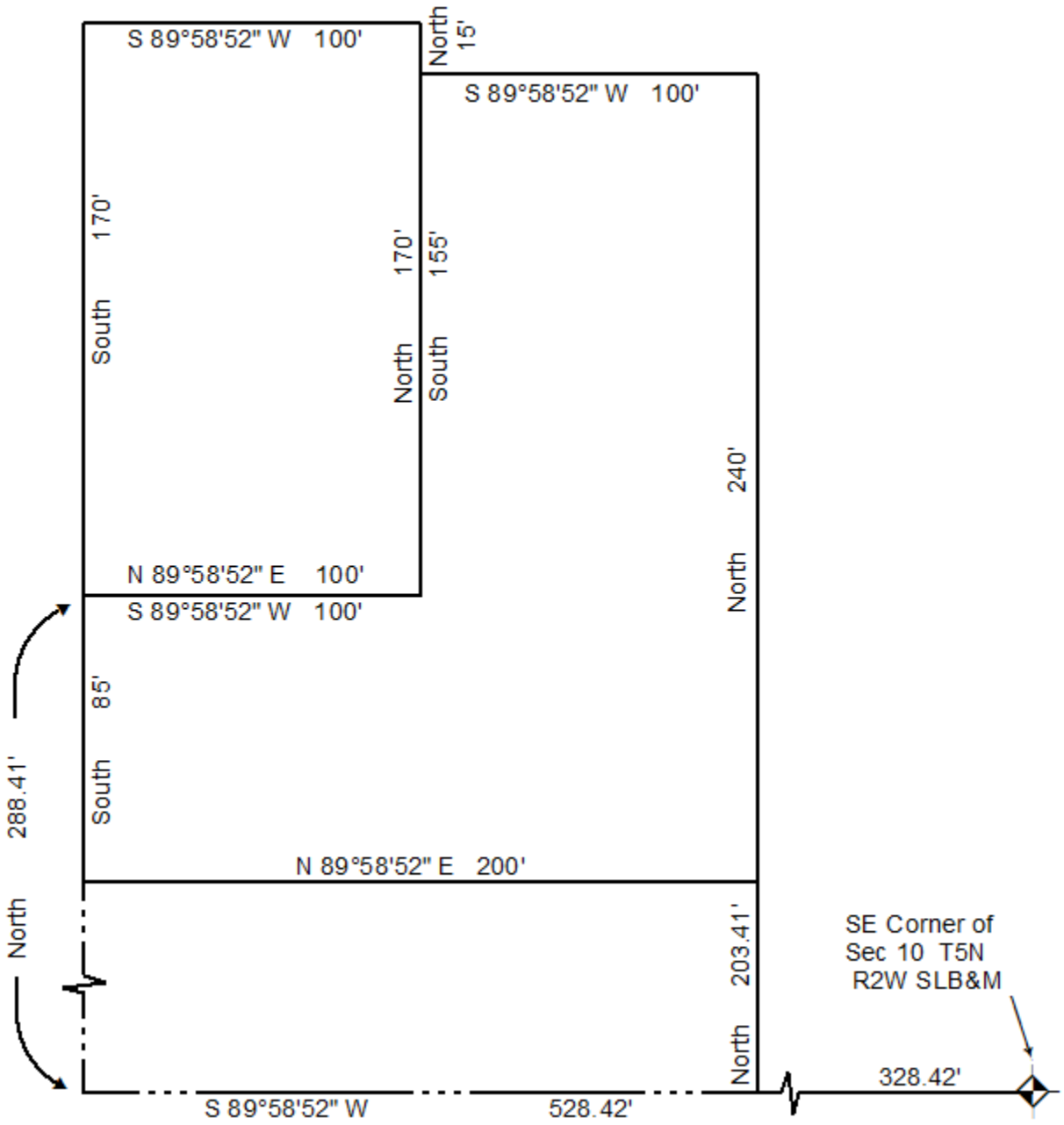
Example: Party "A" is the owner of the following described property:

> Beginning at a point South 89°58'52" West 328.42 feet along the 1/4 section line and North 203.41' from the Southeast corner of section 10 Township 5 North Range 2 West, Salt Lake Base and Meridian. Running thence North 240 feet; thence South 89°58'52" West 100 feet; thence North 15 feet; thence South 89°58'52" West 100 feet; thence South 255 feet; thence North 89°58'52" East 200 feet to the point of beginning.



Party "A" sells to Party "B" the following described property:

Beginning at a point South 89°58'52" West 528.42 feet along the quarter section line and North 288.41' from the Southeast corner of Section 10 Township 5 North Range 2 West, Salt Lake Base and Meridian. Running thence North 89°58'52" East 100 feet; thence North 170 feet; thence South 89°58'52" West 100 feet; thence South 170 feet to the point of beginning.



The remaining parcel is retained by Party "A"

There are two common ways to describe a remainder parcel. The first way to describe the remainder parcel is to use the original description from before the split and less out the new description. The second way is to calculate the distances based on the differences between the two descriptions and write a new remainder description.

Beginning at a point South 89°58'52" West 328.42 feet along the 1/4 section line and North 203.41' from the Southeast corner of section 10 Township 5 North Range 2 West, Salt Lake Base and Meridian. Running thence North 240 feet; thence South 89°58'52" West 100 feet; thence North 15 feet; thence South 89°58'52" West 100 feet; thence South 255 feet; thence North 89°58'52" East 200 feet to the point of beginning.
Less Beginning at a point South 89°58'52" West 528.42 feet along the quarter section line and North 288.41' from the Southeast corner of Section 10 Township 5 North Range 2 West, Salt Lake Base and Meridian. Running thence North 89°58'52" East 100 feet; thence North 170 feet; thence South 89°58'52" West 100 feet; thence South 170 feet to the point of beginning.

Or

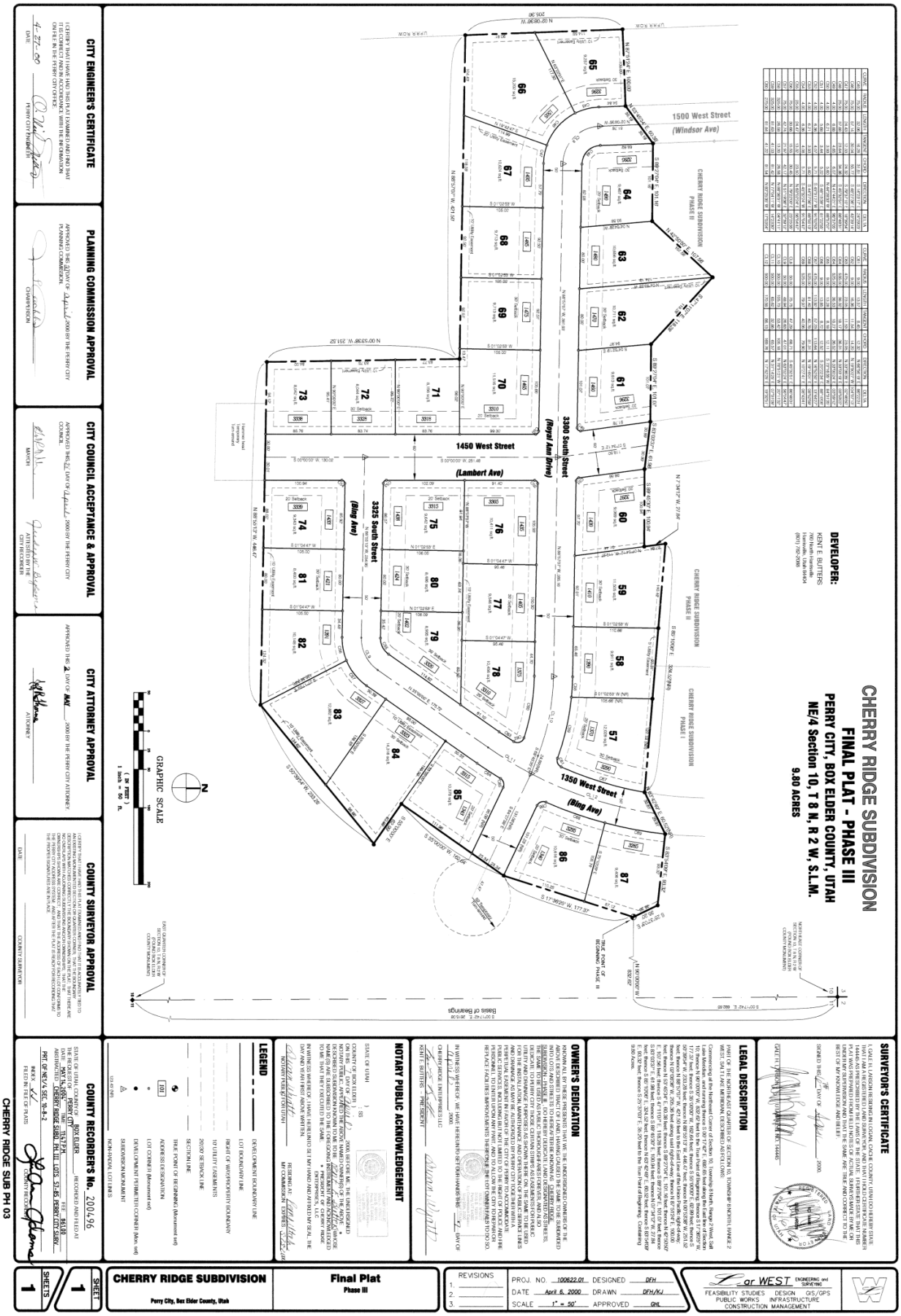
Beginning at a point South 89°58'52" West 328.42 feet along the quarter section line and North 203.41Feet from the Southeast corner of Section 10 Township 5 North Range 2 West, Salt Lake Base and Meridian. Running thence North 240 feet; thence South 89°58'52" West 100 feet; thence South 155 feet; thence South 89°58'52" West 100 feet; thence South 155 feet; thence South 89°58'52" West 100 feet; thence South 85 feet; thence North 89°58'52" East 200 feet to the point of beginning.

Subdivisions

Utah State Code, titles 10-9-601 thru 611, and 17-27-601 thru 811 provide for the subdivision of land.

When a subdivision of land is made, the owner must have an accurate map made of the subdivision in compliance with the Utah State code and Local Ordinances. Upon approval by the governing body, the subdivision map shall be recorded with the County Recorder.

The following page is an example of such a recorded subdivision.

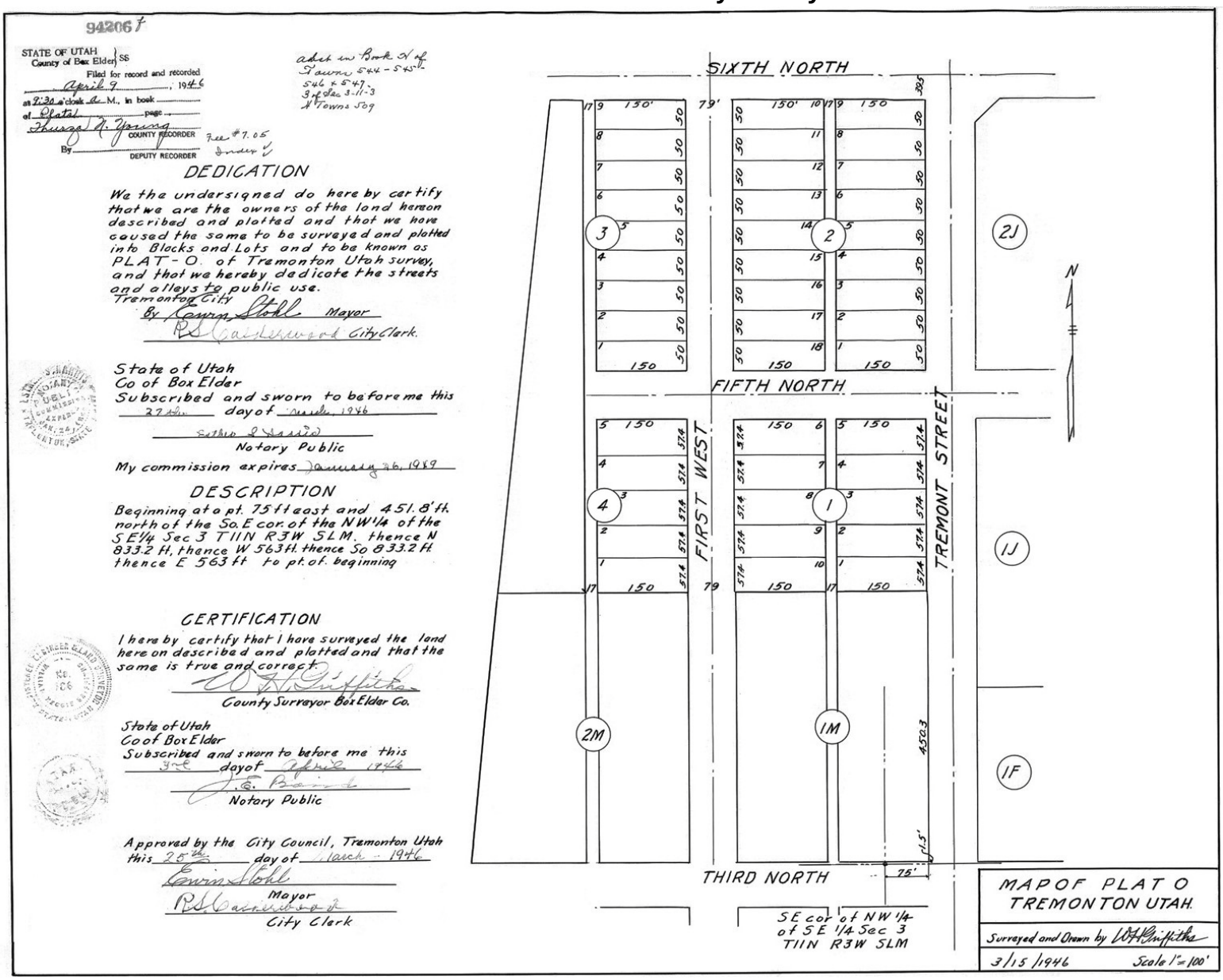


The recorded subdivision map operates to dedicate all of the streets, easements, alleys and other public places as part of the dedication and splits the parcels of land as shown. Lots in the above subdivision may be described as: Lot 76 Cherry Ridge Subdivision Phase 3, Box Elder County, Utah.

Platted areas of town sites, meander lines, river banks and other platted areas can also be described by the lot and block method when the map is recorded.

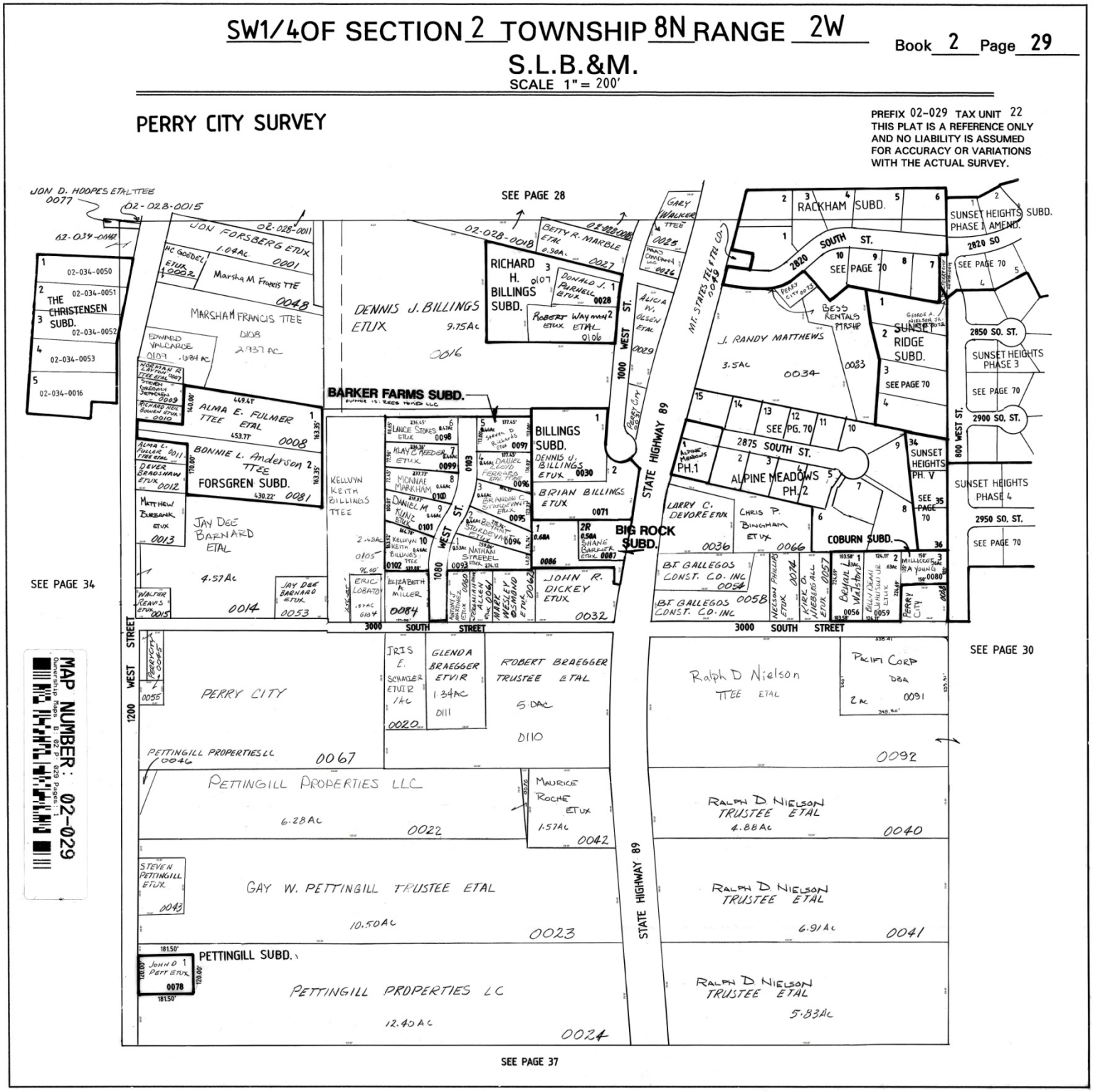
Below is an example of a platted town site.

Plat O Tremonton City Survey



Some Lots in the above platted area may be described as:
Lot 3, Block 2, Plat O, Tremonton City Survey, Box Elder County, Utah

Below is an example of a County Recorder's ownership map developed using elements of drafting and elements of surveying and mapping.



Utah State Code Section 59-2-1335 provides for the following permitted abbreviations of property descriptions when related to the County Tax Roll.

a., ac. . . . . acre, acres
add. . . . . addition
ave. . . . . avenue
beg. . . . . beginning
blk. . . . . block
bet. . . . . between
bdy., bdrs. . . . . boundary, boundaries
ch., chs. . . . . chain, chains
com. . . . . commencing
cont. . . . . containing
deg. or degree symbol . . . . . degree, degrees
dist. . . . . distance
E. . . . . east
E'ly . . . . . easterly
ft. . . . . foot, feet
frac. . . . . fractional
in., ins. . . . . inch, inches
lk., lks. . . . . link, links
lt., lts. . . . . lot, lots
m., min., or ' . . . . . minute, minutes
m. or l. . . . . more or less
N. . . . . north
NE. . . . . northeast
NE'ly. . . . . northeasterly
N'ly. . . . . northerly
NW. . . . . northwest
NW'ly. . . . . northwesterly
pt. . . . . point
1/4 sec. . . . . quarter section
r., rs. . . . . range, ranges
rd., rds. . . . . rod, rods
R. of W. . . . . right-of-way
s. or " . . . . . second, seconds
S. . . . . south
SE. . . . . southeast
SE'ly. . . . . southeasterly
S'ly. . . . . southerly
st. . . . . street
sub. . . . . subdivision
S.L.M. . . . . Salt Lake Meridian
SW. . . . . southwest
t., tp., tps. . . . . township, townships
th. . . . . thence
U.S. sur. . . . . United State Survey
U.S.M. . . . . Uintah Special Meridian
W. . . . . west
W'ly. . . . . westerly

Utah State Code Section 59-2-1335 also allows for commonly accepted initial letters, abbreviations, symbols, of railroads and other locally significant figures to be used if they are first approved by the commission.

LAND MEASUREMENT CONVERSION GUIDE

1 Acre = 43,560 square feet
1 Acre = 160 square rods
1 Acre = 10 square chains
1 Acre = 160 square rods
1 Acre = 160 perches
1 Acre = 160 poles
1 Acre = .4047 hectare
1 Acre = 4047 square meters
1 Acre = is about 208 3/4 feet square
1 Centimeter = .3937 inches
1 Centimeter = .032808 feet
1 Chain = 66 feet
1 Chain = 4 rods
1 Chain = 4 perches
1 Chain = 4 poles
1 Chain = 100 links
1 Chain = 20.1168 meters
1 Foot = 12 inches
1 Furlong = 660 feet
1 Furlong = 40 rods
1 Foot = 0.3048006 meter
1 Hectare = 10,000 square meters
1 Hectare = 2.471 acres
1 Inch = .0254 meter
1 Kilometer = 3280.83 feet
1 Kilometer = .62 mile
1 Knot = 6080.2 feet
1 Labor = 177.136 acres
1 League = 4428.4 acres
1 Link = 7.92 inches
1 Link = .66 feet
1 Link = .2017 meter
1 Meter = 3.280833 feet
1 Meter = 39.37 inches
1 Meter Square = 10.764 square feet
1 Mile = 5,280 feet
1 Mile = 8 furlongs
1 Mile = 320 rods
1 Mile = 80 chains
1 Mile = 1.60935 kilometers
1 Mile = 320 perches
1 Mile = 320 poles
1 Mile = 8000 links
1 Mile = 1,609.2655 meters
1 Mile Square = a regular Section of land
1 Mile Square = 27,878,400 square feet
1 Mile Square = 640 acres
1 Mile Square = 259 hectares
1 Mile Square = 2.59 square hectares
1 Perch = 25 links
1 Perch = 1 pole
1 Perch = 1 rod
1 Perch = 16.5 feet
1 Pole = 16.5 feet
1 Pole = 1 perch
1 Pole = 1 Rod
1 Rod = 1 pole
1 Rod = 1 perch
1 Rod = 16.5 feet
1 Section = 1 mile long, by 1 mile wide
1 Section = 640 acres
1 Township = 6 miles long, by 6 miles wide
1 Township = 36 sections
1 Township = 36 square miles
1 Yard = 36 inches
1 Yard = 3 feet
1 Yard Square = 9 square feet

GIS

GEOGRAPHIC INFORMATION SYSTEMS

FOR CADASTRAL MAPPING

Chapter 7

2015 Cadastral Mapping Manual

GIS - GEOGRAPHIC INFORMATION SYSTEMS

What is GIS

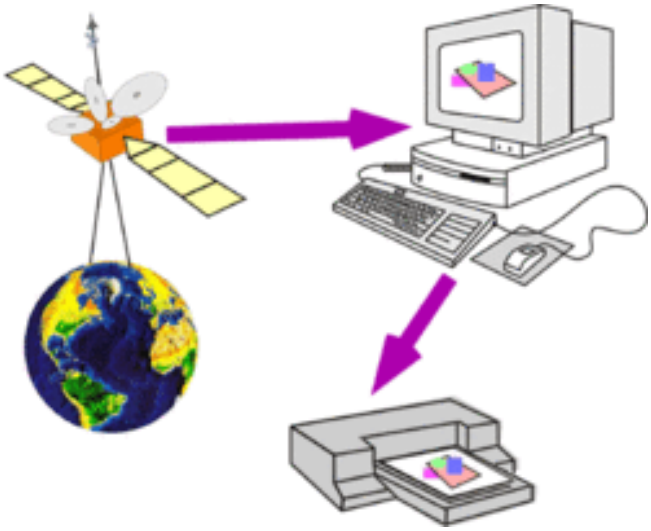
For a long time people have sketched, drawn and studied the land using maps. In the last 20 years or so it has become possible to put these maps into the computer. Each year the computers become smaller and the maps become more sophisticated. These computerized maps along with the tools to create, model, analyze, and adjust the maps and spatially placed data make up a geographic information system.

A geographic information system (GIS) integrates hardware, software, and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information.

GIS allows us to view, understand, question, interpret, and visualize data in many ways that reveal relationships, patterns, and trends in the form of maps, globes, reports, charts, and more.

GIS and the Computer

The use of the computer for mapping and cartography was a natural outgrowth of the use of the computer in industry. Mapping with the computer started first as an extension of computer aided design (CAD), which is essentially the storing of lines, points and annotation to produce a picture. The move from drafting table to a computer was a giant step forward. The obvious benefits and advantages of using the computer for mapping are increased speed, accuracy and productivity, the ability to produce multiple hard copies at varying scales, easier editing, modifying and revising of map elements. This technology has influenced an abandonment of the old hand drawn plats in favor of using the computer. Further adding to the migration away from traditional drafting technologies has been the reduced cost of both computer hardware, and software and the proliferation of software packages which cater to the cartographer.



A great development to the application of CAD has been cartographic production. Software was developed that allowed for the storing of points lines and polygons in a spatial location creating geographic data. One can also store additional information with these features that can be displayed as attributes associated with it. Examples for a line depicting a road might include information that identifies its

name, its width, or it's paving material. A line representing a segment from a parcel boundary may have attributes such as the bearing and length of line. This type of mapping has become what we known as GIS. The amount of information associated with the individual map features is limited only by the need of the user.

The added element of a GIS provides the ability to establish a specific, spatial relationship between all the individual elements of a data set. This topological relationship allows the GIS to become an analytical and modeling tool to answer a variety of questions, and show specific conditions, criteria, or patterns in any area. GIS then becomes a very powerful tool to meet the needs of the cartographer and a wide variety of other applications and disciplines.

Receiving GIS Data

The data received in the Recorder's Office that is used to generate land divisions varies in the different counties. Some of the methods used to input data into GIS for land divisions might include documents such as warranty or quit claim deeds, subdivision or annexation plats, AutoCAD files and sometimes even a text file containing a saved traverse.

Documents are usually the source of a legal description. The GIS parcel data should NEVER replace a recorded document containing a legal description. The document is the official source for the information used to create parcel database.

A plat is a visual representation of a deed usually created by the surveyor or engineering firm that surveyed the property. Plats differ from a regular legal description in that they show a bearing and distance for each line or curve on the plat.

Some surveying or engineering firms may provide a copy of their subdivision as a Computer Assisted Drawing file. ArcGIS can import these CAD files in a DXF, DWG or DGN file format. Once the file is imported and correctly georeferenced it can be converted into GIS data features.

Text files are often used when one GIS professional is transferring a drawn legal description from one person to another. These saved traverse files are a text version of a legal description that has been entered previously into the GIS and saved as a text file.

Important Considerations

While cost is always a major factor, if not the overriding concern influencing the decision of which mapping software package to purchase. Another important consideration should be the value of purchasing a system that not only benefits the Recorder's office, but also the other county offices. If the Surveyor, Assessor, Planning and Zoning, and Public Works etc… not only have access to the Recorder's parcel layer but are able to use their own integrated map layers in GIS. The purchase cost and maintenance can be shared among all the offices using the system.

The burden of data collection and input is also spread out among several offices while the value of the system as a tool for analysis and modeling increases as these data layers are added. All the data layers mutually benefit all the offices by providing tools that facilitate the duties and functions of all the different entities.

There are additional benefits to the taxpayers, who ultimately pay for the services that county offices provide. The increased accuracy and productivity in the product produced improves

the quality of the services that are provided and lowers the overall cost of government to the taxpayer.

The GIS parcel layer will not replace a survey but only represents the parcel boundaries.

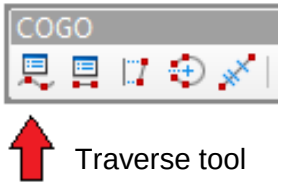
Coordinate Geometry

COGO is an acronym that stands for coordinate geometry. COGO is a method for calculating coordinate points from surveyed bearings, distances, and angles. It is also automated mapping software used in land surveying that calculates locations using distances and bearings from known reference points.

COGO was originally a subsystem of MIT's Integrated Civil Engineering System (ICES), developed in the 1960s. It later evolved into a suite of programs used in civil engineering for solving coordinate geometry problems. In the late 1990s ESRI had a GIS extension for ArcGIS that was called “cogo” containing a set of tools used for mapping the distances and bearings from legal descriptions and calculating closure. The tools on the COGO toolbar are now included as part of the normal ArcGIS software.

COGO is the capture and automation of bearings and distances to create GIS data. It stores line and curve data along with x,y coordinate values. This data stores attribute values that pertain to angles or directions and distance measurements. The directions displayed are shown with quadrant bearings using degrees, minutes, and seconds along with the displayed distance.

The most widely used of these tools on the COGO toolbar is the traverse tool.

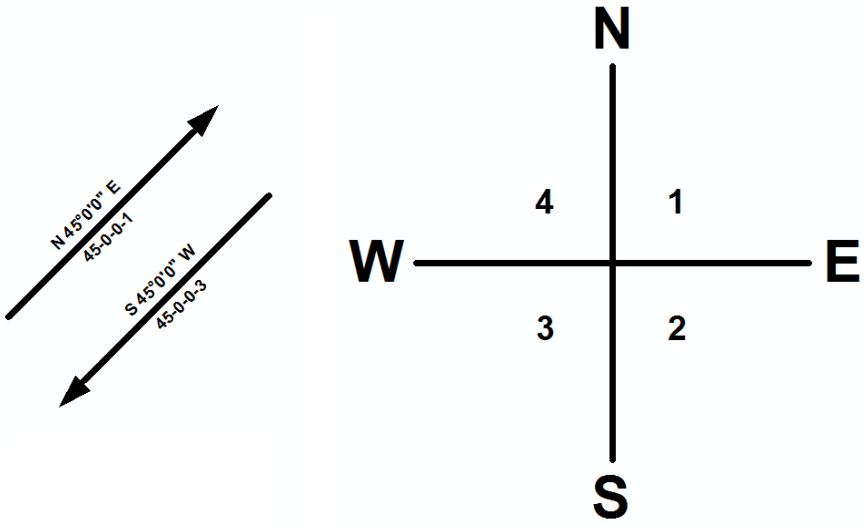


The traverse tool lets you create a sketch of multiple bearing and distance calls from a legal description or surveyed plat. Once you have started a traverse you can add, remove or re-order line and curve segments. Each course entered becomes a single line feature with the COGO attributes saved in the database that can be used later to display the information typed in.

The traverse tool will accept directions and distances in a variety of formats. Cadastral mapping uses the quadrant bearings.

Entering quadrant bearings in ArcGIS uses a number to represent which direction or quadrant you are heading.

For example the bearing North 45°0'0" East would be entered as 45-0-0-1 where 1 represents the Northeast quadrant. This method stores the attributes of that line or curve so that they may be displayed as it would read in a legal description.



Courses may be entered as straight lines with just a bearing and distance, or as tangent or non-tangent curves. For a curve you may provide any two curve parameters along with a bearing to construct the curve.

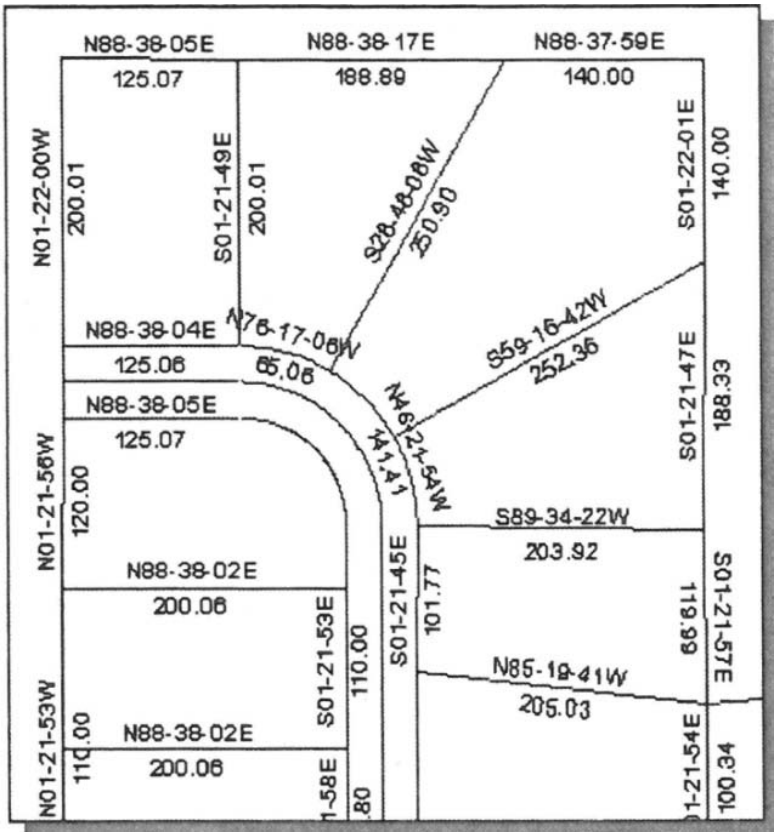
The advanced editing toolbar in ArcGIS contains many editing tools for creating and modifying parcel features.

Several of the tools in the advanced editing toolbar are used specifically to create and edit parcel polygons from the data created while using tools from the COGO toolbar for cadastral mapping.

Drafting parcels in GIS

Drafting parcels with GIS uses all of the same principals as drafting descriptions by hand, however the methods for completing each step are much different. Drafting elements such as lettering, line weight and size, scale, lines and curves, and templates are used in both computer aided drafting and hand drafting. Other things such as tools, medium, pencils, erasers, and ink are not used in computer drafting. Although the techniques and tools may differ when using a computer to draft, learning and understanding how to draft parcels and legal descriptions by hand provides an essential foundation to computer based cadastral mapping.

There are many differences in terminology with regard to the “Point of Beginning” or POB that is referenced on property deeds. Utah utilizes the PLSS and therefore most documents reference a corner from the PLSS as the control point for the legal description. However there are other locations often referenced in a legal description such as centerline monuments or lot & block corners.



Line work and line weight are two important elements used on a hand drawn cadastral maps to denote important features. Those same elements can be implemented on a digital plat to greatly improve the quality of digital plats to show easily distinguishable features.

Making adjustments to the parcels usually has to do with a new description not fitting into the existing parcels in your GIS layer. This kind of discrepancy can be due to: changes in magnetic declination, air photo rectification, basis of bearing, inaccurate section corner data, or poorly managed spatial adjustment procedures. A controversy arises when descriptions collected with high accuracy survey equipment are moved or warped to fit into the existing GIS parcel framework. One absolute rule that is easy to follow is that the attributes of the boundary line segments must reflect the original document or survey from which they came. As a good rule of thumb when cadastral mapping in a digital environment is the fewer adjustments made to the new drawn description, the more accurate your drawn representation will be.

Drawing a Metes and Bounds Description using COGO in ArcGIS

Drafting parcels in GIS using the COGO in ArcGIS follows the same six steps from the hand drafting method but the tools used are different.

Let's use the legal description we mathematically rotated in chapter 5.

> Part of the NW quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian. Beginning at a point South 10° East 106.37 feet and North 80° East 72.48 feet from the Northwest corner of said section. Running thence North 63°44'45" East 75 feet; thence South 26°15'15" East 120.87 feet; thence South 70° West 75.45 feet; thence North 26°15'15" West 112.65 feet' to the point of beginning.

Step 1 The Defined Area

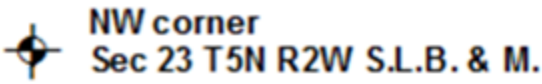
The first step is to determine what area you are working in and zoom into that area in your GIS data. For the example we are using the area is:

"Part of the NW quarter of Section 23, Township 5 North, Range 2 West, Salt Lake Base and Meridian."

Step 2 Find the Reference Point

If you have a The reference point in the description is the section corner or other known point that the description uses to tie the parcel boundary to a specific location. It is usually two or three calls into the description before it is stated. In the above example the reference is:

"… from the Northwest corner of said section."



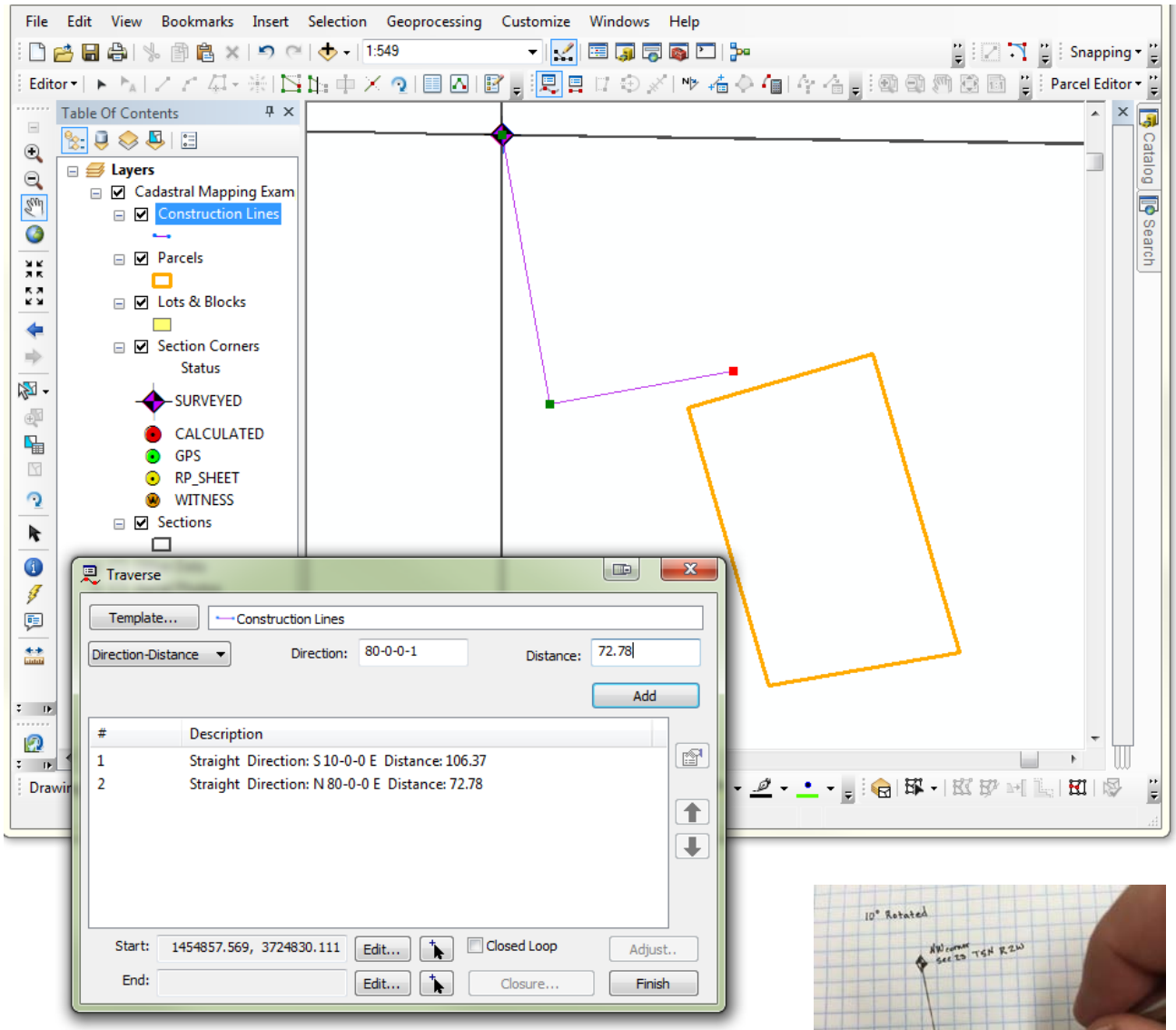
Open the traverse tool and use the pointer to set your start point as the section corner or other known point referenced in the legal description.

Step 3 Getting to the start

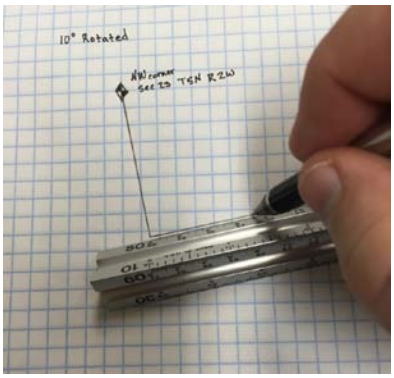
With a few exceptions, most legal descriptions give a set of bearings and distances from a known location such as a section corner to the starting point of the parcel being described.

In our example we have two bearings that take us from our section corner to the starting point.

"… a point South 10° East 106.37 feet … … and North 80° East 72.48 feet from…"



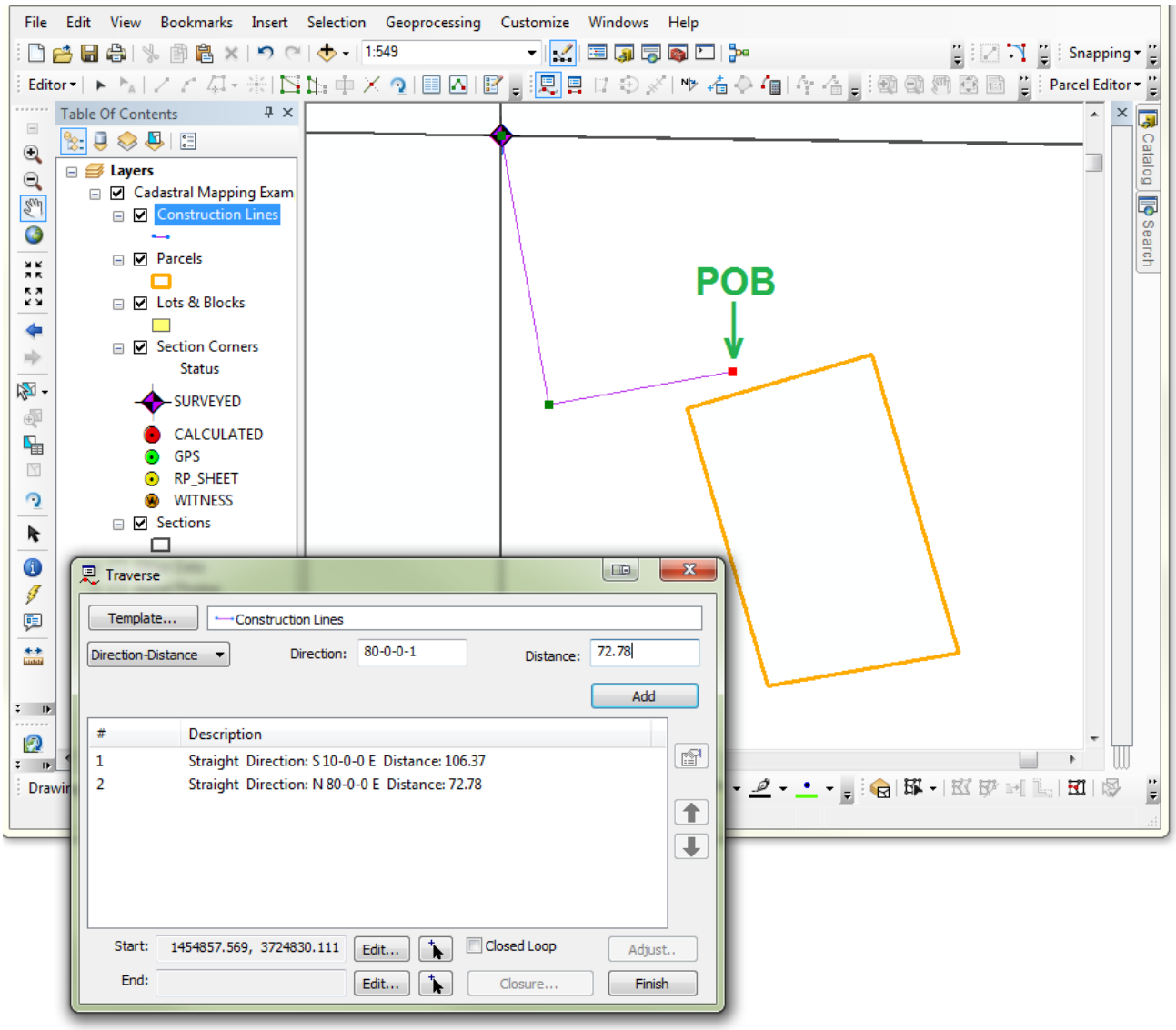
Just the same as when we were drawing the description by hand.



Step 4 The Point of Beginning

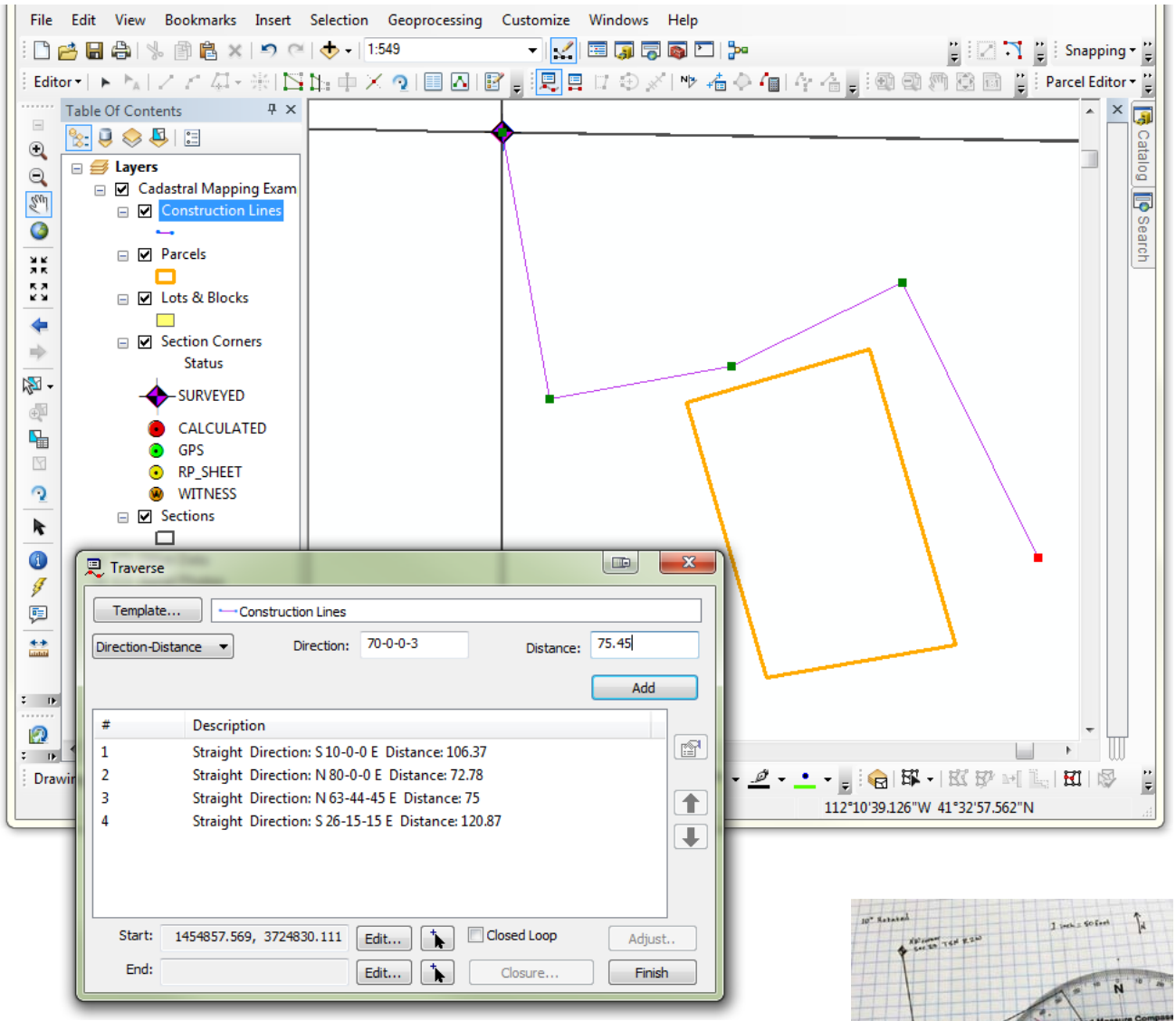
The starting point is usually known as the point of beginning. If the description has no closing errors this starting point should also be the ending point for the parcel. Any bearings and distances prior to the starting point are references. They do not describe the boundary of the parcel but are used to define where the parcel boundary is in relation to a known location.

"Beginning at a point... ...to the point of beginning."

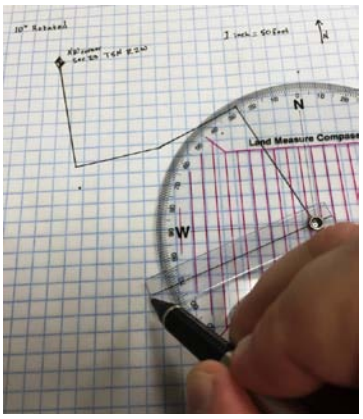


Step 5 The Property Boundaries

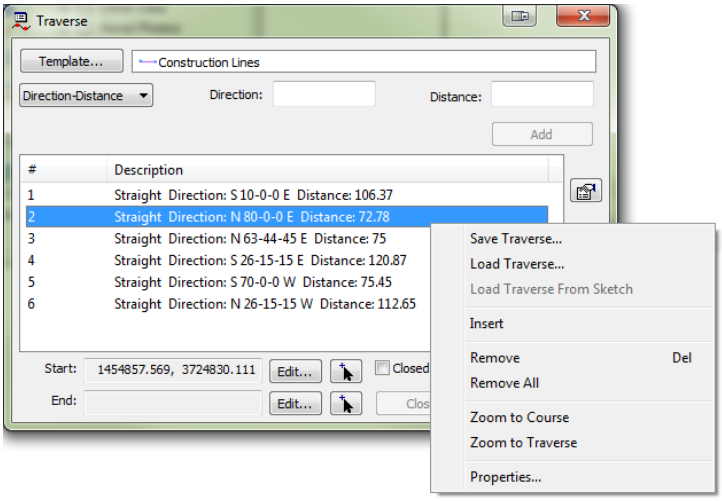
This is where we type in each of the bearings from the description and the computer draws a line along that bearing for the given distance. Each new bearing entered shows up and starts at the end of the previous bearing and distance.

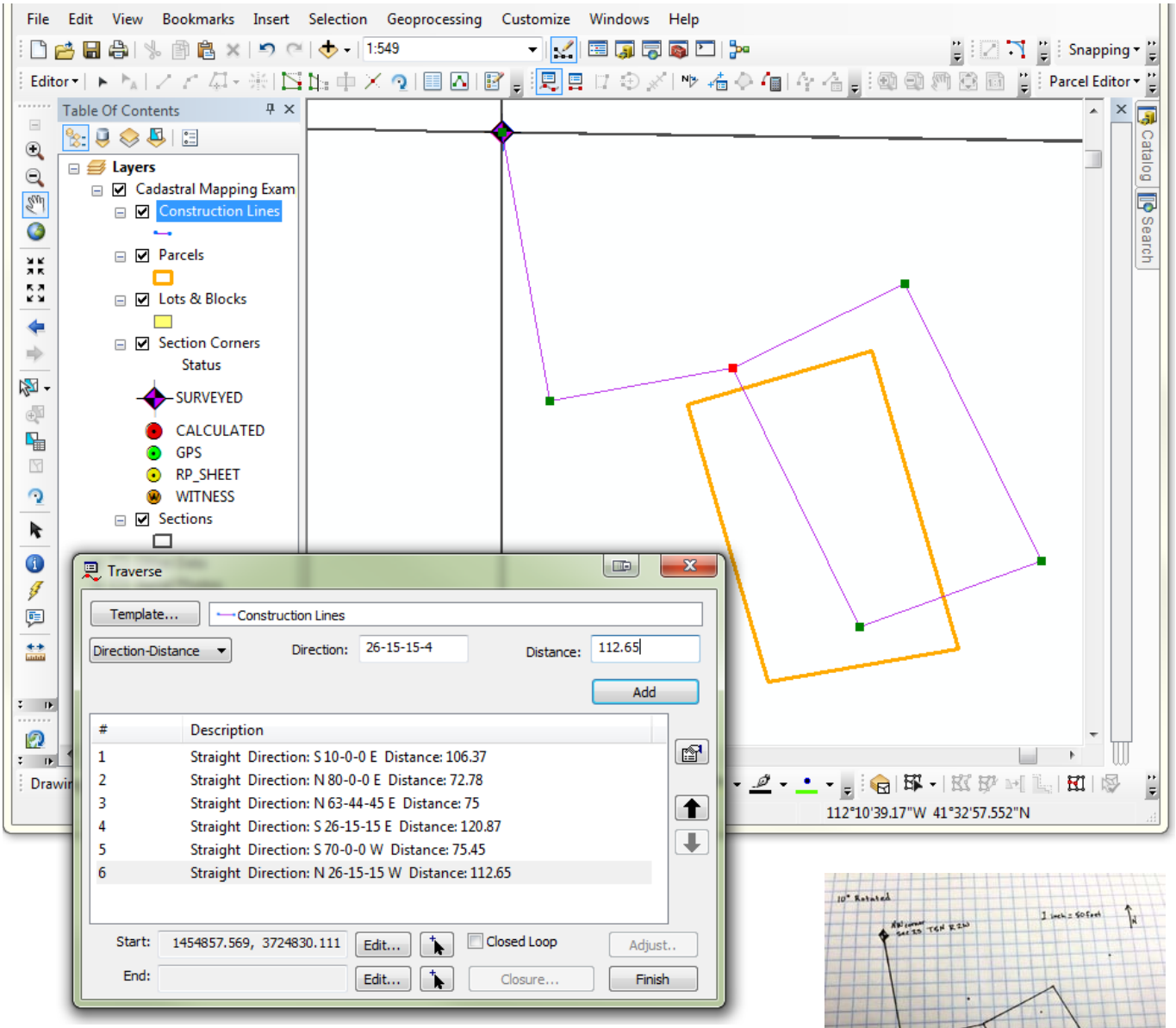


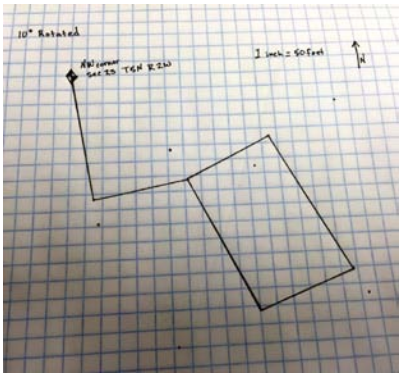
"Running thence North 63°44'45" East 75 feet; thence South 26°15'15" East 120.87 feet; thence South 70° West 75.45 feet; thence North 26°15'15" West 112.65 feet…"



When we have drawn the entire perimeter of the parcel boundary lines from the legal description ending back at the point of beginning we have a completed parcel drawing. Before finishing the traverse, if your software allows you , it would be wise to save the traverse in case you have to redraw the description again.

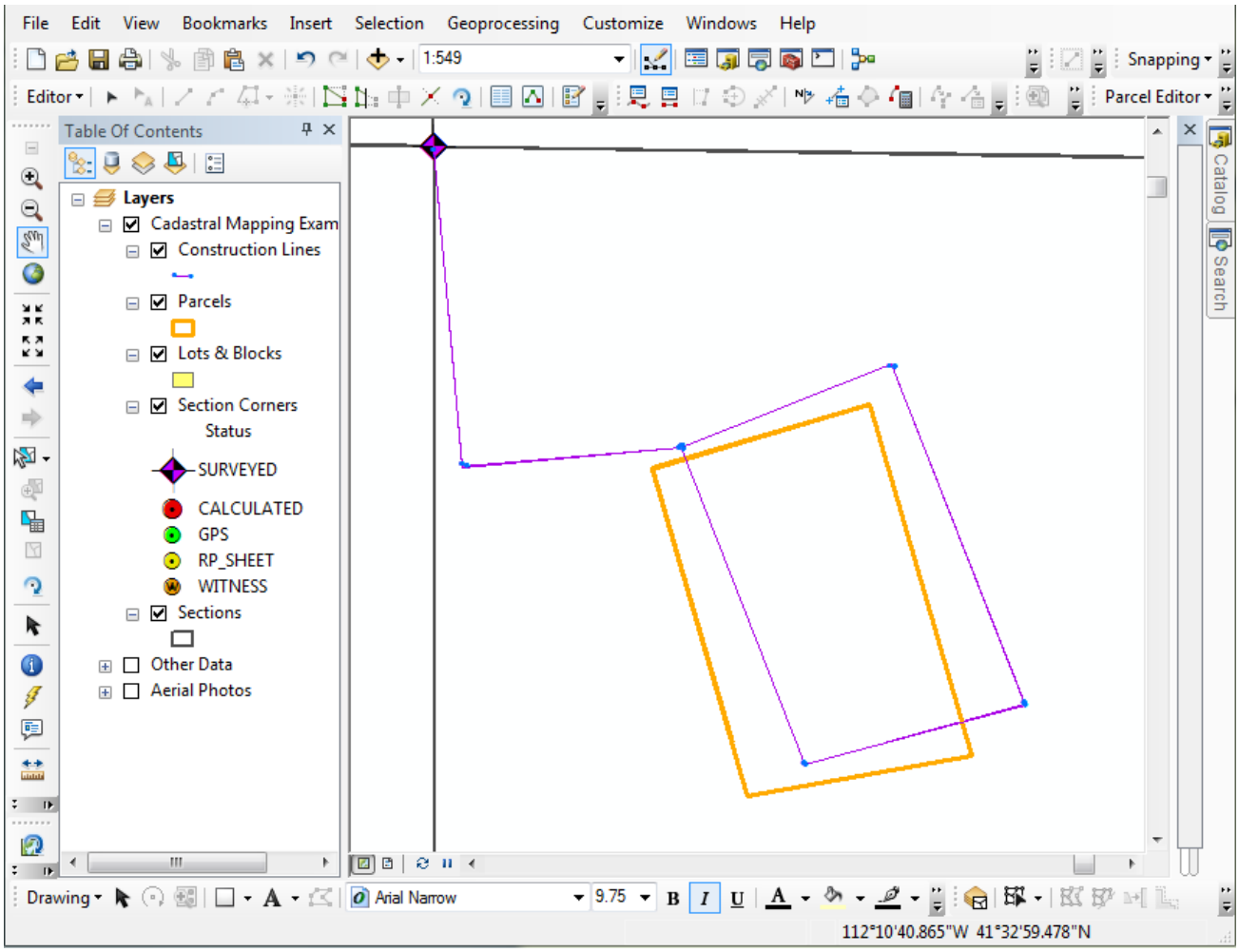






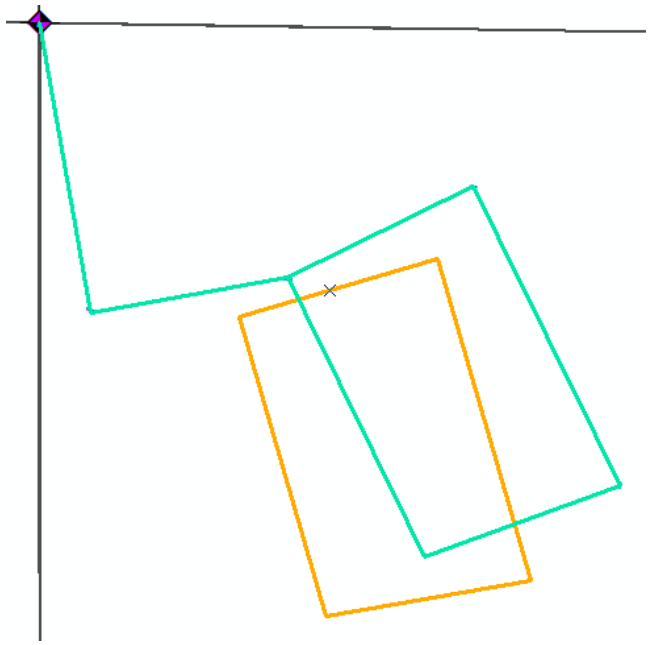
Step 6 Rotate the Description

Sometimes the description needs to be rotated to meet the section line. As you can see in our completed traverse, the parcel shown in orange does not match up with the pink traverse of our description. Also our first line does not match up with our section line.



If it was rotated to match the section line our construction drawing of our description should line up with our parcel. We have mentioned that there is more than one way to rotate a description. In ArcGIS, the easiest way to rotate a description, is to draw the description as written and then use the rotate tool and physically rotate the drawing to match the section line.

To rotate a description in ArcGIS, first highlight all of the lines you just created. With the lines you selected an X appears in the center of the selection



Find the Rotate tool.

It should be in your editor toolbar.

Click the rotation tool and your pointer will change to like this.

Hover the pointer over the X until the pointer changes to this.

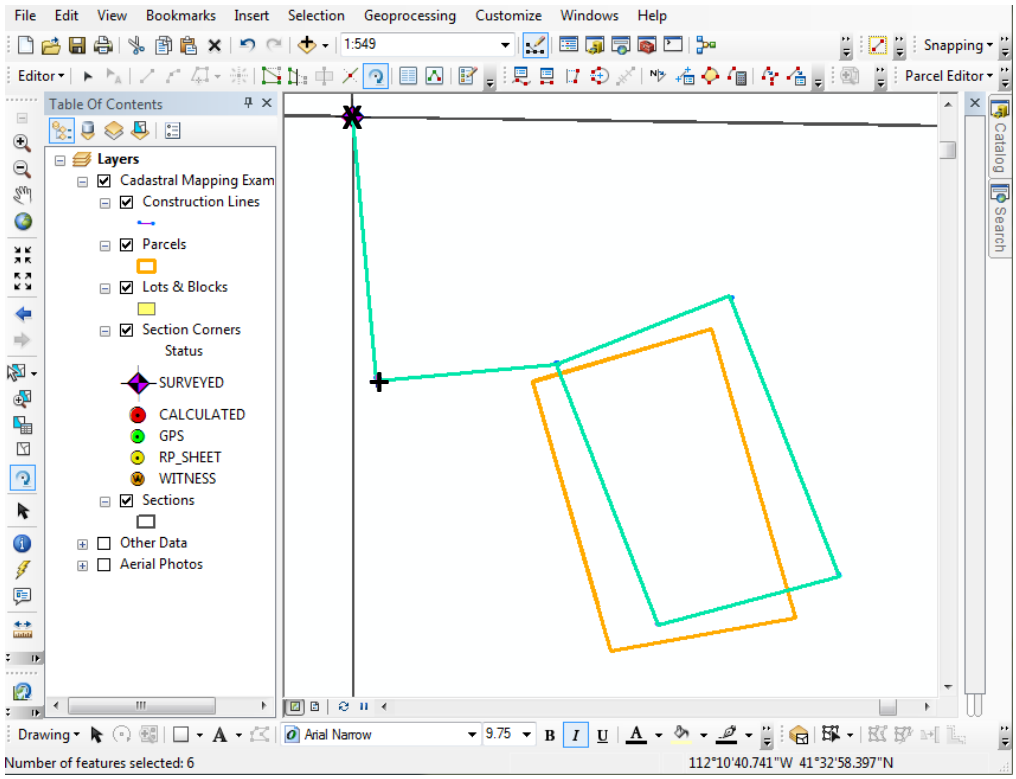
Click and drag the X to snap on the section corner that the traverse started from. This X will be the rotation point where the description will rotate around.

Next we need a snapping point. The **+** will be the snapping point for the rotation. If you do not already see the **+** hold shift and type s [Shift + S] and it will appear.

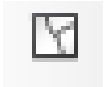
Hover, then click and drag the snapping point **+** to the end of the first bearing.

Using the rotation pointer, click and rotate the highlighted drawing clockwise until the snapping point **+** snaps to the section line.

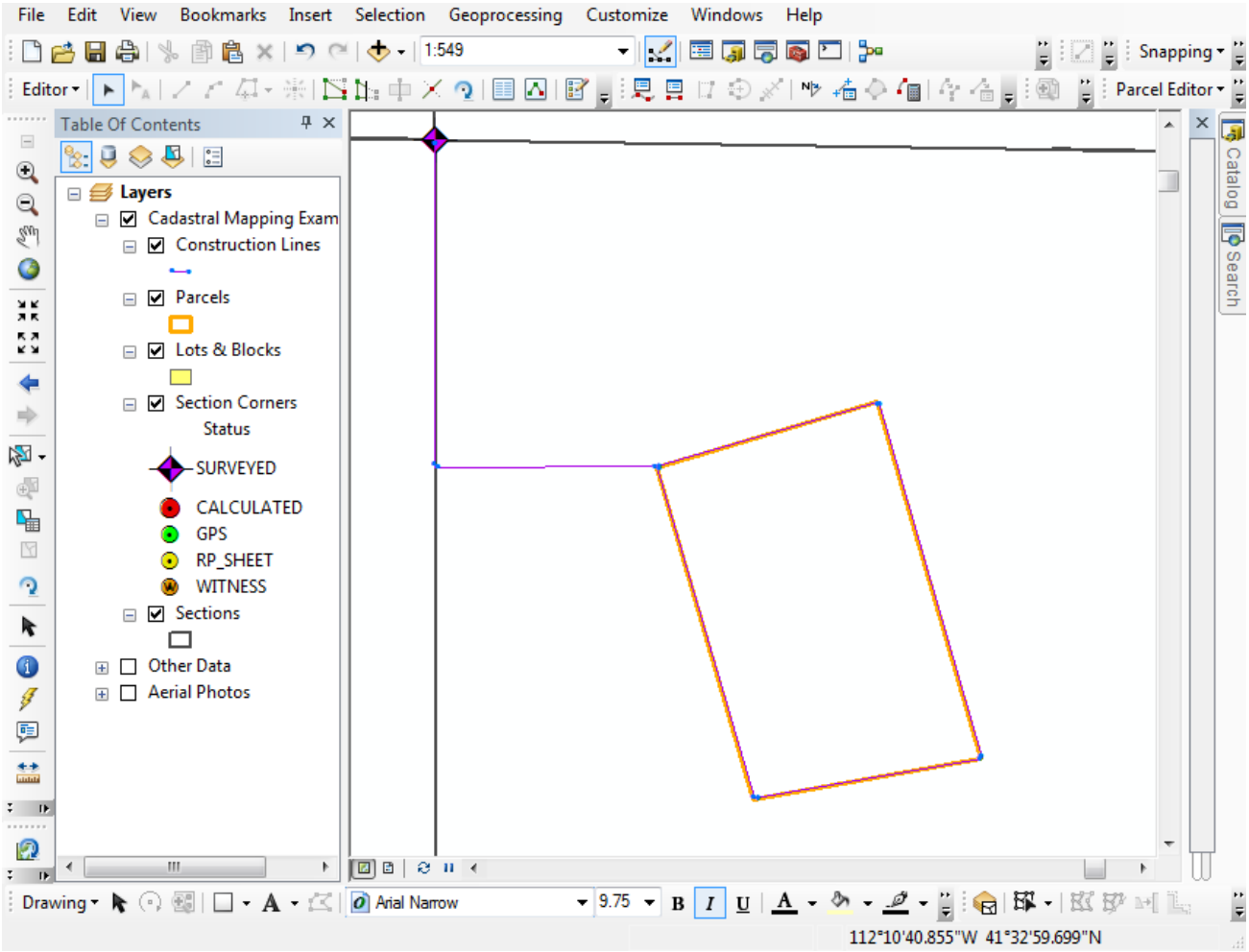
The Rotation point X and the Snapping point **+** should both be on the section line and the description should match up with the parcel.



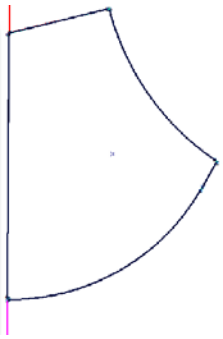
Clear your selection with the unselect all button.



You should have your rotated construction lines match up with the parcel line.

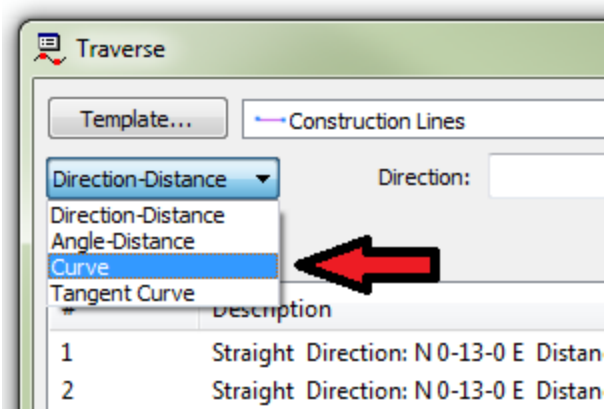


Drawing a Curve using COGO

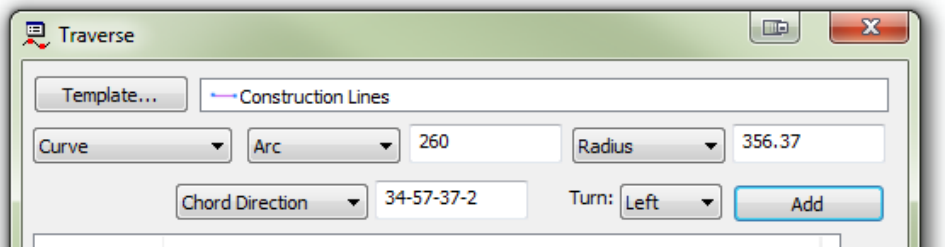


Hand drafting a curve usually requires drawing the chord bearing and distance and then tracing a template to get the appropriate radius and arc length.

In GIS drawing a curve is much simpler. While using the traverse tool from the COGO toolbar, select the dropdown to change from Direction-Distance to curve or tangent curve.



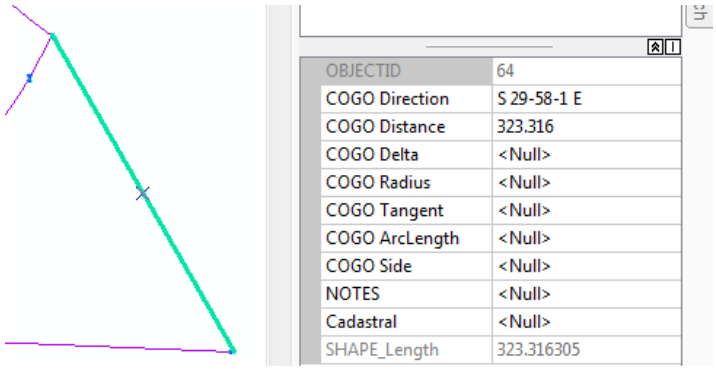
To draw a curve you need to know if it turns left or right, at least two of the following items: arc length, radius, angle, chord length. Last you will need to know the chord direction, the redial direction or the tangent direction. Usually the turn, arc length, radius, chord direction and chord distance are given to describe the curve.



NOTE: When drawing a tangent curve, you do not need to enter a direction. With a tangent curve the radius of the curve is always at a 90° angle to the previously drawn line.

Updating attributes for the bearing and distance of a line

Highlight the line and click Update COGO Attributes button on the COGO toolbar

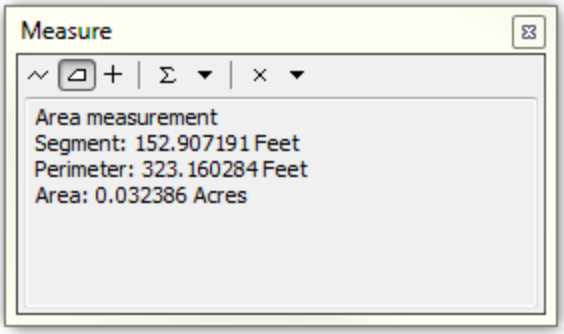


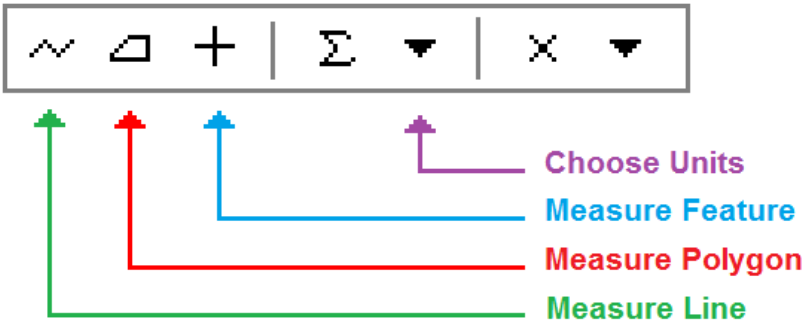
The computer will calculate the direction and distance of the selected line and update the information in the appropriate attribute fields.

Measuring distance and area

Measure Tool

The measure tool will open up a measuring toolbox where you can measure a line, an area, or an existing feature within your GIS environment. It also allows you to change what units are displayed for distance and area.

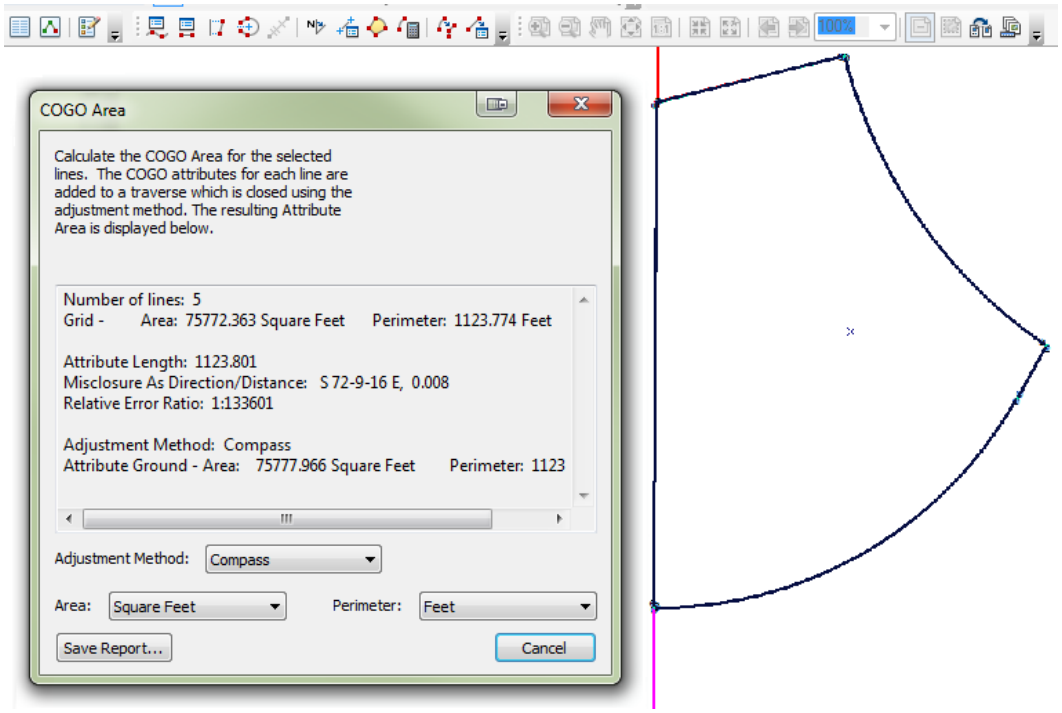




Calculating area from your drafting lines

If you want to measure or calculate the area of a COGO drawing before you have created a polygon feature in the parcel layer you can use the COGO Area tool.

Select the COGO lines that would form the boundaries of the parcel you were drawing, excluding the lines leading to the POB, and then click the area tool from the COGO toolbar.



The selected COGO lines will turn black and a pop up box will appear with the calculated information and some drop-down options to change to the results into your desired units.

Additional Information

Additional training for cadastral mapping using GIS is available online through ESRI. Two good courses offered by ESRI are “Introduction to editing Parcels Using ArcGIS Desktop 10” and “Managing Parcel Data Using ArcGIS Desktop 10.” Both classes are low cost web courses that are available online at training.esri.com

There are also a lot of ArcGIS COGO tutorials available online. Some of the resources are available from ESRI

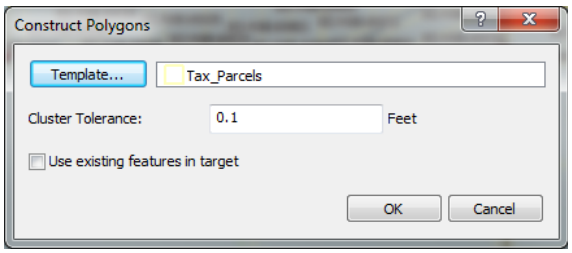
NOTE: *If your county is using a 3rd party extension in ArcGIS or some other software besides ArcGIS to draw your legal descriptions you will need to get the specifics on how to draw and rotate parcel descriptions from your own office.*

Examples for Drafting with GIS

Below is an example of a simplified twelve step outline for editing parcels in ArcMap.

1) *Determine, for sure, that the tax parcel in question actually needs to be changed.*
2) *If change or break off is needed then continue with editing.*
3) *Obtain both the old legal description and new legal description to determine where the change will occur.*
4) *Draw the new legal description in COGO using the two-point line Tax Parcel Construction layer.*
    a. *Make sure to snap to the most recent and updated layer of Section Corners.*
    b. *Draw the old legal description.*
    c. *Rotate the old and new descriptions to the same basis of bearing as the section line.*
    d. *Compare the new legal description with the old legal description.*
    e. *Draw the parcels surrounding the new legal description to check for overlaps or gaps.*
5) *Save each traverse so that the descriptions may easily be re-drawn again.*
6) *Once the new legal description is drawn, construct a new polygon using the appropriate tool.*
    a. *To construct a new parcel polygon using the COGO lines, the target layer (Tax Parcels) needs to be visible and selectable.*
    b. *Select the previously drawn lines for the new description and click the construct polygon tool from the topology tool bar.*

    c. *Select the appropriate template for the new polygons.*



7) *Merge or cut any applicable overlaps, and correct any misplaced gaps.*
8) *The surrounding parcels may also need to be re-constructed to ensure their correct placement.*
9) *Rotate the parcel into correct placement only if the rotation snaps to a section line and the surrounding parcels have been redrawn and rotation is needed. (See the section on rotations)*
10) *Check newly drawn parcel against other layer such as Roads, Townships, Sections, Water Courses, Cities, Railroads, etc.*

    NOTE: Often the Tax Parcel will not line up with all or any of these other layers. This does not mean it is wrong, but is a good reference to check your work.

11) *Input the necessary data into the attribute table so that the newly created parcels reflect their new parcel number.*
12) *Save Edits.*

Cadastral Mapping — Glossary of Terms

Absolute Conveyance: A conveyance in which a right or property is transferred to another free of conditions or qualifications. (Black's Law Dictionary)

Acknowledgment: A declaration by an individual before a notarial officer that the individual has signed a record for the purpose stated in the record and, if the record is signed in a representative capacity, that the individual signed the record with proper authority and signed it as the act of the individual or entity identified in the record. (PRIA, Property Records Industry Association)

Acknowledgment: A notarial act in which a notary certifies that a signer, whose identity is personally known to the notary or proven on the basis of satisfactory evidence, has admitted, in the presence of the notary, to voluntarily signing a document for the document's stated purpose. (UCA 46-1-2)

Acute Angle: Any angle that is less than a 90 degree right angle.

Angles: The opening between straight lines that meet or intersect. The lines are called the sides of the angle and the point where sides meet is called the vertex of the angle.

Appurtenance: Something that belongs or is attached to something else; something that is part of something else that is more important. (Black's Law Dictionary)

Arc: (1) A part of the circumference of a circle or curve. (2) A continuous portion of a curved line.

Authentication: Within the scope of this paper, the process of confirming an identity of an individual or legal entity who participates in a signing transaction. (PRIA, Property Records Industry Association)

Awareness: The signer's basic capacity to understand the voluntary act of signing a document. (PRIA, Property Records Industry Association)

Azimuth Bearing: A bearing determined in angular degrees in a clockwise direction from north point being zero degrees to 360 degrees.

Bargain and Sale Deed: A deed that conveys property to a buyer for valuable consideration but that lacks any guarantee from the seller about the validity of the title. (Black's Law Dictionary)

Bargain and Sale: (1) A negotiated transaction, usually for goods, services, or real property. (2) A written agreement for the sale of land whereby the buyer would give valuable consideration (recited in the agreement) without having to enter the land and perform livery of seisin, so that the parties equitably "raised a use" in the buyer. The result of the transaction is to leave the legal estate in

fee simple in the seller and to create and equitable estate in fee simple in the buyer until legal title is transferred to the buyer by the delivery of a deed. (Black's Law Dictionary)

Beneficiary: As it relates to trust beneficiaries, includes a person who has any present or future interest, vested or contingent, and also includes the owner of an interest by assignment or other transfer; as it relates to a charitable trust, includes any person entitled to enforce the trust; as it relates to a "beneficiary of a beneficiary designation," refers to a beneficiary of an insurance or annuity policy, of an account with POD designation, of a security registered in beneficiary form (TOD), or of a pension, profit-sharing, retirement, or similar benefit plan, or other nonprobate transfer at death; and, as it relates to a "beneficiary designated in a governing instrument," includes a grantee of a deed, a devisee, a trust beneficiary, a beneficiary of a beneficiary designation, a donee, appointee, or taker in default of a power of appointment, and a person in whose favor a power of attorney or a power held in any individual, fiduciary, or representative capacity is exercised. (UCA 75-1-201)

Boundary Adjustment: see Parcel Boundary Adjustment.

Cadastre: (1) A survey and valuation of real estate in a county or region compiled for tax purposes. (2) A public record, survey, or map of the value, extent, and ownership of land as a basis of taxation. (1 - Black's Law Dictionary) (2 - American Heritage Dictionary)

Certificate: A part of, or an attachment to, a notarized document that is completed by a notary, bears the notary's official signature and seal, if required, and states the facts attested to by the notary for a particular notarial act. (PRIA, Property Records Industry Association)

Chain of Title: The series of conveyance documents discovered in a search should create a "chain" that links owners together through a series of purchase and sale transactions. Example- Party A grants to Party B. Party B grants to Party C. Party C grants to Party D, etc.

Chain: A unit of measurement for distance. 1 Chain = 66 feet

Chattel Real: A real property interest that is less than a freehold or fee, such as a leasehold estate. The most important chattel real is an estate for years in land, which is considered a chattel because it lacks the indefiniteness of time essential to real property. Also termed real chattel. (Black's Law Dictionary)

Chattel: Movable or transferable property; personal property, especially a physical object capable of manual delivery and not the subject of real property. Ex. Chattel mortgage (Black's Law Dictionary)

Child Parcel: A parcel created when the original or "parent" parcel is split, divided, or otherwise changed resulting in a different number of parcels than there were previously.

Chord: A straight line segment connecting two points on a curve.

Circumference: (1) The distance around the perimeter of a circle. (2) The enclosing boundary of a curved geometric figure, especially a circle.

COGO: (1) Acronym for coordinate geometry. (2) A method for calculating coordinate points from surveyed bearings, distances, and angles. (3) Automated mapping software (such as GIS) that is used in land surveying that calculates locations using distances and bearings from known reference points. (4) The capture and automation of bearings and distances to create GIS data. (ESRI's GIS Dictionary)

Conveyance: The voluntary transfer of a right or property. (Black's Law Dictionary)

Coordinate Geometry: See COGO

Coordinates: A set of numbers which describe the distance north (or south) and east (or west) from a monument or reference point. Generally north and east distances are considered positive and south and west are considered negative.

Course: A unit of measure used in mapping which gives a direction (bearing) and length (distance) of a line.

Deed: (2) A written instrument by which land is conveyed. (3) At common law, any written instrument that is signed, sealed, and delivered and that conveys some interest in property. Also termed (in senses 2 and 3) evidence of title. (Black's Law Dictionary)

Descendant: All of an individual's descendants of all generations, with the relationship of parent and child at each generation being determined by the definition of child and parent contained in title 75 of the Utah Code. (UCA 75-1-201)

Devise: [*Noun*] A testamentary disposition of real or personal property. (UCA 75-1-201)
[*Verb*] To dispose of real or personal property by will. (UCA 75-1-201)

Devisee: Any person designated in a will to receive a devise. For the purposes of Title 75, Chapter 3, Probate of Wills and Administration, in the case of a devise to an existing trust or trustee, or to a trustee in trust described by will, the trust or trustee is the devisee, and the beneficiaries are not devisees. (UCA 75-1-201)

Diameter: (1) A straight line passing from side to side through the center of a circle. (2) The maximum distance from one point on a circle to another.

Document: Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form; and eligible to be recorded in the land records maintained by the county recorder. (UCA 17-21a-102)

Drafting: In connection with cadastral mapping, is the art of representing records on a plane surface such as paper, linen or mylar with aid of instruments.

Electronic Agent: A computer program or an electronic or other automated means used independently to initiate an action or respond to electronic records or performances in whole or in part, without review or action by an individual. (UCA 46-4-102)

Electronic Document: A document that is received by the county recorder in an electronic form. (UCA 17-21a-102)

Electronic Record: A record created, generated, sent, communicated, received, or stored by electronic means. (UCA 46-4-102)

Electronic Signature: An electronic sound, symbol, or process attached to or logically associated with a document or record and executed or adopted by a person with the intent to sign the document or record. (UCA 17-21a-102) (UCA 46-4-102) (PRIA, Property Records Industry Association)

Electronic: Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities. (UCA 46-4-102) (UCA 17-21a-102)

Enfeoffment: (1) At common law, the act or process of transferring possession and ownership of an estate in land. (2) The property or estate so transferred. (3) The instrument or deed by which one obtains such property or estate. (Black's Law Dictionary)

Engineers Scale: A tool for measuring distances and transferring measurements at a fixed ratio of length and is divided into decimalized fractions of an inch. Its cross-section is like an equilateral triangle, which enables it to have six edges indexed for measurement.

Equilateral Triangle: When all three sides of the triangle have the same length and all three angles are equal.

Erasing Shield: A thin piece of metal used to protect the lines around those being erased.

eRecording: The process of recording documents into the public record via electronic methods. (PRIA, Property Records Industry Association)

ESIGN: Acronym for Electronic Signatures in Global and National Commerce Act.

Electronic Signatures in Global and National Commerce Act: Federal legislation designed to provide national legislation to cover states that have not adopted a version of UETA and was signed in 2000. UETA and ESIGN provisions are substantially the same. (PRIA, Property Records Industry Association)

Estate: The property of the decedent, trust, or other person whose affairs are subject to this title as originally constituted and as it exists from time to time during administration. (UCA 75-1-201)

Fee Simple: An interest in land that, being the broadest property interest allowed by law, endures until the current holder dies without heirs; esp. a fee simple absolute. Often shortened to fee; also termed estate in fee simple; fee simple title; exclusive ownership; feudum simplex; estate in fee. (Black's Law Dictionary)

Freehold: (1) An estate in land held in fee simple, in fee tail, or for term of life; any real property interest that is or may become possessory. At common law, these estates were all created by enfeoffment with livery of seisin. (2) The tenure by which such an estate is held. Also termed freehold estate, estate in freehold, freehold interest, frank-tenement; liberum tenementum. (Black's Law Dictionary)

Geographic Information System: See GIS

Geometry: A branch of mathematics concerned with questions of shape, size, relative position of figures, and the properties of space. The word Geometry comes from a combination of the Greek words geo, "earth" and metron, "measure"

GIS: (1) An acronym for Geographic Information System (2) A computer system that integrates hardware, software, and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information. (3) Software framework that allows someone to view, understand, question, interpret, and visualize our world in ways that reveal relationships, patterns, and trends that are quickly understood and easily shared in the form of maps, globes, reports, and charts. (ESRI's GIS Dictionary)

Global Positioning System: See GPS

GPS: (1) Acronym for Global Positioning System. (2) A complex system of constellation satellites orbiting the Earth that can determine the location of a receiver on the ground. (3) The use of the term GPS often refers just to the GPS receiver.

Grant: (1) An agreement that creates a right or interest in favor of a person or that effects a transfer of a right or interest from one person to another. Examples include leases, easements, charges, patents, franchises, powers, and licenses. (2) The formal transfer of real property. (3) The document by which a transfer is effected; esp. deed. (4) The property or property rights so transferred. (Black's Law Dictionary)

Grantee: One to whom property is conveyed. (Black's Law Dictionary)

Grantor: (1) Someone who conveys property to another; (2) Settlor. (Black's Law Dictionary)

Greenbelt: An undeveloped area of land around a city, esp. one set aside for parks or farmland or preserved as natural wilderness. (Black's Law Dictionary)

Heirs: (1) The following surviving persons; spouse, children (see UCA 75-2-114), natural parents or adoptive parents, the decedent's stepchildren who are in their minority at the time of decedent's death and are primarily financially dependent on the decedent. If the decedent is not survived by any of those persons then the heir is any blood relative as provided by the law. (UCA 78B-3-105) except as controlled by Section 75-2-711, (2) Persons, including the surviving spouse and state, who are entitled under the statutes of intestate succession to the property of a decedent. (UCA 75-1-201)

Hereditaments: (1) Any property that can be inherited; anything that passes by intestacy. (2) Real property; land. (Black's Law Dictionary)

Horizontal Lines: Straight lines that are parallel to the top and bottom of the drawing as used in drafting.

Hypotenuse: The side of a right triangle opposite of the right angle.

Identification, Positive/Satisfactory: The personal knowledge or satisfactory evidence relied upon by a notary to verify a signer's identity. (PRIA, Property Records Industry Association)

Incapacitated: Functional limitations after proof by clear and convincing evidence that an adult's ability is impaired to the extent that the individual lacks the ability, even with appropriate technological assistance, to meet the essential requirements for financial protection, physical health, safety, or self-care and is unable to receive and evaluate information; make and communicate decisions; or provide for necessities such as food, shelter, clothing, health care, or safety. (UCA 75-1-201)

Information Processing System: An electronic system for creating, generating, sending, receiving, storing, displaying, or processing information. (UCA 46-4-102)

Information: Data, text, images, sounds, codes, computer programs, software, databases, or the like. (UCA 46-4-102)

Intersecting Lines: Any lines that cross each other. The point at which they cross is called the point of intersection.

Intestacy: The quality, state, or condition of a person's having died without a valid will. (Black's Law Dictionary)

Inverse Traverse: The calculation of bearing and distance between two points of known coordinates.

Isosceles Triangle: When two sides of the triangle have the same length.

Journal: A tangible or electronic record created by a notary to preserve a chronological account of the notarizations performed by that notary. (PRIA, Property Records Industry Association)

Land Measure Compass: A specific type of protractor for measuring or laying out of angles based on compass direction usually referred to as bearings. It is laid out in a full circle and is broken into four 90° directional quadrants with the measurements divided into degrees and half-degrees.

Legal Description: A formal, detailed, and sufficient property description that definitively identifies and locates a specific property. Intended as legal documents such as deeds. (Black's Law Dictionary)

Link: A unit of measurement for distance. 1 Link = 0.66 feet

Measurements of Angles: Angles are measured in relation to a circle containing 360 degrees.

Meter: A unit of measurement for distance. 1 Meter = 3.2808 feet

Metes and Bounds: A description beginning at a point and following all the boundary lines of a parcel of land around the perimeter and back to the point of beginning, by the use of a bearing and distance for each line of the boundary with the beginning point described and tied to a permanent known location such as a section corner.

Mile: A unit of measurement for distance. 1 Mile = 5280 feet

Mortgage: Any conveyance, agreement, or arrangement in which property is used as security. (UCA 75-1-201)

Municipality: A city, a town, or a metro township. (UCA 10-1-104)

Notarial Act: An act, whether performed with respect to a tangible or electronic record, that a notarial officer may perform under the law. The term generally includes taking an acknowledgment, administering an oath or affirmation, taking a verification on oath or affirmation, witnessing or attesting a signature, certifying or attesting a copy, and noting a protest of a negotiable instrument. (PRIA, Property Records Industry Association)

Notarization: See Notarial Act.

Notary Public: An individual commissioned to perform a notarial act by a commissioning officer or agency. For the purposes of this paper, the definition includes "notarial officer" (individual other than a notary public authorized to perform a notarial act).

Oath: A notarial act which is legally equivalent to an affirmation in which an individual makes a vow of truthfulness on penalty of perjury. (PRIA, Property Records Industry Association)

Oblique Angles: Any angle that is not a right angle is an oblique angle.

Obtuse Angle: Any angle that is greater than a 90 degree right angle.

Official Map: A map drawn by county authorities and recorded in the county recorder's office that shows rights-of-way, centerlines, highways and other transportation facilities and has been adopted as an element of the county's general plan. (UCA 17-27a-103)

Operative Words: In a transactional document, the words that actually effect the transaction; the particular phraseology by which the object of a legal instrument is given effect. For example, in a conveyance, the operative words are those that pass title. (Black's Law Dictionary)

Owner: Someone who has the right to possess, use, and convey something; a person in whom one or more interests are vested. An owner may have complete property in the thing or may have parted with some interests in it (as by granting an easement or making a lease) (Black's Law Dictionary)

Parallel Lines: Any lines that are the same distance apart throughout their length.

Parallelogram: A shape with four sides and two pairs of parallel sides and the parallel sides have the same length. If the sides of one pair are perpendicular to the other pair, it is a rectangle

Parcel Boundary Adjustment: A recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if no additional parcel is created. (UCA 17-27a-103)

Parent Parcel: The original parcel described as it existed before a split, division, subdivision, or combination that created a change in parcel boundaries.

Peninsula: When used to describe an unincorporated area, it is an area surrounded on more than 1/2 of its boundary distance, but not completely, by incorporated territory and situated so that the length of a line drawn across the unincorporated area from an incorporated area to an incorporated area on the opposite side shall be less than 25% of the total aggregate boundaries of the unincorporated area. (UCA 10-1-104)

Perimeter: The distance around a closed object of any shape.

Perpendicular Lines: Lines that are at right angles (90°) with each other.

Person: An individual, corporation, partnership, limited liability company, organization, association, trust, governmental agency, or any other legal or commercial entity. (UCA 10-1-104) (UCA 46-4-102) (UCA 17-21a-102)

Personal Appearance: The notary is physically close enough to see, hear, communicate with, and receive identification documents from a principal and any required witness. (PRIA, Property Records Industry Association)

Personal Representative: Includes executor, administrator, successor personal representative, special administrator, and persons who perform substantially the same function under the law governing their status. (UCA 75-1-201)

Plat: A map or other graphical representation of lands being laid out and prepared. (UCA 17-27a-103)

PLSS: (1) Acronym for Public Land Survey System. (2) A way of subdividing and describing land in the United States by a rectangular system of Section Township and Range surveys regulated by the U.S. Department of the Interior, Bureau of Land Management.

Point of Intersection: The point at which two (or more) lines cross.

Point of Tangent: The single point where a curve and a straight line meet, and the radius of the curve is at a 90° angle from the line segment.

Prima Facie: A legal term meaning evidence accepted as authentic unless proven otherwise. (PRIA, Property Records Industry Association)

Property: (1) Collectively, the rights in a valued resource such as land, chattel, or an intangible. It is common to describer property as a "bundle of rights". Those rights include the right to possess and use. (2) Any external thing over which the right of possession, use, and enjoyment are exercised. (Black's Law Dictionary) (3) Includes both real and personal property or any interest therein and means anything that may be the subject of ownership. (UCA 75-1-201)

Protractor: An instrument for measuring or laying out of angles.

Pythagorean Theorem: A relation in geometry among the three sides of a right triangle. It states that the square of the hypotenuse (the side opposite the right angle) is equal to the sum of the squares of the other two sides. $a^2 + b^2 = c^2$

Quadrangle: (1) An area that consists of 16 townships and is twenty four miles square. (2) The area shown on one of the standard topographic map sheets published by the U.S. Geological Survey: approximately 17 miles (27 km) north to south and from 11 to 15 miles (17 to 24 km) east to west.

Radius: The distance of a straight line from the center to the circumference or outside of a circle often used to determine the size of a circle or a curve. The radius is equal to half the diameter.

Real Property: Land and anything growing on, attached to, or erected on it, excluding anything that may be severed without injury to the land. Real property can be either corporeal (soil and buildings) or incorporeal (easements). (Black's Law Dictionary)

Record of Survey: A map of a survey of land that has filed in the County Surveyor's office. (UCA 17-27a-103)

Record Owner: (1) A property owner in whose name the title appears in the public records. (2) Stockholder of record. (Black's Law Dictionary)

Record: [*Noun*] Information that is inscribed on a tangible medium or that is stored in an electronic or other medium and that is retrievable in a perceivable form. (UCA 46-4-102) (PRIA, Property Records Industry Association)
[*Verb*] To deposit an authentic official copy in the public record. (PRIA, Property Records Industry Association)

Remainder Parcel: (1) The left over portion of an original parcel that was not included in or described as part of the split, division, or subdivision of that parcel. (2) That parcel remaining in the Grantor's name after the original parcel is split and part is conveyed to another party.

Right Angle: A right angle is when two lines are perpendicular to each other forming a 90 degree angle.

Right Triangle: A triangle where two of the sides are perpendicular to each other or at a right angle to each other.

Rod: A unit of measurement for distance. 1 Rod = 16.5 feet

Scalene Triangle: When all three sides of the triangle all have different lengths.

Sector: (1) An area or portion that is distinct from others. (2) The area enclosed by two radii of a circle and the arc between them.

Seisin: (1) Completion of the ceremony of feudal investiture by which the tenant was admitted into "freehold". (2) Possession of a freehold estate in land ownership. (Black's Law Dictionary)

Settlor: (1) Someone who makes a settlement of property, especially one who sets up a trust; also termed creator, donor, trustor, grantor, founder. (2) A party to an instrument. Also spelled (in both senses) settler. (Black's Law Dictionary)

Sign: (1) To execute or adopt a tangible symbol; or to attach to or logically associate with the record an electronic symbol, sound, or process. (2) With present intent to authenticate or adopt a record other than a will. (UCA 75-1-201)

State: A state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. (UCA 17-21a-102)

Subdivision: Any land that is divided into two or more parts of land for the purpose of sale, lease, or development by deed, metes and bounds description, map, plat, or other recorded instrument for residential, commercial, or industrial purposes. The term "Subdivision" does used for a Parcel boundary adjustment that does not violate land use ordinances, or a division of agricultural land for agricultural purposes. (UCA 17-27a-103)

Successors: Persons, other than creditors, who are entitled to property of a decedent under the decedent's will or this title. (UCA 75-1-201)

Tangent: See Tangent Line. See also Point of Tangent.

Tangent Line: A straight line that touches the circumference of a circle at only one point. A tangent line is often called the tangent.

T Square Ruler: A technical drawing instrument shaped like a "T" used by draftsmen primarily as a guide for drawing horizontal lines on a drafting table.

Tenancy: (1) The possession or occupancy of land under a lease; a leasehold interest in real estate. (2) The period of such possession or occupancy. (3) The possession of real or personal property by right or title, especially under a conveying instrument such as a deed or will. (Black's Law Dictionary)

Tenement: Property, (esp. land) held by freehold; an estate or holding of land. (Black's Law Dictionary)

Town: A municipality classified by population as a town. (UCA 10-1-104)

Trapezoid: A shape with four sides and only two sides are parallel.

Traverse: (1) To travel from one point to another. In mapping it means to move along the course of a legal description to define or trace a property boundary. (2) A tool in ArcGIS as part of the COGO toolbar that is used to draw property descriptions.

Triangle: Any three (3) sided figure

UAC: Acronym for Utah Association of Counties

UACR: Acronym for Utah Association of County Recorders

UCA: Acronym for Utah Code Annotated

UETA: Acronym for Uniform Electronic Transaction Act.

Uniform Electronic Transaction Act: A uniform statute promulgated by the Uniform Law Commission and the American Law Institute that nearly all states have enacted to establish the legal validity and enforceability of electronic signatures, contracts, and other records. (PRIA, Property Records Industry Association)

Uniform Real Property Electronic Recording Act: A Law passed in Utah as part of the 2014 general legislative session that removes any doubt with regard to the ability of a local recording office to

accept and otherwise process electronic documents and signatures for recording. The act establishes that any requirement for originality of a paper document or for a writing manually signed, is satisfied by an electronic document and signature. It establishes standards for electronic recording and establishes a board that can set additional statewide uniform standards. (Uniform Law Commission; see also UCA 17-21a)

Unincorporated: Not within a municipality. (UCA 10-1-104)

URPERA: Acronym for Uniform Real Property Electronic Recording Act (see UCA 17-21a)

Vertical Lines: Straight lines that are parallel to the sides of the drawing as used in drafting.

Vest: (1) To confer ownership (of property) on a person; (2) To invest (a person) with the full title to property; (3) To give (a person) an immediate, fixed right of present or future enjoyment; (4) To put (a person) into possession of land by the ceremony of investiture. (Black's Law Dictionary)

Will: Includes codicil and any testamentary instrument which merely appoints an executor, revokes or revises another will, nominates a guardian, or expressly excludes or limits the right of an individual or class to succeed to property of the decedent passing by intestate succession. (UCA 75-1-201)

Yard: (1) A unit of measurement for distance. 1 Yard = 3.00 feet (2) The property or area around a house that is used for sitting, playing, and growing plants.

Utah State Code Section 59-2-1335 provides for the following permitted abbreviations of property descriptions when related to the County Tax Roll.

a., ac. . . . . acre, acres
add. . . . . addition
ave. . . . . avenue
beg. . . . . beginning
blk. . . . . block
bet. . . . . between
bdy., bdrs. . . . . boundary, boundaries
ch., chs. . . . . chain, chains
com. . . . . commencing
cont. . . . . containing
deg. or degree symbol . . . . . degree, degrees
dist. . . . . distance
E. . . . . east
E'ly . . . . . easterly
ft. . . . . foot, feet
frac. . . . . fractional
in., ins. . . . . inch, inches
lk., lks. . . . . link, links
lt., lts. . . . . lot, lots
m., min., or ' . . . . . minute, minutes
m. or l. . . . . more or less
N. . . . . north
NE. . . . . northeast
NE'ly. . . . . northeasterly
N'ly. . . . . northerly
NW. . . . . northwest
NW'ly. . . . . northwesterly
pt. . . . . point
1/4 sec. . . . . quarter section
r., rs. . . . . range, ranges
rd., rds. . . . . rod, rods
R. of W. . . . . right-of-way
s. or " . . . . . second, seconds
S. . . . . south
SE. . . . . southeast
SE'ly. . . . . southeasterly
S'ly. . . . . southerly
st. . . . . street
sub. . . . . subdivision
S.L.M. . . . . Salt Lake Meridian
SW. . . . . southwest
t., tp., tps. . . . . township, townships
th. . . . . thence
U.S. sur. . . . . United State Survey
U.S.M. . . . . Uintah Special Meridian
W. . . . . west
W'ly. . . . . westerly

Utah State Code Section 59-2-1335 also allows for commonly accepted initial letters, abbreviations, symbols, of railroads and other locally significant figures to be used if they are first approved by the commission.

LAND MEASUREMENT CONVERSION GUIDE

1 Acre = 43,560 square feet
1 Acre = 160 square rods
1 Acre = 10 square chains
1 Acre = 160 square rods
1 Acre = 160 perches
1 Acre = 160 poles
1 Acre = .4047 hectare
1 Acre = 4047 square meters
1 Acre = is about 208 3/4 feet square
1 Centimeter = .3937 inches
1 Centimeter = .032808 feet
1 Chain = 66 feet
1 Chain = 4 rods
1 Chain = 4 perches
1 Chain = 4 poles
1 Chain = 100 links
1 Chain = 20.1168 meters
1 Foot = 12 inches
1 Furlong = 660 feet
1 Furlong = 40 rods
1 Foot = 0.3048006 meter
1 Hectare = 10,000 square meters
1 Hectare = 2.471 acres
1 Inch = .0254 meter
1 Kilometer = 3280.83 feet
1 Kilometer = .62 mile
1 Knot = 6080.2 feet
1 Labor = 177.136 acres
1 League = 4428.4 acres
1 Link = 7.92 inches
1 Link = .66 feet
1 Link = .2017 meter
1 Meter = 3.280833 feet
1 Meter = 39.37 inches
1 Meter Square = 10.764 square feet
1 Mile = 5,280 feet
1 Mile = 8 furlongs
1 Mile = 320 rods
1 Mile = 80 chains
1 Mile = 1.60935 kilometers
1 Mile = 320 perches
1 Mile = 320 poles
1 Mile = 8000 links
1 Mile = 1,609.2655 meters
1 Mile Square = a regular Section of land
1 Mile Square = 27,878,400 square feet
1 Mile Square = 640 acres
1 Mile Square = 259 hectares
1 Mile Square = 2.59 square hectares
1 Perch = 25 links
1 Perch = 1 pole
1 Perch = 1 rod
1 Perch = 16.5 feet
1 Pole = 16.5 feet
1 Pole = 1 perch
1 Pole = 1 Rod
1 Rod = 1 pole
1 Rod = 1 perch
1 Rod = 16.5 feet
1 Section = 1 mile long, by 1 mile wide
1 Section = 640 acres
1 Township = 6 miles long, by 6 miles wide
1 Township = 36 sections
1 Township = 36 square miles
1 Yard = 36 inches
1 Yard = 3 feet
1 Yard Square = 9 square feet

Chapter 1 Homework - Elements of Real Estate Law

The following questions are a small example of what you might expect to see on the Real Estate Law portion of the Cadastral Mapping exam.

First try answering the questions below without the manual, then use your manual to check your answers.

<u>True or False</u>

1. T F The tax serial number or parcel number noted on a document is considered part of the legal description.

2. T F County Recorders transmit copies of all the ownership plats to the County Assessor showing the ownership as of January 1st at Noon.

3. T F Recording gives notice to all persons of the contents of the recorded document.

4. T F Title to the vacated street, or road shall vest to the adjoining record owner, with the entire width of the road assessed to one of the adjoining owners.

<u>Fill in the Blank</u>

5. _____ means; a property in whose name the title appears in the public records, or a stockholder of record.

6. _____ means; an interest in land that, being the broadest property interest allowed by law.

7. _____ means; an undeveloped area of land set aside for farmland or preserved as natural wilderness.

8. A _____ when executed shall have the effect of a conveyance in fee simple to the grantee, and the grantor guarantees that the property is free from all encumbrances and will forever defend the title against all lawful claims whatsoever.

Multiple Choice

9. A municipality is a:

A) City
B) Town
C) Metro Township
D) All of the above

10. Before any unit from a condominium plat can be conveyed this document must be recorded:

A) Warranty Deed
B) Easement
C) Declaration of CC&R's
D) HOA Agreement

11. Upon the death of the sole trustee or the last surviving trustee, the trust estate passes to:

A) The heirs
B) The appointed successor
C) Any blood relative
D) A personal representative

12. A document that is of record in the county recorder's office may not be recorded again in that same county recorder's office unless:

A) It has been reexecuted by all parties.
B) A minor typographical error is corrected.
C) The legislative body approves it.
D) It contains a brief statement explaining the reason for rerecording.
E) It is electronically recorded.
F) Both B and C
G) Both C and E
H) Both A and D
I) None of the Above

Chapter 2 Homework

TITLE SEARCHING PRACTICAL EXERCISE

As a practical application of the principles of title searching and ownership discovery, this practical exercise will lead the cadastral mapper through typical land records. Copies of such records are included herein, and the student should answer the questions found at the end of this exercise.

The following resources are provided:

- Ownership Plat of HOLMES CREEK SUBDIVISION, a part of the Northwest Quarter of Section 27, Township 4 North, Range 1 West, Salt Lake Base and Meridian, U. S. Survey
- Dedication Plat of HOLMES CREEK SUBDIVISION
- Section Ownership Plat, NW ¼, Section 27, T4N, R1W, SLB&M
- Pages extracted from the Abstract for Section 27, T4N, R1W, SLB&M
- Pages extracted from the Abstract for HOLMES CREEK SUBDIVISION
- Pages extracted from the computer abstract for Parcel 11-058-0026

QUESTIONS:

Using the resources available, fill in the complete abstract of title showing all of the documents in the index previous to the computer for parcel 11-058-0026. Then use both the computer abstract and your written abstract of title to answer the following questions about parcel 11-058-0026:

1. What is the legal description of the property?

2. What is the situs address of the property?

3. What are the dimensions of the Lot?

4. What is the acreage of the Lot?

5. Who was the tax title owner(s) as of 10/13/2010?

6. What easements are apparent from given resources?

8. Who was the owner of record on August 20, 1974, of the real property which became this subdivision lot?

9. On what date was this subdivision dedicated?

10. On what date was this subdivision recorded?

11. What was the first document after the subdivision plat that transferred parcel 11-058-0026 to a husband and wife as joint tenants (Etux)?

12. How many times since the subdivision plat has been recorded has this property transferred ownership?

Property: _____ **Date:** _____

	Date	Entry No.	Book	Page	Instrument	Grantor	Grantee	Remarks
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								

Notes:

Property: _____ **Date:** _____

	Date	Entry No.	Book	Page	Instrument	Grantor	Grantee	Remarks
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								

Notes:

Homework for Chapter 3
Basics of Drafting

Acquire Your Drafting Tools and Supplies

In this chapter we discussed some of the fundamentals of drafting and introduced a lot of tools used for drafting legal descriptions by hand.

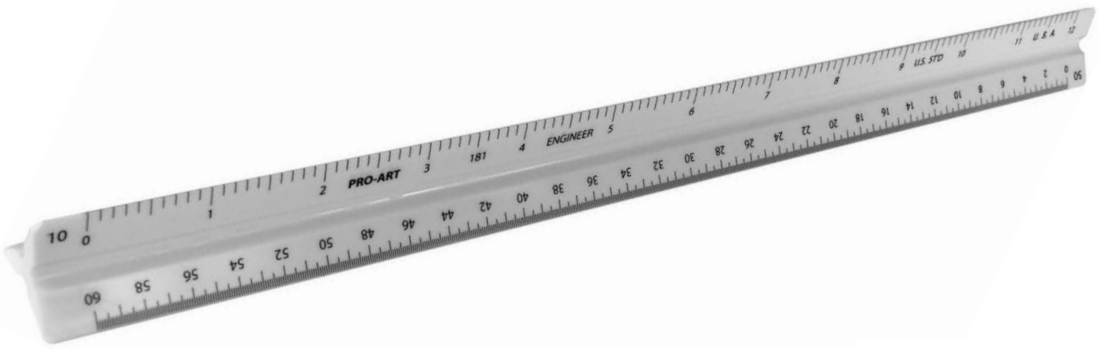
Your homework for chapter 3 is to gather the tools that are necessary to complete the later chapters of this course. You do not need to purchase any items that you already have. If you do not have an item or wish to aquire additional quantities most are available

If you do not already have the following purchase or acquire them before beginning Chapter 5

1) ☐ Engineers Scale
2) ☐ Protractor or Land Measure Compass
3) ☐ Eraser
4) ☐ Pencil or Drafting Pencil

5) ☐ B or 2B Drafting Lead (optional)
6) ☐ Graph Paper (optional)

Engineers Scale - Available for purchase on Amazon.

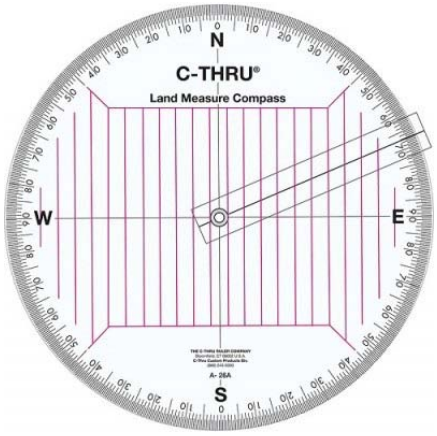


Protractor - Available for purchase on Amazon.

-OR-

Land Measure Compass - Available for purchase on Amazon.

- I recommend the Land Measure Compass instead of a traditional protractor because it is designed to be used for legal description bearings.



Drafting Pencil - Available for purchase on Amazon.

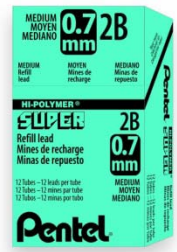
(We won't be drafting on film for this class so a regular mechanical pencil should work ok.)

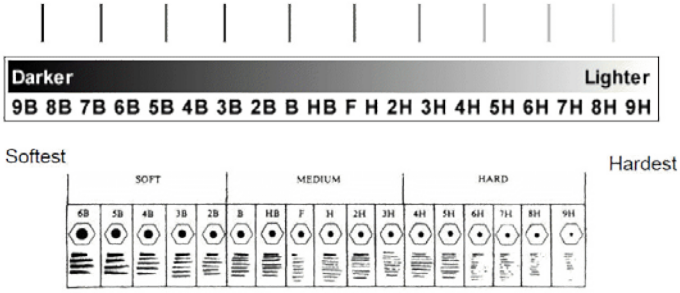
- I recommend .07mm because the softer drafting lead doesn't break as easily.

Drafting Lead - Available for purchase on Amazon.

(We won't be drafting on film for this class so this is Not required and is for information only.)

- I recommend B or 2B if you are drafting on film because it is darker and shows up much better once the plat is scanned.





Drafting Eraser - Available for purchase on Amazon.

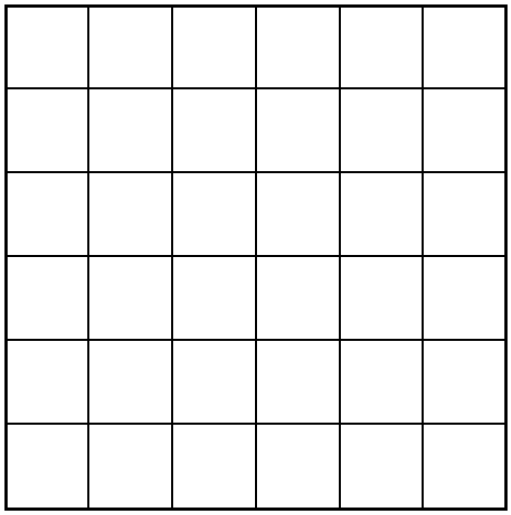
- I recommend prismacolor magic rub. It erases easily from film and wont damage the coating like some of the electric erasers can. It comes in a block eraser or a pencil shaped peal away eraser

Graph Paper - Available for purchase on Amazon or in local stores.

- If drafting by hand Drafting on graph paper can be helpful when you need to rotate the legal description to a basis of bearing. (see chapter 5)

Chapter 4 Homework - Elements of Surveying

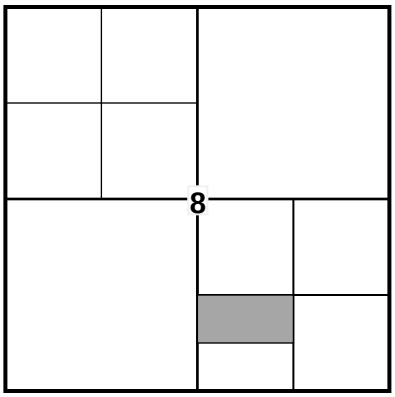
1. *Fill in the section numbers below for T 6 S, R 2 W, SLB&M*



2. Describe in short form the shaded portion of the section illustrated below.

Sec. 8, T 2 S, R 3 E, SLB&M

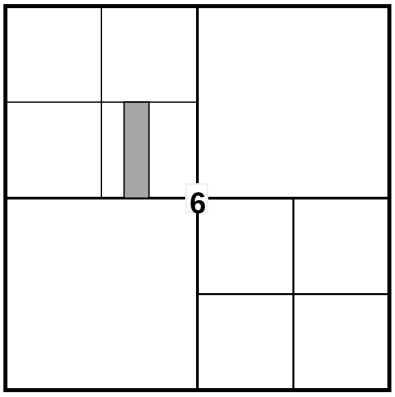
_____



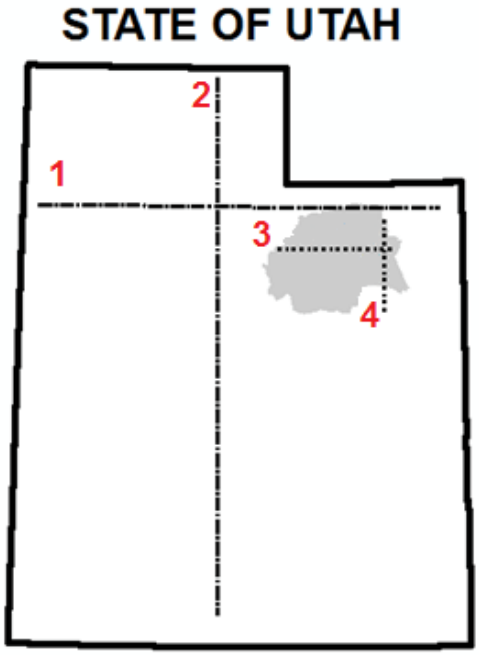
3. Describe in short form the shaded portion of the section illustrated below.

Sec. 6, T 27 S, R 21 E, SLB&M

_____



4. Match the numbered lines with its appropriate name.



1 _____

2 _____

3 _____

4 _____

A. Uintah Base Line

B. Salt Lake Meridian

C. Utah Meander Line

D. Utah Meridian

E. Salt Lake Base Line

F. Salt Lake Meander Line

G. Uintah Meridian

H. Utah Base Line

5. GPS stands for: _____ _____ _____.

6. Surveying using GPS requires a survey controller and two receivers, one receiver is called a _____ and the other is called a _____.

7. T F GIS and GPS are basically the same thing.

8. T F Two adjoining properties surveyed by two different surveyors should always match up exactly mathematically.

9. T F Compensation for the curvature of the earth implemented in the townships are along the South and East side of the township.

10. T F GPS uses receivers on the earth's surface and orbiting satellites to exchange information and uses this information to deduce its own location.

Chapter 5 Homework - Basic Math

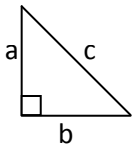
Formulas

Pythagorean's Theorem

Find the length of the missing side of a triangle

$a^2 + b^2 = c^2$ or $c = \sqrt{a^2 + b^2}$

Perimeter = A + B + C

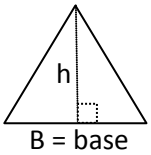


Note: Sometimes height is referred to as altitude.
Triangle Area = ½ base x altitude

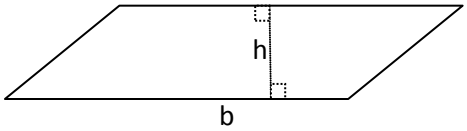
Find the area

A = Length x Width

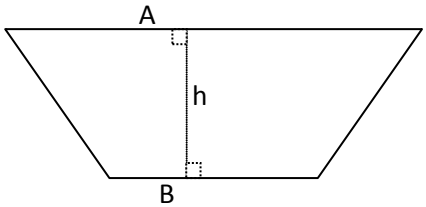
A = ½ base x height



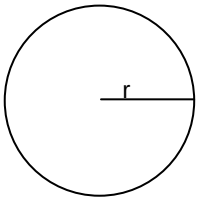
Area of a parallelogram = base x height



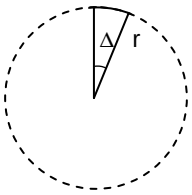
Area of a trapezoid = $\frac{(A+B)}{2}$ h



Area of a circle = πr^2



Area of a sector of a circle = $(\frac{\Delta}{360})(\pi r^2)$



Convert Square feet to Acres

acres = sqft ÷ 43560 or acres = $\frac{\text{sqft}}{43560}$

Converting degrees, minutes and seconds to decimal degrees and back.

If you have a calculator which will perform these conversions directly you may use it. If not, convert degrees, minutes and seconds to decimal degrees as follows:

Degrees, Minutes and Seconds Conversion		Conversion Example 27°37'14"		Example Converted to Decimal Equivalent	
Degrees	=	27°	=	27°	Deg
$\frac{\text{Minutes}}{60}$	=	$\frac{37}{60}$	=	0.61667	Deg
$\frac{\text{Seconds}}{3600}$	=	$\frac{14}{3600}$	=	0.00389	Deg
Add Above Amounts			Total	27.62056	Deg
27.62056 Degrees is the decimal equivalent of 27°37'14"					

To convert decimal degrees back to degrees, minutes and seconds use the following steps:

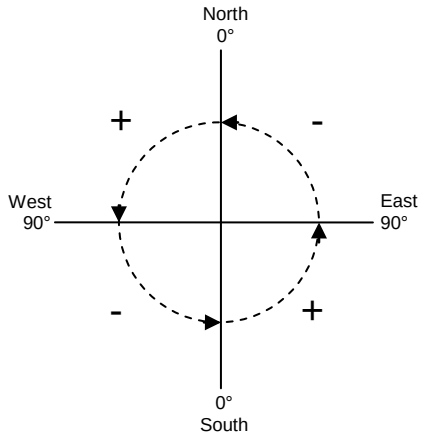
1. For the angle expressed in decimal degrees, 48.25667°, take that portion of the number to the left of the decimal *48.* that will be the degrees (48°).

2. Take that portion of the number in the example which lies to the right of the decimal and multiply it by 60. *0.25667 x 60 = 15.40002* The portion of the number to the left of the decimal is the minutes (15').

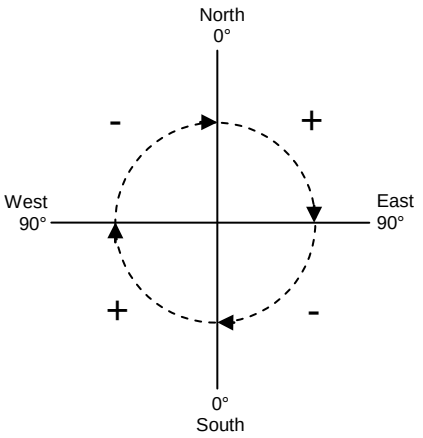
3. Take the remaining portion of the product from step 2 which lies to the right of the decimal and multiply it by 60. *0.40002 x 60 = 24.0001* Round off, the portion of the product to the left of the decimal is the seconds (24”).

   The example decimal degrees, 48.25667° converts to 48°15'24”

The diagram below shows each quadrant to help determine if you need to add or subtract the rotation angle.



Rotating Counter Clockwise

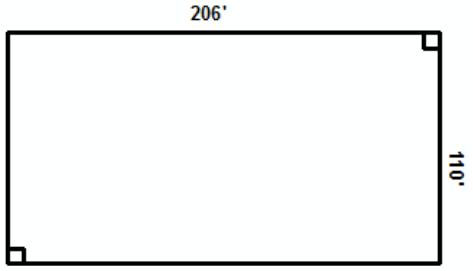


Rotating Clockwise

Find the Area

Show your work.

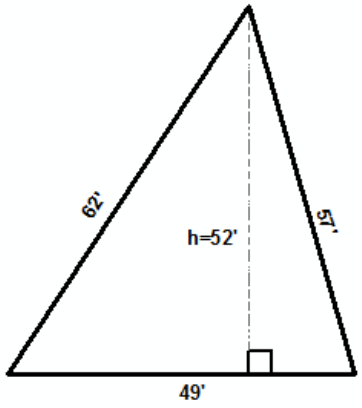
1.



A= _____ Sq Ft

A= _____ Acres

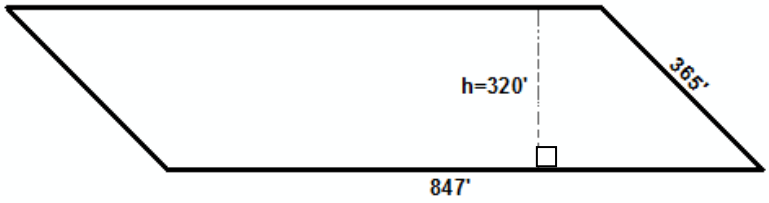
2.



A= _____ Sq Ft

A= _____ Acres

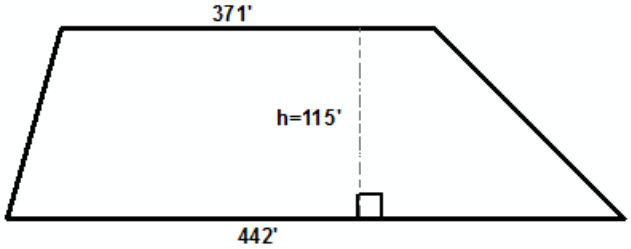
3.



A= _____ Sq Ft

A= _____ Acres

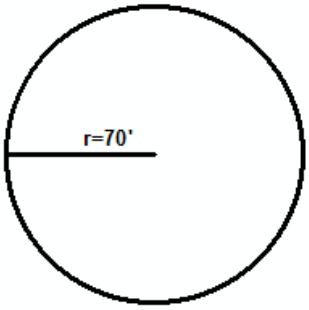
4.



A= _____ Sq Ft

A= _____ Acres

5.



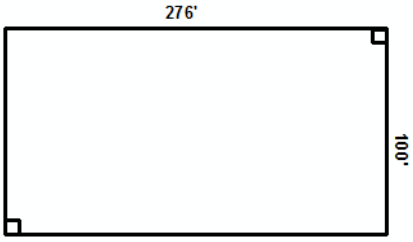
A= _____ Sq Ft

A= _____ Acres

Find the Areas of the following

Show your work

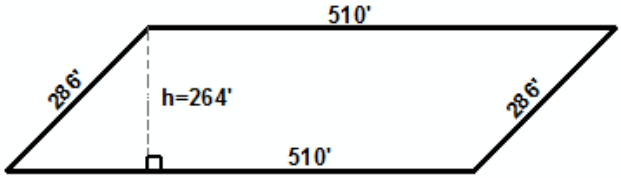
6.



A= _____ Sq Ft

A= _____ Acres

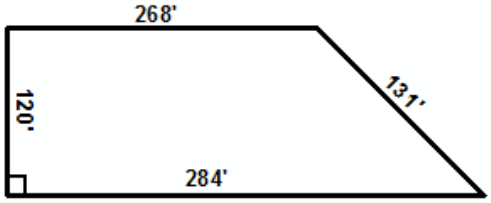
7.



A= _____ Sq Ft

A= _____ Acres

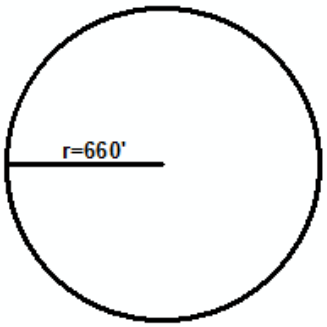
8.



A= _____ Sq Ft

A= _____ Acres

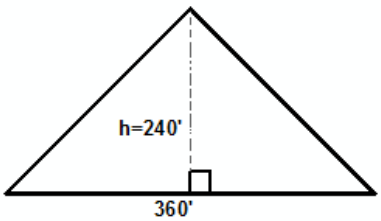
9.



A= _____ Sq Ft

A= _____ Acres

10.



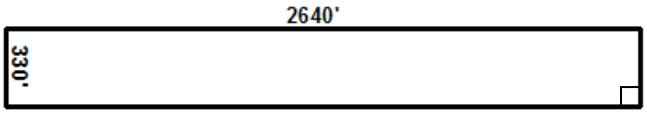
A= _____ Sq Ft

A= _____ Acres

Find the Areas of the following

Show your work

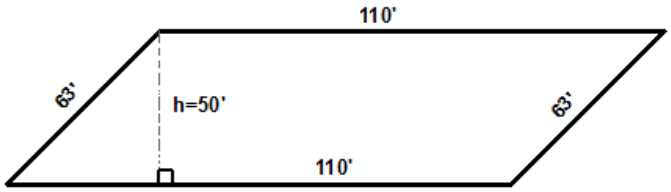
11.



A= _____ Sq Ft

A= _____ Acres

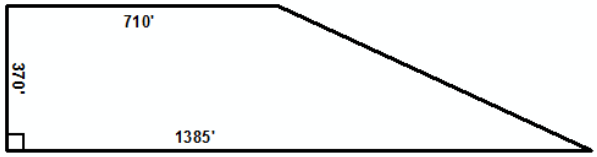
12.



A= _____ Sq Ft

A= _____ Acres

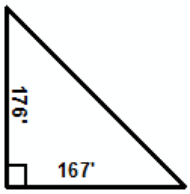
13.



A= _____ Sq Ft

A= _____ Acres

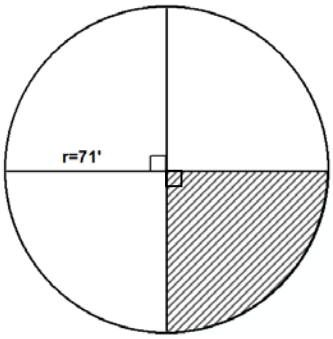
14.



A= _____ Sq Ft

A= _____ Acres

15.



Find the area of the shaded portion.

A= _____ Sq Ft

A= _____ Acres

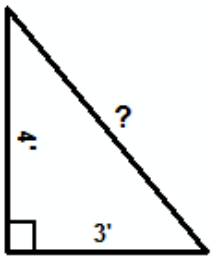
Pythagorean's Theorem

Show your work

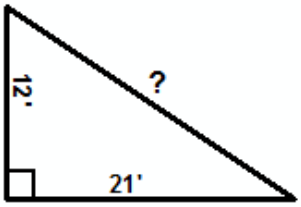
$a^2 + b^2 = c^2$ or $c = \sqrt{a^2 + b^2}$

Find the length of the unknown side.

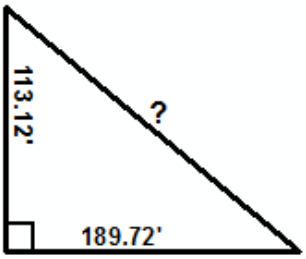
16.



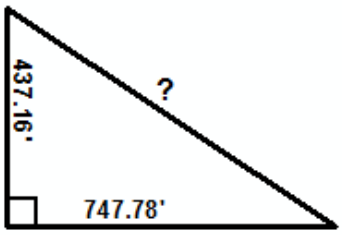
17.



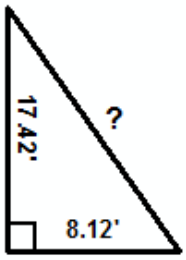
18.



19.



20.



Bearing Rotation

Show your work

21. Mathematically rotate the bearing N 21°14’22” W counter clockwise 15°.

22. Mathematically rotate the bearing S 86°00’00” W clockwise 8°.

23. Mathematically rotate the bearing S 87°26’48” E counter clockwise 2°33’12”.

Chapter 6 Homework – Mapping Descriptions

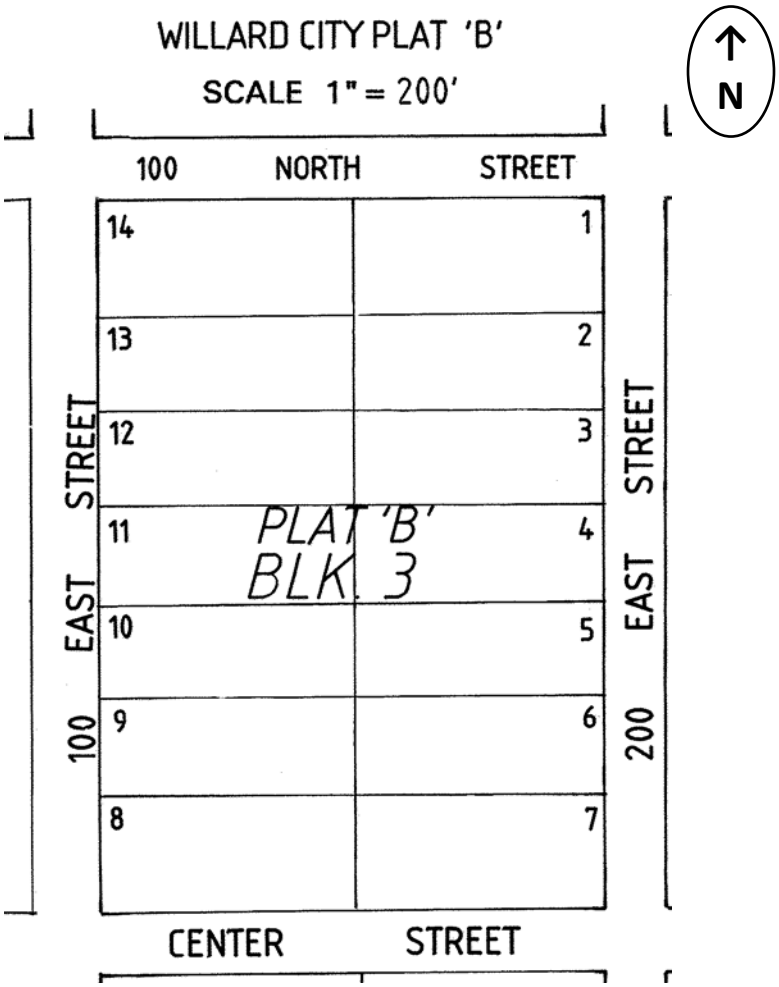
Draw the following descriptions using the Lots and Blocks of Plat B Willard City Survey.

Parcel 1
Part of Lots 12 & 13 Block 03 Plat B Willard City Survey. Beginning at a point located South 00°18’32” East 53 Feet from the Northwest corner of said Lot 13. Running thence South 89°41’19” East 164 Feet, Thence North 00°18’32” West 53 Feet, Thence South 89°41’19” East 100 Feet to the Northeast corner of Lot 13, Thence South 00°18’32” East 153 Feet, Thence North 89°41’19” West 264 Feet to the west line of Lot 12, Thence North 00°18’32” West 100 Feet to the point of beginning.

Parcel 2
Beginning at the Southeast corner of Lot 08 Block 03 Plat B Willard City Survey. Running thence North 89°41’19” West 105.00 Feet, Thence North 00°18’28” West 122.83 Feet to the North line of said Lot 08, Thence South 89°41’19” East 105.0 Feet to the Northeast corner of Lot 08, Thence South 00°18’28” East 122.83 Feet to the point of beginning.

Parcel 3
The East 100 Feet of Lot 02 Block 03 Plat B Willard City Survey.

Parcel 4
The West half of Lot 05 Block 03 Plat B Willard City Survey.



Draw the following legal descriptions based on Section Township and Range.

Parcel 1
Part of the Northeast quarter of Section 03 Township 09 North Range 03 West Salt Lake Base and Meridian. Beginning at a point located 33.00 feet South from the Northwest corner of the said Northeast quarter. Running thence South 208 feet along the west line of said Northeast quarter, thence South 89°08'11" East 274 feet, thence North 208 feet to the south line of 2400 North street, thence North 89°08'11" West 274 feet to the point of beginning.

Parcel 2
Beginning at a point 183 feet South 89°53'22" West from the Southeast corner of the Northeast quarter of Section 3 Township 9 North Range 3 West Salt Lake Base and Meridian. Running thence North 00°06'38" West 300.00 feet, thence North 89°53'22" East 150.00 feet to a point on the West right of way line of 6000 West Street, thence along said right of way line South 00°06'38" East 300 feet, thence South 89°53'22"West 150.00 feet to the point of beginning.

Parcel 3
Beginning at a point 492.72 feet South (495.72 of record) along the section line from the North quarter corner of Section 3 Township 9 North Range 3 West Salt Lake Base and Meridian. Thence North 164 feet, thence East 207 feet, thence South 90 feet, thence West 76 feet, thence South 74 feet, thence West 131 feet to the point of beginning.

Parcel 4
Part of the Northeast quarter of Section 03 Township 09 North Range 03 West Salt Lake Base and Meridian. Beginning at a fence post located 492.72 feet South (495.72 by record) along the section line and South 89°31'19" East 33 feet from the Northwest corner of the Northeast quarter of said section. Running thence along a fence line the following four courses. (1) South 89°31'19" East 98.00 feet (East by record), (2) North 74 feet, (3) South 89°31'19" East 76 feet (East by record), (4) North 90 feet, Thence South 89°31'19" East 390.67 feet, thence South 03°39'12" West 159.77 feet, thence South 89°06'07" West 173.28 feet, thence South 00°43'44" East 173.62 feet, thence North 89°16'22" West 383.46 feet, thence North 171.61 feet to the point of beginning.

Parcel 5

Part of the Northeast quarter of Section 03 Township 09 North Range 03 West Salt Lake Base and Meridian. Beginning at a point on the West right of way line of 6000 West Street located 1278 feet North 00°06’38” West along the east line of said section and South 89°53’22” West 33.00 feet from the Southeast corner of said Northeast quarter. Running thence South 89°00’44” West 250.80 feet, thence North 27°45’04” East 130.53 feet, thence North 72°57’36” East 198.36 feet to the west line of 6000 West Street, thence along the said west line South 00°06’38” East 169.32 feet to the point of beginning.

Parcel 6

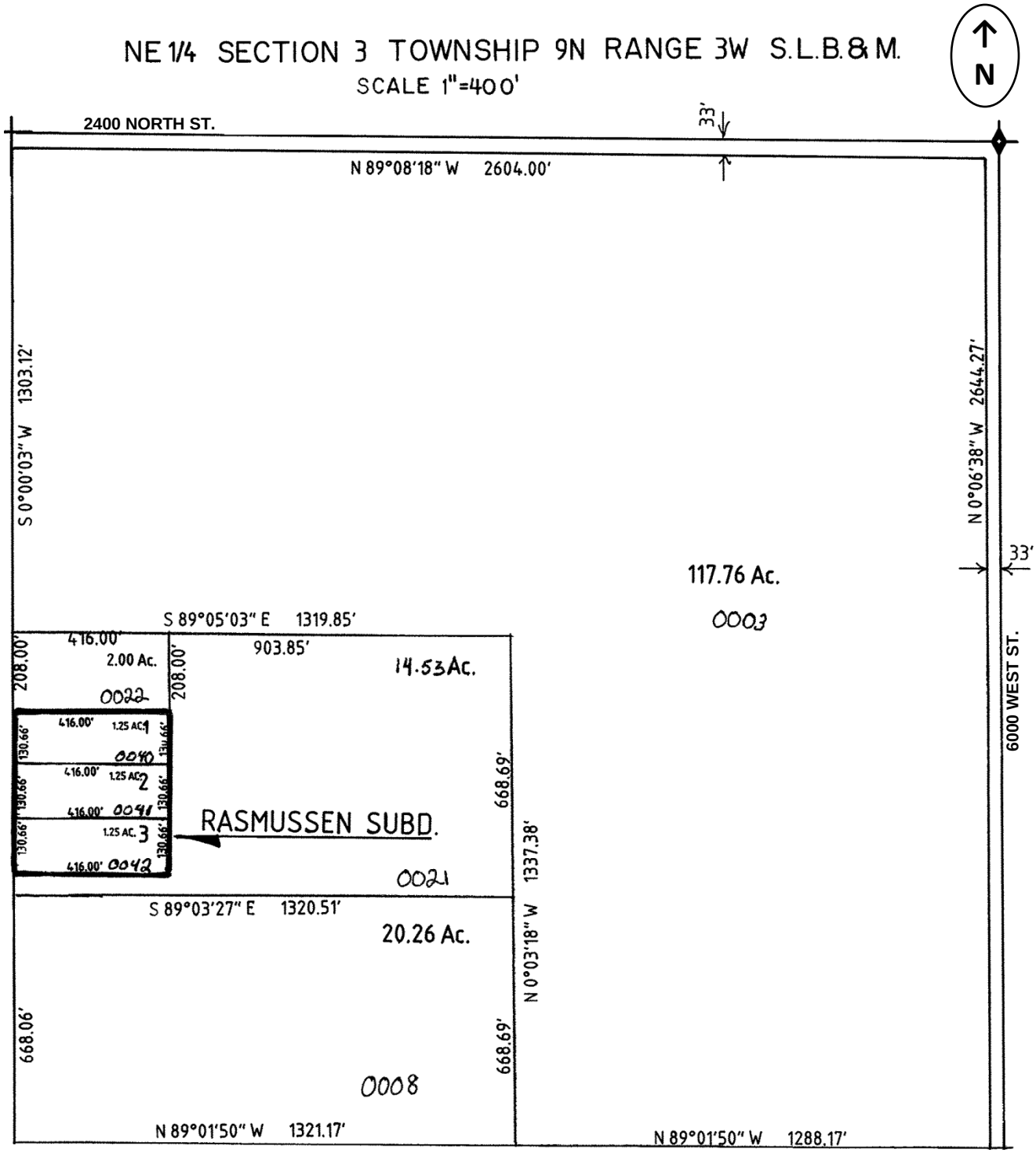
Beginning at a point on the quarter section line 44 rods South of the Northwest corner of the Northeast quarter of Section 3 Township 9 North Range 3 West Salt Lake Base and Meridian. Running thence South 350 feet along said quarter section line, thence East 160 feet, thence South 52 feet, thence East 469.5 feet, thence North 402 feet, thence west 50 feet, thence South 350 feet, thence west 300 feet, thence North 40°36’05” East 460.98 feet, thence West 579.5 feet to the point of beginning.

Parcel 7

Part of the Northeast quarter of Section 3 Township 9 North Range 3 West Salt Lake Base and Meridian. Beginning at a point located 300 feet North 00°06’38” West along the east line of said section and South 89°53’22” West 33.00 feet from the Southeast corner of said Northeast quarter. Running thence North 00°06’38” West 978 feet, Thence South 89°00’44” West 250.80 feet, thence North 27°45’04” East 130.53 feet, thence North 72°57’36” East 198.36 feet to the west line of 6000 West Street, thence North 00°06’38” West 169.50 feet, thence South 54°34’01” West 594.36 feet, thence South 75°59’32” West 828.49 feet more or less to an existing fence line, said fence line being the eastern boundary line of an adjoining property. Continuing thence along the said fence line South 0°03’18” East to a point on the South line of said Northeast quarter of said section, thence South 88°55’24” East 1138.17 feet more or less to a point 183 feet West of the East line of the said section and the western boundary line of an adjoining property, thence North 00°06’38” West along said western boundary line 300.00 feet, thence North 89°53’22” East 150.00 feet to the point of beginning.

NE 1/4 SECTION 3 TOWNSHIP 9N RANGE 3W S.L.B.&M.

SCALE 1"=400'



Write a legal description for the following parcels in the Southeast quarter of Section 3 Township 9 North Range 3 West:

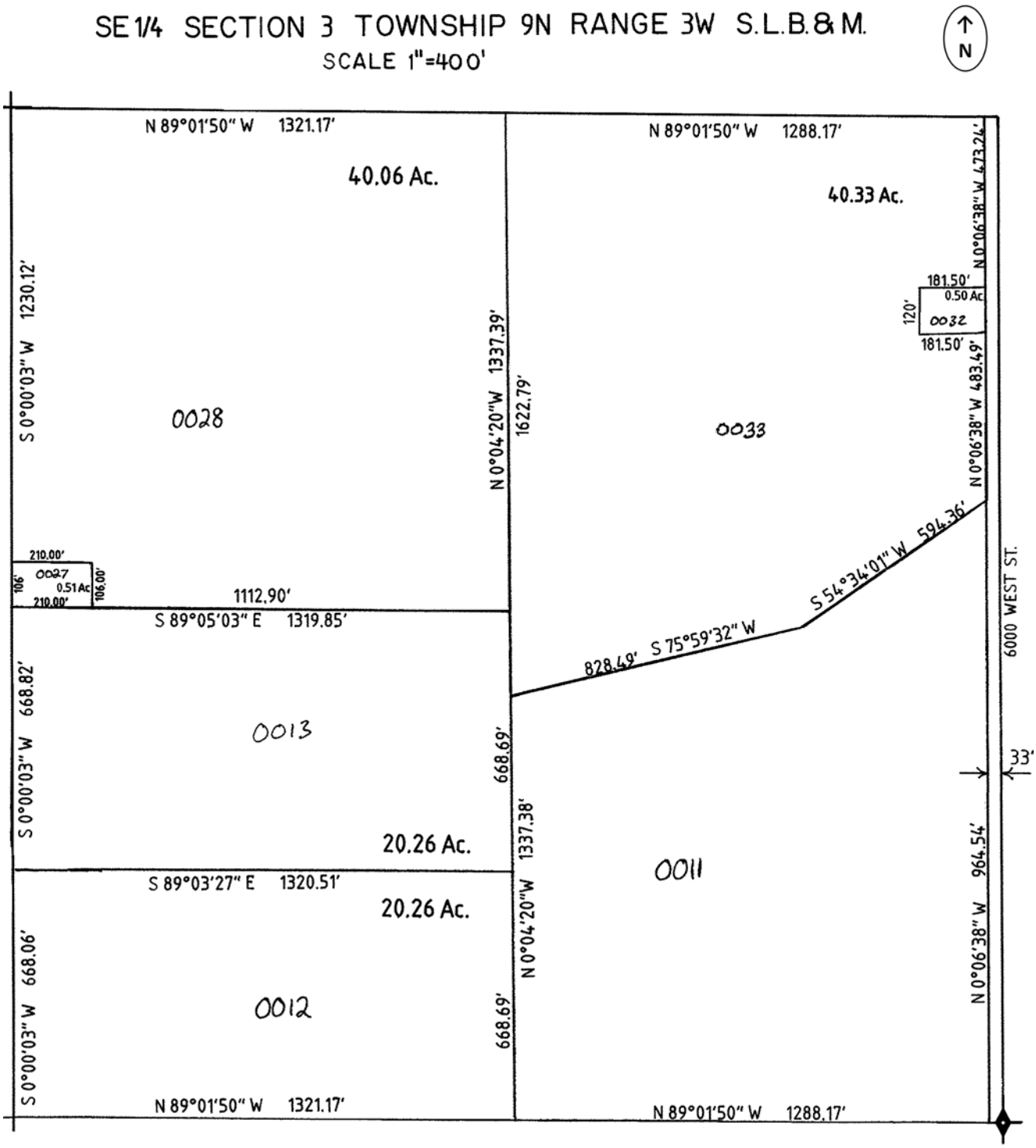
Parcel # 0013

Parcel # 0028

Parcel # 0033

SE 1/4 SECTION 3 TOWNSHIP 9N RANGE 3W S.L.B.& M.

SCALE 1"=400'



Chapter 7 Homework – GIS

Matching Definitions

1. _____ Traverse

2. _____ GIS

3. _____ COGO

4. _____ GPS

5. _____ PLSS

A - A method for calculating coordinate points from surveyed bearings, distances, and angles.

B - Line work and line weight are two important elements used on a hand drawn cadastral maps to denote important features.

C - To move along the course of a legal description in order to define or trace a property boundary.

D - A complex system of constellation satellites orbiting the Earth that can determine the location of a receiver on the ground.

E - A set of numbers which describe the distance north (or south) and east (or west) from a monument or reference point.

F - The art of representing records on a plane surface such as paper, linen or mylar with aid of instruments.

G - A way of subdividing and describing land in the United States by a rectangular system of Section Township and Range surveys called the public land survey system.

H - A computer system that integrates hardware, software, and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information.

True or False

6. T F Drafting parcels with GIS uses all of the same six principals as drafting descriptions by hand, but the methods for completing them are different.

7. T F GIS parcel data always replaces a recorded document's legal description and any survey data.

8. T F In GIS drawing a curve is much more difficult while using the traverse tool from the COGO toolbar.

Draw the following seven parcel descriptions using the digital drafting tools that are available to you in your county.

NOTE: If your county uses ArcGIS there is data available for download to help complete the exercise.

Parcel 1

Part of Lots 12 & 13 Block 03 Plat B Willard City Survey. Beginning at a point located South 00°18’32” East 53 Feet from the Northwest corner of said Lot 13. Running thence South 89°41’19” East 164 Feet, Thence North 00°18’32” West 53 Feet, Thence South 89°41’19” East 100 Feet to the Northeast corner of Lot 13, Thence South 00°18’32” East 153 Feet, Thence North 89°41’19” West 264 Feet to the west line of Lot 12, Thence North 00°18’32” West 100 Feet to the point of beginning.

Parcel 2

The West half of Lot 05 and the South 1 rod of Lot 4 Block 03 Plat B Willard City Survey.

Parcel 3

Beginning at a point 492.72 feet South (495.72 of record) along the section line from the North quarter corner of Section 3 Township 9 North Range 3 West Salt Lake Base and Meridian. Thence North 164 feet, thence East 207 feet, thence South 90 feet, thence West 76 feet, thence South 74 feet, thence West 131 feet to the point of beginning.

Parcel 4

Part of the Northeast quarter of Section 03 Township 09 North Range 03 West Salt Lake Base and Meridian. Beginning at a fence post located 492.72 feet South (495.72 by record) along the section line and South 89°31’19” East 33 feet from the Northwest corner of the Northeast quarter of said section. Running thence along a fence line the following four courses. (1) South 89°31’19” East 98.00 feet (East by record), (2) North 74 feet, (3) South 89°31’19” East 76 feet (East by record), (4) North 90 feet, Thence South 89°31’19” East 390.67 feet, thence South 03°39’12” West 159.77 feet, thence South 89°06’07” West 173.28 feet, thence South 00°43’44” East 173.62 feet, thence North 89°16’22” West 383.46 feet, thence North 171.61 feet to the point of beginning.

Parcel 5

Beginning at a point on the quarter section line 44 rods South of the Northwest corner of the Northeast quarter of Section 3 Township 9 North Range 3 West Salt Lake Base and Meridian. Running thence South 350 feet along said quarter section line, thence East 160 feet, thence South 52 feet, thence East 469.5 feet, thence North 402 feet, thence west 50 feet, thence South 350 feet, thence west 300 feet, thence North 40°36’05” East 460.98 feet, thence West 579.5 feet to the point of beginning.

Parcel 6

Part of the NW quarter of Section 3, Township 9 North, Range 3 West, Salt Lake Base and Meridian. Beginning at a point South 10° East 106.37 feet and North 80° East 72.48 feet from the Northwest corner of said section. Running thence North 63°44'45" East 75 feet; thence South 26°15'15" East 120.87 feet; thence South 70° West 75.45 feet; thence North 26°15'15" West 112.65 feet' to the point of beginning.

In ArcGIS, rotate the drawing of parcel 6 to match the nearby section line and existing parcel.

Parcel 7

Beginning at point North 0°13’ East 195.63 feet along the section line from the Southwest corner of Section 34, Township 10 North, Range 3 West, Salt Lake Base and Meridian. Running thence North 0°13' East 362.81feet; thence North 75°56'26" East 140.33 feet; thence to the left 260 feet along the arc of a curve whose radius is 356.37 feet whose chord bears South 34°57'37" East 254.22 feet; thence South 29°18'36" West 43.50 feet; thence to the right 317.16 feet along the arc of a curve whose radius is 295.05 feet and whose chord bears South 60°06'18" West 302.11 feet to the point of beginning.

Chapter 2 Homework Resources

Land Records & Title Searching

PREFIX 11-058

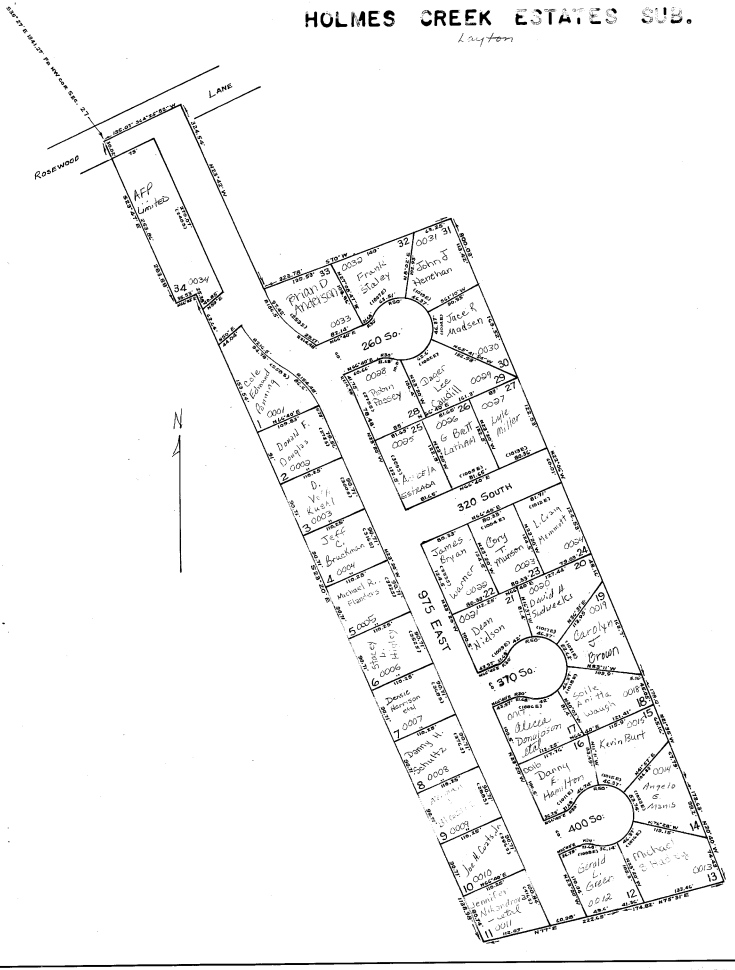
SECTION 27 TP 4N R 1W

Salt Lake Meridian

SCALE 100 FEET — ONE INCH

HOLMES CREEK ESTATES SUB.

Layton

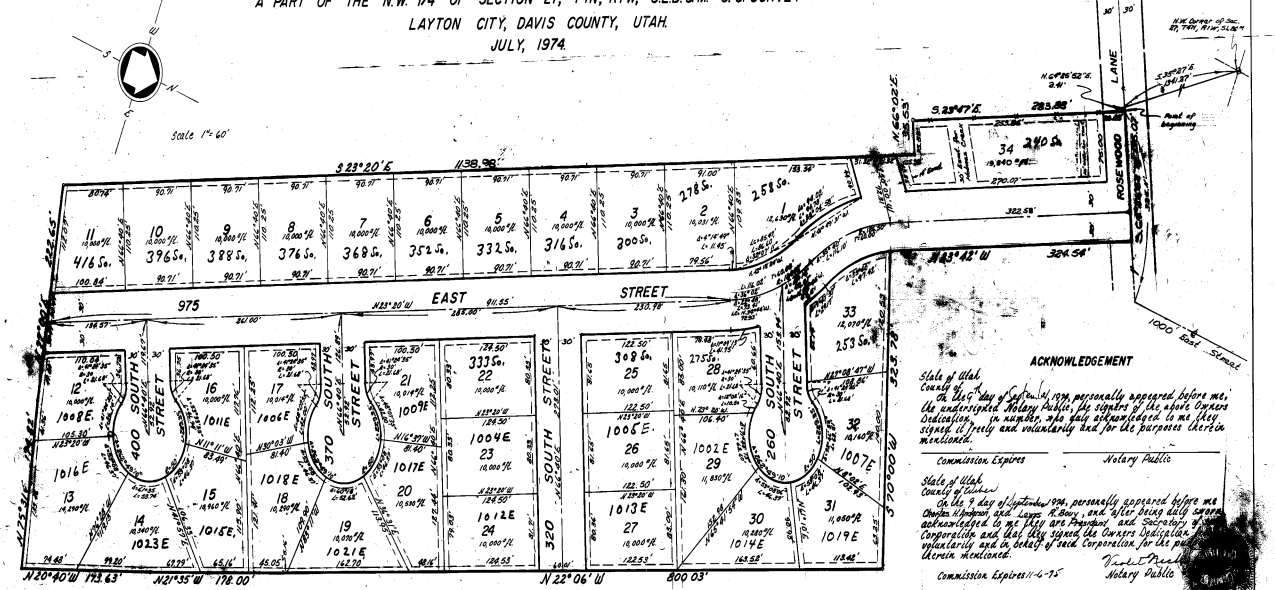


HOLMES CREEK ESTATES SUBDIVISION

A PART OF THE N.W. 1/4 OF SECTION 27, T4N, R1W, S.L.B.&M. U.S. SURVEY

LAYTON CITY, DAVIS COUNTY, UTAH.

JULY, 1974



ACKNOWLEDGEMENT

State of Utah
County of Davis

On the 9th day of September, 1974, personally appeared before me, the undersigned Notary Public, the signers of the above Owners Dedication, in number, who acknowledged to me they signed it freely and voluntarily and for the purposes therein mentioned.

Commission Expires — Notary Public

State of Utah
County of Davis

On the 9 day of September, 1974, personally appeared before me Charles H. Anderson and Lewis R. Bowy, who being duly sworn, acknowledged to me they are President and Secretary of said Corporation and that they signed the Owners Dedication freely and voluntarily and in behalf of said Corporation for the purposes therein mentioned.

Commission Expires 11-6-75 — Notary Public

LAYTON CITY APPROVAL

This is to certify that this plat and dedication of this plat were duly approved and accepted by the Layton City Council of Layton, Utah this 17th day of July, 1974.

Attest: [illegible] - Recorder
Title / Mayor

LAYTON CITY PLANNING COMMISSION

Approved by the Layton City Planning Commission on the 9th day of July, 1974.

Chairman

SURVEYORS CERTIFICATE

I, Larry M. Buttars, a registered land surveyor in the State of Utah, do hereby certify that this plat of Holmes Creek Estates Subd. in Davis County, Utah has been correctly drawn to the designated scale and is a true and correct representation of the following description of lands included in said subdivision, based on data, compiled from records in the Davis County Recorders Office, and of a survey made on the ground.

Signed this 25th day of July, 1974

2596
License No.

Signature

REGISTERED LAND SURVEYOR
LARRY M. BUTTARS
No. 2596
STATE OF UTAH

BOUNDARY DESCRIPTION

A part of the N.W. ¼ of Section 27, T4N, R1W, S.L.B.&M. U.S. Survey: Beginning at a point which is S. 38°27'E. 1341.27' and N. 64°25'52"E. 2.41'± from the N.W. corner of said Section 27, said point is also S. 64°25'52"W. 326.11'± from the intersection of 1000 East Street and Rosewood Lane in Colonial Park Subdivision and running thence S. 23°47'E. 285.88'± along an existing fence, thence N. 66°02'E. 38.53'±, thence S. 23°20'E. 1138.98'±, thence N. 77°00'E. 222.65'±, thence N. 75°31'E. 174.82'±, thence N. 20°40'W. 173.63'±, thence N. 21°35'W. 178.00'±, thence N. 22°06'W. 800.03'±, thence S. 70°00'W. 323.78'±, thence N. 23°42'W. 324.54'±, thence S. 64°25'52"W. 126.07' to the point of beginning.

LAYTON CITY ENGINEER

I hereby certify that I have carefully investigated the lines of Survey of the foregoing plat and legal description of the land embraced therein, and find them to be correct and in agreement with the lines and monuments on record in this office.

Signed this 17th day of July, 1974.

Signature

WEST BASIN ENGINEERING & SURVEYING INC.
CIVIL ENGINEERS — LAND SURVEYORS

COUNTY RECORDER

Entry No. 403436 Fee Paid $27.00
Filed for record and recorded this 9th day of October A.D. 1974 at 2:31 P.M. in Book "S" of L.&L. etc., Page 606.

Marguerite S. Baume
County Recorder

OWNERS DEDICATION

We the undersigned owners of the hereon described tract of land, hereby set apart and subdivide the same, into lots and streets as shown on this plat and name said tract Holmes Creek Estates Subdivision and hereby dedicate, grant and convey to Layton City, Davis County, Utah, all those parts or portions of said tract of land designated as streets, the same to be used as public thoroughfares forever, and also dedicate to Layton City those certain strips as easements for public utility and drainage purposes as shown hereon, the same to be used for the installation, maintenance, and operation of public utility service lines and drainage as may be authorized by Layton City.

Signed this 9th day of September, 1974.

Western Real Estate & Development Co.

Charles H. Anderson, Pres. — Lewis R. Bowy, Sec.

NOTE: 7' Utility and Drainage Easements each side of Property Line as indicated by dashed lines.

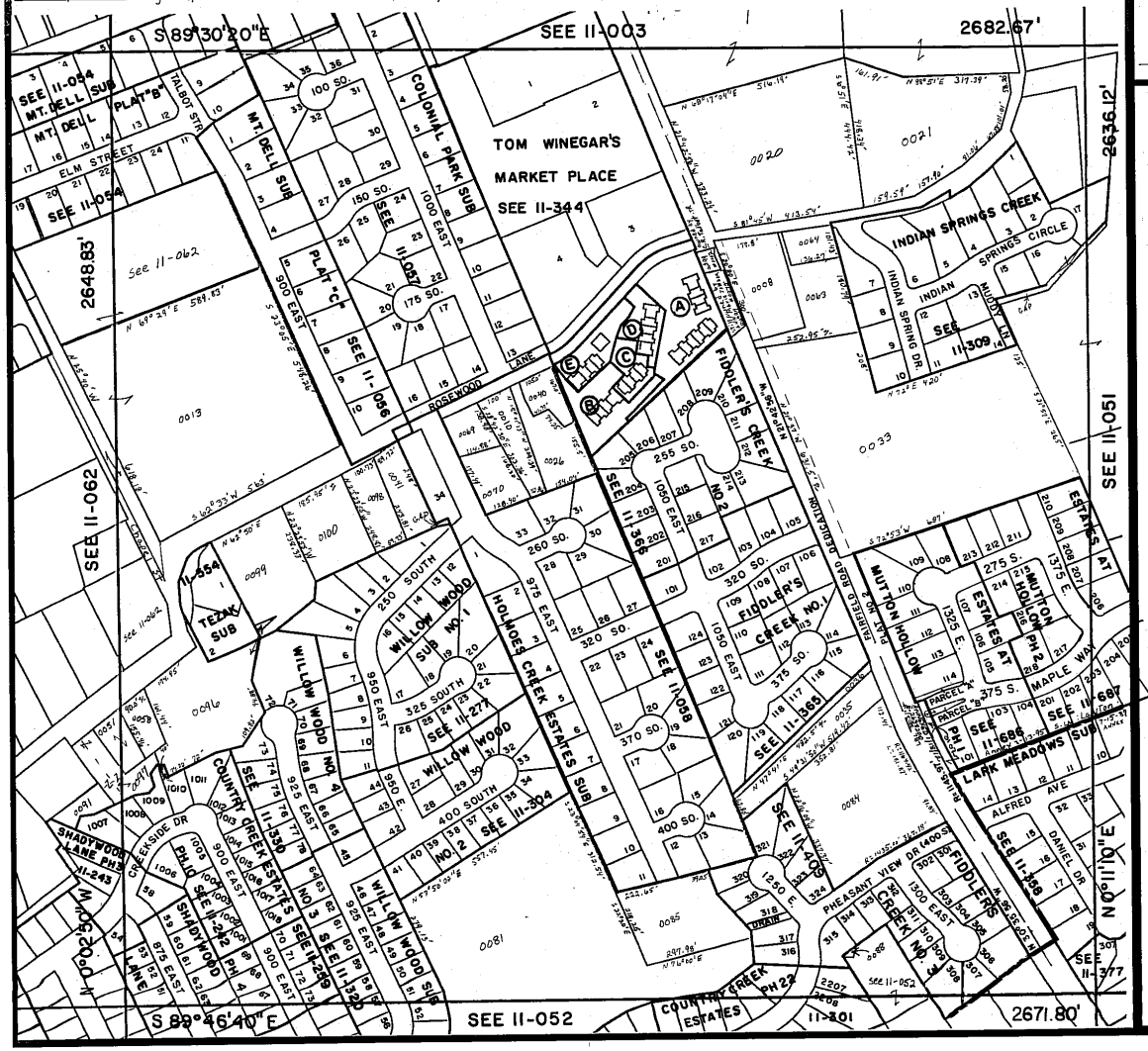
SHEET NO. OF

PID	OWNER	ACRES
	RESIDENCES AT HOMES CREEK	PRUD
(A)	NO. 1 SEE 11-466	
(B)	NO.2 SEE 11-467	
(C)	NO.3 SEE 11-468	
(D)	NO.4 SEE 11-469	
(E)	NO.5 SEE 11-470	
0008	Wiggill, Derrah B-Tr-etal	.98
0010	Parker, Billy C-Tr	.50
0013	Layton City Corporation	3.741
0020	Rose Lane / Layton Limited Partnership	4.09
0021	Creekside Oaks LLC	3.006
0026	Stevens, Brandon	.69
0033	Wiggill, Derrah B-TR	7.126
0035	Corp of The Presiding Bishop of Church	.85
0036	Corp of The Presiding Bishop of Church	.15

PID	OWNER	ACRES
0040	Mahaffey, Gaylen	.31
0041	Quigley, Ronald L	.50
0051	Burton, David W-TR-Etal	.283
0058	Burton, Dee Lynn-Etal	.285
0063	Wiggill, Derrah B-TR	.61
0064	Peterson, Stephanie E	.32
0069	Jackson, Norma-TR	.38
0070	Fraughton, Gary Lee	.47
0081	Davis County	8.91
0084	Corp of the Presiding Bishop of Church	2.82
0085	Davis County	1.33
0088	Halterman, Raquel M-Etal	.01
0091	Layton, Mary Angela	.13
0096	Knowlton, Edward Ute-TRS	1.82
0097	Burton, Dee Lynn-TRS	.538

PID	OWNER	ACRES
0098	Adams, Val W-TR	.53
0099	Baxter, June Adams-TR	1.29
0100	Williams, Ann A	1.00
0102	Layton City Corporation	.047

PID	OWNER	ACRES



PREFIX

11-050

LAST #

N

SCALE:

1" = 200'

NW SECTION 27, T 4N R 1W SALT LAKE MERIDIAN

DAVIS COUNTY, UTAH—RECORDERS OFFICE

09-11

(25) 50

DAVIS COUNTY
ABSTRACT OF TITLE — LANDS

SECTION 27 TOWNSHIP 4 North RANGE 1 West

KELLY-CO., MFRS., SALT LAKE - L-3954

Date of Instrument / Date of Filing: Month	Day	Year	Time	Entry No. and Book	Page	Grantor	Grantee	Kind of Instrument / Consideration	Revenue Stamps $	C	NE	SE	NW	SW	Description	
						(Cont. from other side)									th N 54°25' E 700 ft alg S lin of wt; th S 13°18' E 1153.02 ft th S 78°11' W 109.9 ft; th W 565 ft; th S 83°43' W 264.4 ft; S 73°08' W 463 ft; th N 85°34' W 549.14 ft, th N 43°14' W 81.32 ft to pob. Cont. 27.842 ac. Also Beg 1550 ft N of SW cor of Sec 27-4n-1w; S 43°14' E 733 ft N 54°36' E 304.5 ft; th N 41°54' W 232.8 ft, S 56°00' W 250.3 ft; N 25°18' W 454.3 ft; S 65°30' W 216 ft. Cont 3.10 ac.	1 2 3 4
Aug	12	1974		399	513	Corp of Presiding Bishop of LDS		Application							Beg N W cor of SW¼ of Sec 27-4n-1w + S 7.90 chs, S	5
Aug	12	1974	933	546	509	Life Est to Thomas V. Langlodow	To whom it May Concern	for Greenbelt					–	–	25°18' E 15.53 chs; N 39°04' E 3.99 chs; S 41°47' E 3.95 chs, N 54°25' E 3.40 chs; E .77 chs N 54°25' E 29 chs N 1.28 chs; S 54°25' W 9.50 chs; N 22°30' W 11.10 chs S 76°0' W 5.90 chs N 22°50' W 21 chs, S 62°02' W 6.64 chs, S 32°50' E .67 chs. S 49°27' W 3.21 chs, S 10°22' W 1.41 chs; S 24°10' E 1.27 chs; S 33°08' W 1.86 chs; S 84°44' W 1.34 chs, S 63°15' W 1.95 chs; N 23°48' W 1.48 chs; S 53°30' W 1.64 chs; S 10.80 chs to pob. Cont. 84.83 ac.	6 7 8 9
Jan	22	1974		399	745			Release								
Aug	15	1974	1207	546	833	First Natl Bank of Layton	Juan Merlin Adams etux	– –	– –				✓		See Book 507, Pg 707	10
Aug	14	1974		399	722			Application							Beg 15 chs S fr NE cor of Sec 27-4n-1w; th E 1122.61 ft to	
Aug	15	1974	1040	546	801	Herbert J. Barnes	To whom it May Concern	for Greenbelt						✓	W'ly lin of pty conv in Book 491, Pg 632; th S 0°22' E 480.82 ft to N'ly lin of rd; th N 72°51' E 120 ft, th S 0° 22' E 584.80 ft, ±, to NE cor of pty conv in Book 357, Pg 568; th S 72°47'50" W 479.94 ft; th N 42°36'50" W 106.97 ft; th S 64°44'30" W 347.68 ft to a pt S 87°24'40" E of pt W 82.5 ft + S 0°12' E 2273.64 ft fr N W cor Sec 26-4n-1w; th N 87°25'40" W 197.60 ft; th N 0°22' W to a pt W. 1.25 chs of pob. E 1.25 chs to pob. Cont. 33.369 ac	11 12 13 14
Mar	8	1974		400	177			Death Certificate								
Aug	23	1974	1030	547	475	Registrar of Vital Statistics	Frances E. Cunningham	– –	– –	✓					See Death Certificate.	15
Apr	30	1974		400	178			Affidavit							Beg W 82.50 ft + S 0°12' E 1832.74 ft + S 76°30' W 998.30 ft + S 79°	
Aug	23	1974	1031	547	476	Sarah Nina Poulter	Frances E. Cunningham	– –	– –	✓					30' W 250.125 ft ft the NE cor of sec 27-4n-1w; + run th S 79° 30' W 130.06 ft, th N 0°01'52" W 367.59 ft; th N 76°30' E 109.265 ft, th S 03°22'08" E 370.67 ft to pob.	16 17
Aug	15	1974		400	179			Waiver of Lien								
Aug	23	1974	1032	547	478	Utah State Tax Commission	Frances E. Cunningham	– –	– –	✓					Same as lines 16 + 17.	18
July	17	1974		400	331			Q.C. Deed							A part of the N W ¼ of Sec 27-4n-1w: Beg at a pt which	
Aug	26	1974	319	547	673	June W. Adams	Western Real Estate Dev. Co.	10 –	– –				✓		W S 64° 25' 52" W 28.29 ft + S 23°47' E 30.01 ft fr the SW cor of Colonial Park, + run th S 23°47' E 254.56 ft, th S 66°02' W 14.0 ft to an old existing fence, th N 23° 47' W 253.87 ft alg sd fence to the S line of Rosewood Lane, th N 64°25'52" E 14.0 ft to pob.	19 20 21
Aug	20	1974		400	332			W. Deed							Beg at a pt on the S'ly lin of a cert Co. Rd. S 35° 27' E	
Aug	26	1974	320	547	674	Juan Merlin Adams etux	Western Real Estate + Dev Co.	10 –	– –				✓		1345.5 ft fr the N W cor of Sec 27-4n-1w + run th S 23°04' E 254 ft; th N 66°02' E 34 ft; th S 22°50' W 137 ft; th N 77° 00' E 409.2 ft; th N 20°40' W 178.2 ft; th N 21°35' W 977.8 ft; th S 70°20' W 331 ft; th N 22°46' W 297.5 ft to the S'ly lin of rd; th S 64°47' W alg sd lin of rd 136.3 ft to pob.	22 23 24
Aug	01	1974		400	333	To W. M. Hamilton		Application							Beg at a pt S 1851.96 ft, E 216.48 ft N 21° 36' W 165 ft fr	
Aug	26	1974	330	547	675	Robert E. Stevens	To whom it May Concern	for Greenbelt			✓				N W cor of N E ¼ of Sec 27-4n-1w + run N 73°00' E 1344 ft, N 11°23' W 351.6 ft, S 72°40' W 1407 ft, S 21°36' E 343 to pob. Cont. 10.87 ac.	25 26
Aug	29	1974		400	538			Application							Beg 20 chs S + S 54°43' W 56.5 ft fr N E cor of S E ¼ of	
Aug	29	1974	1050	547	969	William Green etal	To whom it May Concern	for Greenbelt				✓			Sec 27-4n-1w; th S 54°43' W 191.5 ft, th S 46°39' W 283.5 ft; th S 69°23' W 153.5 ft; th S 11°48' E 0.50 chs S 75°30' W 2.09 chs; th N 15°30" W 3.90 chs; th S 64°00' 7.25 chs; th S 22° E 3.066 chs; th S 56°13' W 276.33 ft, ±, to SE cor of pty conv in Book 302, Pg 477; th N 27°55' W 259.1 ft; th N 14°45' E 0.72 chs; th N 10°10' W 7.97 chs; th N 9°55' W 4.88 chs; th N 70°37' E 16 chs; th S 29° 45' E 1.80 chs; th S 31°40' E 3.77 chs; th S 33°40' E 1.57 chs; th S 25°21' E 2.23 chs; th S 30°32' E 290 ft to pob. Cont. 25.00 ac.	27 28 29 30 31 32

DAVIS COUNTY
ABSTRACT OF TITLE — LANDS

(26) 51

SECTION 27 TOWNSHIP 4 North RANGE 1 West

KELLY CO., MFRS., SALT LAKE L 2954

	Date of Instrument / Date of Filing: Month	Day	Year	Time	Entry No. and Book	Page	Grantor	Grantee	Kind of Instrument / Consideration	Revenue Stamps $	C	NE	SE	NW	SW	Description	
	-	-	-		400	436			Application for							Beg 0.25 chs S & 1.25 chs W & S 0°22' E 14.75 chs fr SW cor of Sec 23	
1	Aug	27	1974	3[21]	547	822	Music Service Corp.	To Whom It May Concern	Greenbelt	-	-	x				4N-1W N 495 ft, E 1320 ft, m or 1, S 495 ft, W 1320 ft, m or 1, to pob. Cont	1
	-	-	-		400	997			App. Gr. Belt							15.00 ac.	
2	Sept.	6	1974	11[45]	548	669	Ivan A. Nielsen etal	To Whom It May Concern	-	-	-	-		x		Beg 1313.5 ft S fr ¼ cor to Sec's 26 & 27-4N-1W; N 55°52' E 111.3 ft; N	2
3																31°08' W 278 ft, S 60°07' W 154 ft, S 30°32' E 290 ft, N 54°43' E 56.5 ft to pob. Cont 1.01 acres. Also: Beg at NW cor of SW¼ of sec 26-4N-1W; run S	3
4																16.80 chs, N 31°07' W 1.75 chs, S 60°28' W 2.57 chs, N 25°21' W 2.23 chs, N 33°40' W 1557 chs, N 31°40' W 3.77 chs, N 29°45' W 7.41 chs, N 73°30' E 10.44	4
	June	27	1974		401	199			Annex ext corporate limits of Layton							chs, S 0.25 chs, E 1.11 chs to beg. Cont 11.41 acres.	
5	Sept	10	1974	9[45]	548	931	Layton City	To Whom It May Concern	-	-	-	-			x	A part of the NW¼ of Sec 27 4N-1W; Beg at a pt S 1812.62 ft & N 52°50' E	5
6																1095.48 ft fr the NW cor of sd ¼ Sec; th run S 22°50' E 113.34 ft th N 77° 00' E 408.96 ft, th N 20°40' W 177.61 ft, th N 21°35' W 977.80 ft, th S 70°	6
7																20' W 331.00 ft; th N 22°46' W 35.54 ft to the existing Layton City Corporate Limits, th S 52°50' W 103.77 ft alg sd Corporate Limits to pob. Cont. 10.93 ac.	7
	Sept	11	1974		401	293			Application for							Beg 82.5 ft W fr NE cor of Sec 27 4N-1W th S 0°12' E 1282.4 ft; th S 76°	
8	Sept	11	1974	3[20]	549	50	Parley W. Webb etal	To Whom It May Concern	Greenbelt	-	-	x				30' W 296.5 ft; th S 0°15' E 158.6 ft th N 76°30' E 296.5 ft; th S 0°12' E	8
9																5.24 ft; th S 76°30' W 1064.5 ft; th N 10°09' W 68.6 ft; th N 11°23' W 681 ft, m or 1, to NW'ly ln of MHID; th N 25°56' E 396.5 ft; th N 32°31' W 129.	9
10																70 ft; th N 71°38' W 90.50 ft; th N 4°01' W 87.70 ft; th N 75°09' E 327.8 ft; th N 18°20' W 307.70 ft to N ln sd Sec 27 at a pt W of beg.; th E to pob	10
11																Cont. 38.62 ac. Also: Beg 998.48 ft W alg Sec ln fr NE cor Sec 27 4N-1W th N 10°22' W 498.3 ft; th N 13°37' W 264 ft; th N 11°58' E 26.4 ft to S'ly ln	11
12																of a Co. Rd; th W'ly 130.8 ft, mor, alg arc of a 2939.79 ft rad cur to right alg sd S'ly ln; th N 88°54' W 189.9 ft alg sd S'ly ln; th S 44°23' W 58 ft	12
13																th S 4°04' E 304.92 ft; th S 44°08' W 138.6 ft; th S 69°28' W 231 ft; th S 9°53' E 128.04 ft; th S 8°53' W 135.3 ft; th S 12°15' W 161.7 ft; th S 7°	13
14																23' W 598 ft; th S 10°57' E 62.5 ft; S 24°55' W 155.20 ft; th S 15°45' E 296.70 ft N 72°40' E 541.5 ft to NW'ly ln of MHID th alg sd dist the follow	14
15																ing courses N 25°56' E 396.5 ft; th N 32°31' W 129.70 ft; th N 71°38' W 90. 5 ft; th N 4°01' W 87.7 ft; th N 75°09' E 327.8 ft; th N 18°20' W 307.7 ft	15
	Sept	20	1974		402	062			*Release*							to the N ln Sec 27 pt W of beg. E to beg. Cont. m o 1, out of dist 26.48 ac.	
16	Sept	23	1974	11[30]	550	205	Barnes Banking Co.	John W. Tanner etux	-	-	-	-	x			See Book 428, Page 647.	16
	Sept	17	1974		402	114			App. Gr. Belt							Beg S 1°46' W 1212 ft fr NE cor of NW¼ of Sec 27 4N-1W, S 22°10' E 727 ft	
17	Sept	23	1974	3[30]	550	273	Harold J. Gailey etal	To Whom It May Concern	-	-	-	-	x		x	S 69°29' W 470 ft, N 36°45' W 300 ft, S 69°27' W 137 ft, N 21°20' W 479 ft, N 72°53' E 678 ft to beg. Cont. 10.56 ac. Less to Fairfield Rd. .413 leaving	17
18																remainder of 10.147 ac.	18
	Sept	17	1974		402	126			App. Gr. Belt							Beg at a pt 13.32 chs E & S 21°37' E 705.78 ft & S 22°15' E 462.4 ft fr	
19	Sept	23	1974	3[42]	550	287	Harold J. Gailey etal	To Whom It May Concern	-	-	-	-			x	NW cor of Sec 27 4N-1W; th S 22°15' E to a pt which is 20.46 chs E & 35.25 chs S & N 77°00' E 6.20 chs & N 20°40' W 2.90 chs fr NW cor of Sec 27, th N	19
20																47°41' E 8.17 chs, N 21°37' W to a pt which is N 50°24' E 540.5 ft fr beg. th S 50°24' W 540.5 ft to beg. Cont. 12.50 ac. Reserving a R/W.	20
	Sept	17	1974		402	129			App. Gr. Belt								
21	Sept	23	1974	3[45]	550	290	Clyde H. Gailey etal	To Whom It May Concern	-	-	-	-	x			Beg 9.19 chs E fr SW cor Sec 23 4N-1W; W 10.44 chs; S 0°22' E 0.25 of a	21
22																ch; E 15.51 chs; 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 SW¼ Sec 23; th N 780.27 ft th S'ly to Co. Rd. as Deed	22
23																recorded in Book 232, Page 661; th S 75°16' W 352.17 ft; S 74°02' W 700.16 ft; S 75°16' W 1040.53 ft, th S'ly 3°11' E alg W ln grantors land to beg.	23
	Sept	27	1974		402	629			App. Gr. Belt							Cont. 43.97 ac.	
24	Sept	27	1974	2[30]	550	969	John S. Morgan etal	To Whom It May Concern	-	-	-	-	x		x	Beg 2739.70 ft S 69°09' E ft NW cor Sec 27 4N-1W; N 73°36' E 868 ft to pt	24
25																with coordinates S 727.60 ft & E 3391.30 ft, N 7°23' E 67.50 ft, S 10°57' E 62.50 ft, S 24°55' E 155.20 ft, S 15°45' E 296.70 ft, S 73°04' W 865.50	25
26																ft, N 21°32' W 460 ft to beg. Cont. 9.33 ac. Also: Beg N 84°45' E 2487.6 ft & S 2°17' W 26.13 ft & N 70°03' E 92.3 ft & S 38°20' E 340.5 ft & S 4°30'	26
27																W 201.5 ft fr SW cor Sec 22 4N-1W; th S 4°40' W 265.2 ft, S 42°50' W 239.4 ft, S 74°08' W 158.6 ft, S 24°16' E 289.2 ft, N 73°20' E 867.6 ft, N 7°23'	27
28																E 665.5 ft, S 82°06' W 716.1 ft to beg. Cont. 12.84 ac. Also: Beg N 84°45' E 2487.6 ft fr SW cor Sec 22 4N-1W, S 2°17' W 26.13 ft, N 70°03' E 92.3 ft,	28
29																S 38°20' E 340.5 ft, S 4°30' W 201.5 ft, N 82°06' E 716.1 ft, N 7°23' E 332.9 ft, S 70°17' W 281.8 ft, N 22°28' W 146 ft, S 76°02' W 127.6 ft, N 47°	29
30																21' W 113.7 ft, N 73°26' W 96.8 ft, S 88°30' W 207.1 ft, S 70°03' W 217.9 ft to beg. Cont. 9.38 ac. Also: Beg 2483.9 ft N 85°21' E of SW cor of Sec	30
31																22 4N-1W, S 9°35' E 289.83 ft, N 78°36' E 254.86 ft N 38°20' W 340.5 ft, S 70°03' W 92.66 ft to Beg. Cont. 1.499 ac. Also: Beg N 82°46'15" E 1982 ft fr	31
32																SW cor of Sec 22 4N-1W S 43°15' E 59.5 ft, S 2°15'30" E 243.2 ft, S 71°37' E 170.13 ft, N 89°0' E 318.16 ft N 7°53' W 315.07 ft, N 87°19' W 479.76 ft to pob. Cont. 3.353 ac.	32

DAVIS COUNTY
ABSTRACT OF TITLE — LANDS

(26) 52

SECTION 27 TOWNSHIP 4 North RANGE 1 West

KELLY CO., MFRS., SALT LAKE L-3954

	Date of Instrument / Date of Filing: Month	Day	Year	Time	Entry No. and Book	Page	Grantor	Grantee	Kind of Instrument / Consideration	Revenue Stamps $	C	NE	SE	NW	SW	Description	
	Sept	30	1974		402	736			App. Gr.	Belt						Beg 6.25 chs N N 42°45' E 10.41 chs, S 86°30' E 2.17 chs fr SW cor of Sec	
1	Sept	30	1974	12 06	551	116	Noal F. Hyde	To Whom It May Concern	- -	-	-				x	27 4N-1W, S 86°30' E 8.99 chs, S 28°13' E 11.41 chs, S 45°00' W 3.10 chs,	1
	Aug	1	1974		403	016		Eugene M. Hamilton etux Und 50% int	W.Deed							N 45°00' W 17.59 chs, Cont. 8.76 ac.	
2	Oct	1	1974	2 49	551	497	Robert E. Stevens etux	William Hamilton etux Und 50% int	10 -	-	-	x				Beg at a pt 1851.96 ft S & 216.48 ft E & N 21°36' W 165 ft fr the NW cor	2
3																of the NE¼ of Sec 27 4N-1W th N 73°00' E 1344 ft to the W'ly ln of a cert 20 foot wide rdway; th N 11°23' W following sd W'ly ln of rd, 351.6 ft to the	3
4																end of sd rd th reservation of which being desc in a cert deed desc land adjoining the land herein desc; th S 72°40' W 1407 ft to the W'ly ln of grantors	4
	Feb	12	1973		403	096			R/E Contract							land; th S 21°36' E 343 ft to the pob. Cont. 10.87 ac. m or 1.	
5	Oct	2	1974	4 40	551	618	Ferrin F. Bennett etux	Kaysville Dev. Group	52,000 -	-	-				x	Beg at a pt 495 ft E alg the Sec ln fr the NW cor of Sec 34 4N-1W & run th	5
6																N 58°25'18" E 217.55 ft, m or 1, alg a fence to the most N'ly cor of Noall F. Hyde ppty; th S 40°32'47" E 531.38 ft alg a fence; th N 47°37'52" E 179.	6
7																14 ft, m or 1, alg sd fence to the most S'ly cor of Reuben Bennett ppty; th N 43°11'24" W 1238.155 ft alg a fence to the S ln of a rd; th S 41°16'13" W	7
8																148.0 ft alg sd rd to a pt N 32°08' E 306.2 ft & N 41°24' E 307.0 ft & N 48° 46' W 200.00 ft fr the NW cor of sd Sec 34, th S 48°46' E 200.00 ft; th S 41°	8
9																16'13" W 307.0 ft para to the Se'ly ln of sd rd; th N 48°46' W 200.00 ft of the SE'ly ln of sd rd; th S 41°16'13" W 424.0 ft alg sd rd; th S 47°45'47"	9
10																E 100.00 ft; th S 41°16'13" W 60.0 ft; th S 47°45'47" E 41.94 ft; th S 43° 06'13" W 211.00 ft to the E'ly ln of a Hwy; th S 48°34'17" E 155.20 ft, m	10
11																or 1, alg the E'ly ln of sd Hwy, to the most W'ly cor of ppty deeded in Book 416, Page 156; th N 50°06'53" E 268.5 ft; th S 42°25'07" E 261.10 ft, m or 1	11
12																to a pt S 48°04'46" W of beg; th N 48°04'46" E 488.3 ft alg a fence to the pob. Parcel II:Beg at a pt on the E'ly ln of a Hwy 495 ft E & S 48°04'46" W	12
13																alg a fence 488.3 ft & N 42°25'07" W 261.10ft & S 50°06'53" W 268.5 ft fr the NW cor of Sec 34 4N-1W, sd pt being the most W'ly cor of ppty deeded in Book	13
14																416, Page 165 & run th N 48°34'17" W 155.2 ft, m or 1, to the most S'ly cor of ppty desc in Q.C.Deed in Book 502, Page 954; th N 43°10'13" E 505.0 ft, m	14
15																or 1 to a pt N 50°06'53" E 490.0 ft & N 48°34'17" W fr beg; th S 48°34'17" E 200.0 ft m or 1, to a pt N 50°06'53" E of beg; th S 50°06'53" W 490.0 ft	15
	Oct	4	1974		403	190			App. Gr.	Belt						to pob.	
16	Oct	4	1974	10 41	551	759	John E. Barker etal	To Whom It May Concern	- -	-	-				x	Beg on E ln of R/W of BERR N 87°37' W 1260 ft fr SE cor of SW¼ Sec 27 4N	16
17																1W; N 47°20' E 205 ft; N 28°20' W 733 ft; N 73°08' E 463 ft; N 83°43' E 209 ft S 16°21' E 1085 ft, m or 1, to sec ln which pt is S ln of MHID; th W alg	17
18																sd sec ln 700 ft, m or 1, to pt S 43°14' E of beg; th N 43°14' W 85.0 ft, m or 1, to beg. Cont. 13.50 ac.	18
	Sept	16	1974		403	436			Plat							A part of the NW¼ of sec 27-4N-1W; Beg at a pt wh is S 35°27' E 1341.27 ft	
19	Oct.	9	1974	2 31	S/EL	608	Western R/E & Development Co.	Holmes Creek Estates	- -	-	-			x		& N 64°25'52" E 2.41 ft fr the NW cor of sd sec 27; sd pt is also S 64°25'52" W 325.11 ft fr the intersection of 1000 E str & Rosewood Lane in Colonial	19
20																Park Sub; & run th S 23°47' E 283.88 ft alg an existing fence; th N 66°02' E 35.53 ft; th S 23°20' E 1138.98 ft; th N 77°00' E 222.65 ft; th N 75°31'	20
21																E 174.82 ft; th N 20°40' W 173.63 ft; th N 21°35' W 178 ft; th N 22°06' W 800.03 ft; th S 70°00' W 323.78 ft; th N 23°42' W 324.54 ft; th S 64°25'52"	21
22																W 135.07ft to the pob.	22
	Oct	31	1974		404	510			*Release*								
23	Nov	4	1974	11 30	553	823	First Nat'l Bank of Layton	James L. Hunter etux	- -	-	-	x				See Book 538, Page 234.	23
	Nov	5	1974		404	749			Resolution								
24	Nov	7	1974	1 42	554	189	Davis County Commission	North Davis County Sewer	- -	-	-	x	x		x	See Document.	24
	Nov	15	1974		405	138			App. Gr.	Belt						Beg 82.5 ft W & S 0°12' E 2273.64 ft fr NW cor Sec 26 4N-1W; th S 0°12' E	
25	Nov	15	1974	12 30	554	806	John W. Tanner etal	To Whom It May Concern	- -	-	-	x				152 ft; S 61°31' E 87.15 ft; S 37°17' E 104.70 ft; N 71°22'50" E 1255.4 ft	25
26																to a pt N 0°22' W of a pt 1.11 chs W SE cor of W½ NW¼ sd Sec 26;N 0°22' W 167.45 ft; S 72°47'50" W 779.94 ft; N 42°36'50" W 106.97 ft; S 64°44'30" W	26
27																347.68 ft to a pt S 87°25'40" E of beg.; N 87°25'40" W 197.60 ft to beg. Cont. 8.26 ac.	27
	Feb.	12	1973		405	421			W Deed							Beg at a pt 495 ft E alg the sec ln fr the NW cor of sec 34-4N-1W; & run	
28	Nov.	21	1974	4 41	555	259	Ferrin F. Bennett etux	Kaysville Development Group	10 -	-	-				x	th N 58°25'18" E 217.55 ft, ±; alg a fence to the most N'ly cor of Noall F. Hyde ppty; th S 40°32'47" E 531.38 ft alg a fence; th N 47°37'52" E 179.14 ft	28
29																±; alg sd fence to the most S'ly cor of Reuben Bennett ppty; th N 43°11'24" W 1238.155 ft alg a fence to the S ln of a road; th S 41°16'13" W 148 ft alg	29
30																sd road to a pt N 32°08' E 306.2 ft & N 41°24' E 307 ft & N 48°46' W 200 ft fr the NW cor of sd sec 34; th S 48°46' E 200 ft; th S 41°16'13" W 307 ft	30
31																parallel to the SE'ly ln of sd road; th N 48°46' W 200 ft to the SE'ly ln of sd road; th S 41°16'13" W 424 ft alg sd road; th S 47°45'47" E 100 ft; th S	31
32																41°16'13" W 60 ft; th S 47°45'47" E 41.94 ft; th S 43°06'13" W 211 ft to the	32

(CONTINUED ON THE NEXT PAGE)

DAVIS COUNTY
ABSTRACT OF TITLE LANDS --- SUBDIVISIONS

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KELLY CO., MFRS., SALT LAKE L-3915

HOLMES CREEK ESTATES SUBDIVISION

	Date of Instrument / Date of Recording: Month	Day	Year	Time	Entry No.: Book	Page	Grantors	Grantees	Kind of Instrument	Revenue Stamps $	Revenue Stamps c	Consideration	Lots	Description	
1	Sept Oct.	16 9	1974 1974	2[31]	403436 S/LL	608	Western R/E & Development Co.	Holmes Creek Estates	Plat	-	-	- -	1 to 34 incl	NW¼-27-4N-1W; Lots 1 to 34 incl, Holmes Crk Estates	1
2	Oct Oct	15 15	1974 1974	1[01]	403623 552	381	Western Real Estates & Dev. Co.	Terra Firma, Inc.	W.Deed	-	-	10 -	1,3,5,23,24,25,26,29,30,31,33	All of Lots 1,3,5,23,24,25,26,29,30,31, & 33, Holmes Creek Ests. Subj. to easements & R/W.	2
3	Oct Oct	1 15	1974 1974	1[02]	403624 552	382	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr.Deed	-	-	27,000	1	All of Lot 1, Holmes Creek Ests.	3
4	Oct Oct	1 15	1974 1974	1[03]	403625 552	385	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr.Deed	-	-	28,000	3	All of Lot 3, Holmes Creek Ests.	4
5	Oct Oct	1 15	1974 1974	1[04]	403626 552	388	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,000	5	All of Lot 5, Holmes Creek Ests.	5
6	Oct Oct	1 15	1974 1974	1[05]	403627 552	391	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	26,000	23	All of Lot 23, Holmes Creek Ests.	6
7	Oct Oct	1 15	1974 1974	1[06]	403628 552	394	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	25,500	24	All of Lot 24, Holmes Creek Ests.	7
8	Oct Oct	1 15	1974 1974	1[07]	403629 552	397	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	30,000	25	All of Lot 25, Holmes Creek Ests.	8
9	Oct Oct	1 15	1974 1974	1[08]	403630 552	400	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	26,500	26	All of Lot 26, Holmes Creek Ests.	9
10	Oct Oct	1 15	1974 1974	1[09]	403631 552	403	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,000 -	29	All of Lot 29, Holmes Creek Ests.	10
11	Oct Oct	1 15	1974 1974	1[10]	403632 552	406	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,500	30	All of Lot 30, Holmes Creek Ests.	11
12	Oct Oct	1 15	1974 1974	1[11]	403633 552	409	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,000	31	All of Lot 31, Holmes Creek Ests.	12
13	Oct Oct	1 15	1974 1974	1[12]	403634 552	412	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	30,000	33	All of Lot 33, Holmes Creek Ests.	13
14	Oct Oct	18 18	1974 1974	2[10]	403812 552	666	Western Real Estate & Dev. Co.	Holmes Creek Ests.	Protective Covenants	-	-	- -	1-34	All of Lot 1-34, Holmes Creek Ests. Subj. to easements & R/W.	14
15	Oct Oct	16 18	1974 1974	2[13]	403815 552	675	Western Real Estate & Dev. Co.	LaMar W. Steed etux	W.Deed	-	-	10 -	2,4,28,32	All of Lots 2,4,28,32, Holmes Crk Ests.	15
16	Oct Oct	16 18	1974 1974	2[14]	403816 552	676	LaMar W. Steed etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,600	2	All of Lot 2, Holmes Creek Ests.	16
17	Oct Oct	16 18	1974 1974	2[15]	403817 552	679	LaMar W. Steed etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,600	4	All of Lot 4, Holmes Creek Ests.	17
18	Oct Oct	16 18	1974 1974	2[16]	403818 552	682	LaMar W. Steed etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,800	28	All of Lot 28, Holmes Creek Ests.	18
19	Oct Oct	16 18	1974 1974	2[17]	403819 552	685	La Mar W. Steed etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,800	32	All of Lot 32, Holmes Creek Ests.	19
20	Oct. Oct.	22 25	1974 1974	2[32]	404115 553	182	Western R/E & Dev. Co.	LaMar W. Steed etux	W Deed	-	-	10 -	6,9,22,27	Subj to easments & r/w's Lots 6,9,22,27; Holmes Creek Estates	20
21	Oct. Oct.	21 25	1974 1974	2[33]	404116 553	183	LaMar W. Steed	Western Mgte Loan Corp. etux	Tr. Deed	-	-	-27,800-	6	All of lot 6; Holmes Creek Estates	21
22	Oct. Oct.	21 25	1974 1974	2[34]	404117 553	186	LaMar W. Steed	Western Mgte Loan Corp. etux	Tr. Deed	-	-	27,800 -	9	All of lot 9; Holmes Creek Estates	22
23	Oct. Oct.	21 25	1974 1974	2[35]	404118 553	189	LaMar W. Steed	Western Mgte Loan Corp. etux	Tr..Deed	-	-	27,800 -	22	All of lot 22; Holmes Creek Estates	23
24	Oct. Oct.	21 25	1974 1974	2[36]	404119 553	192	LaMar W. Steed	Western Mgte Loan Corp. etux	Tr. Deed	-	-	27,800 -	27	All of lot 27; Holmes Creek Estates	24
25	Oct Oct	22 31	1974 1974	11[17]	404316 553	529	LaMar W. Steed	Western Real Estate & Dev. Co. etux	Mtge.	-	-	23,200 -	2,4,6,9,22,27,28,32	All of Lot 2,4,6,9,22,27,28,32, Holmes Creek Ests.	25
26	Nov Nov	8 12	1974 1974	1[38]	404960 554	511	Western Real Estate & Dev. Co.	Terra Firma, Inc.	W.Deed	-	-	10 -	7,8.10,13,15,16,18,19,20,21	All of Lot 7,8,10,13,15,16,18,19,20,21 Holmes Creek Ests.	26
27	Nov Nov	6 12	1974 1974	1[39]	404961 554	512	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	26,500	7	All of Lot 7, Holmes Creek Ests.	27
28	Nov Nov	6 12	1974 1974	1[40]	404962 554	515	Terra Firma, Inc,	Western Mtge. Loan Corp.	Tr. Deed	-	-	31,400 -	8	All of Lot 8, Holmes Creek Ests.	28
29	Nov Nov	6 12	1974 1974	1[41]	404963 554	518	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,500 -	10	All of Lot 10, Holmes Creek Ests.	29
30	Nov Nov	6 12	1974 1974	1[42]	404964 554	521	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	26,000 -	13	All of Lot 13, Holmes Creek Ests.	30
31	Nov Nov	6 12	1974 1974	1[43]	404965 554	524	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,500 -	15	All of Lot 15, Holmes Creek Ests.	31
32	Nov Nov	6 12	1974 1974	1[44]	404966 554	527	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	28,200-	16	All of Lot 16, Holmes Creek Ests.	32

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DAVIS COUNTY
ABSTRACT OF TITLE LANDS --- SUBDIVISIONS

HOLMES CREEK ESTS. SUBDIVISION

KELLY CO., MFRS., SALT LAKE L-3915

	Date of Instrument / Date of Recording (Month Day Year Time)	Entry No. (Book Page)	Grantors	Grantees	Kind of Instrument	Revenue Stamps $	Revenue Stamps C	Consideration	Lots	Description	
1	Nov 6 1974 / Nov 12 1974 1 45	404967 / 554 530	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	26,500	-18	All of Lot 18, Holmes Creek Ests.	1
2	Nov 6 1974 / Nov 12 1974 1 46	404968 / 554 533	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	30,500	- 19	All of Lot 19, Holmes Creek Ests.	2
3	Nov 6 1974 / Nov 12 1974 1 47	404969 / 554 536	Terra Firma, Inc.	Western Mtge. Loan Corp;	Tr. Deed	-	-	27,000	- 20	All of Lot 20, Holmes Creek Ests.	3
4	Nov 6 1974 / Nov 12 1974 1 48	404970 / 554 539	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	26,000	- 21	All of Lot 21, Holmes Creek Ests.	4
5	Jan 29 1975 / Jan 29 1975 4 05	408102 / 559 486	Gordon Gurr	LaMar Walker Steed	Affidavit & Death Cert.	-	-	-	6,9,22,27,2,4, 28,32	See Book 553, Page 182. See Book 552, Page 675. See Death Cert.	5
6	Jan 30 1975 / Jan 30 1975 3 40	408140 / 559 541	Utah State Tax Commission	LaMar Walker Steed	Waiver of Lien	-	-	-	6,9,22,27,2,4,28,32,	Lots 6,9,22,27,2,4,28,32, Holmes Crk Ests.	6
7	May 30 1975 01 / June 6 1975 11	414046 / 569 94	Terra Firma, Inc.	Frank Lopez, Jr. etux	W.Deed	-	-	10 -	1	Lot 1, Holmes Creek Estates. Subj to easements & rs/w,	7
8	May 30 1975 02 / June 6 1975 11	414047 / 569 95	Frank Lopez,Jr. etux	Western Mtge. Loan Corp.	Tr.Deed	-	-	33,750-	1	Lot 1, Holmes Creek Estates.	8
9	June 16 1975 01 / June 16 1975 1	414550 / 569 888	Terra Firma, Inc.	Thomas Arthur John etux	W Deed	-	-	10 -	29	Subj to easements & r/w's All of lot 29, Holmes Crk Estates	9
10	June 13 1975 02 / June 16 1975 1	414551 / 569 889	Thomas Arthur John etux	Western Mgte Loan Corp.	Tr. Deed =	-	-	33,000-	29	All of lot 29, Holmes Crk Estates	10
11	June 16 1975 / June 18 1975 11 49	414716 / 570 164	Western Mgte Loan Corp.	Gov'n National Mgte Assn.	Assignment	-	-	-	1	See Book 569, Page 95	11
12	June 19 1975 / June 20 1975 10 50	414876 / 570 419	Utah Title & Abstract Co.	Terra Firma, Inc.	*Reconveyance*	-	-		15	See Book 554, Page 524	12
13	June 19 1975 / June 20 1975 10 52	414878 / 570 421	Utah Title & Abstract Co.	Terra Firma, Inc.	*Reconveyance*	-	-		1	See Book 552, Page 382	13
14	June 30 1975 / June 30 1975 2 10	415383 / 571 241	Utah Title & Abs. Co. trustee	Terra Firma, Inc.	*Reconveyance*	-	-		29	See Book 552, Page 403.	14
15	June 25 1975 / June 30 1975 2 11	415384 / 571 242	Western Mtge. Loan Corp.	Gov't Nat'l Mtge. Assn.	Assignment	-	-	-	29	See Book 569, Page 889.	15
16	June 27 1975 / June 30 1975 2 12	415385 / 571 243	Terra Firma, Inc.	Levi Rease etux	W.Deed	-	-	10 -	30	Subj. to easements & R/W. Lot 30, Holmes Creek Ests.	16
17	June 27 1975 / June 30 1975 2 13	415386 / 571 244	Levi Rease etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	35,250 -	30	Lot 30, Holmes Creek Ests.	17
18	July 9 1975 00 / July 14 1975 10	416037 / 572 272	Western Mtge. Loan Corp.	Gov't Natn'l Mtge. Assn.	Assignment	-	-	-	30	See Book 571, Page 244.	18
19	July 14 1975 01 / July 14 1975 10	416038 / 572 273	Utah Title & Abstract Co. of Weber	Terra Firma, Inc.	*Reconveyance*	-	-		30	See Book 552, Page 406.	19
20	July 11 1975 02 / July 14 1975 10	416039 / 572 274	Terra Firma, Inc.	Willard R. MacFarlane, etux	W.Deed	-	-	10 -	33	Lot 33, Holmes Creek Estates. Subj to easements, & rs/w.	20
21	July 11 1975 03 / July 14 1975 10	416040 / 572 275	Willard R. MacFarlane, etux	Western Mtge. Loan Corp.	Tr.Deed	-	-	38,000-	33	Lot 33, Holmes Creek Estates.	21
22	Mar 18 1975 00 / July 16 1975 10	416194 / 572 523	Western R/E & Dev. Co.	Terra Firma, Inc.	W.Deed	-	-	10 -	11,12 & 17	All of Lots 11,12, & 17, Holmes Creek Est.	22
23	Mar 13 1975 01 / July 16 1975 10	416195 / 572 524	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr.Deed	-	-	28,400-	11	Lot 11, Holmes Creek Estates.	23
24	Mar 13 1975 02 / July 16 1975 10	416196 / 572 527	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr.Deed	-	-	28,000-	12	Lot 12, Holmes Creek Estates.	24
25	Mar 13 1975 03 / July 16 1975 10	416197 / 572 530	Terra Firma, Inc.	Western Mtgw. Loan Corp.	Tr.Deed	-	-	23,200-	17	Lot 17, Holmes Creek Estates.	25
26	July 16 1975 17 / July 18 1975 12	416370 / 572 791	Western Mtge. Loan Corp.	Gov't Natn'l Mtge. Assn.	Assignment	-	-	-	33	See Book 572, Page 275.	26
27	July 17 1975 18 / July 18 1975 12	416371 / 572 792	Terra Firma, Inc.	Joe H. Coats, Jr. etux	W.Deed	-	-	10 -	10	Lot 10, Holmes Creek Estates. Subj to easements & rs/w.	27
28	July 17 1975 19 / July 18 1975 12	416372 / 572 793	Joe H. Coats, Jr. etux	Western Mtge. Loan Corp.	Tr.Deed	-	-	30,300-	10	Lot 10, Holmes Creek Estates.	28
29	July 22 1975 47 / July 23 1975 9	416573 / 573 139	Terra Firma, Inc.	David A. Foutz etux	W Deed	-	-	10 -	31	Subj to easements & r/w All of lot 31, Holmes Creek Estates	29
30	July 22 1975 48 / July 23 1975 9	416574 / 573 140	David A. Foutz etux	Western Mgte Loan Corp.	Tr. Deed	-	-	32,750 -	31	All of lot 31, Holmes Creek Estates	30
31	July 31 1975 / July 31 1975 1 31	416997 / 573 825	Utah Title & Abs. Co.	Terra Firma, Inc.	*Reconveyance*	-	-		10	See Book 554, Page 518.	31
32	July 30 1975 / July 31 1975 1 32	416998 / 573 826	Western Mtge. Loan Corp.	Gov't Nat'l Mtge. Assn.	Assignment	-	-	-	10	See Book 572, Page 793.	32

DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

HOLMES CREEK ESTATES SUBDIVISION

KELLY CO., MFRS., SALT LAKE 3915

	Date of Instrument / Date of Recording: Month	Day	Year	Time	Entry No.: Book	Page	Grantors	Grantees	Kind of Instrument	Revenue Stamps S	Revenue Stamps C	Consideration	Lots								Description	
1	July	23	1975	36	417002																	
	July	31	1975	1	573	830	Utah Title & Abs. Co. trustee	Terra Firma, Inc.	*Reconveyance*	-	-	-	33								See Book 552, Page 412.	1
2	July	31	1975	30	417195																Lot 8, Holmes Creek Estates. Subj to	
	Aug	5	1975	8	574	180	Terra Firma, Inc.	Harry Keith Huffaker, etux	W.Deed	-	-	10	-	8							easements & rs/w.	2
3	July	31	1975	31	417196																	
	Aug	5	1975	8	574	181	Harry Keith Huffaker, etux	Western Mtge. Loan Corp.	Tr.Deed	-	-	35,000	-		8						Lot 8, Holmes Creek Estates.	3
4	Aug	6	1975	42	417367																	
	Aug	7	1975	8	574	471	Western Mtge. Loan Corp.	Gov't Natn'l Mtge. Assn.	Assignment	-	-	-	-			31					See Book 573, Page 140.	4
5	Aug	8	1975	07	417464																	
	Aug	8	1975	12	574	631	Utah Title & Abstract Co. of Weber	Terra Firma, Inc.	*Reconveyacne*	-	-	-					31				See Book 552, Page 409.	5
6	Aug	8	1975	42	417597																Subj. to easements & R/W.	
	Aug	12	1975	9	574	872	Terra Firma Inc.	Bryan F. Hurst etux	W.Deed	-	-	10	-					20			Lot 20, Holmes Creek Ests.	6
7	Aug	8	1975	43	417598																	
	Aug	12	1975	9	574	873	Bryan F. Hurst etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	31,000							20		Lot 20, Holmes Creek Ests.	7
8	Aug	-	1975	41	418020																Subj. to easements & R/W.	
	Aug	21	1975	8	575	569	Terra Firma, Inc.	Steven Lee Zink etux	W.Deed	-	-	10	-							18	Lot 18, Holmes Creek Ests.	8
9	Aug	18	1975	42	418021																	
	Aug	21	1975	8	575	570	Steven Lee Zink etux	Western Mtge, Loan Corp.	Tr. Deed	-	-	34,650	-						18		Lot 18, Holmes Creek Ests.	9
10	Aug	21	1975	54	418475																	
	Aug	28	1975	8	576	301	Western Mtge. Loan Corp.	Gov't Nat'l Mtge. Assn.	Assignment	-	-	-	-					20			See Book 574, Page 873.	10
11	Aug	20	1975	55	418476																	
	Aug	28	1975	8	576	302	Western Mtge. Loan Corp.	Gov't Nat'l Mtge. Assn.	Assignment	-	-	-	-				8				See Book 574, Page 181.	11
12	Aug	28	1975	38	418632																	
	Sept	2	1975	8	576	532	Utah Title & Abs. Co. trustee	Terra Firma, Inc.	*Reconveyance*	-	-	-				8					See Book 554, Page 515.	12
13	Aug	28	1975	40	418634																	
	Sept	2	1975	8	576	534	Utah Title & Abs. Co. trustee	Terra Firma, Inc.	*Reconveyance*	-	-	-			20						See Book 554, Page 536.	13
14	Nov	6	1974	30	418959																Rerecorded because of error in Reconveyance	
	Sept	8	1975	8	577	61	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr. Deed	-	-	27,500	-	15							All of Lot 15, Holmes Creek Ests.	14
15	Aug	29	1975	41	419184																Subj. to easements & R/W.	
	Sept	10	1975	8	577	486	Terra Firma, Inc.	Terry Lee Smolka etux	W.Deed	-	-	10	-		23						Lot 23, Holmes Creek Ests.	15
16	Aug	29	1975	42	419185																	
	Sept	10	1975	8	577	487	Terry Lee Smolka etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	30,000	-			23					Lot 23, Holmes Creek Ests.	16
17	Sept	15	1975	35	419597																Subj to easements & r/w's	
	Sept	16	1975	10	578	137	Terra Firma, Inc.	James M. Brown etux	W Deed	-	-	10	-				19				All of Lot 19; Holmes Creek Estates	17
18	Sept	12	1975	36	419598																	
	Sept	16	1975	10	578	138	James M. Brown etux	Western Mgte Loan Corp.	Tr. Deed	-	-	40,300	-					19			All of lot 19, Holmes Creek Estates	18
19	Sept	18	1975	15	419914																	
	Sept	22	1975	2	578	632	Western Mgte Loan Corp.	Government National Mgte Assn.	Assignment		-	-	-						18		See Book 575, Page 570	19
20	Sept	19	1975	16	419915																Subj to easements & r/w	
	Sept	22	1975	2	578	633	Terra Firma, Inc.	Roger William Hill etux	W Deed	-	-	10	-							3	All of lot 3, Holmes Creek Estates	20
21	Sept	19	1975	17	419916																	
	Sept	22	1975	2	578	634	Roger William Hill etux	Western Mgte Loan Corp.	Tr. Deed	-	-	31,500	-						3		All of lot 3, Holmes Creek Estates	21
22	Sept	19	1975	08	420082																Subj to easements & r/w	
	Sept	25	1975	9	578	928	Terra Firma, Inc.	Michael R. Larkins etux	W Deed	-	-	10	-					7			All of lot 7, Holmes Creek Estates	22
23	Sept	19	1975	09	420083																	
	Sept	25	1975	9	578	929	Michael R. Larkins etux	Western Mgte Loan Corp.	Tr. Deed	-	-	32,650	-				7				All of lot 7, Holmes Creek Estates	23
24	July	30	1975	00	420273																Subj to easements & R/W	
	Sept	29	1975	10	579	231	Alice L. Steed	Donald Frank Douglas etux	W Deed	-	-	10	-			2					All of lot 2, Holmes Creek Estates	24
25	July	30	1975	01	420274																	
	Sept	29	1975	10	579	232	Donald Frank Douglas etux	Western Mgte Loan Corp.	Tr. Deed	-	-	38,750	-		2						All of lot 2, Holmes Creek Estates	25
26	Oct.	1	1975	33	420533																Subj to easements & r/w	
	Oct.	2	1975	1	579	678	Terra Firma, Inc.	Donald Wayne Weaver etux	W Deed	-	-	10	-		26						All of lot 26, Holmes Creek Estates	26
27	Oct.	1	1975	34	420534																	
	Oct.	2	1975	1	579	679	Donald Wayne Weaver etux	Western Mgte Loan Corp.	Tr. Deed	-	-	30,000	-	26							All of lot 26, Holmes Creek Estates	27
28	Sept	29	1975	40	420540																	
	Oct.	2	1975	1	579	690	Utah Title & Abstract Co. of Weber	Terra Firma, Inc.	*Reconveyance*		-	-		18							See Book 554, Page 530	28
29	Oct.	2	1975	46	420549																	
	Oct.	3	1975	8	579	704	Utah Title & Abstract Co. of Weber	Terra Firma, Inc.	*Reconveyance*		-	-			23						See Book 552, Page 391	29
30	Sept	29	1975	47	420550																	
	Oct.	3	1975	8	579	705	Western Mgte Loan ?Corp.	Government National Mgte Assn.	Assignment	-	-	-	-			23					See Book 577, Page 487	30
31	Sept	26	1975	03	420585																Subj to easements & r/w	
	Oct.	3	1975	11	579	781	Terra Firma, Inc.	L. Craig Memmott etux	W deed	-	-	10	-				24				All of lot 24, Holmes Creek Estates	31
32	Sept	26	1975	04	420586																	
	Oct.	3	1975	11	579	782	L. Craig Memmott etux	Western Mgte Loan Corp.	Tr. Deed	-	-	30,250	-					24			All of lot 24, Holmes Creek Estates	32

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DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

KELLY CO., MFRS., SALT LAKE 3915

HOLMES CREEK ESTATES SUBDIVISION

	Date of Instrument / Date of Recording: Month	Day	Year	Time	Entry No.: Book	Page	Grantors	Grantees	Kind of Instrument	Revenue Stamps S	Revenue Stamps C	Consideration	Lots	Description	
1	Oct	7	1975	32	420	866	Terra Firma, Inc.	Stephen G. Benzley etux	W.Deed	-	-	10 -	5	Subj. to easements & R/W. Lot 5, Holmes Creek Estates.	1
	Oct	8	1975	1	580	206									
2	Oct	7	1975	33	420	867	Stephen G. Benzley etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	34,500 -	5	Lot 5, Holmes Creek Ests.	2
	Oct	8	1975	1	580	207									
3	Oct	16	1975	02	421	489	Terra Firma, Inc.	Rolf Petter Strand etux	W.Deed	-	-	10 -	15	Subj. to easements & R/W. Lot 15, Holmes Creek Ests.	3
	Oct	20	1975	11	581	208									
4	Oct	16	1975	03	421	490	Rolf Petter Strand etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	35,250 -	15	Lot 15, Holmes Creek Ests.	4
	Oct	20	1975	11	581	209									
5	Oct	22	1975	30	421	688	Western Mtge. Loan Corp.	Gov't Nat'l Mtge. Assn.	Assignment	-	-	- -	24	See Book 579, Page 782.	5
	Oct	23	1975	12	581	544									
6	Oct	24	1975	00	421	790	Utah Title & Abs. Co. trustee	Terra Firma, Inc.	*Reconveyance*			- -	19	See Book 554, Page 533.	6
	Oct	24	1975	1	581	701									
7	Oct	21	1975	01	421	791	Western Mtge. Loan Corp.	Gov't Nat'l Mtge. Assn.	Assignment	-	-	- -	19	See Book 578, Page 138.	7
	Oct	24	1975	1	581	702									
8	Oct	24	1975	02	421	792	Utah Title & Abs. Co. trustee	Terra, Firma, Inc.	*Reconveyance*			- -	3	See Book 552, Page 385.	8
	Oct	24	1975	1	581	703									
9	Oct	21	1975	03	421	793	Western Mtge. Loan Corp.	Gov't Nat'l Mtge. Assn.	Assignment	-	-	- -	3	See Book 578, Page 634.	9
	Oct	24	1975	1	581	704									
10	Oct	24	1975	08	421	798	Utah Title & Abs. Co. trustee	Terra Firma, Inc.	*Reconveyance*			- -	24	See Book 552, Page 394.	10
	Oct	24	1975	1	581	712									
11	Oct.	24	1975	46	421	912	Western Real Estates & Dev. Co. By Charles H. Anderson	LaMar W. Steed etux	*Par.* Release	-	-	- -	2	See Book 553, Page 529 All of lot 2; Holmes Creek Estates	11
	Oct.	29	1975	8	581	875									
12	Oct.	24	1975	47	421	913	Western Mgte Loan Corp.	Government National Mgte Assn.	Assignment		-	- -	2	See Book 579, Page 232	12
	Oct.	29	1975	8	581	876									
13	Oct.	24	1975	15	422	010	Terra Firma, Inc.	Bradley G. Maughan etux	W Deed	-	-	10 -	16	Subj to easements & r/ws All of lot 16; Holmes Creek Estates	13
	Oct.	29	1975	4	582	16									
14	Oct.	29	1975	31	422	019	Utah Title & Abstract Co. of Weber	Terra Firma, Inc.	*Reconveyance*			- -	19	See Book 554, Page 533	14
	Oct.	30	1975	9	582	30									
15	Oct.	30	1975	32	422	020	Utah Title & Abstract Co. of Weber	LaMar W. Steed etux	*Reconveyance*			- -	2	See Book 552, Page 676	15
	Oct.	30	1975	9	582	31									
16	Oct.	24	1975	34	422	022	Bradley G. Maughan etux	Western Mgte Loan Corp.	Tr. Deed	-	-	31,400-	16	All of lot 16; Holmes Creek Estates	16
	Oct.	30	1975	9	582	33									
17	Oct.	29	1975	35	422	023	Utah Title & Abstract Co of Weber	Terra Firma, Inc.	*Reconveyance*			- -	5	See Book 552, Page 388	17
	Oct.	30	1975	9	582	36									
18	Oct.	24	1975	36	422	024	Western Mgte Loan Corp.	Government National Mgte Assn.	Assignment	-	-	- -	5	See Book 580, Page 207	18
	Oct.	30	1975	9	582	37									
19	Oct.	29	1975	37	422	025	Utah Title & Abstract Co. of Weber	Terra Firma, Inc.	*Reconveyance*			- -	26	See Book 552, Page 400	19
	Oct.	30	1975	9	582	38									
20	Oct.	24	1975	38	422	026	Western Mgte Loan Corp.	Government National Mgte Assn.	Assignment		-	- -	26	See Book 579, Page 679	20
	Oct.	30	1975	9	582	39									
21	Oct.	28	1975	39	422	027	Utah Title & Abstract Co., Trustee	Terra Firma, Inc.	*Reconveyance*			- -	7	See Book 554, Page 512	21
	Oct.	30	1975	9	582	40									
22	Oct.	21	1975	40	422	028	Western Mgte Loan Corp.	Government National Mgte Assn.	Assignment	-	-	- -	7	See Book 578, Page 929	22
	Oct.	30	1975	9	582	41									
23	Oct.	30	1975	30	422	157	Terra Firma, Inc.	F. Clent Lewis etux	W Deed	-	-	10 -	25	Subj to easements & r/w All lof lot 25, Holmes Creek Estates	23
	Oct.	31	1975	2	582	245									
24	Oct.	30	1975	31	422	158	F. Clent Lewis etux	Western Mgte Loan Corp.	Tr. Deed	-	-	34,000-	25	All of lot 25, Holmes Creek Estates	24
	Oct.	31	1975	2	582	246									
25	Oct	29	1975	25	422	648	Gov't Nat'l Mtge. Assn.	Western Mtge. Loan Corp.	Assignment	-	-	- -	29	See Book 569, Page 889.	25
	Nov	10	1975	10	583	158									
26	Nov	12	1975	48	422	854	Utah Title & Abs. Co. trustee	Terra Firma, Inc.	*Reconveyance*			- -	16	See Book 554, Page 527.	26
	Nov	12	1975	3	583	492									
27	Nov	11	1975	49	422	855	Western Mtge. Loan Corp.	Gov't Nat'l Mtge. Assn.	Assignmnet	-	-	- -	16	See Book 582, Page 33.	27
	Nov	12	1975	3	583	493									
28	Nov	11	1975	51	422	857	Utah Title & Abs. Co. trustee	Terra Firma, Inc.	*Reconveyance*			- -	13	See Book 554, Page 521.	28
	Nov	12	1975	3	583	495									
29	Nov	11	1975	40	422	926	Terra Firma, Inc.	Terry Paul Theret etux	W.Deed	-	-	10 -	21	Subj. to easements & R/W. Lot 21, Holmes Creek Ests.	29
	Nov	13	1975	1	583	586									
30	Nov	11	1975	41	422	927	Terry Paul Theret etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	35,400 -	21	Lot 21, Holmes Creek Ests.	30
	Nov	13	1975	1	583	587									
31	Nov	11	1975	45	422	931	Terra Firma, Inc.	Western Real Estate & Dev. Co.	W.Deed	-	-	10 -	13	Subj. to easements & R/W. All of Lot 13, Holmes Creek Ests.	31
	Nov	13	1975	1	583	594									
32	Nov	12	1975	20	423	094	Western Mtge. Loan Corp.	Gov't Nat'l Mtge. Assn.	Assignment		-	- -	15	See Book 581, Page 209.	32
	Nov	17	1975	3	583	859									

DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

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HOLMES CREEK ESTATES SUBDIVISION

KELLY CO., MFRS., SALT LAKE 3915

	DATE OF INSTRUMENT / DATE OF RECORDING MONTH	DAY	YEAR	TIME	ENTRY NO. BOOK	PAGE	GRANTORS	GRANTEES	KIND OF INSTRUMENT	REVENUE STAMPS S	C	CONSIDERATION	LOTS										DESCRIPTION	
	Mar	13	1975	30	423	345																	Lot 12, Holmes Creek Estates. Re-recorded	1
1	Nov	21	1975	8	584	253	Terra Firma, Inc.	Western Mtge. Loan Corp.	Tr.Deed	-	-	28,800-	12										to correct principal amount of Deed.	
	Nov	24	1975	50	423	503																	See Book 552, Pg 397. All of Lot 25, Holmes Creek Ests.	2
2	Nov	24	1975	2	584	489	Utah Title & Abs. Co. trustee	Terra Firma, Inc.	*Reconveyance*			- -		25										
	Nov	21	1975	51	423	504																	See Book 582, Pg 346. Lot 25, Holmes Creek Ests.	3
3	Nov	24	1975	2	584	490	Western Mtge. Loan Corp.	Gov't Nat'l Mtge. Assn.	Assignment	-	-	- -			25									
	Nov	28	1975	30	423	893																	Subj. to easmts. & r/w. Lot 17, Holmes Ck Ests	4
4	Dec	1	1975	3	585	88	Terra Firma, Inc.	Jerry J. Willey etux	W Deed	-	-	10 -				17								
	Nov	28	1975	31	423	894																	Lot 17, Holmes Creek Ests.	5
5	Dec	1	1975	3	585	89	Jerry J. Willey etux	Western Mortgage Loan Corp.	Tr.Deed	-	-	31,100 -					17						See Book 577, Page 61	
	Dec	1	1975	35	423	898																	All of Lot 15, Holmes Creek Ests	6
6	Dec	1	1975	3	585	99	Utah Title & Abst Co. Trustee	Terra Firma, Inc.	*Reconveyance*									15					Subj to Easements & R/W.	
	Nov	7	1975	51	424	068														9			Lot 9, Holmes Creek Estates	7
7	Dec	3	1975	3	585	374	Alice Steed	Mark M. Ross etux	W.Deed	-	-	10 -												
	Nov	7	1975	52	424	069																	Lot 9, Holmes Creek Estates	8
8	Dec	3	1975	3	585	375	Mark M. Ross etux	Western Mortgage Loan Corp.	Tr Deed	-	-	37,200 -										9		
	Dec	4	1975	33	424	283														21			See Book 583, Page 587	9
9	Dec	5	1975	2	585	764	Western Mortgage Loan Corp.	Government National Mortgage Association	Assignment			- -												
	Dec.	8	1975	00	424	713																	See Book 554, Page 539	10
10	Dec.	15	1975	9	586	481	Utah Title & Abstract Co., of Weber Trustee	Terra Firma, Inc.	*Reconveyance*			- -						21						
	Dec.	19	1975	57	425	125																	See Book 553, Page 186	11
11	Dec.	19	1975	3	587	189	Utah Title & Abstract Co. of Weber	LaMar W. Steed etux	*Reconveyance*			- -					9							
	Dec.	4	1975	58	425	126																	See Book 553, Page 529	12
12	Dec.	19	1975	3	587	190	Western Real Estates & Dev. Co.	LaMar W. Steed etux	*Release*	-	-	- -				9								
	Dec.	12	1975	59	424	127																	See Book 585, Page 375	13
13	Dec.	19	1975	3	587	191	Western Mgte Loan Corp.	Government National Mgte Assn.	Assignment		-	- -			9									
	Dec.	22	1975	45	425	215																	See Book 572, Page 530	14
14	Dec.	23	1975	8	587	362	Utah Title & Abstract Co. of Weber	Terra Firma, Inc.	*Reconveyance*			- -		17										
	Dec.	18	1975	46	425	216																	See Book 585, Page 89	15
15	Dec.	23	1975	8	587	363	Western Mgte Loan Corp.	Government National Mgte Assn.	Assignment		-	- -	17											
	Nov	21	1975	00	426	761																	Subj to easements & rs/way Lot 6, Holmes Creek Ests.	16
16	Jan	21	1976	4	589	985	Alice Steed	Eugene C. Burdett etux	W.Deed	-	-	10 -		6										
	Nov	21	1975	01	426	762																	Lot 6 Holmes Creek Estates	17
17	Jan	21	1976	4	589	986	Eugene C. Burdett etux	Western Mortgage Loan Corp.	Tr.Deed	-	-	31,450 -			6									
	Jan	7	1976	39	426	831											20,8						See Bk 569 pg 95, Bk 572 pg 275, Bk 573 pg 140, Bk 571 pg 244, Bk 572 pg 793, Bk 574 pg 873, Bk 574 pg 181,	18
18	Jan	23	1976	9	590	93	Government National Mortgage Assn.	Western Mortgage Loan Corp.	Assignment		-	- -					1,33	31,30	10,					
	Dec	12	1975	30	426	944																	Lot 4, Holmes Creek Estates. Subj to	19
19	Jan	26	1976	3	590	273	Alice Steed	William G. Briggs, etux	W.Deed	-	-	10 -						4					easements & rs/w.	
	Dec	12	1975	31	426	945														4			Lot 4, Holmes Creek Estates.	20
20	Jan	26	1976	3	590	274	William G. Briggs, etux	Western Mtge. Loan Corp.	Tr.Deed	-	-	36,400 -												
	Dec	12	1975	32	426	946																28	Lot 28, Holmes Creek Estates. Subj to	21
21	Jan	26	1976	3	590	277	Alice Steed	Charles T. Chambers, etux	W.Deed	-	-	10 -											easements & rs/w.	
	Dec	12	1975	33	426	947														28			All of Lot 28, Holmes Creek Estates.	22
22	Jan	26	1976	3	590	278	Charles T. Chambers, etux	Western Mtge. Loan Corp.	Tr.Deed	-	-	36,800.0												
	Jan	29	1976	22	427	197																	See Book 553, Page 183.	23
23	Jan	30	1976	9	590	671	Utah Title & Abstract Co. of Weber	LaMar W. Steed, etux	*Reconveyance*			- -						6						
	Jan	28	1976	23	427	198																	See Book 589, Page 986.	24
24	Jan	30	1976	9	590	672	Western Mtge. Loan Corp.	Gov't Natn'l Mtge. Assn.	Assignment		-	- -					6							
	Feb	4	1976	00	427	456																	See Book 552, page 682	25
25	Feb	4	1976	1	591	52	Utah Title & Abst. Co. of Weber	LaMar W. Steed etux	*Reconveyance*			- -				28								
	Jan	29	1976	01	427	457																	See Book 590 page 278	26
26	Feb	4	1976	1	591	53	Western Mortgage Loan Corp.	Government National Mtge Assn.	Assignment			- -			28									
	Feb	6	1976	35	427	654																	See Book 552 page 679	27
27	Feb	6	1976	3	591	358	Utah Title & Abstract Co. of Weber	LaMar W. Steed etux	*Reconveyance*			- -		4										
	Feb	3	1976	36	427	655																	See Book 553, page 529	28
28	Feb	6	1976	3	591	359	Western Real Estate & Development Co.	LaMar W. Steed etux	*Release*			- -	4,6,28											
	Feb	3	1976	37	427	656																	See Book 590 page 274	29
29	Feb	6	1976	3	591	360	Western Mortgage Loan Corp.	Government National Mtge Assn.	Assignment			- -	4											
	Feb.	5	1976	40	427	664																	Subj to easements & r/w Lot 13&14; Holmes Creek Estates	30
30	Feb.	9	1976	8	591	371	Western R/E & Dev. Co.	Terra Firma, Inc.	W Deed	-	-	10 -		13&14										
	Jan.	28	1976	41	427	665																	All of lot 13; Holmes Creek Estates	31
31	Feb.	9	1976	8	591	372	Terra Firma, Inc.	Western Mgte Loan Corp.	Tr. Deed	-	-	25,000-				13								
	Jan.	28	1976	42	427	666																	All of lot 14; Holmes Creek Estates	32
32	Feb.	9	1976	8	591	375	Terra Firma, Inc.	Western Mgte Loan Corp.	Tr. Deed	-	-	25,000-					14							

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DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

HOLMES CREEK ESTATES SUBDIVISION

KELLY CO., MFRS., SALT LAKE 3915

	Date of Instrument / Date of Recording: Month	Day	Year	Time	Entry No.: Book	Page	Grantors	Grantees	Kind of Instrument	Revenue Stamps S	Revenue Stamps C	Consideration	Lots	Description	
1	Feb Feb	13 17	1976 1976	50 3	428 592	097 145	Terra Firma, Inc.	Scott B. Farnsworth etux	W.Deed	-	-	10 -	12	Subj to Easements & Rs/Way All Lot 12 Holmes Creek Estates	1
2	Feb Feb	13 17	1976 1976	51 3	428 592	098 146	Scott B. Farnsowrth etux	Western Mortgage Loan Corp.	Tr.Deed	-	-	39,700 -	12	Lot 12, Holmes Creek Estates	2
3	Feb Feb	18 20	1976 1976	46 12	428 592	271 424	Terra Firma, Inc.	Richard Lee Lampright etux	W.Deed	-	-	10 -	11	Subj to Easements & Rs/Way Lot 11, Holmes Creek Estates	3
4	Feb Feb	18 20	1976 1976	47 12	428 592	272 425	Richard Lee Lampright etux	Western Mortgage Loan Corp.	Tr.Deed	-	-	42,000 -	11	Lot 11, Holmes Creek Estates	4
5	Feb Feb	25 23	1976 1976	00 2	428 592	494 798	Utah Title & Abst. Co. of Weber Trustee	Terra Firma, Inc.	*Reconveyance*			--- -	12	See Book 584, Page 253	5
6	Feb Feb	24 25	1976 1976	00 2	428 592	495 799	Western Mortgage Loan Corporation	Government National Mortgage Association	Assignment			- -	12	See Book 592, Page 146	6
7	Jan Feb	9 26	1976 1976	16 3	428 592	625 993	Alice Steed	Ronald D. Stark etux	W Deed	-	-	10 -	32	Subj esmts & rs/w Lot 32 Holmes Creek Estates	7
8	Jan Feb	9 26	1976 1976	17 3	428 592	626 994	Ronald D. Stark etux	Western Mortgage Loan Corp.	Tr. Deed	-	-	32,650-	32	Lot 32 Holmes Creek Estates	8
9	Jan Feb	29 26	1976 1976	18 3	428 592	627 997	Alice Steed	Thomas G. Neill etux	W. Deed	-	-	10 -	27	Subj to esmts & rs/w Lot 27 Holmes Creek Estates	9
10	Jan Feb	9 26	1976 1976	19 3	428 592	628 998	Thomas G. Neill etux	Western Mortgage Loan Corp.	Tr. Deed	-	-	31,000-	27	Lot 27 Holmes Creek Estates	10
11	Mar Mar	4 5	1976 1976	11 1	429 593	137 776	Utah Title & Abstract of Weber Trustee	La Mar W. Steed etux	*Reconveyance*			- -	32	See Book 552, Page 685	11
12	Feb Mar	26 5	1976 1976	12 1	429 593	138 777	Western Real Estate & Development Co.	La Mar W. Steed etux	*Release*	-		- -	32	See Book 553, Page 529	12
13	Mar Mar	2 5	1976 1976	13 1	429 593	139 778	Western Mortgage Loan Corp.	Government National Mortgage Assoc.	*Assignment*	-		- -	32	See Book 592, Page 994	13
14	Mar Mar	4 5	1976 1976	14 1	429 593	140 779	Utah Title & Abstract Co. of Weber Trustee	La Mar W. Steed etux	*Reconveyance*			- -	27	See Book 553, Page 192	14
15	Feb Mar	26 5	1976 1986	15 1	429 593	141 780	Western Real Estate & Development Co.	La Mar W. Steed etux	*Release*	-		- -	27	See Book 553, Page 529	15
16	Mar Mar	2 5	1976 1976	16 1	429 593	142 781	Western Mortgage Loan Corp.	Government National Mortgage Assoc.	*Assignment*	-		- -	27	See Book 592, Page 998	16
17	Feb Mar	3 4	1976 1976	01 3	429 593	070 674	Western Real Estate & Development Co.	La Mar W. Steed etux	*Release*	-		- -	22	See Book 553, Page 529	17
18	Mar Mar	3 4	1976 1976	02 3	429 593	071 675	Alice Steed	James D. Crook etux	W. Deed	-	-	10 -	22	Lot 22, Holmes Creek Estate Subj. to Easements & r/sw	18
19	Mar Mar	3 4	1976 1976	03 3	429 593	072 676	James D. Crook etux	Western Mortgage Loan Corp.,	Tr. Deed	-	-	37,300.00	22	Lot 22, Holmes Creek Estate	19
20	Mar Mar	11 11	1976 1976	22 3	429 594	502 358	Utah Title & Abst Co.	LaMar W. Steed etux	*Reconveyance*			- -	22	See Book 553 page 189	20
21	Mar Mar	8 11	1976 1976	23 3	429 594	503 359	Western Mortgage Loan Corp.	Government National Mortgage Assn.	Assignment			- -	22	See Book 593 page 676	21
22	Mar Mar	26 26	1976 1976	26 12	430 595	424 885	Utah Title & Abst. Co. of Weber	Terra Firma, Inc.	*Reconveyance*			- -	11	See Book 572 page 524	22
23	Mar Mar	24 26	1976 1976	27 12	430 595	425 886	Western Mortgage Loan Corp.	Government National Mortgage Assn.	Assignment			- -	11	See Book 592 page 425	23
24	Mar Mar	5 29	1976 1976	45 1	430 596	559 110	Gov't. Nat.l Mtge. Assn. by Attny in Fact	Western Mortgage Loan Corp.	Assignment	-		- -	2,3,5,7,16, 19,24,&26	See Bk. 579, Pg. 232, Lot 2 - Bk. 578, Pg. 634, Lot 3 - Bk. 580, Pg. 207, Lot 5	24
25														Bk. 578, Pg. 929, Lot 7 - Bk 582, Pg 33, Lot 16 - Bk. 578, Pg. 138, Lot 19 - Bk.	25
26														579, Pg. 782, Lot 24 - Bk. 579, Pg 679 Lot 26.	26
27	Feb Mar	8 29	1976 1976	47 1	430 596	561 114	Gov't. Nat'l. Mtge. Assn. by Attny in Fact	Western Mortgage Loan Corp.	Assignment	-		- -	18&23	See Bk 575, Pg 570 Lot 18 - Bk 577, Pg 487, Lot 23.	27
28	May May	7 18	1976 1976	43 1	434 601	075 939	By Attny in Fact Government National Mgte Assn.	Western Mgte Loan Corp.	Assignment	-	-	- -	25,21,15,9,	See Book 582, Pg 246; Bk 583, Pg 587, Bk 581, 209; Bk 585, pg 375	28
29	JUne June	9 15	1976 1976	22 10	435 605	983 238	Gov't Natn'l Mtge. Assn. by attny in fact	Fed. Natn'l Mtge. Assn.	Assignment	-		- -	17	See Book 585, Page 89.	29
30	Aug Aug	3 4	1976 1976	50 3	439 611	613 451	James D. Crook etux	Shirley Fred King etux	W Deed	-	-	10 -	22	All of lot 22, Holmes Creek Est. Subj. to esmts.	30
31	Aug Aug	6 9	1976 1976	40 10	439 611	841 832	Mark M. Ross etux	Don C. Clark etux	W Deed	-	-	10 -	9	All of lot 9, Holmes Creek Estates. Subj. to rs/w.	31
32	Aug Aug	6 9	1976 1976	41 10	439 611	842 833	Don C. Clark etux	Fed. Bldg. & Loan Assn.	Tr. Deed	-	-	41,600-	9	All of lot 9, Holmes Creek Estates.	32

DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

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HOLMES CREEK ESTATES SUBDIVISION

KELLY CO., MFRS., SALT LAKE 3915

	Date of Instrument / Date of Recording: Month	Day	Year	Time	Entry No.: Book	Page	Grantors	Grantees	Kind of Instrument	Revenue Stamps: S	C	Consideration	Lots								Description	
1	Aug	--	1976	41	440	170															Lot 18, Holmes Creek Estates. Subj.	1
	Aug	12	1976	8	612	352	Steven Lee Zink etux	Calvin L. Osborn etux	W Deed	-	-	10 -	18								to esmts. & Rs/w.	
2	Aug	13	1976	32	440	379															Lot 16, Holmes Creek Estates. Subj.	2
	Aug	13	1976	3	612	692	Bradley G. Maughan etux	Charles E. Sherman etux	W Deed	-	-	10 -		16							to esmts. & rs/w.	
3	Aug	27	1976	26	441	906																3
	Sept	3	1976	11	615	252	Ronald D. Stark etux	Treasury Credit Union	Mortgage	-	-	4,000-			32						Lot 32, Holmes Creek Estates.	
4	July	2	1976	44	442	596										27,22, &					See Book589, Pg 986 for lot 6, Bk 590,	4
	Sept	15	1976	9	616	388	Gov't. Nat'l. Mtge. Assn. by Attny in Fact	Western Mtge Loan Corp.	Assignment		-	- -				6,28,4,12,32,					Pg 278 for lot 28, Bk 590, Page 274 for lot	
5																					4, Bk 592, Pg 146 for lot 12, Bk 592, Pg 994 for lot 32, Bk 592, Pg 998 for lot 27,	5
	July	28	1976	45	442	597															Bk 593, Pg 676 for lot 22.	
6	Sept	15	1976	9	616	390	Gov't. Nat'l. Mtge. Assn. by Attny in Fact	Western Mtge Loan Corp.	Assignment	-	-	- -						11			See Book 592, Page 425.	6
7	Sept	16	1976	47	443	512																7
	Sept	24	1976	12	618	59	Utah Title & Abstract Co. Trustee	Mark M. Ross etux	*Reconveyance*			- -					9				See Book 585, Page 375.	
8	Oct	8	1976	43	444	549															All of lot 5, Holmes Creek Estates.	8
	Oct	8	1976	9	619	842	Stephen G. Benzley etux	Keith A. Gruenberg etux	W Deed	-	-	10 -				5					Subj. to esmts.	
9	Oct	18	1976	11	445	383																9
	Oct	20	1976	2	621	296	Edward M. Scoffield etux	Western Mtge. Loan Corp.	Tr.Deed	-	-	36,500-			34						Lot 34, Holmes Creek Estates.	
10	Oct	20	1976	00	445	528																10
	Oct	22	1976	10	621	598	Harry Keith Huffaker etux	Commercial Security Bank	Tr.Deed	-	-	13,123.01		8							Lot 8, Holmes Creek Estates.	
11	Oct.	29	1976	52	446	196															Subj to easements & r/w.	11
	Nov.	2	1976	8	622	763	Terra Firma, Inc.	Steven E. Harris etux	W Deed	-	-	10 -	13								All of lot 13; Holmes Creek Estates	
12	Oct.	29	1976	53	446	197																12
	Nov.	2	1976	8	622	764	Steven E. Harris e tux	United Sav & Loan Assn.	Tr. Deed	-	-	36,000 -		13							All of lot 13; Holmes Creek Estates	
13	Oct.	26	1976	51	446	352																13
	Nov.	3	1976	2	623	37	Western Real Estate & Dev. Co.	Edward M. Scoffield etux	W Deed	-	-	10 -			34						All of lot 34; Holmes Creek Estates	
14	Dec	3	1976	07	448	803																14
	Dec	6	1976	1	627	183	Utah Title & Abs. Co., Trustee	Terra Firma, Inc.	*Reconveyance*			- -				13					See Book 591, page 372.	
15	Dec	2	1976	08	448	804																15
	Dec	6	1976	1	627	184	United Sav. & Loan Asso.	Government Nat'l. Mtge. Asso.	Assignment		-	- -					13				See Book 622, page 764.	
16	Dec	15	1976	08	453	185																16
	Feb	1	1977	12	634	692	Treasury Credit Union	Ronald D. Stark etal	*Release*		-	- -						32			See Book 615, page 252.	
17	Dec	15	1976	09	453	186																17
	Feb	1	1977	12	634	693	Ronald D. Stark etux	Treasury Credit Union	Mortgage		-	6,725-							32		Lot 32, Holmes Creek Estates.	
18	Jan	27	1977	17	454	179															All of Lot 25, Holmes Creek Estates,	18
	Feb	15	1977	4	636	400	F. Clent Lewis etux	Zions 1st Nat'l. Bank, Spanish Fork Branch	Mortgage		-	9,678.60								25	cont. 0.23 acres.	
19	Mar	18	1977	48	456	885															All of Lot 14, Holmes Creek Estates,	19
	Mar	22	1977	9	640	971	Terra Firma, Inc.	Michael A. Holmdohl etux	W.Deed	-	-	10-							14		subject to easements & rights of way.	
20	Mar	18	1977	49	456	886																20
	Mar	22	1977	9	640	972	Michael A. Holmdohl etux	Western Mtge. Loan Corp.	Tr.Deed	-	-	49,900-						14			Lot 14, Holmes Creek Estates.	
21	Apr	20	1977	47	459	891															Lot 34, Holmes Creek Estates. Subject to	21
	Apr	25	1977	1	646	37	Edward M. Scoffield etux	John Michael Sargent etux	W.Deed	-	-	10-					34				easements and rights of way.	
22	Apr	20	1977	48	459	892																22
	Apr	25	1977	1	646	38	John Michael Sargent etux	Western Mtge. Loan Corp.	Tr.Deed	-	-	47,500-				34					Lot 34, Holmes Creek Estates.	
23	Jun	8	1977	01	464	078																23
	Jun	9	1977	2	653	296	Utah Title & Abs. Co., Trustee	Terra Firma, Inc.	*Reconveyance*			- -			14						See Book 591, page 375.	
24	May	27	1977	10	464	837																24
	Jun	16	1977	3	654	562	Treasury Credit Union	Ronald D. Stark etux	*Release*		-	- -		32							See Book 634, Page 693.	
25	May	27	1977	11	464	838																25
	Jun	16	1977	3	654	563	Ronald D. Stark etux	Treasury Credit Union	Mtge.	-	-	8,090.65	32								All of lot 32, Holmes Creek Est.	
26	Jun	29	1977	35	466	077																26
	Jun	30	1977	8	656	734	Utah Title & Abs. Co. Trustee	Edward M. Scoffield etux	*Reconveyance*			- -		34							See Book 621, Page 296.	
27	-	-	-	11	467	595																27
	July	19	1977	9	659	361	Bryan F. Hurst etux	Larry R. Peck Jr. etux	W Deed	-	-	10- -			20						Lot 20, Homes Creek Est.	
28	Aug	18	1977	09	470	577																28
	Aug	19	1977	1	664	655	William G. Briggs etux	Gary Michael Noble etux	W.Deed	-	-	10-				4					All of lot 4, Holmes Creek Est.	
29	Aug	22	1977	32	471	262															Error See Judge Hallerock.	29
	Aug	29	1977	9	665	849	Utah Title & Abs. Co. trustee	Mark Ronald/Hyman etux	*Reconveyance*			- -					1				See Book 518, Pg 207.	
30	Sept	6	1977	15	472	680															All of lot 9, Holmes Creek Est.	30
	Sept	13	1977	10	668	325	Don C. Clark etux	Richard Allen Myers etux	W.Deed	-	-	10-						9			Subject to esmt. & R/W.	
31	Aug	31	1977	16	472	681																31
	Sept	13	1977	10	668	326	Richard Allen Myers etux	Western Mortgage Loan Corp.	Tr.Deed	-	-	48,900-							9		All of lot 9, Holmes Creek Est.	
32	Aug	31	1977	32	474	231																32
	Sept	29	1977	9	670	956	Government National Mortgage Assoc. by Attny in fact	United Savings & Loan Assoc.	Assignment	-	-	- -								13	See Book 622, Page 764.	

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DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

HOLMES CREEK ESTATES SUBDIVISION

KELLY CO., MFRS., SALT LAKE 3915

	Date of Instrument / Date of Recording: Month	Day	Year	Time	Entry No.: Book	Page	Grantors	Grantees	Kind of Instrument	Revenue Stamps $	Revenue Stamps c	Consideration	Lots								Description	
1	Sept Sept	2 29	1977 1977	35 9	474 670	234 960	United Savings & Loan Assoc.	Federal National Mortgage Assoc.	Assignment	-	-	-	-	13							See Book 622, Page 764.	1
2	Oct Oct	20 20	1977 1977	45 2	476 674	189 281	Richard Lee Lampright etux	Marvin Jones, Jr. etux	W.Deed	-	-	10-			11						Lot 11, Holmes Creek Estates. Subject to easements and rights of way.	2
3	Oct Oct	17 25	1977 1977	40 12	476 674	390 610	Ronald D. Stark etux	Treasury Credit Union	Tr Deed	-	-	3,000-				32					Lot 32, Holmes Creek Estates.	3
4	Sept Nov	28 25	1977 1977	26 11	479 679	332 643	Home Abstract & Title Co. Trustee	Don C. Clark, etux	*Reconveyance*			-	-				9				See Book 611,Page 833.	4
5	Dec Dec	8 9	1977 1977	31 3	480 681	706 782	Rolf Petter Strand etux	John Roger Thompson etux	W.Deed	-	-	10-						15			Lot 15, Holmes Creek Est.	5
6	Dec Dec	8 9	1977 1977	32 3	480 681	707 983	John Roger Thompson etux	Miller & Viele	Tr.Deed	-	-	41,650-							15		Lot 15, Holmes Creek Est.	6
7	Dec Dec	14 19	1977 1977	36 12	481 683	442 229	Miller & Viele	Century Federal Savings & Loan Assoc.	Assignment	-	-	41,650-								15	See Book 681, Page 983.	7
8	Jan Jan	6 9	1978 1978	34 3	483 686	330 272	Ronald D. Stark, etux	Carl M. Stark, etux	W.Deed	-	-	10	-							32	All of Lot 32, Holmes Creek Estates. Subj to easements & rs/w.	8
9	Jan Jan	11 16	1978 1978	47 2	483 687	904 227	Treasury Credit Union	Ronald D. Stark etux	*Release*	-	-	-	-							32	See Book 654, Page 563.	9
10	Jan Jan	13 26	1978 1978	37 3	485 689	087 82	Western State Title Co. Trustee	Ronald D. Stark etux	*Reconveyance*			-	-					32			See Book 674, Page 610.	10
11	Jan Jan	27 30	1978 1978	40 12	485 689	286 400	Scott B. Farnsworth, etux	Luther G.Ludden, etux	W.Deed	-	-	10	-					12			Lot 12, Holmes Creek Estates. Subj to easements & rs/w.	11
12	Feb Feb	13 15	1978 1978	00 9	486 691	712 699	Donald Frank Douglas etux	Citicorp Person-to-Person Fin. Center of UT	Tr.Deed	-	-	10,085.06					2				All of lot 2, Holmes Creek Est.	12
13	Feb Feb	23 27	1978 1978	31 2	487 693	733 368	Citicorp Person to Person Fin Cent	To Whom it May Concern	Req for Not	-	-	-	-			2					See Book 579, Page 232.	13
14	Mar Apr	30 3	1978 1978	22 11	491 699	123 36	Donald Wayne Weaver etux	A. Max Winter etux	W Deed	-	-	10	-		26						Lot 26, Holmes Creek Est. Subj. to easements, rights ofways.	14
15	Mar Apr	30 3	1978 1978	23 11	491 699	124 37	A. Max Winter etux	Western Mortgage Loan Corp	Tr. Deed	-	-	33,000-		26							Lot 26, Holmes Creek Est.	15
16	Apr Apr	12 14	1978 1978	00 1	492 701	421 277	Terry Paul Theret etux	Robert L. Barney etux	W Deed	-	-	10-			21						Lot 21, Holmes Creek Estates. Subj. to easements, rights of ways.	16
17	Apr Apr	12 14	1978 1978	01 1	492 701	422 278	Robert L. Barney etux	Terry Paul Thret etux	Tr. Deed	-	-	6,250-				21					Lot 21, Holmes Creek Est.	17
18	Apr Apr	14 17	1978 1978	20 1	492 702	615 57	Frank Lopez, Jr.	Emilia G. Lopez	QC Deed	-	-	10-	-				1				All of lot 1, Holmes Creek Estates.	18
19	Apr Apr	11 17	1978 1978	21 1	492 702	616 58	Emilia G. Lopez	Cole Edmund Panning etux	W.Deed	-	-	10-	-					1			All of lot 1, Holmes Creek Estates.	19
20	Apr Apr	14 17	1978 1978	22 1	492 702	617 59	Cole Edmund Panning etux	Miller & Viele	Tr.Deed	-	-	45,900-							1		All of lot 1, Holmes Creek Estates.	20
21	Apr Apr	19 25	1978 1978	23 9	493 703	488 554	Miller & Viele	Franklin Soc. Fed. Sav. & Loan Assn.	Assignment	-	-	-	-							1	See Book 702, Pg 59.	21
22	May May	5 12	1978 1978	45 1	495 707	619 229	Utah Title & Abstract Co. Trustee	Donald Wayne Weaver etux	*Reconveyance*			-	-							26	See Book 579, Page 679.	22
23	May May	11 12	1978 1978	46 1	495 707	620 230	Western Mtge Loan Corp	United Sav & Loan Assn	Assingment	-		-	-							26	See Book 699, Page 37.	23
24	May May	11 12	1978 1978	47 1	495 707	621 231	United Sav & Loan Assn	Fed Nat'l Mtge Assn	Assignment		-	-	-						26		See Book 699, Page 37.	24
25	May May	10 18	1978 1978	42 9	496 708	152 156	Utah Title & Abstract Trustee	Frank Lopez Jr. etux	*Reconveyance*			-	-					1			See Book 569, Page 95.	25
26	May May	24 25	1978 1978	27 2	496 709	964 541	Thomas Arthur John etux	D.W. Burningham etux	W. Deed	-	-	10-					29				Lot 29, Holmes Creek Estates. Subject to easements and rights of way.	26
27	May May	24 25	1978 1978	28 2	496 709	965 542	D. W. Burningham etux	Western Mortgage Loan Corp.	Tr. Deed	-	-	33,500-				29					Same as Line 26.	27
28	May May	12 30	1978 1978	30 10	497 709	212 973	John Roger Thompson	Joan E. Thompson	Power of Attny			-----			15						See Document.	28
29	May May	25 30	1978 1978	31 10	497 709	213 975	John Roger Thompson by attny-in-fact etux	Howard S. Sorensen etux	W. Deed	-	-	10-		15							Lot 15, Holmes Creek Estates. Subject to easements and rights of way.	29
30	June June	2 5	1978 1978	06 3	498 711	038 479	Western Mortgage Loan Corp.	Federal National Mortgage Assn.	Assignment	--		--			29						See Book 709, Page 542.	30
31	June June	13 15	1978 1978	32 8	499 713	133 272	Utah Title & Abstract Company Trustee	Thomas Arthur John etux	*Reconveyance*			-	-			29					See Book 569, Page 889.	31
32	June June	16 19	1978 1978	27 3	499 714	604 84	Larry R. Peck, Jr. etux	Davis Schools Credit Union	2nd Mtge	---		7,500-					20				Lot 20, Holmes Creek Estates.	32

DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

HOLMES CREEK ESTATES SUBDIVISION

KELLY CO., MFRS., SALT LAKE 3915

	Date of Instrument / Date of Recording (Month Day Year Time)	Entry No. (Book Page)	Grantors	Grantees	Kind of Instrument	Revenue Stamps $	Revenue Stamps C	Consideration	Lots	Description	
1	June 30 1978 30 June 30 1978 4	500939 716 337	Shirley Fred King etux	Bradley R. Jacobson etux	W. Deed	-	-	10-	22	All of Lot 22, Holmes Creek Estates.	1
2	June 30 1978 31 June 30 1978 4	500940 716 338	Bradley R. Jacobson etux	The Colwell Co.	Tr. Deed	-	-	45000	22	All of Lot 22, Holmes Creek Estates.	2
3	July 21 1978 47 July 21 1978 8	502864 719 636	Charles E. Sherman etux	Vincent A. Cannava etux	W.Deed	-	-	10 -	16	All of Lot 16, Holmes Creek Estates.	3
4	July 21 1978 48 July 21 1978 8	502865 719 637	Vincent A. Cannava etux	Miller & Viele	Tr.Deed	-	-	50,900-	16	All of Lot 16, Holmes Creek Estates.	4
5	June 22 1978 01 July 17 1978 9	502222 718 569	Eugene Burdett etal	First Security Bank of Utah, NA	Mortgage	-	-	3,005.10	6	All of Lot 6, Holmes Creek Estates.	5
6	July 25 1978 17 July 31 1978 2	503669 720 905	Miller & Viele	Harlem Sav. Bank	Assignment	-	-	- -	16	See Book 719, Page 637.	6
7	Aug 22 1978 33 Sep 1 1978 1	507168 726 735	Utah Title & Abstract Co. Trustee	James D. Crook etux	*Reconveyance*			- -	22	See Book 593, Page 676.	7
8	Aug 9 1978 33 Sept 15 1978 11	508481 728 965	Utah Title & Abstract Co. of Weber Trustee	Bradley G. Maughan etux	*Reconveyance*			- -	16	See Book 582, Page 33.	8
9	Jan 8 1979 30 Jan 8 1979 4	519730 748 33	Carl M.Stark, etux	Charles W. Floyd, etux	W.Deed	-	-	10 -	32	All of Lot 32, Holmes Creek Estates. Subj to esmts & rs/w.	9
10	Jan 8 1979 31 Jan 8 1979 4	519731 748 34	Charles w. Floyd, etux	The Colwell Co.	Tr.Deed	-	-	56,700 -	32	All of Lot 32, Holmes Creek Estates.	10
11	Jan 17 1979 40 Jan 24 1979 12	521059 750 300	Donald Frank Douglas etux	Associates Financial Serv. Co. of Ogden,Inc.	Tr.Deed	-	-	14,060-	2	All of Lot 2, Holmes Creek Estates.	11
12	Jan 26 1979 06 Jan 31 1979 1	521729 751 346	Associates Financial Services Co. of Utah Inc.	To Whom It May Concern	Request for Copies	-	-	-- --	2	See Book 579, Page 232.	12
13	Mar 7 1979 10 Mar 8 1979 3	524842 756 636	Howard S. Sorensen etux	Citicorp Person-To-Person	Tr.Deed	-	-	6,039.73	15	All of Lot 15, Holmes Creek Est.	13
14	Mar 7 1979 19 Mar 13 1979 11	525131 757 102	Citicorp Person to Person	To Whom it May Concern	Request for Notice	-	-	- -	15	See Book 681, Page 983.	14
15	Mar 15 1979 21 Mar 16 1979 12	525627 757 950	The Home Abstract & Title Co. Trustee	Donald Frank Douglas etux	*Reconveyance*			- -	2	See Book 691, Page 699.	15
16	Mar 22 1979 52 Mar 26 1979 8	526388 759 308	Michael A. Holmdohl, etux	Angelo G. Manis, etux	W.Deed	-	-	10 -	14	All of Lot 14, Holmes Creek Estates, Subj to easements &rs/w.	16
17	Feb 1 1979 00 Apr 2 1979 3	527244 760 763	Utah Title &AbstractCo. of Davis, Trustee	Ronald D. Stark, etux	*Reconveyance*			- -	32	See Book 592, Page 994.	17
18	Jun 5 1979 15 Jun 7 1979 12	534398 773 655	Citicorp	To Whom it May Concern	Request for Notice		-	- -	2	See Book 579, Page 232.	18
19	Jun 5 1979 30 Jun 7 1979 11	534387 773 636	Donald Frank Douglas etux	Citicorp Person to Person	Tr Deed	-	-	17,219.56	2	All of lot 2, Holmes Creek Est.	19
20	Jun 8 1979 36 Jun 11 1979 9	534680 774 130	Richard Allen Myers etux	Cortland D. Field etux	W. Deed	- -	-	- - -	9	Subj to Esmts & Ro/W All of Lot 9, Holmes Creek Est.	20
21	Jun 21 1979 51 Jun 21 1979 1	535876 776 182	Security Title Co. Trustee	Donald Frank Douglas etux	*Reconveyance*			- -	2	See Book 750, Page 300.	21
22	Jun 22 1979 24 Jun 28 1979 9	536599 777 355	Clavin L. Osborn etux	Commercial Credit Plan Corp.	Tr. Deed	-	-	10,000-	18	Lot 18 Holmes Creek Est Sub.	22
23	Jun 26 1979 08 Jun 28 1979 4	536725 777 576	Richard C. Spencer etux	Prudential Federal Sav. & Loan Assoc.	Non-Assum	- -	-	90,000-	Error 9	see Holmes Est Lot 9, Holmes Estates No. 1	23
24	July - 1979 32 July 20 1979 4	538880 781 341	Howard S. Sorensen, etux	GeorgeS. Sultemeier, etux	W.Deed	-	-	10 -	15	Lot 15, Holmes Creek Estates.	24
25	July 20 1979 33 July 20 1979 4	538881 781 342	George S. Sultemeier, etux	Stanwell Mtge.	Tr.Deed	-	-	54,000 -	15	Lot 15, Holmes Creek Estates.	25
26	July 26 1979 24 July 27 1979 3	539445 782 369	Utah Title & Abstract Co. of Weber,Trustee	Rolf Peter Strand, etux	*Reconveyance*			- -	15	See Book 581, Page 209.	26
27	---------- 07 Aug 6 1979 1	540260 783 841	F. Clent Lewis etux	Richard D. Pavlovich etux	W. Deed	-	-	- 10-	25	All of Lot 25, Holmes Creek Ests. Subj. to Easements & Rights-of-Way.	27
28	Jul 19 1979 08 Aug 6 1979 1	540261 783 842	Richard D. Pavlovich etux	Western Mtge. Loan Corp.	Tr. Deed	-	-	57,600-	25	All of Lot 25, Holmes Creek Ests.	28
29	Aug 6 1979 31 Aug 9 1979 10	540613 784 453	The Home Abstract & Title Co. Trustee	Howard S. Sorensen etal	*Reconveyance*			- -	15	See Book 756, Page 636.	29
30	Jun 21 1979 21 Aug 16 1979 9	541448 785 942	Zions First Natn'l Bank, NA Trustee	F. Clent Lewis etux	*Release*	-		- -	25	See Book 636, Page 400.	30
31	Sep 19 1979 03 Sep 21 1979 10	545144 792 457	Marvin Jones, Jr. etal	Associates Financial Serivces Co. of Ogden, Inc.	Tr. Deed	-	-	19,200.59	11	All of Lot 11, Holmes Creek Ests.	31
32	Sept 21 1979 21 Sept 24 1979 1	545362 792 822	Jerry J. Willey, etux	Second Natn'l Bank of Layton	Tr.Deed	-	-	7,927.92	17	All of Lot 17, Holmes Creek Estates.	32

DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

HOLMES CREEK ESTATES SUBDIVISION

KELLY CO., MFRS., SALT LAKE 3915

	Date of Instrument / Date of Recording: Month	Day	Year	Time	Entry No.: Book	Page	Grantors	Grantees	Kind of Instrument	Revenue Stamps: $	c	Consideration	Lots							Description (Lots 1 to 34)	
	Sept	21	1979	55	545	562															
1	Sept	26	1979	8	793	153	Assoc. Fin. Services Co. of Utah,Inc.	To Whom It May Concern	Req.for Copies	-	-		11							See Book 592, Page 425.	1
	July	19	1979	20	545	781														Re-recorded to correct loan amount.	
2	Sept	27	1979	1	793	605	Richard D. Pavlovich, etux	Western Mtge. Loan Corp.	Tr.Deed	-	-	65,700	-	25						All of Lot 25, Holmes Creek Estates.	2
	Oct	1	1979	02	551	421															
3	Nov	27	1979	9	803	120	Utah Title & Abstract Co. Trustee	F. Clent Lewis etux	*Reconveyance*	-	-				25					See Book 582, Page 246.	3
	Feb	28	1980	28	560	147															
4	Mar	17	1980	1	817	264	Calvin L. Osborn, etux	Terry Lynn Hanney	R/E Contract	-		49,900	-			18				All of Lot 18, Holmes Creek Estates.	4
	Mar	19	1980	36	560	331															
5	Mar	19	1980	8	817	571	Danny H. Schultz, etal	To Whom It May Concern	Not.of Contract	-	-						8			All of Lot 8, Holmes Creek Estates.	5
	Mar	5	1980	50	564	203															
6	May	7	1980	8	823	743	Eugene C. Burdett	Kaylene R. Burdett	Pwr.of Attny.	-	-							6		Lot 6, Holmes Creek Estates.	6
	May	6	1980	51	564	204															
7	May	7	1980	8	823	744	Eugene C. Burdette, by Attny in Fact, etal	Ruth L. Campbell	aW.Deed	-	-	10	-						6	All of Lot 6, Holmes Creek Estates.	7
	May	20	1980	32	565	248															
8	May	22	1980	10	825	275	First Security Bank of Utah, NA	Eugene C. Burdett etal	*Release*	-	-	-	-							6	See Book 718, Page 569.	8
	Aug	5	1980	01	571	435															
9	Aug	14	1980	3	834	1086	Utah Title & Abstract Co. Trustee	Eugene C. Burdette etux	*Reconveyance*	-	-	-							6	See Book 589, Page 986.	9
	June	2	1980	07	576	634															
10	Oct	9	1980	10	843	351	Stanwell Mtge.	Genstar Pacific Financial Corp, Western Mtge. Corp.Division	Assignment	-		-	-					15		See Book 781, Page 342.	10
	Nov	20	1980	10	580	059															
11	Nov	21	1980	9	848	504	Charles W. Floyd, etux	William D.McGowan, etux	W.Deed	-	-	10	-				32			All of Lot 32, Holmes Creed Estates. Subj to easements & rs/w.	11
	Nov	20	1980	11	580	060															
12	Nov	21	1980	9	848	505	William D. McGowan, etux	Charles W. Floyd, etux	Tr.Deed	-	-	12,400	-			32				All of Lot 32, Holmes Creed Estates.	12
	Dec	29	1980	44	582	786														All of Lot 18, Holmes Creek Estates.	
13	Dec	30	1980	3	852	720	Terry Lynn Hanney	Kent C. Brown	W. Deed	-	-	10	-		18					Subject to easements.	13
	Nov	1	1977	40	586	738															
14	Feb	26	1981	10	858	610	Harry Keith Huffaker, by Judge	Joan Huffaker	Dec.Divorce		-	-	-	8						All of Lot 8, Holmes Creek Estates.	14
	Feb	23	1981	41	586	739														All of Lot 8, Holmes Creek Estates.	
15	Feb	26	1981	10	858	615	Joan T. Huffaker,	Danny H. Schultz, etux	W.Deed	-	-	10	-	8						Subj to easements & rs/w.	15
	Feb	23	1981	42	586	740															
16	Feb	26	1981	10	858	616	Danny H. Schultz, etux	United Sav. & Loan Assn.	Tr.Deed	-	-	47,100	-	8						All of Lot 8, Holmes Creek Estates.	16
	Mar	4	1981	02	587	486															
17	Mar	9	1981	11	859	768	United Sav. & Loan Assn	Western Mtge. Loan Corp.	Assignment		-	-	-		8					See Book 858, Page 616.	17
	Mar	4	1981	03	587	487															
18	Mar	9	1981	11	859	769	Western Mtge. Loan Corp.	Home Fed. Sav. & Loan Assn of Harlan	Assignment		-	-	-			8				See Book 858, Page 616.	18
	Mar	4	1981	52	588	100															
19	Mar	17	1981	11	860	642	Earl D. Ancker	To WhomIt May Concern	Not.of Contract			-	-				29			Lot 29, Holmes Creek Estates.	19
	Apr	13	1981	33	590	170															
20	Apr	15	1981	9	863	1075	Roger William Hill, etux	Keith Stratford, etux	W.Deed	-	-	10	-					3		All of Lot 3, Holmes Cr. Estates. Subj to easements & rs/w.	20
	Apr	13	1981	34	590	171															
21	Apr	15	1981	9	863	1076	Keith Stratford, etux	Roger William Hill, etux	Tr.Deed	-	-	17,650	-						3	All of Lot 3, Holmes Creek Estates.	21
	June	1	1981	18	593	735															
22	June	2	1981	3	869	396	David A. Foutz, etux	Neil B. Corbridge, etux	W.Deed	-	-	10	-							31	Lot 31, Holmes Creek Estates.	22
	June	1	1981	19	593	736															
23	June	2	1981	3	869	397	Neil B. Corbridge, etal	David A. Foutz, etal	Tr.Deed	-	-	18,804.70							31	Lot 31, Holmes Creek Estates.	23
	June	15	1981	50	594	669														All of Lot 15, Holmes Creek Estates.	
24	June	16	1981	1	870	914	George S. Sultemeier, etux	Michael D. Gregg, etux	W.Deed	-	-	10	-					15		Subj to easements.	24
	June	15	1981	51	594	670															
25	June	16	1981	1	870	915	Michael D. Gregg, etux	George S. Sultemeier, etux	Tr.Deed	-	-	6,622.04					15			All of Lot 15, Holmes Creek Estates.	25
	June	16	1981	52	594	990														All of Lot 16, Holmes Creek Estates. Subj	
26	June	19	1981	3	871	342	Vincent A. Cannava, etux	Friedrich D. Jenkins, etux	W.Deed	-	-	10	-			16				to easements & rsw.	26
	June	16	1981	53	594	991															
27	June	19	1981	3	871	343	Friedrich D. Jenkins, etal	Vincent A. Cannava, etal	Tr.Deed	-	-	7,525	-		16					All of Lot 16, Holmes Creek Estates.	27
	Nov	2	1981	45	603	357															
28	Nov	2	1981	3	883	1047	Utah Title of Farmington, Trustee	John Roger Thompson, etux	*Reconveyance*			-	-	15						See Book 681, Page 983.	28
	Feb	28	1982	40	611	643															
29	Mar	22	1982	3	896	1075	Calvin L. Osborn, etux	Terry Lynn Hanney	W.Deed	-	-	10	-	18						All of Lot 18, Holmes Creek Estates.	29
	Mar	22	1982	41	611	644															
30	Mar	22	1982	3	896	1076	Kent C. Brown	Marvin Brown	W.Deed	-	-	10	-		18					All of Lot 18, Holmes Creek Estates.	30
	Mar	25	1982	21	612	052															
31	Mar	29	1982	11	897	651	Marvin Brown	To Whom It May Concern	Req.for Copies			-	-		18					See Book 575, Page 570.	31
	Apr	7	1982	10	612	857															
32	Apr	8	1982	3	898	910	Michael R. Larkins, etal	Homemakers Finance Service, Inc. dba GECC Financial Services	Tr.Deed	-	-	6,052.44				7				Lot 7, Holmes Creek Estates.	32

DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

HOLMES CREEK ESTATES SUBDIVISION

KELLY CO., MFRS., SALT LAKE 3915

	Date of Instrument / Date of Recording: Month	Day	Year	Time	Entry No.: Book	Page	Grantors	Grantees	Kind of Instrument	Revenue Stamps $	Revenue Stamps c	Consideration	Lots								Description (Lots 1 to 34)	
1	- / Apr	- / 8	- / 1982	11 / 3	612 / 898	858 / 911	GECC Financial Services	To Whom It May Concern	Req.for Copy	-	-	-	7								See Book 578, Page 929.	1
2	Apr / Apr	28 / 29	1982 / 1982	32 / 9	614 / 900	164 / 867	Sec. Title Co. Trustee	Calvin L. Osborn, etux	*Reconveyance*			-		18							See Book 777, Page 355.	2
3	July / Aug	15 / 11	1982 / 1982	05 / 9	620 / 911	675 / 80	Jerry J. Willey, etux	Joe M. Bailey	W.Deed	-	-	10 -			17						All of Lot 17, Holmes Creek Estates.	3
4	July / Aug	15 / 11	1982 / 1982	06 / 9	620 / 911	676 / 81	Joe M. Bailey	Jerry J. Willey, etux	Tr.Deed	-	-	16,700-				17					All of Lot 17, Holmes Creek Estates.	4
5	July / Aug	16 / 11	1982 / 1982	07 / 9	620 / 911	677 / 82	Joe M. Bailey	Joe M. Bailey, etux	W.Deed	-	-	10 -					17				All of Lot 17, Holmes Creek Estates.	5
6	Aug / Aug	25 / 25	1982 / 1982	06 / 1	621 / 912	533 / 747	Sec. Title Co. Trustee	Jerry J. Willey, etux	*Reconveyance*			-					17				See Book 792, Page 822.	6
7	Oct / Oct	13 / 19	1982 / 1982	11 / 12	624 / 917	907 / 929	Marvin Jones, Jr. etux	Kent Smith Const. Co.Inc.	W.Deed	-	-	10 -						11			Lot 11, Holmes Creek Estates.	7
8	Jan / Feb	31 / 2	1983 / 1983	10 / 10	632 / 930	270 / 59	Donald Frank Douglas, etux	Associates Fin. Serv. Co. of Roy, Inc.	Tr.Deed	-	-	24,059.02								2	All of Lot 2, Holmes Creek estates.	8
9	Feb / Feb	1 / 2	1983 / 1983	12 / 10	632 / 930	272 / 61	Associates Fin. Serv. Co. of Roy, Inc.	To Whom It May Concern	Req.for Copies			- -						2			See Book 579, Page 232.	9
10	Feb / Mar	- / 4	1983 / 1983	22 / 9	634 / 933	355 / 436	Robert L. Barney, etux	Robert L. Barney, etux	W.Deed	-	-	10 -					21				Lot 21, Holmes Creek Estates. Subj to esmts & rs/w.	10
11	Mar / Mar	4 / 9	1983 / 1983	39 / 8	634 / 934	708 / 10	John Michael Sargent, etal	Bank of Utah	Tr.Deed	-	-	12,000-					34				Lot 34, Holmes Creek Estates.	11
12	Mar / Mar	23 / 24	1983 / 1983	06 / 9	635 / 936	968 / 4	The Home Abstract & Title Co. Trustee	Donald Frank Douglas, etal	*Reconveyance*			- -				2					See Book 773, Page 636.	12
13	Apr / May	27 / 2	1983 / 1983	50 / 8	639 / 940	058 / 734	Marvin Brown	Durbano Metals,Inc.	W.Deed	-	-	10 -			18						All of Lot 18, Holmes Creek Estates, Subj to esmts & rs/w.	13
14	May / May	13 / 23	1983 / 1983	26 / 10	641 / 943	018 / 708	Kent Smith Construction Co., Inc.	Marvin Jones, Jr., etux	W.Deed	-	-	10 -		11							All of Lot 11, Holmes Creek Estates	14
15	May / May	20 / 23	1983 / 1983	27 / 10	641 / 943	019 / 709	Marvin Jones, Jr. etal	Robert B. Dobbs, etux	W.Deed	-	-	10 -	11								All of Lot 11, Holmes Creek Estates Subj to Esmts & rts/w	15
16	May / May	20 / 23	1983 / 1983	28 / 10	641 / 943	020 / 710	Robert B. Dobbs, etal	Byron A. Dobbs, etal	Tr.Deed	-	-	32,000 -		11							All of Lot 11, Holmes Creek Estates	16
17	June / June	7 / 16	1983 / 1983	11 / 10	643 / 946	196 / 672	L. Craig Memmott, etux	First Sec. Bank of Utah	Tr.Deed	-	-	6,000 -			25						All of Lot 25, Holmes Creek Estates.	17
18	June / June	7 / 16	1983 / 1983	12 / 10	643 / 946	197 / 676	First Sec. Bank of Utah	To WhomIt May Concern	Req.for Notice			- -				25					See Book 579, Page 782.	18
19	June / June	7 / 22	1983 / 1983	46 / 3	643 / 947	841 / 717	L. Craig Memmott, etux	First Sec. Bank of Utah	Tr.Deed	-	-	6,000 -					24				All of Lot 24, Holmes Creek Estates. Re-recorded to correct legal Desc. Pre-	19
20	June / June	7 / 22	1983 / 1983	47 / 3	643 / 947	842 / 721	First Sec. Bank of Utah	To Whom It May Concern	Req.for Notice			- -						24			viously in Book 946, Page 672. See Book 579, Page 782, Re-recorded	20
21																					to correct legal Desc. Previously in Bk 946, Page 676.	21
22	May / June	27 / 23	1983 / 1983	11 / 10	643 / 947	880 / 779	Genstar Pacific Financial Corp.	Genstar Mtge. Corp.	Assignement	-	-	- -								15	See Book 781, Page 342.	22
23	July / July	13 / 15	1983 / 1983	37 / 12	645 / 950	901 / 725	U.S. Title of Utah, Trustee	Marvin Jones, Jr. etal	*Reconveyance*			- -						11			See Book 792, Page 457.	23
24	- / Aug	- / 18	- / 1983	06 / 9	648 / 955	965 / 477	Steve Jordan	U.S. Title of Utah, Successor Trustee	Sub.of Trustee			- -						11			See Book 792, Page 457.	24
25	Sept / Sept	9 / 9	1983 / 1983	11 / 4	651 / 958	305 / 965	Cortland D. Field, etux	Orval L. Wesley, etux	W.Deed	-	-	10 -					9				All of Lot 9, Holmes Creek Estates. Subj to esmts.	25
26	Sept / Sept	9 / 9	1983 / 1983	12 / 4	651 / 958	306 / 966	Orval L. Wesley, etux	Cortland D. Field, etux	Tr.Deed	-	-	12,875.-				9					Same as line 25.	26
27	Nov / Nov	17 / 22	1983 / 1983	07 / 1	657 / 968	838 / 849	Michael R. Larkins, etux	Fed. Emp. Credit Union	Tr.Deed	-	-	11,500 -			7						All of Lot 7, Holmes Creek Estates.	27
28	Nov / Nov	12 / 22	1983 / 1983	08 / 1	657 / 968	839 / 852	F.E.C.U.	To Whom It May Concern	Req.for Copies			- -		7							See Book 578, Page 929.	28
29	Dec / Dec	9 / 14	1983 / 1983	40 / 3	659 / 971	802 / 858	John Michael Sargent, etux	Bank of Utah	Tr.Deed	-	-	18,015.68			34						Lot 34, Holmes Creek Estates.	29
30	- / Dec	- / 20	- / 1983	05 / 2	660 / 972	270 / 554	Bank of Utah	To Whom It May Concern	Req.for Copy	-	-	- -				34					See Book 646, Page 38.	30
31	Dec / Dec	13 / 20	1983 / 1983	41 / 3	660 / 972	298 / 601	Mountain View Title & Escrow, Inc. Trustee	Michael R. Larkins, etal	*Reconveyance*			- -					7				See Book 898, Page 910.	31
32	June / Dec	22 / 28	1983 / 1983	12 / 10	660 / 973	746 / 356	Genstar Mtge. Corp.	Manufacturers Hanover Mtge. Corp.	Assignment-		-	- -					15				See Book 781, Page 342.	32

DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

HOLMES CREEK ESTATES SUBDIVISION

KELLY CO., MFRS., SALT LAKE 3915

	Date of Instrument / Date of Recording: Month	Day	Year	Time	Entry No.: Book	Page	Grantors	Grantees	Kind of Instrument	Revenue Stamps S	Revenue Stamps C	Consideration		Lots								Description (Lots 1 to 34)	
1	Dec	15	1983	30	662	259																	
	Jan	17	1984	10	975	609	Bank of Utah, Trustee	John Michael Sargent, etux	*Reconveyance*	-	-	-	-	34								See Book 934, Page 10.	1
2	Apr	27	1984	25	670	465																	
	Apr	27	1984	2	987	808	Sec. Title Co. Trustee	Michael D. Gregg, etux	*Reconveyance*	-	-	-	-		15							See Book 870, Page 915.	2
3	July	20	1984	20	678	325																	
	July	23	1984	3	999	642	Danny H. Schultz, etal	Associates Financial Services Co.	Tr.Deed	-	-	-	-			8						All of Lot 8, Holmes Creek Estates.	3
4	July	25	1984	27	678	486																	
	July	26	1984	10	999	949	Commercial Security Bank, Trustee	Harry Keith Huffaker, etux	*Reconveyance*	-	-	-	-				8					See Book 621, Page 598.	4
5	July	17	1984	11	679	899																	
	Aug	10	1984	10	1001	876	Commercial Sec. Bank, Trustee	Harry Keith Huffaker, etal	*Reconveyance*	-	-	-	-					8				See Book 621, Page 598.	5
6	July	20	1984	20	680	492																	
	Aug	16	1984	4	1002	709	Friedrick D. Jenkins, etux	Rodney J. McNeill, etux	W.Deed	-	-	10	-						16			All of Lot 16, Holmes Creek Estates.	6
7	Mar	13	1984	50	681	135																	
	Aug	24	1984	1	1003	473	Friedrich D. Jenkins, etal	To Whom It May Concern	Ext.& Mod.Agmt.	-	-	-	-							16		See Book 871, Page 343.	7
8	Aug	27	1984	30	681	752																	
	Aug	31	1984	3	1004	406	Jerry J. Willey, etal	The Lockhart Co.	Assignment	-	-	-	-								17	See Book 911, Page 81.	8
9	Sept	5	1984	15	682	094																	
	Sept	7	1984	9	1004	1036	The Lockhart Co.	To Whom It May Concern	Req.for Notice	-	-	-	-							17		See Book 585, Page 89.	9
10	Dec	3	1984	21	689	084																	
	Dec	3	1984	3	1015	153	Utah Title & Abstract Co. Trustee	Robert L. Barney, etux	*Reconveyance	-	-	-	-						21			See Book 701, Page 278.	10
11	Mar	14	1985	08	696	948																	
	Mar	18	1985	11	1026	909	Mountain View Title & Escrow, Inc. Trustee	Neil B. Corbridge, etal	*Reconveyance*	-	-	-	-					31				See Book 869, Page 397.	11
12	July	31	1985	30	708	823																	
	July	31	1985	1	1045	978	Steven E. Harris, etux	Bruce Costa, etux	W.Deed	-	-	10	-				13					Lot 13, Holmes Creek Estates.	12
13	Aug	26	1985	06	711	455																	
	Aug	28	1985	3	1049	1092	Utah Title & Abstract Co. Trustee	Steven E. Harris, etux	*Reconveyance*	-	-	-	-			13						See Book 622, Page 764.	13
14	Sept	10	1985	37	712	658																Lot 13, Holmes Creek Estates. Subject	
	Sept	10	1985	2	1051	796	Bruce Costa, etux	Elaine Costa	W.Deed	-	-	10	-		13							to esmts & rs/w.	14
15	Oct	15	1985	52	716	368																	
	Oct	18	1985	3	1057	689	John W. Kruger, etux	Henry G. Kruger, etal	Tr.Deed	-	-	22,000-		5								Lot 5, Holmes Creek Estates.	15
16	Oct	25	1985	06	717	237																	
	Oct	29	1985	1	1058	1126	Donald Frank Douglas, etux	Fidelity Financial Services	Tr.Deed	-	-	28,241-			2							All of Lot 2, Holmes Creek Estates.	16
17	Oct	25	1985	09	717	436																	
	Oct	31	1985	10	1059	296	Donald Frank Douglas, etux	Fidelity Financial Services	Tr.Deed	-	-	29,578.35				2						All of Lot 2, Holmes Creek Estates.	17
18	Oct	31	1985	10	717	459																All of Lot 5, Holmes Creek Estates.	
	Oct	31	1985	11	1059	339	Keith A. Gruenberg, etux	John W. Kruger, etux	W.Deed	-	-	10	-				5					Subj to esmts.	18
19	Nov	18	1985	10	719	563																	
	Nov	22	1985	9	1062	965	Michael D. Gregg, etux	Transamerica Financial Services	Tr.Deed	-	-	5572.62						15				All of Lot 15, Holmes Creek Estates.	19
20	-	-	-	10	719	564																	
	Nov	22	1985	9	1062	968	Transamerica Financial Services	To Whom It May Concern	Req.for Copy	-	-	-	-						15			See Book 781, Page 342.	20
21	Dec	17	1985	52	722	223																	
	Dec	23	1985	1	1067	156	John Michael Sargent, etux	United Sav. & Loan Assn.	Tr.Deed	-	-	72,650-								34		All of Lot 34, Holmes Creek Estates.	21
22	Dec	31	1985	10	723	136																	
	Jan	3	1986	10	1068	869	United Sav. & Loan Assn.	Western Mtge. Loan Corp.	Assignment	-	-	-	-								34	See Book 1067, Page 156.	22
23	Jan	22	1986	46	725	092																	
	Jan	24	1986	9	1071	474	Sec. Title Co. Trustee	Keith Stratford, etux	*Reconveyance*			-	-							3		See Book 863, Page 1076.	23
24	Feb	4	1986	07	726	305																	
	Feb	6	1986	10	1073	231	Bank of Utah, Trustee	John Michael Sargent, etux	*Reconveyance*			-	-						34			See Book 971, Page 858.	24
25	Feb	20	1986	50	727	670																	
	Feb	21	1986	10	1075	324	Angelo G. Manis, etal	Bank Western Fed. Sav. Bank of Colorado	Tr.Deed	-	-	19,300-						14				Lot 14, Holmes Creek Estates.	25
26	Feb	20	1986	50	727	671																	
	Feb	21	1986	10	1075	327	Westline Credit Corp.	To Whom It May Concern	Req.for Notice			-	-				14					See Book 640, Page 972.	26
27	Mar	4	1986	53	729	894																	
	Mar	14	1986	2	1078	686	Utah Title & Abstract Co. Trustee	John Michael Sargent, etux	*Reconveyance*			-	-			34						See Book 646, Page 38.	27
28	Jul	14	1986	35	745	300																	
	Jul	23	1986	10	1101	604	D. W. Burningham etux	Earl D. Ancker	Q.C.Deed	-	-	10-			29							Lot 29, Holmes Creek Estates.	28
29	Jul	14	1986	36	745	301																	
	Jul	23	1986	10	1101	605	Earl D. Ancker	D. W. Burningham etux	Tr.Deed	-	-	31,157.71				29						Lot 29, Holmes Creek Estates.	29
30	Oct	24	1986	55	758	094																	
	Oct	28	1986	8	1120	20	Dan Schultz, etux	Associates Fin.Serv. Co. of Ogden, Inc.	Tr.Deed	-	-	11,791.73						8				All of Lot 8, Holmes Creek Estates.	30
31	Nov	13	1986	38	760	415																	
	Nov	13	1986	1	1123	1037	The Home Abstract & Title Co. Trustee	Danny H. Schultz, etux	*Reconveyance*			-	-						8			See Book 999, Page 642.	31
32	Nov	18	1986	31	761	657																Lot 33, Holmes Creek Estates. Subject	
	Nov	24	1986	9	1126	85	Willard R. MacFarlane, etal	Philip T. Lyman, etux	W.Deed	-	-	10	-							33		Subj to esmts & rs/w.	32

DAVIS COUNTY
ABSTRACT OF TITLE LANDS — SUBDIVISIONS

HOLMES CREEK ESTATES SUBDIVISION

KELLY CO., MFRS., SALT LAKE 3915

	Date of Instrument / Date of Recording: Month	Day	Year	Time	Entry No.: Book	Page	Grantors	Grantees	Kind of Instrument	Revenue Stamps S	C	Consideration	Lots	Description (Lots 1 to 34)	
1	Nov Nov	13 24	1986 1986	32 9	761 1126	658 86	Philip T. Lyman, etux	American Sav. & Loan Assn.	Tr.Deed	-	-	39,000-	33	Lot 33, Holmes Creek Estates.	1
2	Nov Nov	21 26	1986 1986	33 4	762 1126	176 1469	Joe M. Bailey, etux	GMAC Mtge. Corp.	Tr.Deed	-	-	424.99	17	Lot 17, Holmes Creek Estates.	2
3	Nov Dec	21 17	1986 1986	08 3	764 1131	927 242	Joe M. Bailey, etux	GMAC Mtge. Corp. of PA.	Tr.Deed	-	-	50,000-	17	Lot 17, Holmes Creek Estates. Previously recorded in Bk 1126, Page 1469.	3
4	Dec Dec	19 22	1986 1986	34 11	765 1132	535 149	Earl D. Ancker	Dager Lee Caudill, etux	W.Deed	-	-	10 -	29	All of Lot 29, Holmes Creek Estates.	4
5	Dec Dec	19 22	1986 1986	34 11	765 1132	536 150	Dager Lee Caudill, etux	United Sav. & Loan Assn.	Tr.Deed	-	-	66,600-	29	Same as line 4.	5
6	Jan Jan	23 29	1987 1987	07 4	770 1140	735 711	United Sav. & Loan Assn.	Western Mtge.Loan Corp.	Assignment	-	-	- -	29	See Book 1132, Page 150.	6
7	Mar Mar	25 26	1987 1987	18 11	778 1154	663 158	The Home Abstract & title Co. Trustee	Michael D. Gregg, etux	*Reconveyance*	-	-		15	See Book 1062, Page 965.	7
8	Mar Apr	19 7	1987 1987	30 12	790 1157	449 607	Sec. Title Co. trustee	Joe M. Bailey	*Reconveyance*	-	-		17	See Book 911, Pg 81.	8
9	Apr May	30 1	1987 1987	30 3	784 1163	219 1271	fka Land Title Co. United Title Serv. of Utah Inc. trustee	D. W. Burningham etux	*Reconveyance*	-	-		29	See Book 709, Pg 542.	9
10	May May	1 21	1987 1987	11 3	787 1168	289 696	Utah Title & Abstract Co. trustee	Willard R. Macfarlane etux	*Reconveyance*	-	-		33	See Book 572, pg. 275	10
11	June July	25 13	1987 1987	55 1	793 1180	844 138	Sec. Title Co. Trustee	Friedrich D. Jenkins, etal	*Reconveyance*	-	-		16	See Book 871, Page 343.	11
12	July Aug	30 4	1987 1987	56 9	796 1185	564 50	Larry R. Peck,Jr. etux	Davis Schools Credit Union	Tr.Deed	-	-	8,500-	20	All of Lot 20, Holmes Creek Estates.	12
13	Aug Aug	12 13	1987 1987	31 2	797 1187	971 626	Neil B. Corbridge, etal	Robert B. Cowder,Jr. etux	W.Deed	-	-	10 -	31	All of Lot 31, Holmes Creek Estates. Subj to esmts.	13
14	Aug Aug	12 13	1987 1987	31 2	797 1187	972 627	Robert B. Cowder,Jr. etux	Commercial Sec. Bank	Tr.Deed	-	-	71,000-	31	Lot 31, Holmes Creek Estates.	14
15	Jun Aug	26 25	1987 1987	29 11	799 1189	303 1083	Robert L. Barney etux	Robert L. Barney etux	W.Deed	-	-	10.00	21	Lot 21, Holmes Creek Estates	15
16	Aug Aug	26 28	1987 1987	09 10	799 1190	690 617	Davis Schools Credit Union	Larry R. Peck, Jr. etal	*Release*	-	-	- -	20	See Book 714, Pg. 84	16
17	May Sep	12 17	1987 1987	46 9	801 1194	794 22	Apple Bank for Savings	Fleet Mortgage Corp.	Assignment	-	-	- -	16	See Book 719, Pg. 637	17
18	Aug Sep	7 29	1987 1987	38 9	803 1196	034 53	GMAC Mortgage Corporation of PA	Federal Home Loan Mortgage Corp.	Assignment	-	-	- -	17	See Book 1131, Pg. 242	18
19	Oct Oct	7 19	1987 1987	31 9	805 1199	111 679	Utah Title & Abstract Co. Tr.	Jerry J. Willey etux	*Reconveyance*	-	-	- -	17	See Book 585, Pg 89.	19
20							See Computer Printout								20
21															21
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30															30
31															31
32															32

Abstract

Land Serial Number: 11-058-0026

Tax Name & Address for Tax Year 2016
LATHAM, G BRETT
1005 EAST 320 SOUTH
LAYTON, UT 84041-0000

Tax District: 39 LAYTON ABC
Exempt:
Parcel Dates: 1/1/1980 to Present
Acres: 0.230

ALL OF LOT 26, HOLMES CREEK EST, CONT. 0.23 ACRES

Situs Address

1005 E 320 South Layton 84040-

Type	Party	KOI	Entry Number / Book & Page	Rec. Date & Time / Inst. Date	Consideration	Vest Doc.	See Also	Cross References Entry Number	Cross References Book & Page
Grantor:	WELLS FARGO BANK NA WELLS FARGO FINANCIAL NATIONAL BANK	SUBSTITUTION OF TRUSTEE	2676523	07/30/2012 10:48 a					
Grantee:	LATHAM, G BRETT		5573-320	07/19/2012				2587622	
Grantor:	LATHAM, G BRETT	TRUST DEED	2669888	06/27/2012 10:25 a	$80,000.00				
Grantee:	MOUNTAIN AMERICA FEDERAL CREDIT UNION MERS		5552-278	06/22/2012					
Grantor:	WELLS FARGO BANK WELLS FARGO FINANCIAL NATIONAL BANK	SUBSTITUTION OF TRUSTEE	2589955	03/18/2011 02:49 p					
Grantee:	LATHAM, G BRETT		5233-393	03/11/2011				2209232	
Grantor:	LATHAM, G BRETT	TRUST DEED	2587622	03/03/2011 04:43 p	$130,127.00				
Grantee:	WELLS FARGO BANK		5222-1004	02/28/2011				2676523	
Grantor:	BANK OF AMERICA NA BANK OF AMERICA NA USA	SUBSTITUTION OF TRUSTEE	2225544	12/07/2006 08:00 a					
Grantee:	PASSEY, JULIE PASSEY, STEVEN		4174-8	12/01/2006				1258485	
Grantor:	LATHAM, G BRETT	TRUST DEED	2209232	10/10/2006 11:35 a	$142,800.00				
Grantee:	WELLS FARGO BANK		4135-250	10/04/2006				2589955	
Grantor:	PASSEY, STEVEN K PASSEY, JULIE L	WARRANTY DEED	2209191	10/10/2006 10:18 a	$10.00	YES			
Grantee:	LATHAM, G BRETT		4135-70	10/04/2006					

Abstract

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1005 EAST 320 SOUTH
LAYTON, UT 84041-0000

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Parcel Dates: 1/1/1980 to Present
Acres: 0.230

Type	Party	KOI	Entry Number / Book & Page	Rec. Date & Time / Inst. Date	Consideration	Vest Doc.	See Also	Cross References: Entry Number	Cross References: Book & Page
Grantor:	US BANK NATIONAL ASSOCIATION	RECONVEYANCE	2142627	02/03/2006 08:00 a					
Grantee:	PASSEY, JULIE L PASSEY, STEVEN K		3964-71	01/30/2006				1675464	
Grantor:	RELIANCE ABSTRACT CO	RECONVEYANCE	1689094	09/14/2001 08:52 a	$0.00				
Grantee:	PASSEY, JULIE L PASSEY, STEVEN K		2886-339	08/24/2001				1294345	2076-322
Grantor:	PSB LENDING CORP	SUBSTITUTION OF TRUSTEE	1689093	09/14/2001 08:52 a	$1.00				
Grantee:	RELIANCE ABSTRACT CO		2886-337	08/13/2001				1294345	2076-322
Grantor:	PASSEY, JULIE L PASSEY, STEVEN K	TRUST DEED	1675464	07/17/2001 11:24 a	$45,999.00				
Grantee:	U S BANK NATIONAL ASSOCIATION ND		2848-430	07/12/2001				2142627	
Grantor:	PIONEER SAVINGS AND LOAN	ASSIGNMENT	1386456	03/06/1998 08:50 a	$0.00				
Grantee:	PSB LENDING CORP		2252-53					1294345	2076-322
Grantor:	ZIONS MTGE COMPANY	ASSIGNMENT	1312195	03/25/1997 12:02 p	$0.00				
Grantee:	NATIONSBANC MTGE CORP		2109-346	07/19/1996				1258485	2017-549
Grantor:	PASSEY, JULIE L PASSEY, STEVEN K	TRUST DEED	1294345	12/19/1996 03:14 a	$28,000.00				
Grantee:	PIONEER SAVINGS AND LOAN ASSN		2076-322	12/06/1996				1386456 1689093 1689094	2252-53 2886-337 2886-339
Grantor:	ZIONS FIRST NATL BANK	RECONVEYANCE	1273427	09/12/1996 07:53 a	$0.00				
Grantee:	WINTER, A MAX WINTER, JOYCE A		2043-68	08/12/1996				1037923	1619-2062

Abstract

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1005 EAST 320 SOUTH
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Parcel Dates: 1/1/1980 to Present
Acres: 0.230

Type	Party	KOI	Entry Number / Book & Page	Rec. Date & Time / Inst. Date	Consideration	Vest Doc.	See Also	Cross References Entry Number	Cross References Book & Page
Grantor:	ZIONS FIRST NATL BANK	RECONVEYANCE	1272426	09/09/1996 07:48 a	$0.00				
Grantee:	WINTER, A MAX WINTER, JOYCE A		2041-570	08/06/1996				1038956	1621-258
Grantor:	BARNES BANKING COMPANY	ASSIGNMENT	1258486	06/27/1996 04:23 a	$0.00				
Grantee:	ZIONS MTGE COMPANY		2017-558	06/27/1996				1258485	2017-549
Grantor:	PASSEY, JULIE L PASSEY, STEVEN K	TRUST DEED	1258485	06/27/1996 04:22 a	$123,773.00				
Grantee:	BARNES BANKING COMPANY		2017-549	06/27/1996				1258486 1312195 2225544	2017-558 2109-346
Grantor:	WINTER, A MAX WINTER, JOYCE A	WARRANTY DEED	1258484	06/27/1996 04:22 a	$10.00				
Grantee:	PASSEY, JULIE L PASSEY, STEVEN K		2017-548	06/27/1996					
Grantor:	ZIONS FIRST NATL BANK	ASSIGNMENT	1089569	01/13/1994 08:05 a	$0.00				
Grantee:	BANKERS TRUST CO, TR		1712-38	10/21/1993				1037923	1619-2062
Grantor:	FEDERAL NATL MTGE ASSN UNITED SAVINGS BANK	SUBSTITUTION OF TRUSTEE	1069950	10/22/1993 09:26 a	$0.00				
Grantee:	WINTER, A MAX WINTER, JOYCE A		1677-576	10/05/1993				0	699-37
Grantor:	BLACKBURN, TIMOTHY W	RECONVEYANCE	1056420	08/23/1993 10:19 a	$0.00				
Grantee:	WINTER, A MAX WINTER, JOYCE A WINTER, MAX AKA		1653-804					853902	1285-657
Grantor:	WINTER, A MAX	TRUST DEED	1038956	06/01/1993 11:49 a	$18,000.00				

Abstract

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Parcel Dates: 1/1/1980 to Present
Acres: 0.230

Type	Party	KOI	Entry Number / Book & Page	Rec. Date & Time / Inst. Date	Consideration	Vest Doc.	See Also	Cross References Entry Number	Cross References Book & Page
	WINTER, JOYCE A								
Grantee:	ZIONS FIRST NATL BANK		1621-258	05/26/1993				1272426	2041-570
Grantor:	WINTER, A MAX	TRUST DEED	1037923	05/27/1993 02:57 a	$26,695.36				
	WINTER, JOYCE A								
Grantee:	ZIONS FIRST NATL BANK		1619-2062	05/26/1993				1089569	1712-38
								1273427	2043-68
Grantor:	AMERICA FIRST CREDIT UNION	REQUEST FOR NOTICE	853903	04/06/1989 02:44 a	$0.00				
Grantee:	TO WHOM IT MAY CONCERN		1285-662					0	699-37
Grantor:	WINTER, JOYCE A	TRUST DEED	853902	04/06/1989 02:43 a	$19,500.00				
	WINTER, MAX								
Grantee:	AMERICA FIRST CREDIT UNION		1285-657	03/30/1989				1056420	1653-804
			S-608						
			699-36						
			579-678						
			552-381						