#### Caanan Hay Company, Tract A

A trust of land located in the Northwest Quarter of the Southwest Quarter of Section 26, Township 5 North, Range I West, Salt Lake Base and Meridian; having a busis of bearing of South 89"34"40" East along the courses section line between the West Quarter and Center Quarter corners of said section, said corners better management with Weber County bross care duted 1967 and 1966 respectively. Said West Ouarter corner monument having NAD27 state plane coordinates of record of X=1881792.876 and Y=294008.621 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows:

Commencing at the menumented West Quarter comes of said Section 26. RLINNING thence South 89°34'40" East 1263.02 feet, along said quarter section line to the west line of a purcei resembed and recorded on 26-Nov-3006, in the doed records of Weber County in Entry # 2070568. Therece South 04"33"37" West 207 45 feet, to the south line of a 4.5 sere tract of land as described and recorded on 05-Feb-1946, in the deed records of Weber County as Book 237 Page 13, mid deed being the root of title for

Thence the following sixteen (16) courses being along the best evidence of the North bank of the Weber River as it existed in 1946 as documented by serial photography from that year, as decided by Joseph Bybes to Robert Lyle Bybee in Book 232 Page 15 of the Weber County deed records,

ourse 1) North 77'09'26 West 12:27 feet (I.17); Course 2) North 69"27'05" West 91.18 feet (I.18); Course 3) North 63\*45'32" West 10it 56 feet (L19); Course 4) North 69\*52'14" West 85:25 feet (L20); Course 5) North 83\*39/44" West 84:56 fbet (L21); Course 6) South 81\*25'08" West 71:51 fbst (L22); Course 7) South 64\*30'42" West 96 06 (bet (1.23); Course 8) South 78° (2.40)\* West 124.02 foot (1.24); Course 9) North 74°45°03\* West 60.84 Spet (J.25); Course 10) North 65°57'40° West 64.09 feet (J.26); Course 11) North 75°58'08° West 52.59 feet (L27); Course 12) North 88°09'12" West 98.91 feet (L28); Course 13) South 71°34'19" West 131.09 feet (1.29); Course 14) South 62\*42'35\* West 111 24 feet (1.30); Course 15) South 38\*10'07\* West 113:53 feet (L31); Course 16) South 28°26'37" West 61.74 (set (L32), to the section line;

Thence North 00°05'17" East 345.46 feet, along said section line to the point of beginning. entuining 4.1777 acres, more or less.

cription is a result of a survey which is filed in the Weber County Surveyor's Office record of survey files in # 3489 , and survey being made a part hereof.

### Crofts, Tract B

Bybee in Book 232 Page 13 of the Weber County deed records

592, Book 955 Page 593 and Book 955 Page 594;

thence South 00°03'43" West 48 80 feet (L3), along said sixteenth section line.

extornth (1/16th) section line

A tract of land being part of the North Half of the Southwest Quarter of Section 26, Township 5 North, Range 3 West, Salt Lake Base and Meridian; baving a basis of bearing of South 89°34'40" East along the quarter section se between the West Quarter and Centur Quarter corners of said section, said corners being remainered with Weber County brass caps dated 1967 and 1966 respectively. Said West Quarter conter monument having NAD27 state plane coordinates of record of X=1881792.876 and Y=294008.621 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows:

Beginning at a point located 1263-02 fort South 89°34'40" East, along said quarter section line to the west line Fix parcel described and recorded on 26-Nov-2004; in the deed records of Weber County as Entry # 2070568. from the monumented West Quarter corner of said Section 26:

Course 1) South 77°09'26" Eura 45'72 feet (I.1); Course 2) South 84°31'41" East 28:23 feet (L2), to the

in 1970 as documented by serial photography from that year, the root of title for these six courses were

Bybee to Robert Lyle Byber, which description originated is the following Out Claim Deeds, Book 935 Page

Course 1) North 88°59'04" East 45.12 foot (L4); Course 2) North 75°41'56" East 107.43 foot (L5); Course 3)

71°34'19" East 54.21 feet (L8 & L9); Course 6) North 80°02'15" East 49.05 feet (L10 & L11), to the cost line of

a purcet as described and recorded on 16-Oct-1998, in the deed records of Weber County as Entry # 1581609.

deed records of Weber County as Book 1323 Page 512, from Grant G. Bybee to Robert Lyle Bybee, which

Book 1963 Page 1180, said cast line being approximately the same as originally deeded on 17-Sep-1979, in the

description originated in the following Quit Claim Deeds, Book 955 Page 592, Book 955 Page 593 and Book

North 63°26'38" East 70.27 feet (L6); Course 4) North 64°48'28" East 55.67 feet (L7); Course 5) North

RUNNING thence South 04\*33'37" West 207.45 feet, to the worth line of Parcel 2 as described and recorded on Book 1740 Page 1558. 05-Feb-1946, in the deed records of Welter County to Book 232 Page 13, said deed being the mot of title for the portion of the south line of this tract which is west of the sixteenth section line; Thence the following two (2) courses being along the best evidence of the North bank of the Weber River as it

section line and the east houndary line of said 2275 East Street dedication examed as 1946 to documented by aerial photography from that year, as alceded by Joseph Hyber to Robert Lyfe Thance South 89°34'40° East 145.85 feet, along said quarter section line to the point of beginning Containing 3.5700 acres, more or less.

This description is a result of a survey which his filed in the Weber County Surveyor's Office record of survey files as # 3489 said survey being made a part hereof

#### Thouse the following six (6) courses being the best evidence of the center line of the Weber River as it existed Bybee, Tract D originally deeded on 17-Sep-1979, in the deed seconds of Weber County as Book 1323 Page 512, from Grant G.

A tract of land being part of the Northeast Quarter of the Southwest Quarter of Section 26, Township 5 North, Tange 1 West, Salt Lake Base and Meridian; having a basis of bearing of North 89°34'40" West along the arter section line between the Center Quarter and West Quarter occurs of said section, said comers heavy mented with Weber County braze caps dated 1966 and 1967 empectively. Said Center Quarter corner monument having NAD27 state plane coordinates of record of X=1884431.026 and V=203989.185 as surveyed nd maintained by the Weber County Surveyor's Office, being more particularly described as follows. eginning at a point located 323.82 feet South 00°02'09" West, along quarter section line, to the Weber Davis. any boundary line as re-surveyed and recorded in the Weber County records on Oct. 31, 2002, as Plan Book 56 Pages 88-92. Untry # 1885948, by the Weber and Davis County Surveyors, and 163.75 feet North 74"32'00" West, along said county boundary line, from the Center Quarter corner of said Section 26; RUNNING thence the following two (2) courses along said county boundary line

Thence the following six (6) courses being the best evidence of the carner line of the Weber River as it existed

Suprae 1) South 67°28'00" West 645.73 feet. Course 2) South 87°08'00" West 566.27 feet, to the sistament

Thorace North 00°03'43" East 297.62 foot, along said sixtnessly section line;

Theree North 89°34'40" West 27.00 feet, along said quarter section line, to the east line of said pascel described nd recorded on 26-New-2004, in the deed records of Wither County to Entry # 2070568, e continuing along said quarter section line, North 89° 14'40" West 26,00 feet, to the northeast corner of

Thence North 00°25'20° East 158.15 feet (L16 & L46), along said out line, to the quarter section line as

Parsel 2 as described and recorded on 19-Noy-1998, in the deed records of Weber County as Entry # 1390846, hence continuing along said quarter section line, North 89°54'40" West 364 68 feet, to the point of beginning.

Containing 2,1315 acres, more or less.
This description is a result of a survey which is filled in the Wuber County Surveyor's Office record of survey. files as # 3489 said survey being made a part bereaf

#### Bybee, Tract C

Range 1 West, Salt Lake Base and Meridian; having a basis of bearing of North 89"34'40" West along the quarter section line between the Center Quarter and West Quarter corners of said section, said corners being mented with Weber County brain caps dated 1966 and 1967 respectively. Said Center Quarter corner moniment having NAD27 state plane coordinates of record of X=1884431.026 and Y=293989.385 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows;

remencing at the monumented Center Quarter corner of said Section 26. INNING thence South 00°02'09" West 323.82 feet, along quarter section line, to the Weber/Davis County togandary line as re-surveyed and recorded in the Weber County records on Oct. 31, 2002, as Plat Book 56 Pages 88-92, Entry # 1885948, by the Weber and Davis County Surveyors Thence North 74"32'00" West 163.75 feet, along said county boundary line,

recorded on 17-Sep-1979, in deed Blook 1323 Page 510, said us, courses being along the best evidence of the North bank of the Weber River as it existed in Sept. 1970 as documented by serial photography of that year, Course 1) North 77°09'37" West 220.97 feet, Course 2) North 67"34'16" West 169.66 feet; Course 3) North 68°13'45" West 125.60 feet; Course 4) North 79°19'33" West 80.47 feet; Course 5) North 89°48'02" West 163.16 feet, Course 6) South 85°49'17" West 70.04 feet, to the east line of a parcel as described and recorded on 16-Oct-1998, in the deed records of Weber County as Entry # 1581609, Book 1963 Page 1180, said east line being approximately the same as originally deeded on 17-Sep-1979, in the deed records of Weber County as Book 1323 Page 512, from Grant G. Bybee to Robert Lyle Bybee, which description originated in the following Ouit Claim Deeds, Book 955 Page 592, Hook 955 Page 593 and Book 955 Page 594;

Thence leaving the county boundary line the following six (6) courses being the same as the south line of deed

Thence North 00°25'20" East 116.42 feet, along said east line, to the quarter section line as monumented, said point being located South 89°34'40" East 1680.70 fort from the West Quarter corner of said section 26; hence South 89°34'40° East 762.32 first, wlong said quarter section line, to the west line of 2275 East Street as dedicated, the plat of said dedication being recorded on 17-Mar-1987, at Plat Book 29 Page 6; Thence South 00°05'30" East 0.185 feet, along said west line of 2275 East Street, to a non-tangent curve; Thence along the arc of a curve to the Left 194 508 feet, having a radius of 55 000 feet and a client bearing and

distance of South 06"11"59.6" East 107.862 feet, with a central angle of 202"37"39", to the most westerly corner

of a certain parcel described in a deed recorded 9-Apr-2002, in Book 2222 Page 2943, said purcel being also

inown as Parcel 2 of deed recorded 7-Dec-1994, in Bonk 1740 Page 1558; hence the following four (4) courses along the boundary of said Parcet 2 of deed recorded 7-Dec-1994, in Course 1) South 17"31"15" East 103.76 feet (103.73 feet by record); Course 2) East 131.10 feet; Course 3)

North 02°24'40" East 92:00 feet; Course 4) North 48°15'29" West 171.34 feet, to the intersection of the quarter

A trust of land located in the Northwest Charter of the Southwest Quarter of Section 26, Township 5 North, Range I West, Salt Lake Base and Meridian, having a basis of bearing of South 89"34"40" East along the quarter section line between the West Quarter and Center Quarter corners of said section, said corners being monumented with Weber County brain cags dated 1967 and 1966 respectively. Said West Quarter corner monument laying NAD27 state plane operdinates of record of X=1881792.876 and Y=29400E.621 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows; Beginning at a point located 445.65 feet South 00°05'17" West along section line, to the intersection of said

in 1970 as documented by aerial photography from that your, the root of title for these six courses were

reginally deeded on 17-Sep-1979, in the deed recents of Weber County as Book 1323 Page 512, from Grant G Byber to Robert Lyle Byber, which description originated in the following Quit Claim Deeds, Book 955 Page

71"34"19" East 54.21 fact (Lif. & Lif); Course 6) North 80"02"15" East 49.05 fact (Life & Life), to the east line of

Book 1963 Page (180, said out line being approximately the same as originally deeded on 17-Sep-1979, in the

There o the following six (6) courses being the same as the south line of deed recorded on 17-Sep-1979, in deed

Book 1323 Page 510, said six courses being along the best evidence of the North bank of the Weber River as it

P1933" East 80.47 feet, Course 4) South 68" (J'45" East 125.60 feet, Course 5) South 67"34"16" East 169.66

is a result of a survey which is filed in the Weber County Surveyor's Office record of survey

existed in Sept. 1970 as documented by aerial photography of that year, Course 1) North 85°49°17° East 70.04 foot; Course 2) South 89°48°02° East 163.16 feet; Course 3) South

A muct of land located in the Northwest Quarter of the Southwest Quarter of Section 26, Township 5 North,

Range 1 West, Sult Lake Base and Meridian, having a basis of bearing of South 89°34'40° East along the

monumented with Weber County brass caps dated 1967 and 1966 respectively. Said West Quarter conser-

Beginning at a point located 345.46 feet South 00°05'17" West along section line, from said West Quarter

of the Davis County deed records, to the intersection of said deed line and the Weber/Davis County hosts

Thence North 48"38"00" East 314.62 fest, along said Weber/Davis County boundary line

Thence North 00°03'43' East 28.27 feet, along said sixteenth (1/16th) section lists;

28"26'37" West 61.74 foot (1.32), to the section line being the point of beginning.

Lyle Bybee in Book 232 Page 15 of the Weber County deed records,

Containing 5 8294 screw, more or fess.

files as # 3489 said survey being made a part hereof.

Un-known Heirs (Davis County Parcel), Tract F

and maintained by the Weber County Surveyor's Office, being more particularly described as follows,

quarter section line between the West Quarter and Center Quarter corners of said section, said corners being

manument has my NAD27 state plane coordinates of record of X=1881792.876 and Y=294008.621 as surveyed

Thence North #1°52'30" East 314.70 feet, slong the north line of property as originally deed by Book B. Page 42

line as re-surveyed and recorded in the Weber County records on Oct 31, 2002, as Plat Book 56 Pagms 88-92.

Thence South 74°22'00° East 155.96 feet, along said Weber/Davis County boundary line, to the intersection of

Thence the following eighteen (18) courses being along the best evidence of the North bank of the Watter River

as it existed in 1946 as documented by serial photography from that year, as deuted by Joseph Bybot to Robert

Course 1) North 84"31'41" West 28.23 feet (L2), Course 2) North 77"09'26" West 45.72 feet, Circuise 3) North

77"09'26 West 32:27 feet (L17), Course 4) North 69"27'05" West 91.18 feet (L18), Course 5) North 63"45'32"

84.56 fast (I.21); Course 8) South 81°25'08' West 71.51 feet (I.22); Course 9) South 64"30'42" West 96.06 fast

(L23); Course 10) South 78°12'40" West 124.02 feet (L24); Course 11) North 74°45'03" West 60.84 feet (L25);

Course 12) North 65°53'40" West 64.09 fort (1.26); Course 13) North 75"58'08" West 52.59 fort (1.27); Course

South 62"42'35" West 111.24 foet (L30); Course 17) South 38"10'07" West 113.53 feet (L31); Course 18) South

iption is a result of a survey which is flind in the Weber County Surveyor's Office record of survey

14) North 88°09'12" West 98.91 Seet (L28), Course 15) South 71"34'19" West 131.09 feet (L29); Course 16)

West 10K.58 feet (L19); Course 6) North 69°52'14" West 85.25 feet (L20); Course 7) North 83°39'44" West

said county boundary line and said north deed line of Book R. Page 42 of the Davis County deed records;

Thence North 81°32'30" East 779.89 feet, along said north doed line, to the sixtoenth (1/16th) section line;

a purcel as described and recorded on 16-Oct-1998, in the deed records of Weber County as Entry # 1581609,

description originated in the following Quit Claim Deeds, Book 955 Page 592, Book 955 Page 593 and Book

Thence North 00°25'20" Fast 41.73 feet, along said out time

files as # 3489 said survey being made a part bereal.

Containing 7.6891 acres, more or less.

corner of Section 26;

feat; Course 6) South 77°0937" East 220.97 feet, to the point of beginning.

Un-known Heirs (Weber County Parcel), Tract E

RUNNING thence South 60°05'17" West 100.19 feet, along section line:

Entry # 1885948, by the Weber and Davis County Surveyors.

592, Book 955 Page 593 and Book 955 Page 594; Course 1) North 88°59'04' East 45.12 det (I.4); Course 2) North 75°41'56' East 107.43 flet (I.5); Course 3)

forth 63"26'38" East 70.27 foet (1.6); Course 4) North 64"48'28" East 53.67 foet (LT); Course 5) North

section line and the north line of property as originally deed by Book R Page 42 of the Davis County deed records, said point being described in said deed as being 50 rods north along section line, from the south sicoenth (S. 1/16th.) current between Sections 26 and 27 of said township and range, and 314.70 feet North 81°52'30" East along said north-deed line, from said West Quarter curren of Section 26, said point of beginning ing the intersection of said morth don't line and the Weber/Davis County boundary line as re-surveyed and orded in the Weber County records on Oct. 31, 2002, as Plat Book 56 Pages 88-92, Entry # 1885948, by the

Weber and Davis County Surveyors: RUNNING thence North 48°38'00° East 114.62 feet along said Weber/Davis County boundary line; Thence South 74"22'00" Fast 155.96 foet along said Weber/Devis County boundary line, to the intersection of hence South \$1"52'30" West 238.61 feet along said north deed line to the point of buginning.

ontaining 0.1721 acres, more or less. This description is a result of a survey which is filed in the Weber County Surveyor's Office record of survey files as # 3489 said narvoy being made a part hereof.

#### Abdi Sharifan, Tract G

A tract of land located in the Northwest Quarter of the Southwest Quarter of Section 26, Township 5 North. Range 1 West, Salt Lake Base and Meridian; baving a basis of bearing of South 89°34'40" East along the quarter section line between the West Quarter and Center Quarter corners of said section, said corners being innumented with Weber County brass caps dated 1967 and 1966 respectively. Said West Quarter corner monument having NAD27 state plane coordinates of record of X=1881792.876 and Y=294008.621 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows; Beginning at a point located 445.65 feet South 00°05'17" West along section line, to the intersection of said section line and the north line of property as originally deed by Book R Page 42 of the Davis County deed records, said point being described in said deed as being 50 rods north along section line, from the south sixteenth (S. 1/16th) corner between Sections 26 and 27 of said township and range, from said West Quarter corner of Section 26.

RUNNING these North 81°52'30" East 314.70 feet along said north deed line, to the intersection of said north dead line and the Weber/Davis County boundary line as re-surveyed and recorded in the Weber County records on Oct. 31, 2002, as Plat Book 56 Pages 88-92, Earry # 1885948, by the Weber and Davis County Surveyors. Thence South 48°38'00" West 415.59 feet along und Weber/Davis County boundary line to the section line; Thence North 00°05'17" East 230.17 feet along said section line to the point of beginning. Containing 0.8237 scres, more or less.

his description is a result of a survey which is filed in the Weber County Surveyor's Office recent of survey files as # 3489 said survey being made a part hemot

#### Abdi Sharifan, Tract H

A tract of land located in the Northwest Quarter of the Southwest Quarter of Section 26, Township 5 North, Range 1 West, Salt Luke Base and Meridian; baving a basis of bearing of South 80°34'40° East along the quarter section line between the West Quarter and Center Quarter comms of said section, said comess being monumented with Weber County from caps dated 1967 and 1966 respectively. Said West Quarter corner renument having NAD27 state plane coordinates of second of X=1881792.676 and Y=294008.621 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows: Deginning at a point focused 445.65 Seet South 00°05'17" West along section line, to the intersection of said. section line and the north deed line of property as originally deed by Book R Page 42 of the Davis County deed seconds, said point being described in said deed as being 50 rods north along section line, from the south sixtnenth (5 1/16th) corner between Sections 26 and 27 of said township and range, and 553.31 feet North \$1°52'30" East along and north deed line, to the intersection of of said north deed line and the Weber/Davis County boundary line as re-serveyed and recorded in the Weber County records on Oct. 31, 2002, as Plat Book 56 Pages 88-92, Entry # 1885948, by the Weber and Davis County Surveyors, from said West Quarter corner of

RUNNING thence North 81°52'30" East 779.89 feet along said north deed line, to the intersection of said north deed line and the stateenth (1/16th) section line; Thereos South 60°03'43" West 318,15 fest along said enteenth (1/16th) section line to the intersection of said

inteenth (1/16th) section line and said Weber/Davis County boundary line; Thence South 87°08'00" West 24.36 feet along said Weber/Devis County boundary line; Thence North 74"22"00" West 776.10 feet along said Weber/Davis County boundary line to the point of

Containing 2.8874 acres, more or fess. This description is a result of a survey which is filed in the Weber County Surveyor's Office record of survey liles as # 3489 usid survey being made a part hereof.

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Waber County Surveyor

This summary of records is being done in effect to fulfill the request of the office of the Attorney General: their request was to tell them what needs to be done in order to "make all parties whole". The circumstances which have brought about this research are enumerated are as follows:

A) This office, the Weber County Surveyor's Office, had a citizen of Uintah City approach us with a question regarding ownership along the river. The nature of the question revolved around a proposed annexation which Doug Crofts and Canaun Hay Co. was requesting of Uintah City for their properties. The citizen, having knowledge of land ownership in this area, recognized a potential descrepancy of what was being claimed in the annexation and what the ownership claims of Bruce and Susan Bybee are.

B) This question of ownership was investigated to the point that it became clear the deeds and tax records have been modified in such a manner as to warrant further inquiry by the County Attorney, at which time the County Surveyor notified the County Attorney of the questions and concerns.

C) Subsequently, the County Attorney referred the matter to the State Attorney General's criminal division for their investigation

D) As part of the investigation which the Attorney General's Office has made, the County Surveyor's Office has been asked many questions regarding the title and boundary lines of the Bybee, Crofts and Caanan Hay Company properties. As a result of that inquiry and answer their questions much research has been done in this matter.

E) At this time, this office is producing this research record of the properties as shown on this plat in the North Half of the Southwest Quarter of Section 26, T5N, R1W, SLB&M, which are in Weber County. Parcels in Davis County have only been briefly reviewed for possible conflicts with property in Weber County.

The remainder of this narrative on this and subsequest sheets, will give detailed information and facts relating to the properties shown as Tracts A, B, C, D and E, so that the reader may be fully enlightened into the facts and circumstances which prompted investigation by the Attorney General's Office. As well as the facts of title which have produced the true lines of ownership as established and shown hereon.

1. To understand the ownership issues the discussion must begin at patent, running forward in time identifying the root of title associated with these tracts. This discussion may not include a complete abstract of title, but may only discuss those transactions that establish the title of the property in question. All deed references will be Weber County records unless noted as Davis County records. Book and Page references may be noted as simply 25-425, which would refer to Book 25 Page 425 of the deed records of Weber

2. See drawing labeled "1870 Ownership" on sheet 2. This shows that the patent title from the United States of America (USA) was given to William Corey and Curtis C. Stoddard for the NW 1/4 of the SW 1/4 (hereafter the NW 40ac) and the NE 1/4 of the SW 1/4 (hereafter the NE 40ac) of Section 26, respectively

3. B.L. Bybee issued deed for property in both Davis and Weber Counties recorded in Book R Page 42 of the Davis County records to Hyrum Alford. See drawing labeled "1894 Ownership" on sheet 2. A record of this transaction was not found in the Weber County records. The property is shown on this plat as the "North line of Abdi Sharifan property\* and will be referred to as the Abdi Property, he is the current owner. The description which Abdi has currently of record identifies the same north property line a was conveyed by B.L. Bybee in 1894. The original transaction was executed on 4-25-1894 and recorded 2-5-1900. This description creates the senior title line for the NW 40ac tract.

4. A tax sale between W. W. Corey and the Probate Judge took place for property described as "all lying North of River in the NW 1/4 of the SW 1/4" of the section. This transaction was executed 12-20-1893 and recorded 1-6-1894 as File 1112 according to the abstract records of Weber County.

5. The oldest record of the Weber/Davis county line was found in the Davis County Surveyor's Office and the location of that line has been re-traced by both county surveyor's in compliance with state law, and the documents showing the location of the county line have been recorded in the plat records of the recorder offices' of both Weber and Davis County. In Weber County this document is recorded as Plat Book 56 Pages 88-92, and indexed as Entry # 1885948, on Oct. 31, 2002. The document used for the retracement was dated for the year of 1894. This 1894 record is the location of the

Surveyor's Certification

LINE TABLE

6. The tax sale, File 1112, would have included all of the property in the NW 40ac to the north of the 1894 location of the river. This would have been approximately 14 acres of land and would have included some of the property which B.L. Bybee deeded to Hyrum Alford (R-42 Davis Co), the Abdi property, which was not recorded in the Davis County records until 1900 and, as far as we can tell, has never been a part of the Weber County records. It should be noted that in both counties in 1894 the record owner of the NW 40ac is William W. Corey.

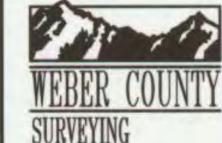
7. William W. Corey executed a deed to B.L. Bybee on 4-21-1894 and was recorded 7-22-1895 as Book 22 Page 12, for the NW 40ac of the section. Notice the signature dates of the two deeds, the Corey to Bybee was executed 4-21-1894 and the Bybee to Alford was executed 4-25-1894.

8. At this point in time we have Hyrum Alford owning the Abdi property with title to Tracts G and H, property in Weber County, as shown on sheet 1, which had been taken by the probate judge in document of File 1112 from Corey on 12-20-1893. 9. Then Hyrum Alford sells to Joseph Ray the Abdi property by Book R Page 42 of the

Davis County records which was executed on 9-11-1895 and recorded 2-5-1900. 10. The next record is that of a tax sale in which Curtis C. Stoddard looses the NE 40ac to Weber County, which is recorded as Tax R 32/11. Narrative continued on Sheet 2

## for Crofts, Canaan Hay Co., & Bybee properties,

Being a part of the North Half of the Southwest Quarter of Township 5 North, Range 1 West, Salt Lake Base and Meridian.



Weber County Surveyor

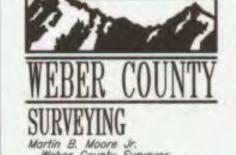
Ernest D. Rowley, Chief Deputy

2380 Washington Blvd. Rm 260 Ogden, Utah 84401 (801) 399-8020 FAX:(801) 399-8316

003489 SURVEY FILING NUMBER

Ownership Records Research

RAWING DATE MINE

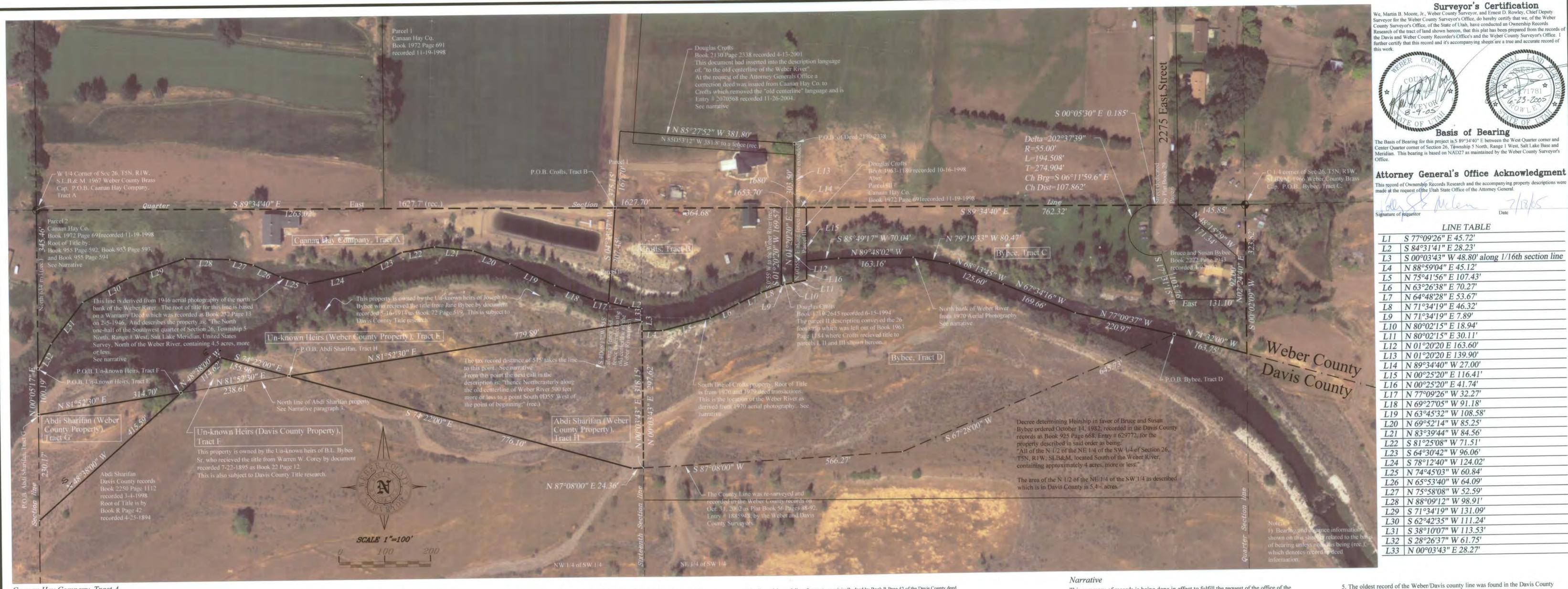


SHEET 1 of 5

PROVAL DATE

Approved for Filing By

Water Shartly Surveyor.



#### Caanan Hay Company, Tract A

A tract of land located in the Northwest Quarter of the Southwest Quarter of Section 26, Township 5 North, Range 1 West, Salt Lake Base and Meridian; having a basis of bearing of South 89°34'40" East along the quarter section line between the West Quarter and Center Quarter corners of said section, said corners being monumented with Weber County brass caps dated 1967 and 1966 respectively. Said West Quarter corner monument having NAD27 state plane coordinates of record of X=1881792.876 and Y=294008.621 as surveyed files as # 3489, said survey being made a part hereof. and maintained by the Weber County Surveyor's Office; being more particularly described as follows; Commencing at the monumented West Quarter corner of said Section 26;

RUNNING thence South 89°34'40" East 1263.02 feet, along said quarter section line to the west line of a parcel described and recorded on 26-Nov-2004, in the deed records of Weber County as Entry # 2070568; Thence South 04°33'37" West 207.45 feet, to the south line of a 4.5 acre tract of land as described and recorded on 05-Feb-1946, in the deed records of Weber County as Book 232 Page 13, said deed being the root of title for

Thence the following sixteen (16) courses being along the best evidence of the North bank of the Weber River as it existed in 1946 as documented by aerial photography from that year, as deeded by Joseph Bybee to Robert Lyle Bybee in Book 232 Page 13 of the Weber County deed records, Course 1) North 77°09'26 West 32.27 feet (L17); Course 2) North 69°27'05" West 91.18 feet (L18); Course 3)

North 63°45'32" West 108.58 feet (L19); Course 4) North 69°52'14" West 85.25 feet (L20); Course 5) North 83°39'44" West 84.56 feet (L21); Course 6) South 81°25'08" West 71.51 feet (L22); Course 7) South 64°30'42" West 96.06 feet (L23); Course 8) South 78°12'40" West 124.02 feet (L24); Course 9) North 74°45'03" West 60.84 feet (L25); Course 10) North 65°53'40" West 64.09 feet (L26); Course 11) North 75°58'08" West 52.59 feet (L27); Course 12) North 88°09'12" West 98.91 feet (L28); Course 13) South 71°34'19" West 131.09 feet (L29); Course 14) South 62°42'35" West 111.24 feet (L30); Course 15) South 38°10'07" West 113.53 feet (L31); Course 16) South 28°26'37" West 61.74 feet (L32), to the section line;

Thence North 00°05'17" East 345.46 feet, along said section line to the point of beginning. Containing 4.1777 acres, more or less.

This description is a result of a survey which is filed in the Weber County Surveyor's Office record of survey files as # 3489, said survey being made a part hereof.

A tract of land being part of the North Half of the Southwest Quarter of Section 26, Township 5 North, Range 1 West, Salt Lake Base and Meridian; having a basis of bearing of South 89°34'40" East along the quarter section line between the West Quarter and Center Quarter corners of said section, said corners being monumented with Weber County brass caps dated 1967 and 1966 respectively. Said West Quarter corner monument having NAD27 state plane coordinates of record of X=1881792.876 and Y=294008.621 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows;

Beginning at a point located 1263.02 feet South 89°34'40" East, along said quarter section line to the west line of a parcel described and recorded on 26-Nov-2004, in the deed records of Weber County as Entry # 2070568, from the monumented West Quarter corner of said Section 26;

RUNNING thence South 04°33'37" West 207.45 feet, to the south line of Parcel 2 as described and recorded on 05-Feb-1946, in the deed records of Weber County as Book 232 Page 13, said deed being the root of title for the portion of the south line of this tract which is west of the sixteenth section line; Thence the following two (2) courses being along the best evidence of the North bank of the Weber River as it

existed in 1946 as documented by aerial photography from that year, as deeded by Joseph Bybee to Robert Lyle Bybee in Book 232 Page 13 of the Weber County deed records, Course 1) South 77°09'26" East 45.72 feet (L1); Course 2) South 84°31'41" East 28.23 feet (L2), to the

sixteenth (1/16th) section line;

Thence South 00°03'43" West 48.80 feet (L3), along said sixteenth section line;

Thence the following six (6) courses being the best evidence of the center line of the Weber River as it existed in 1970 as documented by aerial photography from that year, the root of title for these six courses were originally deeded on 17-Sep-1979, in the deed records of Weber County as Book 1323 Page 512, from Grant G. Bybee to Robert Lyle Bybee, which description originated in the following Quit Claim Deeds, Book 955 Page

592, Book 955 Page 593 and Book 955 Page 594; Course 1) North 88°59'04" East 45.12 feet (L4); Course 2) North 75°41'56" East 107.43 feet (L5); Course 3) North 63°26'38" East 70.27 feet (L6); Course 4) North 64°48'28" East 53.67 feet (L7); Course 5) North 71°34'19" East 54.21 feet (L8 & L9); Course 6) North 80°02'15" East 49.05 feet (L10 & L11), to the east line of a parcel as described and recorded on 16-Oct-1998, in the deed records of Weber County as Entry # 1581609, Book 1963 Page 1180, said east line being approximately the same as originally deeded on 17-Sep-1979, in the deed records of Weber County as Book 1323 Page 512, from Grant G. Bybee to Robert Lyle Bybee, which description originated in the following Quit Claim Deeds, Book 955 Page 592, Book 955 Page 593 and Book

Thence North 00°25'20" East 158.15 feet (L16 & L16), along said east line, to the quarter section line as

hence North 89°34'40" West 27.00 feet, along said quarter section line, to the east line of said parcel described nd recorded on 26-Nov-2004, in the deed records of Weber County as Entry # 2070568; hence continuing along said quarter section line, North 89°34'40" West 26.00 feet, to the northeast corner of

Parcel 2 as described and recorded on 19-Nov-1998, in the deed records of Weber County as Entry # 1590846,

Thence continuing along said quarter section line, North 89°34'40" West 364.68 feet, to the point of beginning. Containing 2.1315 acres, more or less. This description is a result of a survey which is filed in the Weber County Surveyor's Office record of surve

### Bybee, Tract C

A tract of land being part of the Northeast Quarter of the Southwest Quarter of Section 26, Township 5 North, Range 1 West, Salt Lake Base and Meridian; having a basis of bearing of North 89°34'40" West along the quarter section line between the Center Quarter and West Quarter corners of said section, said corners being monumented with Weber County brass caps dated 1966 and 1967 respectively. Said Center Quarter corner monument having NAD27 state plane coordinates of record of X=1884431.026 and Y=293989.185 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows; Commencing at the monumented Center Quarter corner of said Section 26;

RUNNING thence South 00°02'09" West 323.82 feet, along quarter section line, to the Weber/Davis County boundary line as re-surveyed and recorded in the Weber County records on Oct. 31, 2002, as Plat Book 56 Pages 88-92, Entry # 1885948, by the Weber and Davis County Surveyors; Thence North 74°32'00" West 163.75 feet, along said county boundary line;

Thence leaving the county boundary line the following six (6) courses being the same as the south line of deed recorded on 17-Sep-1979, in deed Book 1323 Page 510, said six courses being along the best evidence of the North bank of the Weber River as it existed in Sept. 1970 as documented by aerial photography of that year, Course 1) North 77°09'37" West 220.97 feet; Course 2) North 67°34'16" West 169.66 feet; Course 3) North 68°13'45" West 125.60 feet; Course 4) North 79°19'33" West 80.47 feet; Course 5) North 89°48'02" West 163.16 feet; Course 6) South 85°49'17" West 70.04 feet, to the east line of a parcel as described and recorded on 16-Oct-1998, in the deed records of Weber County as Entry # 1581609, Book 1963 Page 1180, said east line being approximately the same as originally deeded on 17-Sep-1979, in the deed records of Weber County as Book 1323 Page 512, from Grant G. Bybee to Robert Lyle Bybee, which description originated in the following Quit Claim Deeds, Book 955 Page 592, Book 955 Page 593 and Book 955 Page 594;

Thence North 00°25'20" East 116.42 feet, along said east line, to the quarter section line as monumented, said point being located South 89°34'40" East 1680.70 feet from the West Quarter corner of said section 26; hence South 89°34'40" East 762.32 feet, along said quarter section line, to the west line of 2275 East Street as dedicated, the plat of said dedication being recorded on 17-Mar-1987, at Plat Book 29 Page 6; Thence South 00°05'30" East 0.185 feet, along said west line of 2275 East Street, to a non-tangent curve;

Thence along the arc of a curve to the Left 194.508 feet, having a radius of 55.000 feet and a chord bearing and distance of South 06°11'59.6" East 107.862 feet, with a central angle of 202°37'39", to the most westerly corner of a certain parcel described in a deed recorded 9-Apr-2002, in Book 2222 Page 2943, said parcel being also known as Parcel 2 of deed recorded 7-Dec-1994, in Book 1740 Page 1558;

hence the following four (4) courses along the boundary of said Parcel 2 of deed recorded 7-Dec-1994, in Course 1) South 17°31'15" East 103.76 feet (103.73 feet by record); Course 2) East 131.10 feet; Course 3)

North 02°24'40" East 92.00 feet; Course 4) North 48°15'29" West 171.34 feet, to the intersection of the quarter section line and the east boundary line of said 2275 East Street dedication; hence South 89°34'40" East 145.85 feet, along said quarter section line to the point of beginning. Containing 3.5709 acres, more or less.

This description is a result of a survey whic all h is filed in the Weber County Surveyor's Office record of survey files as # 3489 , said survey being made a part hereof.

### Bybee, Tract D

A tract of land being part of the Northeast Quarter of the Southwest Quarter of Section 26, Township 5 North, Range 1 West, Salt Lake Base and Meridian; having a basis of bearing of North 89°34'40" West along the quarter section line between the Center Quarter and West Quarter corners of said section, said corners being numented with Weber County brass caps dated 1966 and 1967 respectively. Said Center Quarter corner monument having NAD27 state plane coordinates of record of X=1884431.026 and Y=293989.185 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows; Beginning at a point located 323.82 feet South 00°02'09" West, along quarter section line, to the Weber/Davis County boundary line as re-surveyed and recorded in the Weber County records on Oct. 31, 2002, as Plat Book 56 Pages 88-92, Entry # 1885948, by the Weber and Davis County Surveyors, and 163.75 feet North 74°32'00" West, along said county boundary line, from the Center Quarter corner of said Section 26;

RUNNING thence the following two (2) courses along said county boundary line, Course 1) South 67°28'00" West 645.73 feet; Course 2) South 87°08'00" West 566.27 feet, to the sixteenth

Thence North 00°03'43" East 297.62 feet, along said sixteenth section line; Thence the following six (6) courses being the best evidence of the center line of the Weber River as it existed

in 1970 as documented by aerial photography from that year, the root of title for these six courses were originally deeded on 17-Sep-1979, in the deed records of Weber County as Book 1323 Page 512, from Grant G. Bybee to Robert Lyle Bybee, which description originated in the following Quit Claim Deeds, Book 955 Page

592. Book 955 Page 593 and Book 955 Page 594; Course 1) North 88°59'04" East 45.12 feet (L4); Course 2) North 75°41'56" East 107.43 feet (L5); Course 3) North 63°26'38" East 70.27 feet (L6); Course 4) North 64°48'28" East 53.67 feet (L7); Course 5) North 71°34'19" East 54.21 feet (L8 & L9); Course 6) North 80°02'15" East 49.05 feet (L10 & L11), to the east line of a parcel as described and recorded on 16-Oct-1998, in the deed records of Weber County as Entry # 1581609, Book 1963 Page 1180, said east line being approximately the same as originally deeded on 17-Sep-1979, in the deed records of Weber County as Book 1323 Page 512, from Grant G. Bybee to Robert Lyle Bybee, which description originated in the following Quit Claim Deeds, Book 955 Page 592, Book 955 Page 593 and Book

Thence North 00°25'20" East 41.73 feet, along said east line; Thence the following six (6) courses being the same as the south line of deed recorded on 17-Sep-1979, in deed

Book 1323 Page 510, said six courses being along the best evidence of the North bank of the Weber River as it existed in Sept. 1970 as documented by aerial photography of that year, Course 1) North 85°49'17" East 70.04 feet; Course 2) South 89°48'02" East 163.16 feet; Course 3) South 79°19'33" East 80.47 feet; Course 4) South 68°13'45" East 125.60 feet; Course 5) South 67°34'16" East 169.66 feet; Course 6) South 77°09'37" East 220.97 feet, to the point of beginning. Containing 7.6891 acres, more or less.

This description is a result of a survey which is filed in the Weber County Surveyor's Office record of survey files as # 3489 \_, said survey being made a part hereof.

#### Un-known Heirs (Weber County Parcel), Tract E

A tract of land located in the Northwest Quarter of the Southwest Quarter of Section 26, Township 5 North, Range 1 West, Salt Lake Base and Meridian; having a basis of bearing of South 89°34'40" East along the quarter section line between the West Quarter and Center Quarter corners of said section, said corners being monumented with Weber County brass caps dated 1967 and 1966 respectively. Said West Quarter corner monument having NAD27 state plane coordinates of record of X=1881792.876 and Y=294008.621 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows; Beginning at a point located 345.46 feet South 00°05'17" West along section line, from said West Quarter

RUNNING thence South 00°05'17" West 100.19 feet, along section line; Thence North 81°52'30" East 314.70 feet, along the north line of property as originally deed by Book R Page 42 of the Davis County deed records, to the intersection of said deed line and the Weber/Davis County boundary

line as re-surveyed and recorded in the Weber County records on Oct. 31, 2002, as Plat Book 56 Pages 88-92, Entry # 1885948, by the Weber and Davis County Surveyors Thence North 48°38'00" East 114.62 feet, along said Weber/Davis County boundary line; Thence South 74°22'00" East 155.96 feet, along said Weber/Davis County boundary line, to the intersection of said county boundary line and said north deed line of Book R Page 42 of the Davis County deed records; Thence North 81°52'30" East 779.89 feet, along said north deed line, to the sixteenth (1/16th) section line;

Thence North 00°03'43" East 28.27 feet, along said sixteenth (1/16th) section line; Thence the following eighteen (18) courses being along the best evidence of the North bank of the Weber River as it existed in 1946 as documented by aerial photography from that year, as deeded by Joseph Bybee to Robert Lyle Bybee in Book 232 Page 13 of the Weber County deed records,

Course 1) North 84°31'41" West 28.23 feet (L2); Course 2) North 77°09'26" West 45.72 feet; Course 3) North 77°09'26 West 32.27 feet (L17); Course 4) North 69°27'05" West 91.18 feet (L18); Course 5) North 63°45'32" West 108.58 feet (L19); Course 6) North 69°52'14" West 85.25 feet (L20); Course 7) North 83°39'44" West 84.56 feet (L21); Course 8) South 81°25'08" West 71.51 feet (L22); Course 9) South 64°30'42" West 96.06 feet (L23); Course 10) South 78°12'40" West 124.02 feet (L24); Course 11) North 74°45'03" West 60.84 feet (L25); Course 12) North 65°53'40" West 64.09 feet (L26); Course 13) North 75°58'08" West 52.59 feet (L27); Course 14) North 88°09'12" West 98.91 feet (L28); Course 15) South 71°34'19" West 131.09 feet (L29); Course 16) South 62°42'35" West 111.24 feet (L30); Course 17) South 38°10'07" West 113.53 feet (L31); Course 18) South 28°26'37" West 61.74 feet (1.32), to the section line being the point of beginning. Containing 5.8294 acres, more or less.

This description is a result of a survey which is filed in the Weber County Surveyor's Office record of survey files as # 3489, said survey being made a part hereof.

### Un-known Heirs (Davis County Parcel), Tract F

A tract of land located in the Northwest Quarter of the Southwest Quarter of Section 26, Township 5 North, Range 1 West, Salt Lake Base and Meridian; having a basis of bearing of South 89°34'40" East along the quarter section line between the West Quarter and Center Quarter corners of said section, said corners being monumented with Weber County brass caps dated 1967 and 1966 respectively. Said West Quarter corner monument having NAD27 state plane coordinates of record of X=1881792.876 and Y=294008.621 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows; Beginning at a point located 445.65 feet South 00°05'17" West along section line, to the intersection of said

section line and the north line of property as originally deed by Book R Page 42 of the Davis County deed records, said point being described in said deed as being 50 rods north along section line, from the south sixteenth (S 1/16th) corner between Sections 26 and 27 of said township and range, and 314.70 feet North 81°52'30" East along said north deed line, from said West Quarter corner of Section 26, said point of beginning being the intersection of said north deed line and the Weber/Davis County boundary line as re-surveyed and recorded in the Weber County records on Oct. 31, 2002, as Plat Book 56 Pages 88-92, Entry # 1885948, by the

Weber and Davis County Surveyors RUNNING thence North 48°38'00" East 114.62 feet along said Weber/Davis County boundary line; Thence South 74°22'00" East 155.96 feet along said Weber/Davis County boundary line, to the intersection of said north deed line and said county boundary line; Thence South 81°52'30" West 238.61 feet along said north deed line to the point of beginning.

Containing 0.1721 acres, more or less. This description is a result of a survey which is filed in the Weber County Surveyor's Office record of survey files as #3489, said survey being made a part hereof.

#### Abdi Sharifan, Tract G

A tract of land located in the Northwest Quarter of the Southwest Quarter of Section 26, Township 5 North, Range 1 West, Salt Lake Base and Meridian; having a basis of bearing of South 89°34'40" East along the quarter section line between the West Quarter and Center Quarter corners of said section, said corners being monumented with Weber County brass caps dated 1967 and 1966 respectively. Said West Quarter corner monument having NAD27 state plane coordinates of record of X=1881792.876 and Y=294008.621 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows; Beginning at a point located 445.65 feet South 00°05'17" West along section line, to the intersection of said section line and the north line of property as originally deed by Book R Page 42 of the Davis County deed records, said point being described in said deed as being 50 rods north along section line, from the south sixteenth (S 1/16th) corner between Sections 26 and 27 of said township and range, from said West Quarter corner of Section 26:

RUNNING thence North 81°52'30" East 314.70 feet along said north deed line, to the intersection of said north deed line and the Weber/Davis County boundary line as re-surveyed and recorded in the Weber County records on Oct. 31, 2002, as Plat Book 56 Pages 88-92, Entry # 1885948, by the Weber and Davis County Surveyors; Thence South 48°38'00" West 415.59 feet along said Weber/Davis County boundary line to the section line; Thence North 00°05'17" East 230.17 feet along said section line to the point of beginning. Containing 0.8237 acres, more or less.

This description is a result of a survey which is filed in the Weber County Surveyor's Office record of survey files as # 3489, said survey being made a part hereof.

#### Abdi Sharifan, Tract H

A tract of land located in the Northwest Quarter of the Southwest Quarter of Section 26, Township 5 North, Range 1 West, Salt Lake Base and Meridian; having a basis of bearing of South 89°34'40" East along the quarter section line between the West Quarter and Center Quarter corners of said section, said corners being monumented with Weber County brass caps dated 1967 and 1966 respectively. Said West Quarter comer monument having NAD27 state plane coordinates of record of X=1881792.876 and Y=294008.621 as surveyed and maintained by the Weber County Surveyor's Office; being more particularly described as follows; Beginning at a point located 445.65 feet South 00°05'17" West along section line, to the intersection of said section line and the north deed line of property as originally deed by Book R Page 42 of the Davis County deed records, said point being described in said deed as being 50 rods north along section line, from the south sixteenth (S 1/16th) corner between Sections 26 and 27 of said township and range, and 553.31 feet North 81°52'30" East along said north deed line, to the intersection of of said north deed line and the Weber/Davis County boundary line as re-surveyed and recorded in the Weber County records on Oct. 31, 2002, as Plat Book 56 Pages 88-92, Entry # 1885948, by the Weber and Davis County Surveyors, from said West Quarter corner of

RUNNING thence North 81°52'30" East 779.89 feet along said north deed line, to the intersection of said north deed line and the sixteenth (1/16th) section line; Thence South 00°03'43" West 318.15 feet along said sixteenth (1/16th) section line to the intersection of said

sixteenth (1/16th) section line and said Weber/Davis County boundary line; Thence South 87°08'00" West 24.36 feet along said Weber/Davis County boundary line; Thence North 74°22'00" West 776.10 feet along said Weber/Davis County boundary line to the point of

Containing 2.8874 acres, more or less. This description is a result of a survey which is filed in the Weber County Surveyor's Office record of survey Weber County Surveyor files as #3489, said survey being made a part hereof.

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This summary of records is being done in effect to fulfill the request of the office of the Attorney General: their request was to tell them what needs to be done in order to "make all parties whole". The circumstances which have brought about this research are

enumerated are as follows: A) This office, the Weber County Surveyor's Office, had a citizen of Uintah City approach us with a question regarding ownership along the river. The nature of the question revolved around a proposed annexation which Doug Crofts and Canaan Hay Co. was requesting of Uintah City for their properties. The citizen, having knowledge of land ownership in this area, recognized a potential descrepancy of what was being claimed in the annexation and what the ownership claims of Bruce and Susan Bybee are.

B) This question of ownership was investigated to the point that it became clear the deeds and tax records have been modified in such a manner as to warrant further inquiry by the County Attorney, at which time the County Surveyor notified the County Attorney of the questions and concerns.

C) Subsequently, the County Attorney referred the matter to the State Attorney General's criminal division for their investigation.

D) As part of the investigation which the Attorney General's Office has made, the County Surveyor's Office has been asked many questions regarding the title and boundary lines of the Bybee, Crofts and Caanan Hay Company properties. As a result of that inquiry and answer their questions much research has been done in this matter.

E) At this time, this office is producing this research record of the properties as shown on this plat in the North Half of the Southwest Quarter of Section 26, T5N, R1W, SLB&M, which are in Weber County. Parcels in Davis County have only been briefly reviewed for possible conflicts with property in Weber County.

The remainder of this narrative on this and subsequest sheets, will give detailed information and facts relating to the properties shown as Tracts A, B, C, D and E, so that the reader may be fully enlightened into the facts and circumstances which prompted investigation by the Attorney General's Office. As well as the facts of title which have produced the true lines of ownership as established and shown hereon.

1. To understand the ownership issues the discussion must begin at patent, running forward in time identifying the root of title associated with these tracts. This discussion may not include a complete abstract of title, but may only discuss those transactions that establish the title of the property in question. All deed references will be Weber County records unless noted as Davis County records. Book and Page references may be noted as simply 25-425, which would refer to Book 25 Page 425 of the deed records of Weber

2. See drawing labeled "1870 Ownership" on sheet 2. This shows that the patent title from the United States of America (USA) was given to William Corey and Curtis C. Stoddard for the NW 1/4 of the SW 1/4 (hereafter the NW 40ac) and the NE 1/4 of the SW 1/4 (hereafter the NE 40ac) of Section 26, respectively.

3. B.L. Bybee issued deed for property in both Davis and Weber Counties recorded in Book R Page 42 of the Davis County records to Hyrum Alford. See drawing labeled "1894 Ownership" on sheet 2. A record of this transaction was not found in the Weber County records. The property is shown on this plat as the "North line of Abdi Sharifan property" and will be referred to as the Abdi Property, he is the current owner. The description which Abdi has currently of record identifies the same north property line as was conveyed by B.L. Bybee in 1894. The original transaction was executed on 4-25-1894 and recorded 2-5-1900. This description creates the senior title line for the NW 40ac tract.

4. A tax sale between W. W. Corey and the Probate Judge took place for property described as "all lying North of River in the NW 1/4 of the SW 1/4" of the section. This transaction was executed 12-20-1893 and recorded 1-6-1894 as File 1112 according to the abstract records of Weber County.

5. The oldest record of the Weber/Davis county line was found in the Davis County Surveyor's Office and the location of that line has been re-traced by both county surveyor's in compliance with state law, and the documents showing the location of the county line have been recorded in the plat records of the recorder offices' of both Weber

and Davis County. In Weber County this document is recorded as Plat Book 56 Pages 88-92, and indexed as Entry # 1885948, on Oct. 31, 2002. The document used for the retracement was dated for the year of 1894. This 1894 record is the location of the Weber River at this date. 6. The tax sale, File 1112, would have included all of the property in the NW 40ac to the north of the 1894 location of the river. This would have been approxiamtely 14 acres of

land and would have included some of the property which B.L. Bybee deeded to Hyrum Alford (R-42 Davis Co), the Abdi property, which was not recorded in the Davis County records until 1900 and, as far as we can tell, has never been a part of the Weber County records. It should be noted that in both counties in 1894 the record owner of the NW 40ac is William W. Corey.

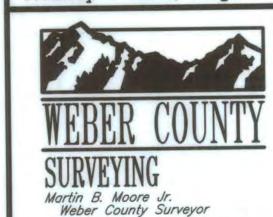
7. William W. Corey executed a deed to B.L. Bybee on 4-21-1894 and was recorded 7-22-1895 as Book 22 Page 12, for the NW 40ac of the section. Notice the signature dates of the two deeds, the Corey to Bybee was executed 4-21-1894 and the Bybee to

Alford was executed 4-25-1894. 8. At this point in time we have Hyrum Alford owning the Abdi property with title to Tracts G and H, property in Weber County, as shown on sheet 1, which had been taken by the probate judge in document of File 1112 from Corey on 12-20-1893. 9. Then Hyrum Alford sells to Joseph Ray the Abdi property by Book R Page 42 of the

Davis County records which was executed on 9-11-1895 and recorded 2-5-1900. 10. The next record is that of a tax sale in which Curtis C. Stoddard looses the NE 40ac to Weber County, which is recorded as Tax R 32/11. Narrative continued on Sheet 2

# Ownership Records Research for Crofts, Canaan Hay Co., & Bybee properties,

Being a part of the North Half of the Southwest Quarter of Township 5 North, Range 1 West, Salt Lake Base and Meridian.



Weber County Surveyor Ernest D. Rowley, Chief Deputy

2380 Washington Blvd. Rm 260

Ogden, Utah 84401

FAX:(801) 399-8316

(801) 399-8020

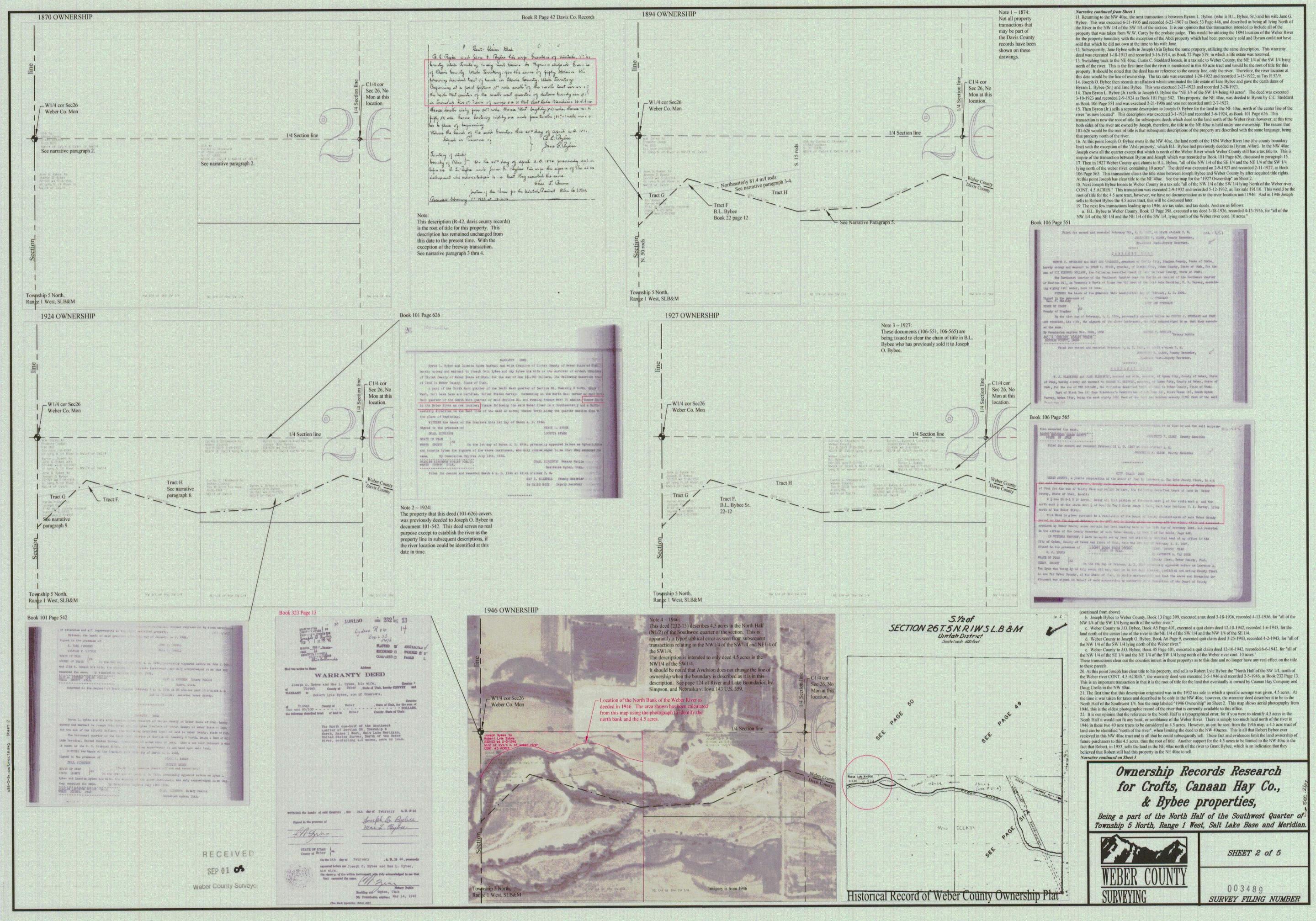
SHEET 1 of 5

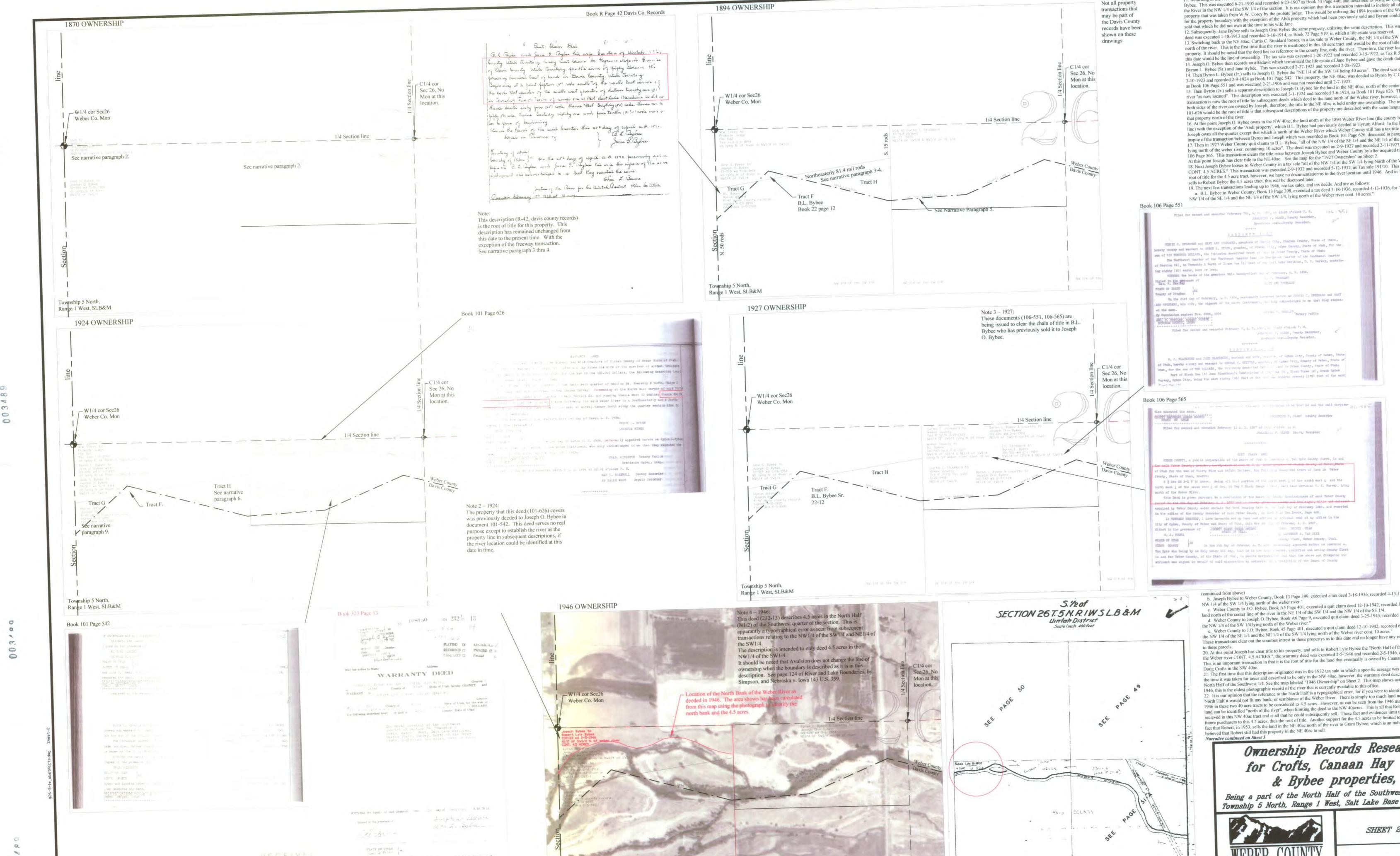
IPPROVAL DATE

SURVEY FILING NUMBER

Plat Prepared By

Approved for Filing By





HELEINE

WELT LOUIS DUIS

Ownthe of day of Struct A.D. 19 10 personally

they resecuted the name. The Notary Public

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Note 1 ~ 1874:

11. Returning to the NW 40ac, the next transaction is between Byram L. Bybee, (who is B.L. Bybee, Sr.) and his win Bybee. This was executed 6-21-1905 and recorded 6-23-1907 as Book 53 Page 446, and described as being all lying the River in the NW 1/4 of the SW 1/4 of the section. It is our opinion that this transaction intended to include all or

property that was taken from W.W. Corey by the probate judge. This would be utilizing the 1894 location of the W. for the property boundary with the exception of the Abdi property which had been previously sold and Byram could 12. Subsequently, Jane Bybee sells to Joseph Orin Bybee the same property, utilizing the same description. This wa deed was executed 1-18-1913 and recorded 5-16-1914, as Book 72 Page 519, in which a life estate was reserved. 13. Switching back to the NE 40ac, Curtis C. Stoddard looses, in a tax sale to Weber County, the NE 1/4 of the SW

north of the river. This is the first time that the river is mentioned in this 40 acre tract and would be the root of title property. It should be noted that the deed has no reference to the county line, only the river. Therefore, the river loc this date would be the line of ownership. The tax sale was executed 1-20-1922 and recorded 3-15-1922, as Tax R 5 14. Joseph O. Bybee then records an affadavit which terminated the life estate of Jane Bybee and gave the death dat

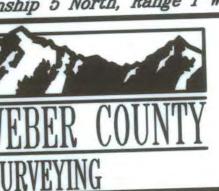
14. Then Byron L. Bybee (Jr.) sells to Joseph O. Bybee the "NE 1/4 of the SW 1/4 being 40 acres". The deed was e 3-10-1923 and recorded 2-9-1924 as Book 101 Page 542. This property, the NE 40ac, was deeded to Byron by C.C.

river "as now located". This description was executed 3-1-1924 and recorded 3-6-1924, as Book 101 Page 626. To transaction is now the root of title for subsequent deeds which deed to the land north of the Weber river, however, both sides of the river are owned by Joseph, therefore, the title to the NE 40ac is held under one ownership. The re-101-626 would be the root of title is that subsequent descriptions of the property are described with the same langu

Joseph owns all the quarter except that which is north of the Weber River which Weber County still has a tax title inspite of the transaction between Byron and Joseph which was recorded as Book 101 Page 626, discussed in para 17. Then in 1927 Weber County quit claims to B.L. Bybee, "all of the NW 1/4 of the SE 1/4 and the NE 1/4 of the lying north of the weber river, containing 10 acres". The deed was executed on 2-9-1927 and recorded 2-11-1927. 106 Page 565. This transaction clears the title issue between Joseph Bybee and Weber County by after acquired to

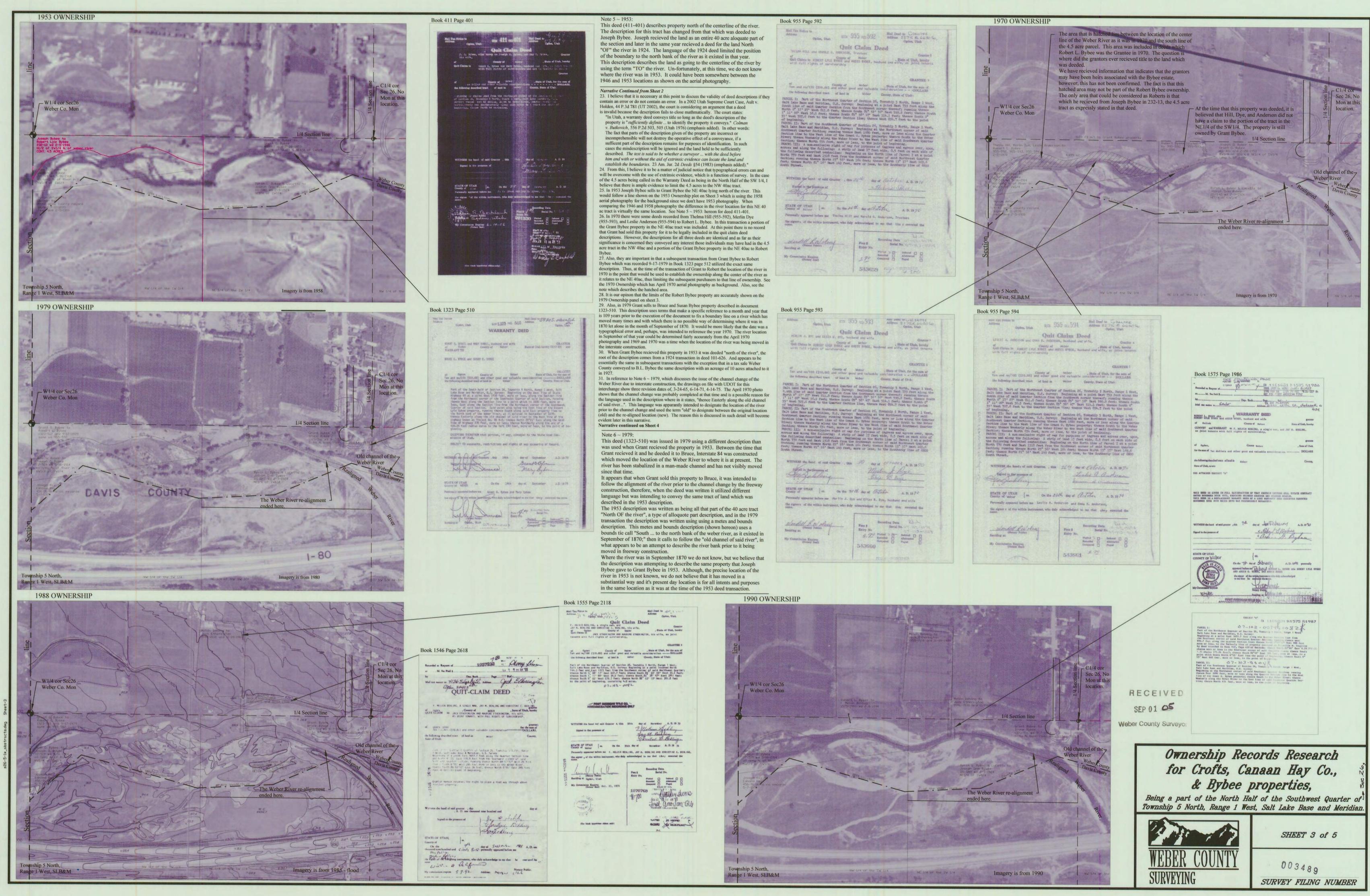
b. Joseph Bybee to Weber County, Book 13 Page 399, executed a tax deed 3-18-1936, recorded 4-13-1 c. Weber County to J.O. Bybee, Book A5 Page 401, executed a quit claim deed 12-10-1942, recorded

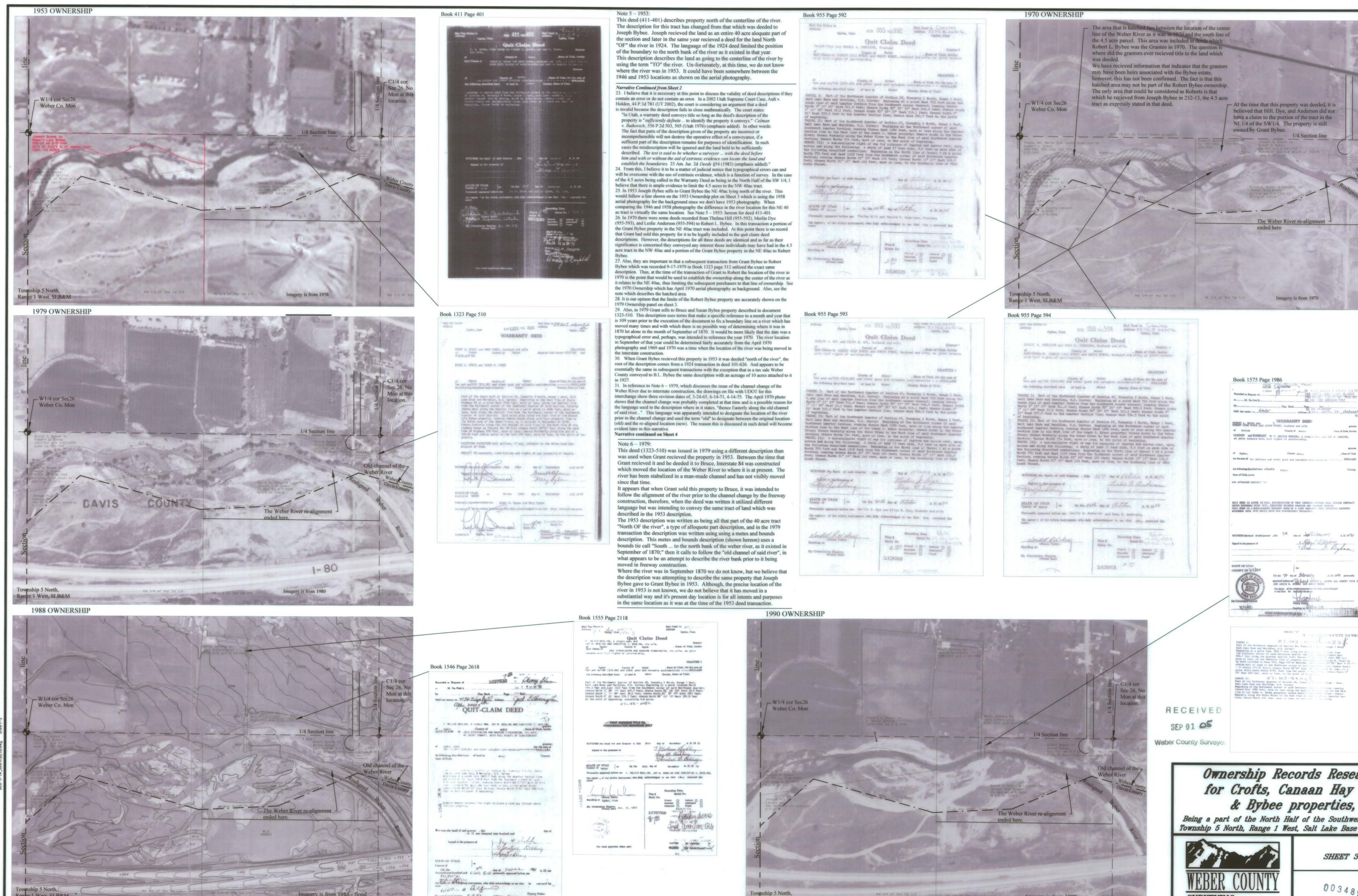
& Bybee properties,



Historical Record of Weber County Ownership Plat

00348 SURVEY FILI





inge 1 West, SLB&M

My communion espira \$ 7.92 Address: Morgan (124

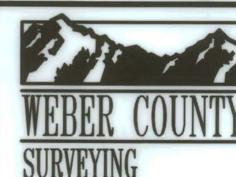
ange I West, SLB&M

B | Mon at this S | location. — At the time that this property was deeded, it is believed that Hill, Dye, and Anderson did not have a claim to the portion of the tract in the NE1/4 of the SW1/4. The property is still 1/4 Section line The Weber River re-alignment Imagery is from 1970

> Do do The day of SEDALLY A D. 1990 personally powered before me D. DAA SHITCHLY L. SYREE AND ADDRESS LYLE SYREE

Ownership Records Research for Crofts, Canaan Hay Co.,

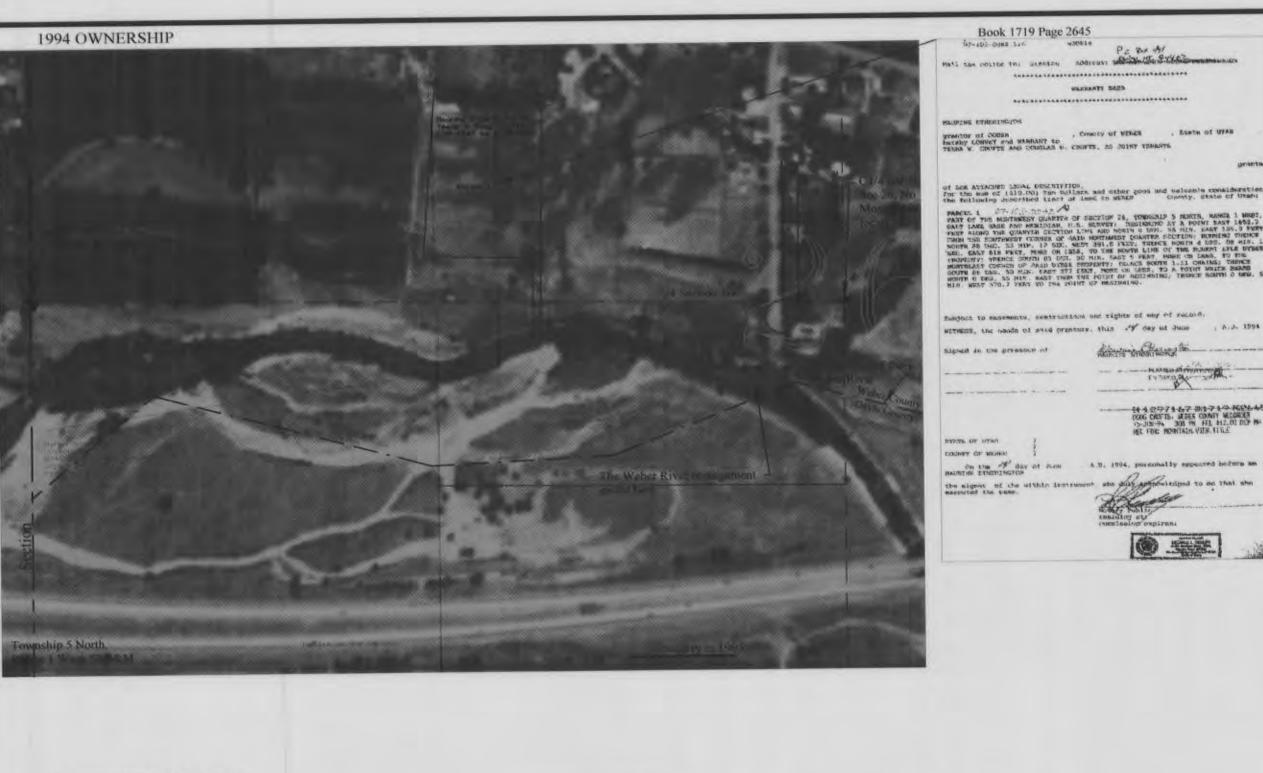
Being a part of the North Half of the Southwest Quarter of Township 5 North, Range 1 West, Salt Lake Base and Meridian.



Imagery is from 1990

SHEET 3 of 5

003489 SURVEY FILING NUMBER



This document is the first time that Crofts recieved title to this Note 8 - Oct. 1998: Book 1719 Page 2645 property. The 27 foot wide stem that extends to the river, as 

Crofts purchased additional property with these Mati tam course the sentate moderness and the services far as our records research has shown, was not owned by Etherington to convey to Crofts at this time. But was STATEMENT DEED conveyed at a latter date. , Councy of WINCE . State of USAS

Weber River; Thence Westerly along the weber river ...". There are two issues at work at the time of this 1. You can't sell what you don't own. 2. The description of the property has changed from what Behling recieved.

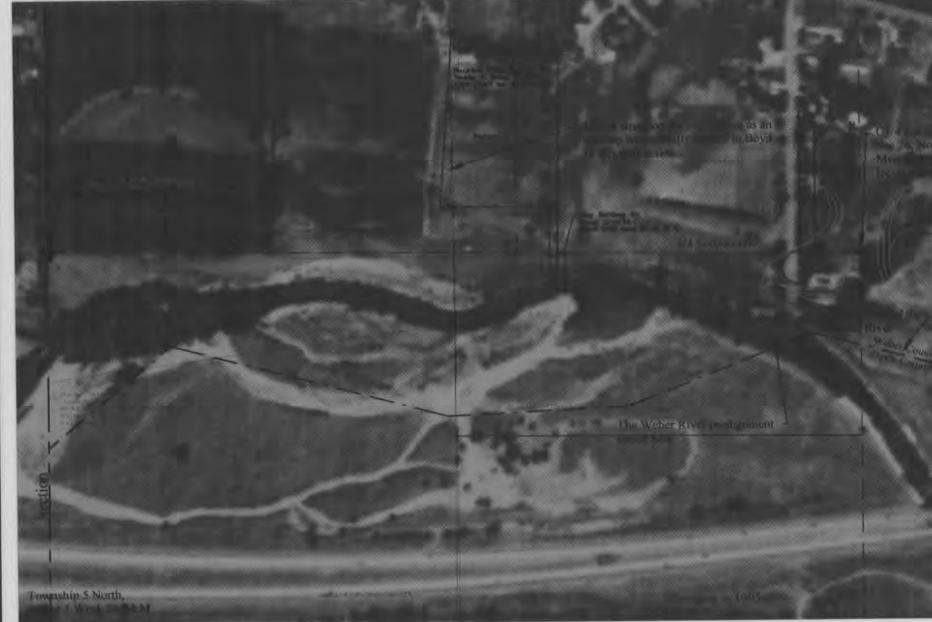
concerned, the limit is to the original 4.5 acre tract which was deeded to Robert L. Bybee in 1946. Behling can not give title beyond that description. As to the second issue, the description of the property has changed to describe a different location of the east line of the property. Namely, using 1627.7 feet East instead of the 1680 foot east deed call. The other difference is the inclusion of a distance of 634 feet in the last call. This has not been present in any of the prior descriptions. From prior and subsequent deed transactions it could be deduced that the intent was for Crofts to acquire all

that property which was deeded to F. Melvin Behling by Robert Bybee as recorded in deed 1575-1989. This being the case Crofts would be entitled to that same tract of land, though it may not coincide precisely with the center line of the river as it exists

Book 1963 Page 1182 PERSONAL REPRESENTATIVE'S DEED THE COURT NAME BY STRIP STREET descriptions (1963-1182) which deeded "...to the or the Personal Representative of the estate of F. MILYIN BRELING SCHARES SPRINGE, THE DISSUAS R. CHOPUS. Dennies, who couldes in series . County, State of State. NUMBERS, OWNERS to the qualified personal suppresentative of said setting riled as Printed No. DERSOUTERY . HURES COLUMN, State of Utah. passwore, for valuable emoideration isomived, mission antis sed posveys to desident the following described real property in season | County, State As to the first issue, the limit of title so far as the of Otolisa SHE ATTRIBUTED SHOAL Northwest Quarter of the Southwest Quarter is RESCRIPTION COLD. May be compressed that Formal Refreshmentative of the estate of COUNTY OF the The day of DESTENDED. 1708, polecularly opposited before we surrection at the south at a position of the Paragolar Lancount, day acknowledged to me that he cannot all the same. II TON LA ID MINAT PLICE IN A CONTROL OF THE WAY OF REALISH ME IN A CONTROL OF THE ACT O



Nov. 19, 1998 OWNERSHIP



44. With reference to the Oct. 1998 Ownership plot, it is important to emphasis that the

description from document 1963-1182 even though it is different from the description that

described and deeded to Behling.
45. The plot for Nov. 19, 1998 Ownership, shows the transaction that Crofts sells to Boyd.

46. As shown on the 1999 Ownership plot Crofts deeds to himself property described in

document 1993-929 which is shown leaving a gap and causing an overlap with the Parcel 1

47. In 2001 Boyd sells a portion of his land to Crofts as described in document 2130-2338.

This description now calls for the "old centerline of the weber river". As can be seen from the

2001 Ownership plot the call to the river being described as "thence South 4D08'17" West

Wever River," extends beyond the physical location of the river. The correct interpretation of

the distance being noted as "more or less" would be to ignore the distance and use the bounds

call. In this case the call is now to the "old centerline" of the river and what is meant by that

48. For instance, you could believe that there may be an attempt to claim to the county line,

which was originally described as the centerline of the river. But this usage would include

49. Then again, you could try to interpret an old channel of the river. But again, if it is south

As seen on the 1985 photography in flood years the river cuts and uses many channels. Which

50. To clarify this question in 2004 the investigator for the Attorney General's Office pursued

description. The response that was given was that he included the language referring to the old

centerline so that his description was consistant with the Bybee's property to the east of him.

51. This belief on Mr. Crofts part is incorrect. As has been discussed previously, the reason

that the language referring to an old centerline of the river was used in the Bybee descriptions

was to distinguish between the realigned channel of the river and the river alignment prior to

That if the Bybee's were entitled to have their property go to the old river so was he. This

this question with Mr. Crofts as to why the addition of the term old channel was added to the

of the current river it violates the root title. Also, where is the old channel being refered to?

addition to the description is not readily accessable from the record.

property that is not part of the root of title for the Canaan Hay Co.

response is also an admission that Mr. Crofts wrote the description.

the realignment which was their rightful property line.

along fence line and fence line extended, 515 feet more or less to the old centerline of the

to Canaan Hay Co. the same property.

which was deeded to Canaan Hay Co.

one is being refered to?

Narrative continued on Sheet 5

using the same deed descriptions that he recieved from Behling in document 1963-1182, note

the overlap shown and the note that the area was deeded to Boyd. On the same date Boyd sells

Behling took title to, in our opinion, can not and does not convey anything other than what was

Note 9 - Nov. 19, 1998: November 19, 1998 Crofts sells to Stuart Boyd the same descriptions that he recieved from Behling.

Narrative continued from Sheet 3

32. To continue with the Robert Bybee parcel created by the 1970 recordation of quit claim also in 1979 a deed (1323-512) was recorded where Grant sells to Robert the same property described precisely as in the 1970 quit claim deeds of book 955 pages 592-594. This

transaction then fixes the south line of the parcel conveyed at the 1970 river location for the NE 40ac tract and clears the title claim of Robert for that portion of the NE 40ac. 33. The 1988 Ownership drawing shown on Sheet 3 is included to help track the ownership of the parcels as they begin to be deeded in a manner different than has been done to date. It appears that in 1988 F. Melvin Behling did not own the strip which extends into the NE 40ac that was deeded to Etherington. However, in a 1990 transaction Robert Bybee deeds to Behling the property as he recieved it, therefore, an after acquired title right would have taken place in this instance and Etherington would have clear title to the narrow strip which leads to

34. The condition of the 1990 ownership is shown on Sheet 3. It should be noted that the abstract of title on the Davis County side for the property being shown as Joseph Bybee's in the NE 40ac has not been fully abstracted, however, a 1982 court decision gives to Bruce and Susan Bybee clear title to property described as:

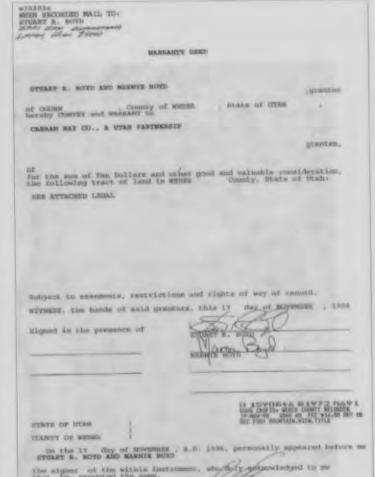
"All of the North one-half of the Northeast one-fourth of the Southwest one-fourth of Section 26, Township 5 North, Range 1 West, Salt Lake Meridian, located South of the Weber River, containing approximately 4 acres, more or less."

This clears title to the NE 40ac tract within Davis County. We believe that this decision was limited to Davis County by the acreage value. When calculating the acreage for the tract described limiting it to the county line there is 5.4 acres of land on the Davis County side. The Davis County records in this area have been different from the Weber County records in that Davis has had access to the 1894 survey of the county line, where Weber did not. 35. See Note 7-1994: on Sheet 4. Even though the stem running to the river was not owned by Etherington when conveyed to Crofts it was acquired at a later date by Etherington as previously discussed, and Crofts would have obtained the title by after acquired title rights. The document 1719-2645, is the one that Crofts recieved title to this property with. 36. In 1998 Crofts purchases from Behling the property shown as Parcels 1-3 on the Oct. 1998 Ownership plot. This was done with document 1963-1182, note the language of the

applies, as discussed in Note 8 - Oct. 1998.

37. At this point Note 8 - Oct. 1998 states the fact that the 1946 ownership lines in the NW 40.

Book 1972 Page 691



AKON SANDON NORTH THE

DESCRIPTION A RESIST OF MAY (SOOK 1646 PAGE 2618.) PART OF THE DESCRIBERT CHARTER OF BESTION 38, TORRENT 5 NORTH, MARKE I WEST, SALT LAKE HARE AND MERIDIAN, U.S. SUKVET, MARKE I WEST, SALT LAKE HARE AND MERIDIAN, U.S. SUKVET, SEQUENCED AND THE MARKET CORNER OF RAID SOUTHWEST GUARTER SECURIT OF THE MARKET THE MERIDIAN MERITED ALONG THE MEMBER BLYER TO THE MEMBER LIVE, TORRICA MERITED ALONG THE MEMBER BLYER TO THE MEMBER LIVE, TO THE SOUTHWEST CHARTER SECTION, TREASE MOREM 634 FERT, MEMBER OF LESS, TO THE SOUTH OF RELIGIOUS.

B 1590846 #1972 R692

Nov. 19, 1998 OWNERSHIP

D 1297167 81719 82646



On that same day, November 19, 1998, Boyd sells to Cannan Hay Co. the same descriptions that Crofts sold to him.

> PRINCIPAL N. CHINTE AND TRENS N. CHIEFE in Again. Convers and WARRANTS TO PROSECUTE AND ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY AND ADDRESS OF THE PARTY A of fights. Under of Weier for the ann of his sent other good and welcolds remaids rather the following described treatle) of final se Non Proceedings on Attached Exhibit "A", stinched foreign and made a part because a partnership. The purpose of this dead to to combine this property fair one semerably and one legal MYTHYDE the bassis of each Grantine thus County of Pair | 40 mm ma 1740 pag m Jebstoney a. S. to 40 passents assert being on Douglas W. Confid and Toma

WARRANTY DEED

Oct. 1998 OWNERSHIP

1999 OWNERSHIP

Part of the Northwest Quarter of Section 26, Township 5 North, Stange 1 West, Sait Lake Dime and Meridian, U.S. Servey: Registraling at a point fleet 1653.7 fleet slowing the Quarter Section lives and North 01257 true 125.9 fact from the Townshiests corner of said Northwest Quarter Section; Romaning theses: Secula 01257 West, along the Water Preer, 76 fact, downer Newton 02557 Fact 3155 fact, more or less to the Weber River, thereoe North 82537127 West, along the Water Preer, 76 fact, downer North 02557 Fact 3155 fact, more or less, these North 1866 55137 (1974 West, 1859 2371 Carlot 225.5 feet, theme North 4308177 Carlot 616 fiete, some or less, to the North 1866 616 fiete, foote or less, to the Northeast sowner of said Bybes property, these North 02200007 East 5 fact, some or less, to the Northeast sowner of said Bybes property, these North 02200007 East 5 fact, some or less, to the Northeast sowner of said Bybes property, these North 02200007 East 5 fact, some or less, to the Northeast sowner of said Bybes property, these North 02200007 East 5 fact, some or less, to 6000 South 62340117 West 1902 5600 Fact 1904 616 fact, tenned 1600 South 1600 foot 1800 South 1600 fact, more or less, to a power which is un the South Right of Water 1600 South 1600 foot 1800 South 1800 for fact (South 1600 foot) foot 1800 South 1800 for fact (South 1600 foot) foot 1800 South 1800 foot (South 1600 foot) foot 1800 foot (South 1600 foot) foot 1800 foot 1800 South 1800 foot 18

flort, thomas South 83130° Cast. 30 feet, thomas North 64308 11° Fast 40° feat to the point of beginning (Book 1546 Page 3619). Subject to the rights of others in and to that portion within a non-exclusive right-of-wray for purposes of ingress and egreus over, upons, seems, and along the following: A strip of land 17 feet wide, being 8.5 feet on much side of the following described centerine: Beginning if a point being 15 feet of 118 feet from the Snedbood center of said Northwest Quartar Section, ranning thereas North 23/058° West 164 feet, thomas North 13/017° Unit 169.6 feet, thomas North 21/016° Unit 149 feet, eners or lim, in the Southouth With of 6600 South Street.

07-102-0045 07-102-008Z (07-102-016) 1 1614418 11948 11948

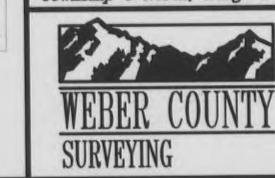
Note 11 ~ 1999: In this document (1993-929) Crofts deeds to himself the tract shown in yellow. The first and second call in the deed is "South 0D55' West 285 feet, more or less to the Weber River; thence North 88D53'12" West, along the Weber River, 26 feet;". The language in this description shows that at the date of this description Mr. Crofts did not claim any land

south of the weber river. This would be consistant with his predessors in title, in that they did not own beyond what was deeded to them in 1970 and 1979.

> Ownership Records Research for Crofts, Canaan Hay Co., & Bybee properties,

The Weber River re-alignment

Being a part of the North Half of the Southwest Quarter of Township 5 North, Range 1 West, Salt Lake Base and Meridian



SHEET 4 of 5

003489 SURVEY FILING NUMBER

Weber County &\_

RECEIV

SEP 01 05

deed all that Behling recieved title to, and the fact that you can't sell what you don't own still

descriptions for parcel 2 (see the deed on Sheet 4). The description language has changed from that which Behling recieved, however, we believe that the intent of the document is to

ac and 1970 ownership lines in the NE 40ac tracts still are held as the legal limits of ownership and is all that Crofts could legally obtain title to.



Note 7 ~ 1994: Book 1719 Page 2645 I can notice to: Granton Address: Should be a the communication WANKAMTY DEED conveyed at a latter date. grantor of Coden , Chocky of Weege , State of UPAR hereby Convert and Warhams to Reena W. CRAFTS AND ROUGLAS W. CROFTS, 35 JOINT TEMANYS t See Attached Limit Description, or the num of (\$10.00) for Dollars and other good and valuable consideration on following described tract of land in MEREP County, State of Phabe Subject to ensements, restrictions and rights of way of record. MITMESS, the wands of send prentocs. this . 4 day of June . A.J. 1994 Birestine Charles to COUMPY OF MERKY: On the " day of Ace A.B. 1994, personally appeared before an the algorit of the within instrument, who day approvisions to so that she executed the same.

This document is the first time that Crofts recieved title to this Note 8 ~ Oct. 1998: Crofts purchased additional property with these property. The 27 foot wide stem that extends to the river, as descriptions (1963-1182) which deeded "...to the far as our records research has shown, was not owned by Weber River; Thence Westerly along the weber river Etherington to convey to Crofts at this time. But was ...". There are two issues at work at the time of this

1. You can't sell what you don't own. 2. The description of the property has changed from what Behling recieved. As to the first issue, the limit of title so far as the

Northwest Quarter of the Southwest Quarter is

concerned, the limit is to the original 4.5 acre tract which was deeded to Robert L. Bybee in 1946. Behling can not give title beyond that description. As to the second issue, the description of the property has changed to describe a different location of the east line of the property. Namely, using 1627.7 feet East instead of the 1680 foot east deed call. The other difference is the inclusion of a distance of 634 feet in the last call. This has not been present in any of the prior descriptions. From prior and subsequent deed transactions it could be deduced that the intent was for Crofts to acquire all

that property which was deeded to F. Melvin Behling by Robert Bybee as recorded in deed 1575-1989. This being the case Crofts would be entitled to that same tract of land, though it may not coincide precisely with the center line of the river as it exists

Oct. 1998 OWNERSHIP Book 1963 Page 1182 PERSONAL REPRESENTATIVE'S DEED THIS DEED, MADE BY JUST JERSEN as the Personal Representative of the sature of 7. Matvis Busting deceased Grantor, to DOUGLAS W. CROFTS Grantee, who resides in WEBER County, State of Utab. MURREAU, Grantor is the qualified personal representative of said estate filed as Probate No. 303500076EI , WHERE County, State of Utah. TRADERICHE, for calmable consideration received, Grantos sells and conveys to Granteen the following described real property in WINES County, State SHE ATTRIBUTE LEGAL. EXECUTED this day of EXPTENSES , 1946. On the q t day of servener . 1998, personally appeared before me suny lenses. representative of the optate of P. NELYIM succiting As personal and as signer of the Foregoing Instrument, who daily acknowledged to se that he executed the same. 12 (STRIKE TO MET PAS PAI 1872) COURS CHATTE HERE COUNTY RECORDS 16-007-48 1249 FR FEE 6E-00 HP PA HE FOR POSITAIN, VIEW TITLE

1999 OWNERSHIP

he I West SLB&M

07-102-007/201

07-103-000 PEEF

wnship 5 North.

Nov. 19, 1998 OWNERSHIP



same descriptions that he recieved from Behling.

32. To continue with the Robert Bybee parcel created by the 1970 recordation of quit claim

transaction then fixes the south line of the parcel conveyed at the 1970 river location for the NE 40ac tract and clears the title claim of Robert for that portion of the NE 40ac. the parcels as they begin to be deeded in a manner different than has been done to date. It appears that in 1988 F. Melvin Behling did not own the strip which extends into the NE 40ac that was deeded to Etherington. However, in a 1990 transaction Robert Bybee deeds to Behling the property as he recieved it, therefore, an after acquired title right would have taken place in this instance and Etherington would have clear title to the narrow strip which leads to

34. The condition of the 1990 ownership is shown on Sheet 3. It should be noted that the abstract of title on the Davis County side for the property being shown as Joseph Bybee's in the NE 40ac has not been fully abstracted, however, a 1982 court decision gives to Bruce and Susan Bybee clear title to property described as:

"All of the North one-half of the Northeast one-fourth of the Southwest one-fourth of Section

limited to Davis County by the acreage value. When calculating the acreage for the tract Davis County records in this area have been different from the Weber County records in that Davis has had access to the 1894 survey of the county line, where Weber did not. 35. See Note 7 ~ 1994; on Sheet 4. Even though the stem running to the river was not owned by Etherington when conveyed to Crofts it was acquired at a later date by Etherington as previously discussed, and Crofts would have obtained the title by after acquired title rights. The document 1719-2645, is the one that Crofts recieved title to this property with. 36. In 1998 Crofts purchases from Behling the property shown as Parcels 1-3 on the Oct. 1998 Ownership plot. This was done with document 1963-1182, note the language of the descriptions for parcel 2 (see the deed on Sheet 4). The description language has changed

7. At this point Note 8 ~ Oct. 1998 states the fact that the 1946 ownership lines in the NW 40 ac and 1970 ownership lines in the NE 40ac tracts still are held as the legal limits of ownership to Canaan Hay Co. the same property. 46. As shown on the 1999 Ownership plot Crofts deeds to himself property described in

which was deeded to Canaan Hay Co.

along fence line and fence line extended, 515 feet more or less to the old centerline of the Wever River," extends beyond the physical location of the river. The correct interpretation of the distance being noted as "more or less" would be to ignore the distance and use the bounds call. In this case the call is now to the "old centerline" of the river and what is meant by that addition to the description is not readily accessable from the record.

which was originally described as the centerline of the river. But this usage would include

one is being refered to? 50. To clarify this question in 2004 the investigator for the Attorney General's Office pursued this question with Mr. Crofts as to why the addition of the term old channel was added to the description. The response that was given was that he included the language referring to the old centerline so that his description was consistant with the Bybee's property to the east of him.

51. This belief on Mr. Crofts part is incorrect. As has been discussed previously, the reason that the language referring to an old centerline of the river was used in the Bybee descriptions was to distinguish between the realigned channel of the river and the river alignment prior to the realignment which was their rightful property line. Narrative continued on Sheet 5

MARRANTY DEED STUART R. BOYD AND MARRIE BOYD OF OGDEN . COUNTY OF MESES , State of UTAR hereby CONVEY and WARRANT to CANADI HAY CO.. A UTAN PARTNERSIP

Book 1972 Page 691

10 BAN BURNESUNS

for the sum of Ten Dollars and other good and valuable consideration the following tract of land in WEDER County, State of Utah: SEE ATTACHED LEGAL

Subject to easements, restrictions and rights of way of record. WITHESS, the hands of said grantors, this ly day of MOYEMEN

14 1590846 011972 P6691 2006 Chafts, where county blooming 19-008-90 1040 AT 752 414.00 000 1 Sec Fost Housefalls.VIEW.11TLE STRIE OF UTAR.

SOURTY OF MEDICE On the 17 day of MOVEMBER, A.D. 1998; personally appeared before me STUART R. BOYD AND MARNER BOYD the signer of the within instrument, who may acknowledged to me that he executed the same.

SUBJECT TO A RIGHT OF MAY (BOOK 1546 PAGE 2619.) 07-102-0024

07-103-0004

G 1590846 M1972 M692

Nov. 19, 1998 OWNERSHIP

3 1297167 #1719 H2646



Note 10 ~ Nov. 19, 1998: On that same day, November 19, 1998, Boyd sells to Cannan Hay Co. the same descriptions that Crofts

sold to him.

WARRANTY DEED DOUGLAS W. CROFTS and TERMA W. CROFTS of Ogden County of unber-tureby CONVEYS and WAHRANTS TO DOSCLAS W. CROPTS and TEXAS W. CROPTS, bushend and wife as judge tensets fee Description on Attached Exhibit "A", attached heretu and made a part hereof by is purpose of this deed is to combine this property into one ownership and one legal TTNFSS the hands of said Granters this 17th Charty of Webs | in my tie 17th may or Subruscy A.S. to 90 secondly spowed before me Douglas W. Crofte and Tenne nexts of the attent feetenment, when thely enterpretation to may have a key the

Book 1993 Page 929

W1/4 cor Sec26 Weber Co. Mon

Part of the Northwest Quarter of Section 26, Township 5 North, Bange 1 West, Sult Lake Bane and Meridian, U.S. Survey: Beginning at a point East 1653.7 feet along the Quarter Section line and North 0057 Bast 139.9 feet from the Southwest corner of said Northwest Quarter Section; noming thence South 0035 West 285 feet, more or less to the Weber River, thence North 8D53'12" West, along the Weber River, 26 feet, thence North 0055' East 285 feet, more or less. tence North 8SDS312"West 355.8 feet; thence North 4D0817" East 618 feet, more or less, to the North line of the Robert Lyle Bybee property, thonce South 85330 East 5 feet, more or less to the Northeast corner of said Bybee property, thence North 02D0009° East 99.97 feet, thence

Note 11 ~ 1999:

south of the weber river. them in 1970 and 1979.

along said fence and its extension South 04D3741\* West 200.02 feet to the Extension of an existing East-West fence line, thence along said extension South 82D4200\* East 12.05 feet; thence South 02D3000° West 282.99 feet to an existing fence, thence along existing fence South 8SD3847° East 174 feet, more or loss, to a point which bears North 0D55' East from the point of beginning, thence South 0D55' West 570.7 feet to the point of beginning.

Together with a right-of-way described as follows: Part of the Northwest Quarter of section 26, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey: Section 20, 10 winning 5 North, Range 1 west, Stat Lase State and North Internation, U.S. Survey.

Beginning at a point 1653.7 feet East along the Quarter Section line and North 0155° East 139.9 feet and North R8155'12" West 381.8 feet and North 4D08'17" East 618 feet, more or lock, to the North line of the Robert Lyle Bybee property from the Southwest corner of said Northwest Quarter Section; running thence North 85D30" West 30 feet, thence South 4D08'17" West 40 feet, thence South 85D30" East 30 feet, thence North 4D08'17" East 40 feet to the point of

beginning (Book 1546 Page 2619)
Subject to the rights of others in and to that portion within a non-exclusive right-of-way for purposes of ingress and egress over, upon, across, and along the following: A strip of land 17 feet wide, being 8.5 feet on each side of the following described centerline: Beginning at a point North 770 feet and East 1318 feet from the Southwest corner of said Northwest Quarter Section; nanning thence North 23D58" West 164 feet, thence North 13D17" East 169.6 feet, thence North 23D16 East 149 feet, more or less, to the Southerly line of 6600 South Street.

EXHIBIT "A"

North \$200 F17" West 97.83 feet: thouse North 94006'05" East 159.75 feet: thence North

11D2099 East 167.10 See, more of less, to a point which is on she South Right-of-Way line of 6600 South Street, said point being South 00003'54" West 1402.65 feet (South 1408.6 feet,

roord) and South \$9D56'05" East 1309.66 fout (East 1306.3 feet, record) from the Northwest

orner of Section 26, thence along the South Right-of-Way line of 6600 South Street South

80(3)14'50" East 248.83 floot, to a flower corner on the West line of an existing driveway: these

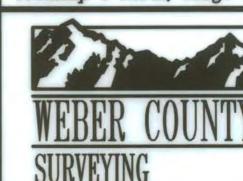
07-102-0045 07-102-0082 (17-102-DILL) \$1 1614413 111993 11930 In this document (1993-929) Crofts deeds to himself the tract shown in yellow. The first and second call in the deed is "South 0D55' West 285 feet, more or less to the Weber River; thence North 88D53'12" West, along the Weber River, 26 feet;". The language in this description shows that at the date of this description Mr. Crofts did not claim any land

This would be consistant with his predessors in title, in that they did not own beyond what was deeded to

> Ownership Records Research for Crofts, Canaan Hay Co., & Bybee properties,

The Weber River re-alignment

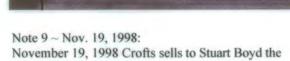
Being a part of the North Half of the Southwest Quarter of Township 5 North, Range 1 West, Salt Lake Base and Meridia



SHEET 4 of 5

003489

SURVEY FILING NUMBER



Narrative continued from Sheet 3

also in 1979 a deed (1323-512) was recorded where Grant sells to Robert the same property described precisely as in the 1970 quit claim deeds of book 955 pages 592-594. This 33. The 1988 Ownership drawing shown on Sheet 3 is included to help track the ownership of

26, Township 5 North, Range 1 West, Salt Lake Meridian, located South of the Weber River, containing approximately 4 acres, more or less." This clears title to the NE 40ac tract within Davis County. We believe that this decision was described limiting it to the county line there is 5.4 acres of land on the Davis County side. The

from that which Behling recieved, however, we believe that the intent of the document is to deed all that Behling recieved title to, and the fact that you can't sell what you don't own still

applies, as discussed in Note 8 ~ Oct. 1998. and is all that Crofts could legally obtain title to. 44. With reference to the Oct. 1998 Ownership plot, it is important to emphasis that the description from document 1963-1182 even though it is different from the description that Behling took title to, in our opinion, can not and does not convey anything other than what was described and deeded to Behling.

45. The plot for Nov. 19, 1998 Ownership, shows the transaction that Crofts sells to Boyd, using the same deed descriptions that he recieved from Behling in document 1963-1182, note the overlap shown and the note that the area was deeded to Boyd. On the same date Boyd sells

document 1993-929 which is shown leaving a gap and causing an overlap with the Parcel 1 47. In 2001 Boyd sells a portion of his land to Crofts as described in document 2130-2338. This description now calls for the "old centerline of the weber river". As can be seen from the 2001 Ownership plot the call to the river being described as "thence South 4D08'17" West

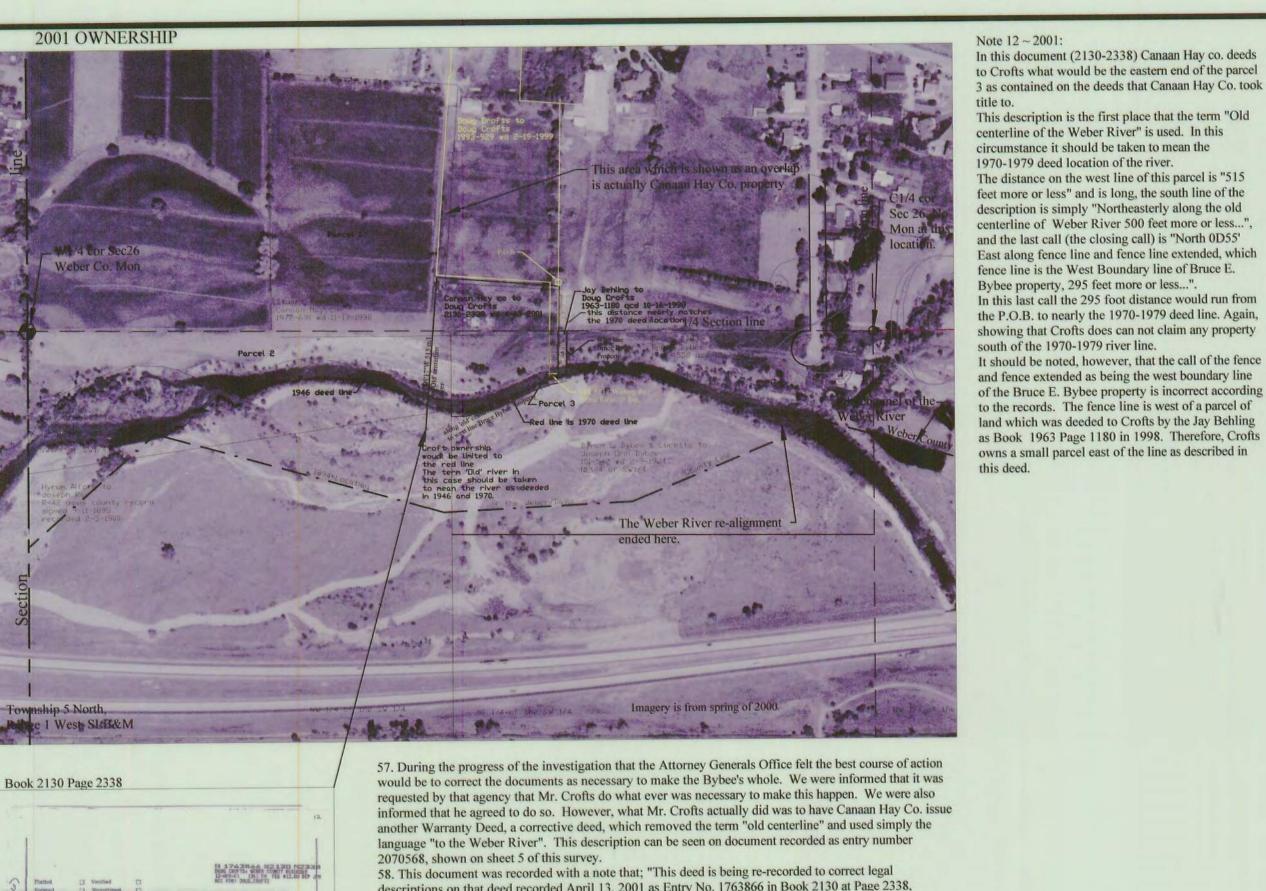
48. For instance, you could believe that there may be an attempt to claim to the county line, property that is not part of the root of title for the Canaan Hay Co.

49. Then again, you could try to interpret an old channel of the river. But again, if it is south of the current river it violates the root title. Also, where is the old channel being refered to? As seen on the 1985 photography in flood years the river cuts and uses many channels. Which

That if the Bybee's were entitled to have their property go to the old river so was he. This response is also an admission that Mr. Crofts wrote the description.

RECEIV

Weber County 5



descriptions on that deed recorded April 13, 2001 as Entry No. 1763866 in Book 2130 at Page 2338, records of Weber County, Utah."

59. It also contains a notation which was hand written that states; "07-102-0082 LK ABST ONLY". This notation is made by a member of the recorders staff who has the initials of L.K. and identifies the parcel number that it affects. In addition the notation "ABST ONLY" is a note to abstract the document only, which action does not change the tax records.

description nor has the tax plat, the abstract and description are shown on Sheet 5 with the language boxed in red. I have checked the records as of May 26, 2005 and the description remains the same. Thus not all documents have been corrected as required by the Attorney Generals office in this matter.

a screening committee at the Attorney Generals office where the facts of ownership could be discussed, and if there is a possible remedy to make the Bybee's whole. It was at the meeting that the Attorney General's office requested that we provide them with the information necessary to do that.

lines are established as they are shown.

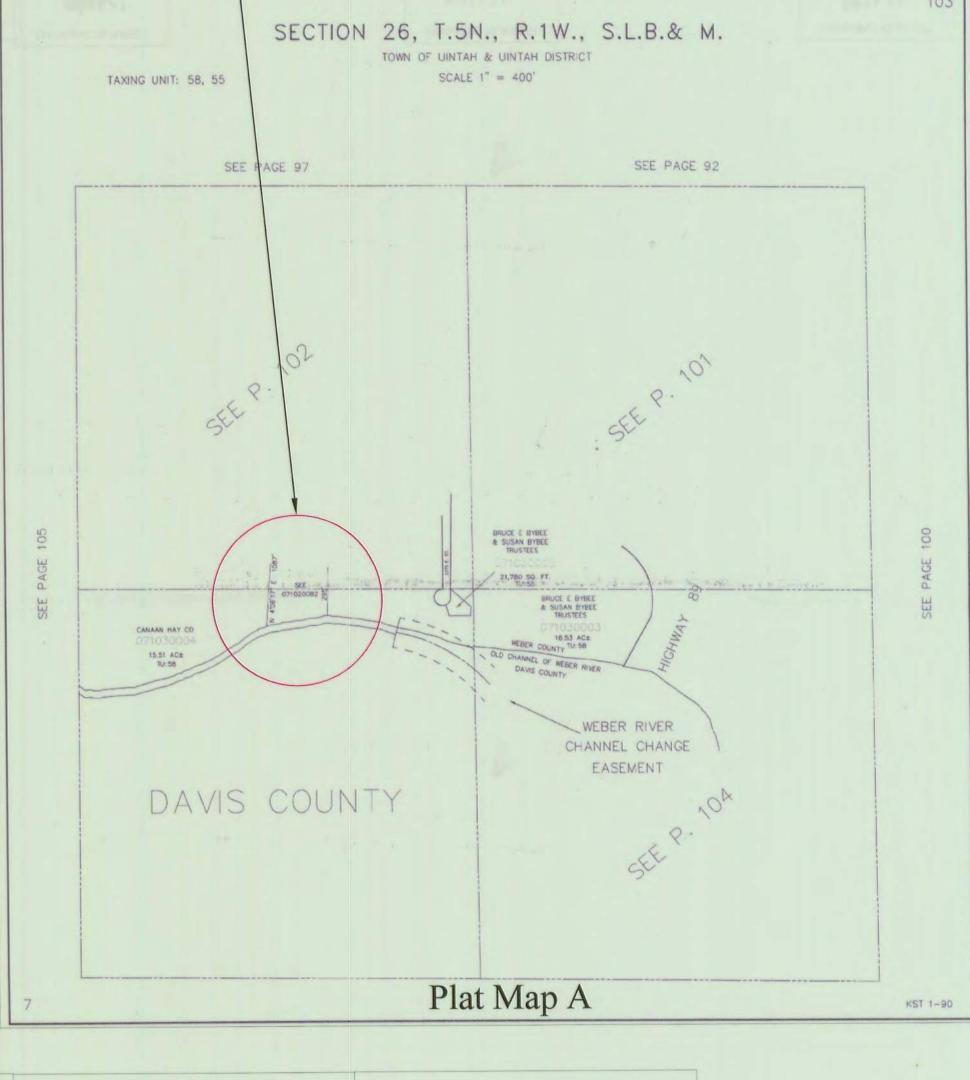
Feb. 2005 OWNERSHIP MAP

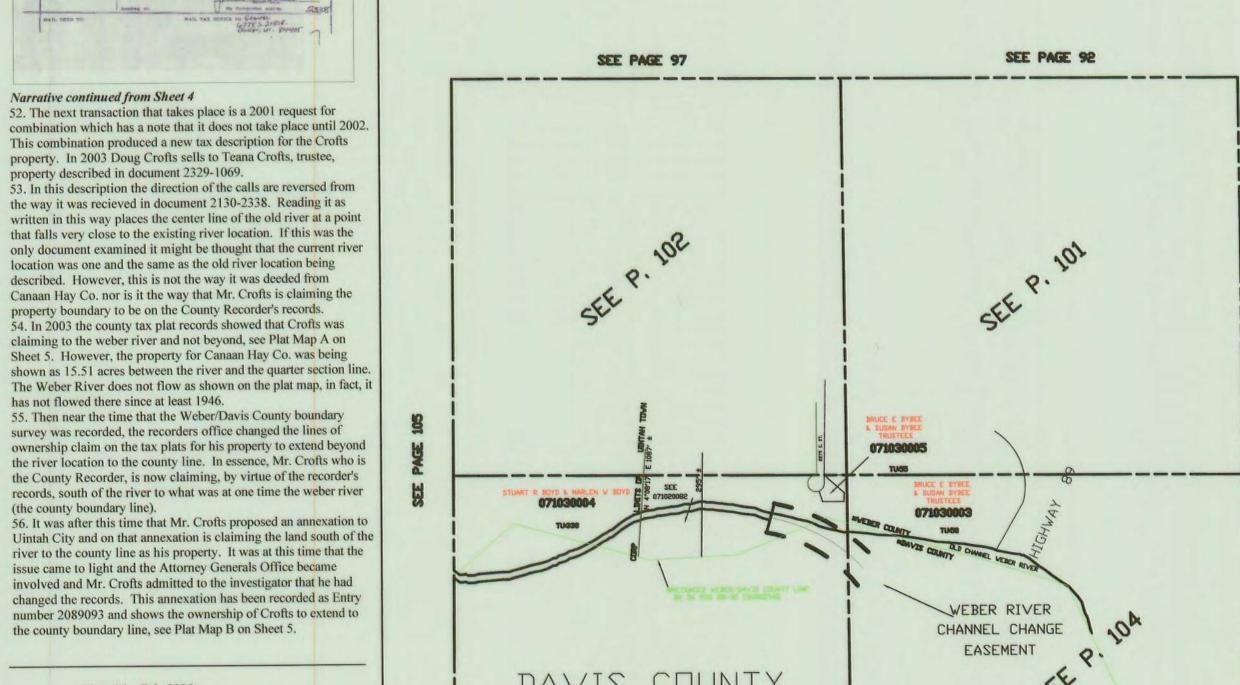
TAXING UNIT: 58, 55, 338

The Weber River re-alignment

1 West SLB&M Book 2329 Page 1069 Book 2130 Page 2339 QUIT CLAIM DEED Bouglan W. Crofts and Terms W. Crofts of Ogden County of Weber berely CHIT CLAIMS to Teens Grofte. Trustee of the Teens Crefte Trust dated SEE ATTACHED EXHIBIT "A" FOR LAGAL DESCRIPTIONS course stee Steel of Webs | so On the Lable, say of Rarch A is \$2 2003 HALL YAS MOTICE TO SAME.

Note 13 ~ 2003: The same information applies to this combination description as stated in Note 12. The limits of ownership for the south line of the property are along the 1946 and 1970-1979 deed locations. Also, the limit of claim in the records of the county show that Crofts only claims at this point in time, to TOWN OF UINTAH & UINTAH DISTRICT





Plat Map B

Note 15 ~ Nov. 2004: In November 2004 Canaan Hay Co. issued another Warranty Deed (Entry# 2070568, shown at the right) which is the same description verbatim, except that the word "old" has been removed, as contained Book 2130 Page 2338 in which Canaan Hay Co. deeded this property to Crofts the first time using the terminology of "old center line". However, the ownership plat has not been corrected to show the change and that the limit of the description goes to the 1946 and 1970-1979 river location as previously noted. This is due to the notation on this document which states; "ABST ONLY".

2003 OWNERSHIP

This notation initiates a policy of the recorders office to prevent any change of the tax description or the ownership map. The current tax description is also included at the right as part of the electronic abstract for this parcel. See narrative.

KST 1-00

KIND OF DOC.

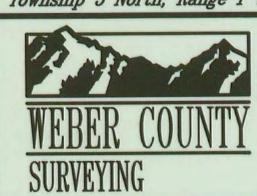
BOOK - PAGE REC DATE TIME.

CONSIDERATION TP ENTRY NEW DOC DATE RELEASE ENTRY REP KIND DE DOC BOOK - PAGE BEC DATE TIME CONSIDERATION IT ENTRY NEW DOC DATE RELEASE ENTRY HER GRANTOR/ GRANTEE MILI 2136-2340 (3-APR-2001 \$90,000.00 176.3848 04062001 QUIT CLAIM DOLD (555-211) 21-43:0-1989 \$10:00 1070768 11:00:1970 -ANNE APPS 2144-3361 06-709-2003 02-32 1778094 6' -1555-2119 21-FEB-1989 85-18 1070769 11/70/1970 -CTRY 2156-0794 22-013-2001 62-04 1500 1783388 06-08-2001 1575-1986 88-8135-1990 1103031 62657/1990 -NEC LEEN 2129-6092 05-ALE-2001 09-41 5.00 1787713 (0.022/2001 -1575-1988 08-1939-1990 1101032 02/07/1990 -ANNI. AFFL 2147-1942 (1-517-200) 61:40 \$ 00 1795120 08:13/2001 -1575-7989 68-4135-1990 62-40 1107633 62-077-7990 -INSCRIPTION OF PROPERTY 2002 B/P. ACRES 10.58 2002 OF CNTY LINE 009-0081 31-0XT-2002 09-01 183945 16/24/2002 -AFFT & DFRICERT 1629-0923 10-2129-1992 03-04 128-1992 0555-2118 QCD 2325-7069 06-86AR-2003 62-04 51-00 1919236 0306-2003 -CROFTS, DOUGLAN WILTS CROFTS, TRENA TR 1719-2645 15-3186-1994 83-08 1297187 08/14/1994 -ANNEL APPL 2329-1071 06-86AH-2001 62-07 1919257 // // 1719-2647 15-3196-1994 1297168 06-00/1994 -REI 2421-0720 (3-AUG-200) 04-04 5.00 1405400 08-08-2001 21-50-23-40 1724-1658 26-JUL-1994 02-26 1303436 W -DESTRUCT 2423-0722 13-AUG-2003 04-04 \$150,000.00 1965-601 08-0722003 -CHEER 1754-0706 28-APR-1995 01:49
5.00 1341995 082307995 -EASMNT UCD - 12 SEP 2003 17-24 \$10.00 1974249 09/12/2003 -APPT-& LITHICERT 1963-1177 \$6-78.71-1958 12-47 \$3.00 1581608 \$9828/1998 1575-198 DEFENDE - 22-51F-2001 62-50 \$150,000.00 1976.54 084572001 -EXCLUSION 1857 - 84-260V-2003 02-35 \$32,000.00 1988705 18/27/2803 -1963-1182 1643CT-1998 1981616 89000-1998 -R/WAY EASMINT 19-FEB-2004 81-42 \$1.00 2012010 02/04/2004 -1963-1184 18-0X-T-1998 1581611 09(26/1998 -CREDIT CPN PT TN - 11-38AR-2004 DE 47 S 00 2017012 01/10/2004 -WEBER BASIN WIR CONSERVE CROFTS, TENNA TR 1972-0689 \$4-8-79V-1998 10:34 1590843 09/23/1998 -1972-0091 89-007V-1998 10-90 1590846 11/17/1998 -- 26-NEV-2004 02:00 \$19:00 2070568 11/2004 2130-2338 1945-2929 19-3139-1959 9814613 02:1713999 -\*\*\* END OF ABSTRACT \*\*\* \*\*\* RUN DATE: 01-FEB-2005 \*\*\* KIND OF BOC BOOK - PAGE REC DATE TIME CONSIDERATION TO ENTRY NOR DOC DATE RELEASE ENTRY REF GRANTEE. ADNOLATYS. 1093-2644 23-FED-1999 10:30 101:0091 # -QCD 2005-QLI0 14-A/R-1999 - 10050 14-A/R-1999 -ARMY PERMET 1452-1561 27-A1G-1564 500 6675/1664 -ANNUL APPL 2013-0936 (9-5127-1999 8) 24 500 1601580 # -QUET CLAIM DEED 1546-2618 09-NE-P-1988 09-25 510-60 1057212 # -WD 2136-2136 13-APK-2601 12-41 1316-00 176-266 04-2601 -QUIT CLAIM DREID (1965-2019 DESTE-1988 DE 26 CHUPTS, DRAZILAS W & W)

\$10.00 JESTZEL INTELNO, F MILVIN FTAL ETHERINGTON, JACK & WE #ITQ FCRI COMBI 2130-2339 13-A79-2001 12-41 \$500 170-3867 04/13/2001 -

RECEIVED SEP 01 05 Weber County Surveyor Ownership Records Research for Crofts, Canaan Hay Co., & Bybee properties,

Being a part of the North Half of the Southwest Quarter of Township 5 North, Range 1 West, Salt Lake Base and Meridian.



SHEET 5 of 5

003480 SURVEY FILING NUMBER

WARRANTY DEED

Together with 2 shares of of Weter Stock in the CONTAIN CONTRAL CANAL CONTRACT water company.

State & Seri. better

State of Dinh | no. the me /3 may of April a. n. sp.2001

DONEAS W. CHUFTS and THEM V. CHOTTS, business and wife

Narrative continued from Sheet 4

property described in document 2329-1069.

has not flowed there since at least 1946.

(the county boundary line).

52. The next transaction that takes place is a 2001 request for

property. In 2003 Doug Crofts sells to Teana Crofts, trustee,

the way it was recieved in document 2130-2338. Reading it as

location was one and the same as the old river location being

described. However, this is not the way it was deeded from

property boundary to be on the County Recorder's records. 54. In 2003 the county tax plat records showed that Crofts was

claiming to the weber river and not beyond, see Plat Map A on

Sheet 5. However, the property for Canaan Hay Co. was being

55. Then near the time that the Weber/Davis County boundary

survey was recorded, the recorders office changed the lines of

issue came to light and the Attorney Generals Office became

of "old center line" as meaning the 1894 river never existed prior to that description.

Note 14 ~ Feb. 2005:

the county boundary line, see Plat Map B on Sheet 5.

DAVIS COUNTY

It is this ownership map that is a concern with respect to the current claim of ownership. This map shows that Crofts is claiming his ownership to go the the 1894 county line. Although, the county line was described as the river and this line represents the location of the river in 1894, Crofts has no root of title that would give him the ability to claim to the

It shown by this map that Crofts is using the language location. Again, this terminology was added into the deed which he recieved from Canaan Hay Co. and

60. As of Feb 1, 2005 the tax description for the property has not changed to reflect the changed deed 61. This office, the Weber County Surveyor's Office, was subsequently requested to make a presentation to

62. This narrative, as required by Utah Code 17-23-17, and as previously stated, is provided to give the details and facts in this research and to provide others the means of understanding the reason the ownership

> SECTION 26, T.5N., R.1W., S.L.B.& M. TOWN OF UNITAH & UNITAH DISTRICT SCALE 1" = 400"

> > WARRANTY DEED of Landau HAY CO. A PARTHERMILE, Series of Landau WARRANTS TO DOUGLAN W. CHUPTS and THUNA M. CHUPTS, hosdowd and wife of tigdon County of Webert for the num of Yen and other wood and valuable considerations—the following described tract(s) of hand in Mebert Part of the West Vs of Section 26, Township 5 North, Range 1 West, Salt Lake Boon and Meridian, U.S. Survey, Beginning at a point Bast 1653.7 foct along the Quarter Section Lines North 0355 East 139-9 feet from the Southwest Corner of the Northwest Quarter of smit Section; running thence North 6355512? West 3BL 8 feet to a fence; thece South 41:08127 Section; running thence North 6355512? West 3BL 8 feet to a fence; thece South 41:08127 West along fonce line and fence line extended, 515 feet more or less to the Weber River, the Northeasterly along the Weber River 500 feet more or less to a point South 0155 West of the point of beginning. Wester North 0135 East along fence line and federa line extended, which fence line is the West Boundary that of Broce E. Byboe Property, 295 feet more or less to the point of beginning.

Entry # 2070568

This deed to being re-recorded to correct the legal description on that deed recorded April 12, 2001 on Folly Do. 1763866 to Nack 2130 at Page 2338, records at Webst County, Utah,

TTEFES the hands of said Grantura this

27-102 0082 Test ONLY

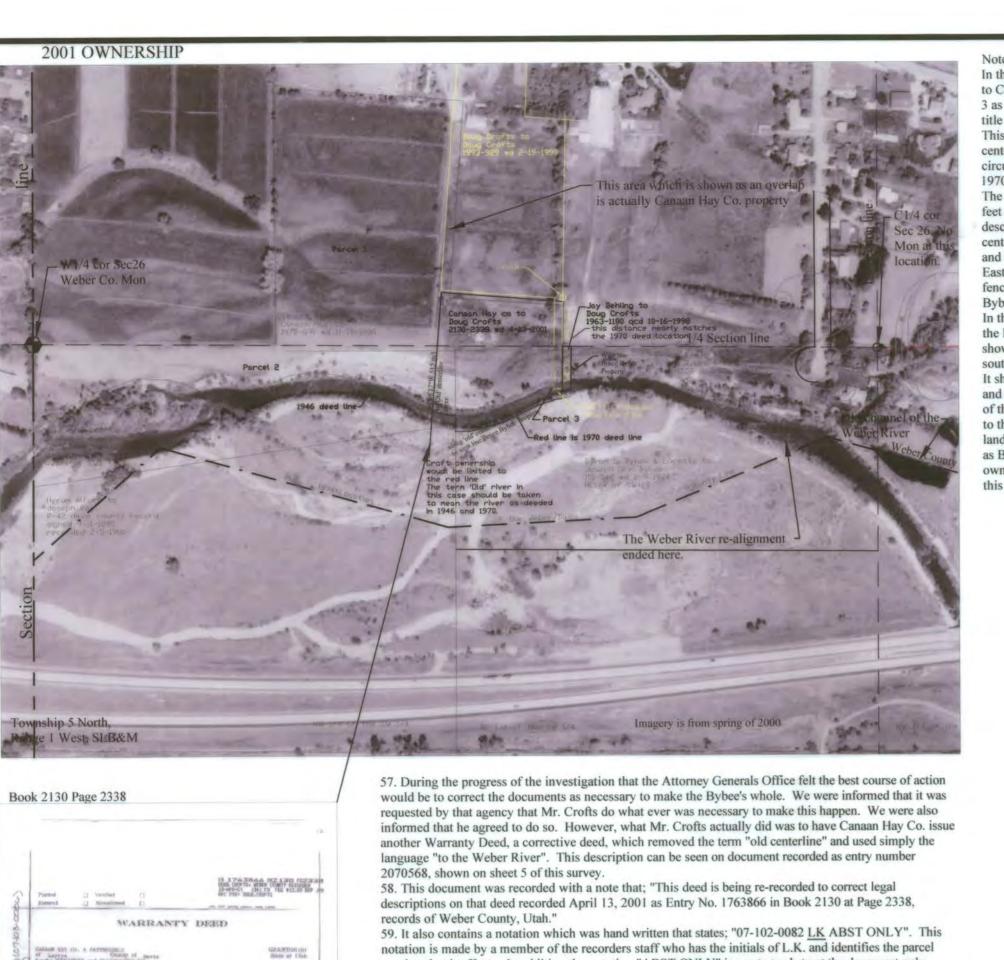
ADDITION AND AS SEE TO SEE OF SECURITY OF

security expected asfers as Storict S. Novil, Fartner of Canana Say

the algebraic to the matter hadronized, who diety proposed for one that has provided for these

Stan L. Jany

Steart E. Blyd. Partner



Note 12 ~ 2001: In this document (2130-2338) Canaan Hay co. deeds o Crofts what would be the eastern end of the parcel as contained on the deeds that Canaan Hay Co. took This description is the first place that the term "Old

centerline of the Weber River" is used. In this circumstance it should be taken to mean the

1970-1979 deed location of the river. The distance on the west line of this parcel is "515 feet more or less" and is long, the south line of the description is simply "Northeasterly along the old centerline of Weber River 500 feet more or less...", and the last call (the closing call) is "North 0D55" East along fence line and fence line extended, which fence line is the West Boundary line of Bruce E. Bybee property, 295 feet more or less...".

in this last call the 295 foot distance would run from the P.O.B. to nearly the 1970-1979 deed line. Again, showing that Crofts does can not claim any property south of the 1970-1979 river line. t should be noted, however, that the call of the fence and fence extended as being the west boundary line

of the Bruce E. Bybee property is incorrect according to the records. The fence line is west of a parcel of and which was deeded to Crofts by the Jay Behling as Book 1963 Page 1180 in 1998. Therefore, Crofts owns a small parcel east of the line as described in

Weber Co. Mon The Weber River re-alignment Fownship 5 North, bge I West SLB&M

Book 2329 Page 1069

Dongles W. Steffe and Teess W. Staffe Outer County of Neber stelly Util CLAIMS to

THESS the match of said Granters lide

the 1946 and 1970-1979 deed locations. Also, the limit of claim in the records of the county show that Crofts only claims at this point in time, to SECTION 26, T.5N., R.1W., S.L.B.& M. TOWN OF UINTAH & UINTAH DISTRICT SCALE 1" = 400' TAXING UNIT: 58, 55 SEE PAGE 97 SEE PAGE 92

A SUSAN BYBEE TRUSTEES

WEBER RIVER

2329-106V 16-45A36-2031 92-54 19(9256 83-06-2003

12-557-2001 (974249 0912/2001

2017042 04300000 - 48 41

number that it affects. In addition the notation "ABST ONLY" is a note to abstract the document only, which action does not change the tax records. 60. As of Feb 1, 2005 the tax description for the property has not changed to reflect the changed deed description nor has the tax plat, the abstract and description are shown on Sheet 5 with the language boxed in red. I have checked the records as of May 26, 2005 and the description remains the same. Thus not all documents have been corrected as required by the Attorney Generals office in this matter. 61. This office, the Weber County Surveyor's Office, was subsequently requested to make a presentation to a screening committee at the Attorney Generals office where the facts of ownership could be discussed, and if there is a possible remedy to make the Bybee's whole. It was at the meeting that the Attorney General's office requested that we provide them with the information necessary to do that. 62. This narrative, as required by Utah Code 17-23-17, and as previously stated, is provided to give the details and facts in this research and to provide others the means of understanding the reason the ownership lines are established as they are shown. Feb. 2005 OWNERSHIP MAP SECTION 26, T.5N., R.1W., S.L.B.& M. SCALE 1" = 400" TAXING UNIT: 58, 55, 338

07-102-0003 Ton-100 coox Xin-100-00013 Taking Tak.

Canata at Walter

(A) 12th day (2) Agg (2) 2001, presently approved inlies was. Descriptive Challed

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REQUEST FOR COMBINATION®

Book 2130 Page 2339

Mail Tax Hotel to.

2003 OWNERSHIP



PRODE SERIAL NUMBERS (07-103-000)
PRODE SERIAL NUMBERS (07-103-000)

DESCRIPTION OF PROPERTY THE R.P. ACRES 1844

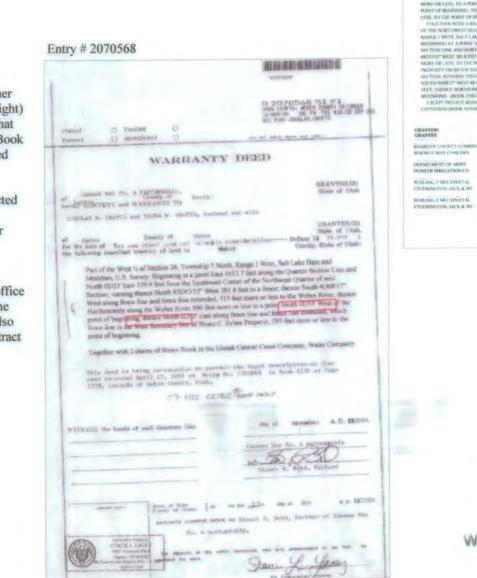
CHANNEL CHANGE EASEMENT DAVIS COUNTY H 1419256 H232F N1070 Plat Map A

SEE PAGE 92 SEE PAGE 97 combination which has a note that it does not take place until 2002. This combination produced a new tax description for the Crofts 53. In this description the direction of the calls are reversed from the way it was recieved in document 2130-2338. Reading it as written in this way places the center line of the old river at a point that falls very close to the existing river location. If this was the only document examined it might be thought that the current river Canaan Hay Co. nor is it the way that Mr. Crofts is claiming the 54. In 2003 the county tax plat records showed that Crofts was claiming to the weber river and not beyond, see Plat Map A on Sheet 5. However, the property for Canaan Hay Co. was being shown as 15.51 acres between the river and the quarter section line. The Weber River does not flow as shown on the plat map, in fact, it survey was recorded, the recorders office changed the lines of ownership claim on the tax plats for his property to extend beyond the river location to the county line. In essence, Mr. Crofts who is the County Recorder, is now claiming, by virtue of the recorder's records, south of the river to what was at one time the weber river 56. It was after this time that Mr. Crofts proposed an annexation to Uintah City and on that annexation is claiming the land south of the river to the county line as his property. It was at this time that the involved and Mr. Crofts admitted to the investigator that he had changed the records. This annexation has been recorded as Entry WEBER RIVER number 2089093 and shows the ownership of Crofts to extend to CHANNEL CHANGE EASEMENT DAVIS COUNTY It is this ownership map that is a concern with respect to the current claim of ownership. This map shows that Crofts is claiming his ownership to go the the 1894 county line. Although, the county line was Plat Map B

Note 15 ~ Nov. 2004: In November 2004 Canaan Hay Co. issued another Warranty Deed (Entry# 2070568, shown at the right) which is the same description verbatim, except that the word "old" has been removed, as contained Book 2130 Page 2338 in which Canaan Hay Co. deeded this property to Crofts the first time using the terminology of "old center line". However, the ownership plat has not been corrected to show the change and that the limit of the description goes to the 1946 and 1970-1979 river location as previously noted. This is due to the notation on this document which states; "ABST

This notation initiates a policy of the recorders office to prevent any change of the tax description or the ownership map. The current tax description is also included at the right as part of the electronic abstract for this parcel. See narrative.

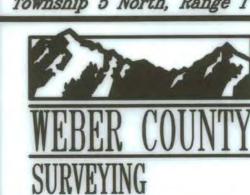
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KIND DE DOX BOOK - PAGE REC'DATE ITME CONSIDERATION IP ENTRY NEE DOC'DATE RELEASE ENTRY NEE KIND OF DOC. BOOK-PAGE. RECEDITE TIME. CONSIDERATION TY. ENTRY SHE DOC DATE BELEASE ENTRY HER GRANTOR/ GRANTKE MEES 23,36-2540 (3-APK-200) \$90,000,00 (70,380) GATIA(200) QUAT ( LASM (NED 1755-2) IE 21-47/3-1989 1118/21976 -CREATS TANKS WE ANNE APPE 2544-1181 06-7174-2001 62-32 WARRANTY DISD 1155-2119 21-318-1189 510.00 1070759 11-31071970 -BYREE, ROBERT I AKA 6 WY 1575-1986 38-1239-1995 1100031 92377179981 -UNET 2156-0794 27-JUL 3001 502-04 500 17833AA 0468825001 ... 1375-1988 88-913-1990 \$20.00 1193033 02-07/1990 NEC LIEN 2151-0092 05-A445-2003 05-81 \$00 1787711 05/22/2001 BYREE, ROBERT LAKA & WY BURNIEL P MELVIN & JAY M 1575-1980 85-818-1990 \$10.09 1303639 12/07/1990 -ANNO APPE 2167-1062 17-517-2001 01-90 - 500 1295-220 1001-52001 -BYDES ROBERT LAKA WE DESIGNED, FAREVEY BY MY ASTY & DYN CERT 1629-4962) 18-845-41962 89 5-60 1183-914 06/183-993 1359-2118 TREE OF CRITY LIMIT 0050-0088 \$1-007-2002 04-01 5807-400 1004-0002 . 1719-2645 13-30.00-1914 1297167 001611994 ANN ANY 2324-1071 10-AAAR-2001 102-107 5.00 1919237 1719-2647 15-309-1994 1297168 06/00/1994 REJ 2423-0720 (1-AUG-2007) 04-98 (1-AUG-2007) 14-AUG-2007 (1-AUG-2007) ENGERGISTREST 2421-0722 (1-0420-1003 \$150,000.00 1965801 0802200) 1754-0706 24-A/90-1995 5.00 134-799 04-10/1995 -CHIFTS, TENNA TR EANMAT GCTV \$19.00 APT & ITTICTET 1965-1777 18-2X-7-1968 537-196 0128/1998 1373-198 \$15.00 1581609 06287998 . (16 FEE TREST 27-58 F-2001 \$150,000.00 1976544 08/07/2003 2-00 1381939 00-0003488 -1887-1185 19-16.7-1688 UKLD CO TREST 04-NOV-2003 02-95 \$31,000.00 1988705 1977/2001 CRUFTS, TENNA TR QUESTANHAS CO EUWAY EASHIOL 17-11-2004 \$1.00 2032010 02/64/2004 1963-1186 (IS-CKT-1968 1281611 09/28/1998 ORDIN DIS PETEN 1972-0669 19-3239-1998 1500825 09/25/1998 --WEBER BASIN WTR CORSERVORST \$10.00 (107)-08(0) (107)-09(6) (107)-09(6) - 75-NEFV-3006 62-08 550.00 2078368 13/02004 24/93/2338 176/386 \$1.00 10.0013 02/17/1999 \*\*\* RUN DATE: 01-FEB-2005 \*\*\* ANNI, APPI. 1993-2549 25-FETE-1999 5-90 18-53091 # (AL 1) 2005-0330 16-APM-1999 33.00-1638001 03/15/1999 33.00-AANL APPT 2031-0956 00-SER-1999 03-34 3-00 1866/580

Ownership Records Research for Crofts, Canaan Hay Co., & Bybee properties,

Being a part of the North Half of the Southwest Quarter of Township 5 North, Range 1 West, Salt Lake Base and Meridian.



SHEET 5 of 5

003480 SURVEY FILING NUMBER

described as the river and this line represents the location of the river in 1894, Crofts has no root of title that would give him the ability to claim to the county line.

never existed prior to that description.

SCHOOL W. CHANCE and PERSON IS COURSE, bushesed and wife

Narrative continued from Sheet 4

property described in document 2329-1069.

has not flowed there since at least 1946.

(the county boundary line).

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Countries | Note of Color | or many 13 may at April 2 m months

52. The next transaction that takes place is a 2001 request for

property. In 2003 Doug Crofts sells to Teana Crofts, trustee,

location was one and the same as the old river location being described. However, this is not the way it was deeded from

property boundary to be on the County Recorder's records.

55. Then near the time that the Weber/Davis County boundary

issue came to light and the Attorney Generals Office became

the county boundary line, see Plat Map B on Sheet 5.

Note 14 - Feb. 2005:

mounts expected inters in: Minney & Stoply Decision of Casano key

flor of April A. D. Minori

Searce & Sord, perceive

It shown by this map that Crofts is using the language of "old center line" as meaning the 1894 river location. Again, this terminology was added into the deed which he recieved from Canaan Hay Co. and

KIND OF DOC BOOK PAGE RECEASE TIME CONTROL OF ENTRY NEW BOC DATE RELEASE ENTRY REF (199-1772 /2-091 - 1981 849242 13/24/1481 -ABMY PERMIT 1852-1541 27-ALRE-1984 500 917778 9815/F984 -OUT (3 AIM DE 10 1586-2615 UNSIN-1988 19-75 530-56 1077273 QUIT CLAIM LIBERT 1546-5619 09-5619-1488 09-26 \$10-00 103-1223

Note 13 ~ 2003:

The same information applies to this combination

ownership for the south line of the property are along

description as stated in Note 12. The limits of

CRISTS, DOUGLAS WA WY WIELDS IN MAY CONCERN

WO 2 (30-23)8 (3-80%-2894 ); \$10.00 176-3886 04/2993 -

REQ FOR COMB 2120-2129 13-A09-2001 12-41 5.00 176-3867 04/13/2001

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Weber County Surveyor

SEP 01 05