

APPLICATION FOR SUBDIVISIONS

APPLICANT INFORMATION

Date: 4/21/2021

Name: RAY NELSON

Address: PO BOX 1456

City: BOULDER

State: UT

Zip: 84716

Phone: 435/335-7571

Fax: NA

Cell Phone: 801/560-3863

Email: raynelson_ll@yahoo.com

Contact Person: RAY NELSON

PRELIMINARY SUBDIVISION APPLICATION

Fee Amount: \$

Proposed Number of Lots: 2

Location/Address of Proposed Application: 925 W. HWY 12

Current Zoning District: GMU

Proposed Total of Area for Subdivision (in acres): APPROX 30 ACRES, 9 ACRES DIVIDED OFF

Name of Property Owners: RAY NELSON

Signature of Applicant(s):

Ray A Nelson II

Boulder Town Office Use Only

Date Received:

Date Determined Complete:

Fees Paid:

PROPERTY OWNER AFFIDAVIT

STATE OF UTAH }
 }ss
COUNTY OF GARFIELD}

I (we), RAY H NELSON II, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

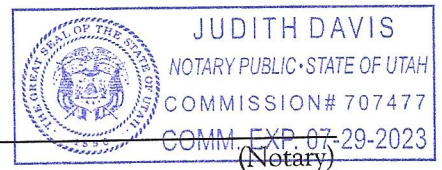
Ray H Nelson II

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 28 day of April, 2021.

Judith Davis



My commission expires: 07-29-2023

AGENT AUTHORIZATION AFFIDAVIT

I (we), _____, the owner(s) of the real property described in the attached application, do authorized as my (our) agent(s), _____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the Town considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this _____ day of _____, 20 _____, personally appeared before me _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Notary)

My commission expires: _____

Preliminary Subdivision Application Requirements and Review Procedures

- 1. **Application Form.** A Preliminary Subdivision Application form, provided by Town Clerk, completed and signed by the owner(s) as identified on the property assessment rolls of Garfield County, or authorized agent of the owner(s), of the lands proposed to be subdivided. The Preliminary Subdivision Application shall be accompanied by the Preliminary Subdivision Application fee, including a non-refundable administrative processing fee, as established by Resolution of the Town Council.
- 2. **Preliminary Subdivision Plat.** A Preliminary Subdivision Plat, prepared by a licensed land surveyor, shall be provided. The Preliminary Subdivision Plat shall be prepared in pen and all sheets shall be numbered. A minimum of twelve (12) paper copies shall be presented to the Town Clerk, as part of the Preliminary Subdivision Application. The Planning Commission may request additional copies if required.

The Preliminary Subdivision Plat shall show the following:

- a. A layout plan of the proposed subdivision, at a scale of no more than 1" = 100', or as recommended by the Zoning Administrator.
 - b. Located at the top and center of the preliminary plat, the proposed name of the subdivision and the section, township, range, principal median, and County of its location.
 - c. A title block, placed on the lower right-hand corner of the plat showing:
 - i. Name and address of owner of record and the name and address of the licensed land surveyor responsible for preparing the preliminary plat.
 - ii. Date of preparation of the preliminary subdivision plat, and all revision dates.
 - iii. Signature blocks for the dated signatures of the Mayor and Planning Commission Chair.
 - d. North arrow, graphic and written scale, and basis of bearings used.
 - e. All proposed lots, rights-of-way, and easements created by the subdivision and their bearings, lengths, widths, name, number, or purpose shall be given. The area of all lots created, with their addresses shall be shown.
 - f. A vicinity map of the site at a minimum scale of 1" = 1000'.
 - g. Surveyed boundaries of the proposed subdivision; accurate in scale, dimension and bearing, and giving the location of and ties to the nearest survey monument. The location of the property with respect to surrounding property and roads, and the names of all adjoining property owners of record shall be shown.
 - h. The legal description of the entire subdivision site boundary.
 - i. The location of any common space or open space areas including the location of all property proposed to be set aside for public or private reservation, with the designation of the purpose of those set asides, and conditions, if any, of the dedication or reservation.
- 3. **Required Subdivision Site Information.** On separate sheets, at the same scale as the preliminary subdivision plat information, the following subdivision site information is required:
- a. The identification of known natural features including, but not limited to, jurisdictional wetlands as identified by the U.S. Army Corps of Engineers, areas of slope exceeding 30% grade, flood channels as identified by a Federal or State Agency, all water bodies and drainage ways, and any other natural features as required by the Planning Commission, or Town Council, for the entire subdivision site, including the total acres in each.
 - b. Existing site contours, at intervals of no greater than two (2) feet, unless otherwise approved by the Planning Commission, overlaid with the proposed subdivision layout plan.
 - c. The location of any known man-made features on, or contiguous to the subdivision site, including existing platted lots, all utility easements, railroads, power lines and power poles, bridges, culverts, drainage channels, road rights-of-way and easements, field drains, irrigation canals and ditches.

- d. The location and dimensions of all existing buildings, fence lines and property lines, overlaid with the proposed subdivision layout plan.
 - e. The layout of proposed power lines including the source and connection to the existing power supply.
 - f. All existing and proposed roadway locations and dimensions, with cross sections of all new roads, proposed to be dedicated to the Town, showing the grades of all proposed streets and roads and all proposed cuts and fills exceeding three (3) feet. The proposed radius of all centerline curves shall be shown.
 - g. The location and size of existing and proposed culinary water and sewer lines and/or, the location of all wells and springs, and the location of all proposed absorption and drain fields, as required by the South West Utah Public Health Department, or the Utah Department of Environmental Quality, as applicable, overlaid with the proposed subdivision layout plan.
- 4. **Proposed Storm Drainage System.** The location of all existing and proposed fire hydrants, including the sizes of all existing and proposed water lines serving fire hydrants.
 - 5. **Title Report.** A Title Report for the property proposed to be subdivided, provided by a Title Company directly to the Town and including all Abstract Pages within 30 days of the date of the Preliminary Subdivision Application.
 - 6. **Tax Clearance.** A tax clearance from the Garfield County Treasurer indicating that all taxes, interest, and penalties owing for the subject property have been paid.
 - 7. **Property Owner Addresses.** Addresses of all owners of record of real property within 300 feet of the site proposed to be subdivided.
 - 8. **Evidence of Availability of Necessary Services.** The following information is required to be presented as part of the Preliminary Subdivision Application, necessary to establish the availability of basic services to the proposed subdivision.
 - a. **Culinary Water Requirements.** The South West Utah Public Health Department, or the Utah Department of Environmental Quality, as applicable, identified herein as the "Culinary Water Authority," shall review and approve the feasibility of the culinary water system and sources for the subject property. It shall be the responsibility of the applicant to provide information and materials as required by South West Utah Public Health Department, or the Utah Department of Environmental Quality, necessary to review and approve the feasibility of the culinary water system.
 - b. **Wastewater Requirements.** The South West Utah Public Health Department, or the Utah Department of Environmental Quality, as applicable, identified herein as the "Sanitary Sewer Authority," shall review and approve the feasibility of sanitary sewer services or onsite wastewater systems. for the subject property. It shall be the responsibility of the applicant to provide information and materials as required by the South West Utah Public Health Department, or the Utah Department of Environmental Quality, necessary to review and approve the feasibility of the sanitary sewer services or onsite wastewater systems.
 - c. **Fire Protection and Suppression Requirements.** The Boulder Town Fire Authority shall review and make necessary recommendations, as determined necessary by the Fire Authority for necessary fire protection and suppression services for the subject property. It shall be the responsibility of the

applicant to provide information and materials as required by the Boulder Town Fire Authority, necessary to review and make recommendations of the fire protection and suppression facilities and services.

- d. **Storm Drainage System.** As required by Item 4, all preliminary subdivision applications shall identify plans for storm water drainage. No ditch or canal shall be proposed for the use of storm water runoff without the written approval of the applicable irrigation company, with a note on the preliminary plat identifying a proposed and recordable drainage easement.
 - e. **Subdivision Roads and Streets.** The preliminary subdivision plat, and other application materials, shall identify the proposed road and street layout. Proposed subdivision streets shall make provision for the continuation of existing streets, as required by the Town Council. The Town Engineer shall review the proposed street and road design for compliance with the requirements of the Town. The proposed street and road layout shall provide adequate and safe access to all proposed lots and proposed and existing roads and streets. Minimum lot sizes as required by the Town's Zoning Ordinance shall be exclusive of road easements and rights-of-way. If the subdivision will be accessed from a State Highway an appropriate access permit, as required by the State of Utah Department of Transportation shall be provided with the application materials.
- 9. **Special Service District or Special Service Area.** If the proposed subdivision is located within the boundaries of a Special Service District or a Special Service Area, a letter shall be provided, with the preliminary subdivision application materials, from the governing board acknowledging the proposed subdivision, which letter may identify any potential impacts resulting from the proposed subdivision.
 - 10. **Irrigation Company.** If the proposed subdivision is located within the boundaries of an Irrigation Company a letter shall be provided, with the preliminary subdivision application materials, from the governing board acknowledging the proposed subdivision, which letter may identify any potential impacts resulting from the proposed subdivision.
 - 11. **Additional Information and Materials when Necessary.** When the Planning Commission, or Town Council deem necessary, the applicant may be required to provide other information or letters of feasibility, conduct studies, and provide evidence indicating the suitability of the area for the proposed subdivision, including, but not limited to, adequacy of public safety and fire protection, ground water protection, plant cover maintenance, geologic or flood hazard, erosion control, wildlife habitat, and any other physical or environmental matters.

FIGURE 1

**PRELIMINARY SUBDIVISION APPLICATION
REVIEW PROCEDURES**

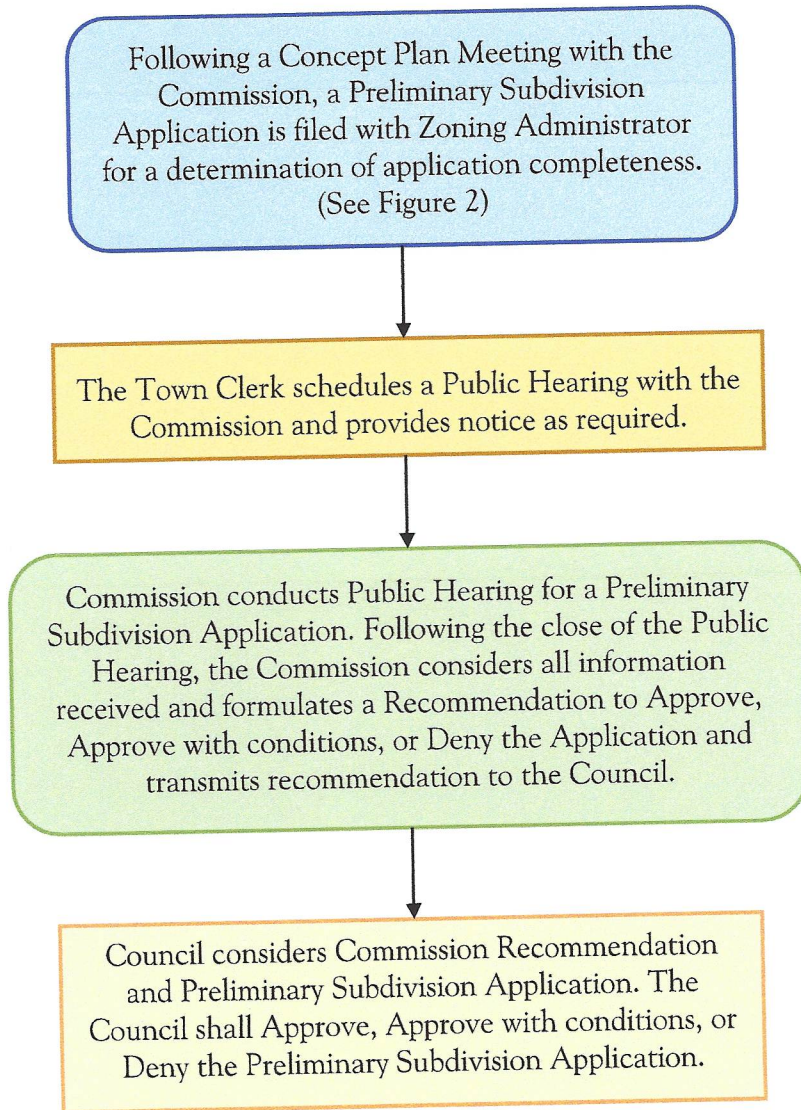
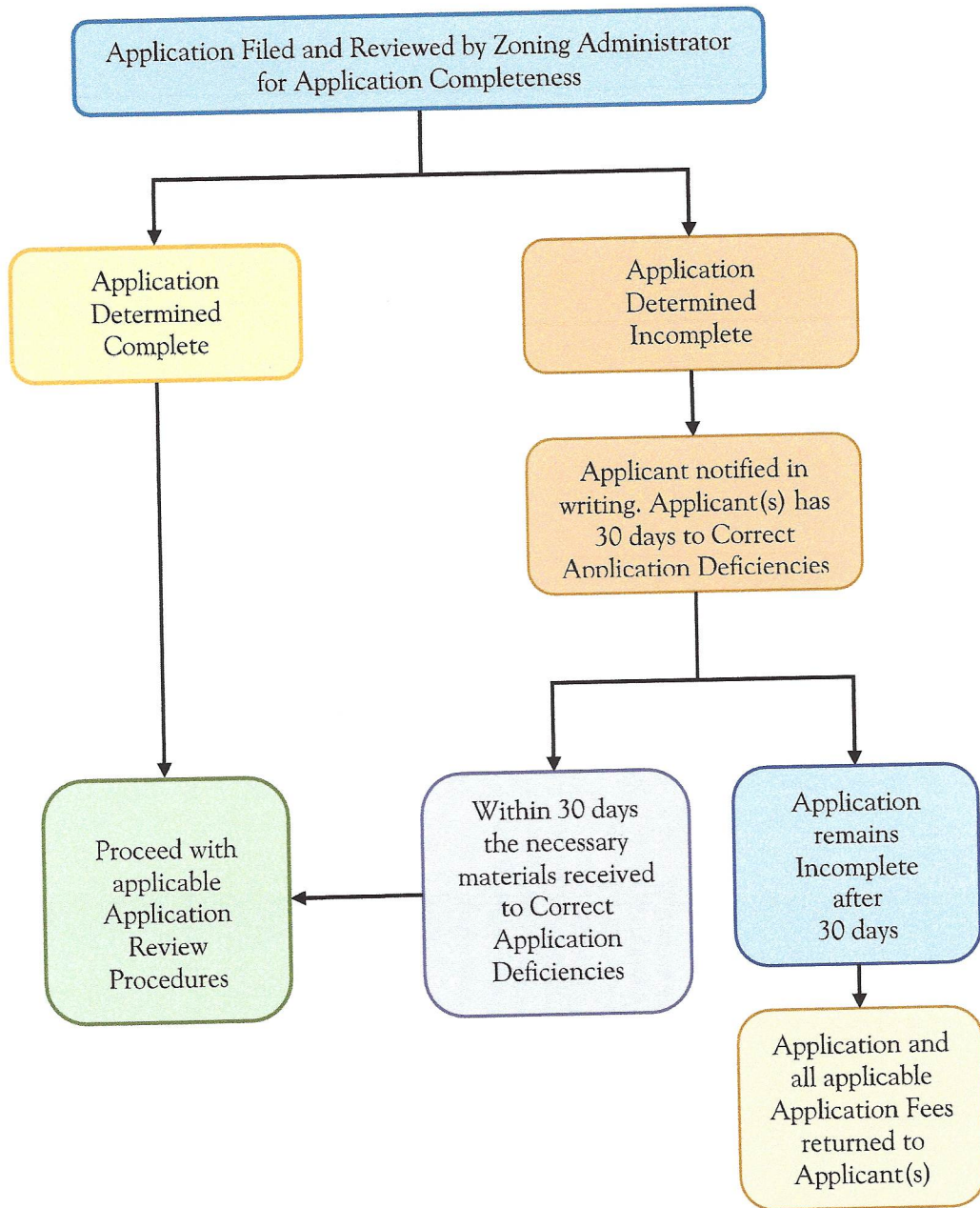


FIGURE 2

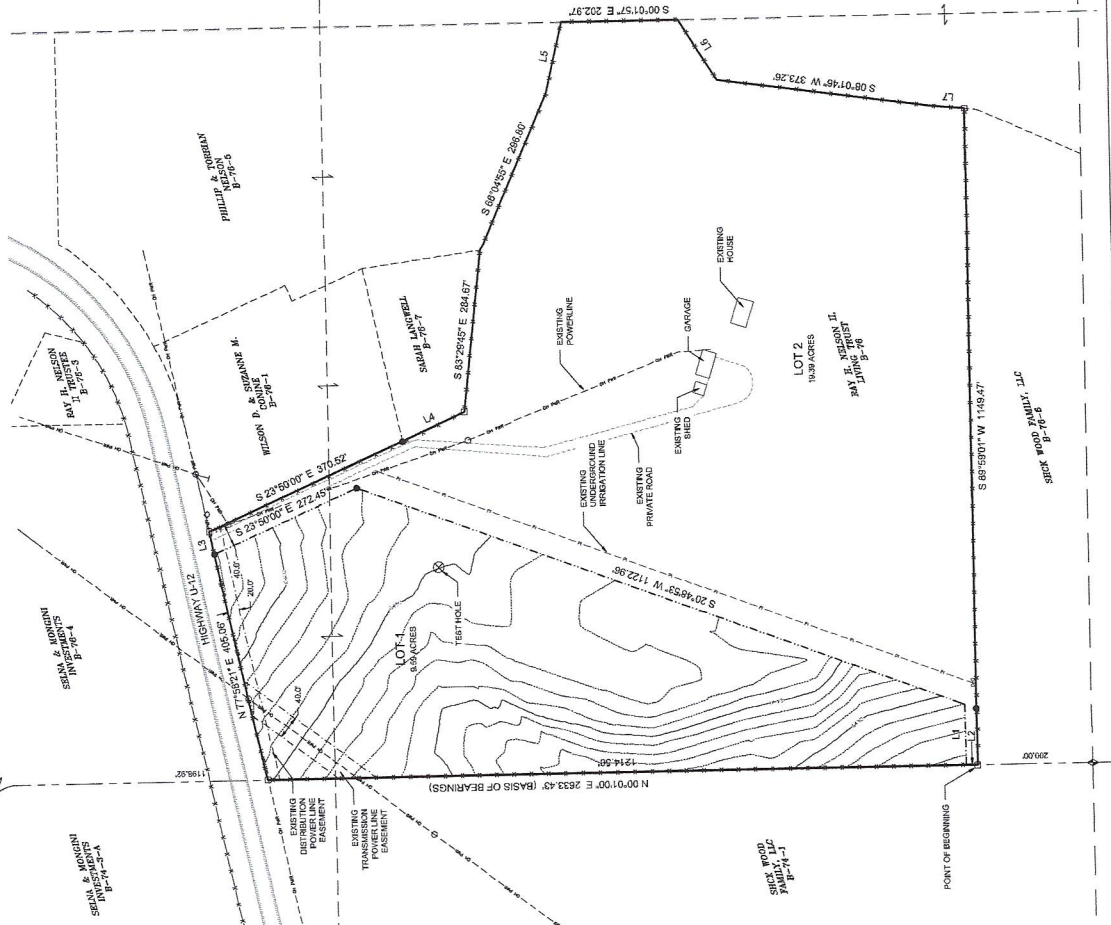
DETERMINATION OF APPLICATION COMPLETENESS PROCEDURES



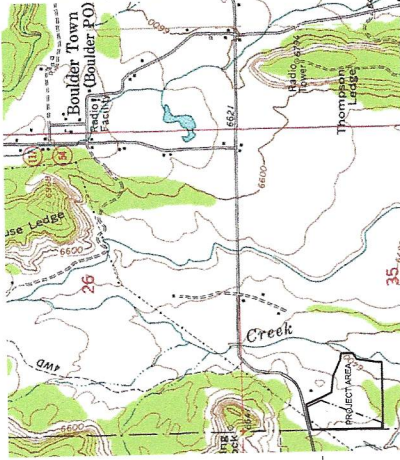
PRLIMINARY SUBDIVISION PLAT

DATED 4/27/2021

PRELIMINARY PLAT FOR
MESA VIEWS SUBDIVISION
LOCATED IN THE NW1/4 OF SECTION 35, T. 33 S., R. 4 E., S188M
TOWN OF BOULDER
GARFIELD COUNTY, UTAH



BOULDER CREEK RANCH SUBDIVISION



LEGEND

- SURVEY BOUNDARY
- SECTION LINE
- 1/4 SECTION LINE
- 1/8 & 1/16 SECTION LINE
- DEED AND RECORD-COPY-WAY LINE
- LOT LINE
- EASEMENT AS NOTED
- EXISTING RIGHT-OF-WAY ROAD
- EXISTING ASPHALT ROAD
- EXISTING MAJOR CONTOUR (10' INTERVAL)
- EXISTING UNDERLYING INFRASTRUCTURE
- CALCULATED SECTION CORNER MONUMENT AS NOTED
- EXISTING REHAB & CAP BY OTHERS
- SET-BACK OR COP-MARKED "CORNERSTONE"
- EXISTING WELL

NOTES:
1. WATER RIGHT # 42638888 HAS BEEN DEED AS COP-RETAINED TO LOT #1 AND DEED BY A WATER RIGHT TRANSFER DEED EXECUTED AND FILED WITH STATE OF UTAH DIVISION OF HERITAGE AND HISTORIC PRESERVATION ON 11/02/2021.
2. THE OVERALL BOUNDARY OF THE SUBDIVISION WAS DETERMINED BY A REBOUNDING SURVEY BY DOUGLAS CONNER SURVEYORS & ENGINEERS PLLC ON 12/18/2021. CALCULATED SECTION CORNER MONUMENTS ARE AS SHOWN ON THIS PLAT.

Lot #	Direction	Length
L1	S 89°50'01" W	102.27'
L2	N 67°03'09" E	30.02'
L3	N 77°26'21" E	69.30'
L4	S 24°03'38" E	115.21'
L5	S 77°20'26" W	126.29'
L6	S 89°34'29" W	104.10'
L7	S 72°36'58" W	92.25'

BOUNDARY DESCRIPTION

BEGINNING AT THE POINT WHERE THE SECTION 35 TOWNSHIP 33 SOUTH, RANGE 4 EAST, S188M EAST AND WESTERLY, RUNNING THENCE NORTH 89°50'01" WEST 102.27 FEET TO THE POINT OF BEGINNING, THENCE NORTH 77°20'26" WEST 126.29 FEET TO AN ANGLE POINT, THENCE NORTH 67°03'09" EAST 30.02 FEET TO AN ANGLE POINT, THENCE NORTH 24°03'38" EAST 115.21 FEET TO AN ANGLE POINT, THENCE SOUTH 77°26'21" WEST 69.30 FEET TO AN ANGLE POINT, THENCE SOUTH 89°34'29" WEST 104.10 FEET TO AN ANGLE POINT, THENCE SOUTH 72°36'58" WEST 92.25 FEET TO AN ANGLE POINT, THENCE SOUTH 72°36'58" WEST 92.25 FEET TO AN ANGLE POINT, THENCE SOUTH 24°03'38" WEST 115.21 FEET TO AN ANGLE POINT, THENCE SOUTH 67°03'09" WEST 30.02 FEET TO AN ANGLE POINT, THENCE NORTH 77°20'26" WEST 126.29 FEET TO AN ANGLE POINT, THENCE NORTH 89°50'01" WEST 102.27 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE

I, ROSELYN K. TORGERSEN, SURVEYOR, BEING A duly licensed and sworn Surveyor in the State of Utah, do hereby certify that I am a licensed Land Surveyor, License Number 19174, in accordance with the provisions of the Utah Professional Engineers and Land Surveyors Licensure Act of the State of Utah, I performed the survey, and the plat of the subdivision shown on this plat is in accordance with the provisions of the Utah Professional Engineers and Land Surveyors Licensure Act, and the subdivision shown on this plat is in accordance with the provisions of the Utah Professional Engineers and Land Surveyors Licensure Act, and the subdivision shown on this plat is in accordance with the provisions of the Utah Professional Engineers and Land Surveyors Licensure Act.

OWNER'S DEDICATION

I, RAY H. NELSON III, AS TRUSTEE OF THE RAY H. NELSON III TRUST, DO HEREBY DEDICATE AND SET ASIDE TO THE PUBLIC THAT I OWN AND CONTROL THE RIGHTS OF THE RAY H. NELSON III TRUST, DATED NOVEMBER 12, 2011, IN CONNECTION WITH THE DEVELOPMENT AND CONSTRUCTION OF THE PROJECT SHOWN ON THIS PLAT, TO BE SUBMITTED TO TWO LOTS AND PART THEREOF, AND ACKNOWLEDGE THAT A PERPETUATING UTILITY EASEMENT EXISTS OVER PORTIONS OF LOT 1 AS SHOWN ON THIS PLAT.

ACKNOWLEDGEMENT

STATE OF _____ DAY OF _____ A.D. 20____
COUNTY OF _____
ON THIS DAY, I, _____, PERSONALLY APPEARED BEFORE ME, _____, A NOTARY PUBLIC, AND ACKNOWLEDGED TO ME THAT THEY DID EXECUTE THE SAME.
MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACCEPTANCE BY LEGISLATIVE BODY

APPROVED THIS _____ DAY OF _____ A.D. 20____
BY THE TOWN COUNCIL OF BOULDER, UTAH.

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____ A.D. 20____
BY THE PLANNING COMMISSION OF THE TOWN OF BOULDER, UTAH.

APPROVAL AS TO FORM

APPROVED THIS _____ DAY OF _____ A.D. 20____
BY THE ATTORNEY OF THE TOWN OF BOULDER, UTAH.

TORGERSEN ENGINEERING

TORGERSEN ENGINEERING
Reside, UT 84701
www.TorgerSen.com

MESA VIEWS SUBDIVISION

LOCATED IN THE NW1/4 OF SECTION 35, T. 33 S., R. 4 E., S188M
GARFIELD COUNTY, UTAH
SURVEY BY: RKT 4/18/2021 DRAWING BY: CHECKED BY: RKT
DATE: 4/18/2021 DATE: 4/22/2021 DATE: 4/22/2021
SCALE: 1"=80' 21305.P

TITLE REPORT

From Security Title, Panquitch, Utah



COMMITMENT FOR TITLE INSURANCE

NOTICE

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a(n) corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within _____ after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
 - (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
 - (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
 - (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
 - (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
 - (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
 - (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
3. The Company's liability and obligation is limited by and this Commitment is not valid without:
- (a) the Notice;
 - (b) the Commitment to Issue Policy;
 - (c) the Commitment Conditions;
 - (d) Schedule A;
 - (e) Schedule B, Part I—Requirements; [and]
 - (f) Schedule B, Part II—Exceptions; and
 - (g) a counter-signature by the Company or its issuing agent that may be in electronic form].
- 4. COMPANY'S RIGHT TO AMEND**
The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.
- 5. LIMITATIONS OF LIABILITY**
- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I - Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
 - (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.

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- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing [and authenticated by a person authorized by the Company].
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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Transaction Identification Data for reference only:

Issuing Agent: Security Title Company of Garfield County
Issuing Office: 15 N. Main Street, Panguitch, UT 84759
Issuing Office's ALTA® Registry ID: 0002906
Loan ID No.:
Commitment No.: 21-30185-1
Issuing Office File No.: 21-30185
Property Address: 925 West Utah State Highway 12, Boulder, UT 84716

SCHEDULE A

1. Commitment Date: April 14, 2021 at 08:00 AM
2. Policy to be issued:
 - A. ALTA Loan Policy (06/17/06)
Proposed Insured: , its successors and/or assigns as their respective interests may appear. Premium: \$0.00
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
4. The Title is, at the Commitment Date, vested in:
Ray H. Nelson II, as Trustee of the Ray H. Nelson II Living Trust dated 11/12/13
5. The Land is referred to in the Commitment is situated in the State of Utah, County of Garfield and is described as follows:
SEE SCHEDULE C ATTACHED HERETO

Date:
Security Title Company

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

Travis V. Hatch, Title Officer

By C Monroe President
Attest David Wald Secretary

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**SCHEDULE B, PART I
Requirements**

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

Deed of Trust from Ray H. Nelson II to Trustee(s) for , securing the principal amount of \$0.00.
5. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
6. This Company will require the following, if necessary, to insure a loan by or conveyance from, the entity names herein: a copy of the partnership agreement, Articles of Organization, Operating Agreement and Corporation Resolution, together with all supplements or amendments thereto. Evidence that the entity is in good standing in the State where it was formed. A copy of the trust agreement and any amendments thereto.
7. Release(s) or reconveyance(s) of Item(s) No. NONE
8. NOTE: In the event the transaction for which this commitment is furnished cancels, the minimum cancellation fee will be \$200.00.

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SCHEDULE B, PART II
Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Taxes or Assessments: The Lien of Real Estate Taxes or assessments imposed on the title by a governmental authority that are not shown as existing Liens in the Records of any taxing authority that levies taxes or assessments on real property or in the Public Records.
3. Parties in Possession: Any Facts, Rights, Interests or Claims that are not shown in the Public Records but that could be ascertained by an inspection of the land or by making inquiry of persons in possession of the land.
4. Easements: Easements, Claims of Easements or Encumbrances that are not shown in the Public Records.
5. Survey Matters: Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the title including discrepancies, conflicts in boundary line, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the land, and that are not shown in the Public Records.
6. Patent and Water Rights: (a) Unpatented mining claims; (b) reservations or exceptions in patents or in acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights including, but not limited to easements or equitable servitudes; (d) water rights, claims to water or title to water, or water rights, whether or not the matter excepted in (a), (b), (c) or (d) are shown by the public records.
7. Mechanic Liens: Any lien, or right of lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the Public Records.
8. Minerals: Any right, title or interest in any minerals, mineral rights or related matters, including but not limited to oil, gas, coal and other hydrocarbons, sand, gravel or other common variety materials whether or not shown by the public record.

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9. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
10. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
11. Rights of way for any roads, ditches, canals, or transmission lines now existing over, under, or across said property.

Exceptions 1-8 will not appear on an Extended policy and exceptions 1-11 will not appear in any Extended Loan Policy to be issued hereunder.

12. Taxes for the year 2021 now on a lien not yet due. Serial No. Parcel 02-0005-0076. General Property taxes for the year 2020 were paid in the amount of \$854.12.
13. The conditions and terms of the "1969 Farmland Assessment Act" as provided under Secs. 59-2-501 etseq, UCA 1953, for which Application for Assessment and Taxation of Agricultural Land has been filed, wherein there is a Five (5) year Roll-Back provision with regard to assessment and taxation, which becomes effective upon change of ownership or change of use of all or part of the eligible land.
14. A right of way and easement 12 feet in width for ingress and egress, as created in favor of Marie-Claude Perigon by Instrument recorded November 13, 1989, as Entry No. 207277 in Book 301 at Page 812 of Official Records. Through and across said property, along a center line described as follows: Beginning 1434.46 feet North and North 77°58'41" East 440 feet from the Southwest corner of the Southwest quarter of the Northwest quarter of Section 35, Township 33 South, Range 4 West, Salt Lake Base and Meridian, running thence South 23°50' East 498.5 feet; thence South 83°32'54" East 289.43 feet.
15. A right of way and easement 12 feet in width for ingress and egress, as created in favor of Gary Nelson by Instrument recorded February 16, 1990, as Entry No. 202611 in Book 302 at Page 567-568 of Official Records. Through and across said property, along a center line described as follows: Beginning 1434.46 feet North and North 77°58'41" East 440 feet from the Southwest corner of the Southwest quarter of the Northwest quarter of Section 35, Township 33 South, Range 4 West, Salt Lake Base and Meridian, running thence South 23°50' East 498.5 feet; thence South 83°32'54" East 289.43 feet..
16. A right of way and easement 12 feet in width for ingress and egress, as created in favor of Mathew Timothy Harshman by Instrument recorded September 9, 2005, as Entry No. 236409 in Book 395 at Page 685 and 686 of Official Records. Through and across said property, along a center line described as follows: Beginning at a point North 00°01'00" East along the Section Line 1434.50 feet and North 77°58'21" East 439.94 feet the the true point of beginning. Said point being on the South boundary line of Utah State Highway 12; running thence South 23°50'00" East 370.52 feet; thence South 24°08'38" East 125.21 feet; thence South 89°29'45" East 284.67 feet; thence South 66°04'55" East 296.80 feet; thence South 77°20'26" East 128.79 feet to the point of ending..

NOTE: The names of Ray H. Nelson II, have been checked for judgments and if any were found would appear as Exceptions to title under Section B, Section 2, herein. (No other variations of the names above have been checked.)

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Chain of Title: According to official records, there have been no document conveying the subject property within a 24 months prior to the date of this commitment , except as Follows:
NONE

Endorsements 8.1,9, 22 will be \$60.00

NOTE: The Policy(ies) to be issued as a result of this Commitment contain an Arbitration Clause set forth in the Conditions/Conditions and Stipulations section. The following is included for the information of the proposed insured:

NOTE: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitral matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

In the event the transaction for which this commitment was ordered "cancels", please refer to paragraph b under Section B, Section 1 for required cancellation fee.

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SCHEDULE C

The Land is described as follows:

Beginning at a point North 00°01'00" East 200.00 feet from the West Quarter corner of Section 35, Township 33 South, Range 4 East, Salt Lake Base and Meridian; running thence North 89°59'01" East 1149.47 feet to an existing fence line; thence North 05°36'35" East along said fence 60.25 feet to an angle point; thence North 08°01'46" East along said fence 373.26 feet to an angle point; thence North 58°24'26" East along said fence line 126.10 feet to the 1/16 line; thence departing said fence line North 00°01'57" West along said 1/16 line 202.97 feet to a fence line; thence North 77°20'26" West along said fence 128.79 feet to an angle point; thence North 66°04'55" West along said fence 296.80 feet to an angle point; thence departing said fence line North 83°29'45" West 284.67 feet; thence North 24°08'39" West 119.21 feet; thence North 23°50'00" West along an existing fence line 370.52 feet to the Southerly right of way line of Utah Highway 12; thence South 77°58'21" West along said right of way line 445.94 feet to the West Section line; thence South 00°01'00" West along Section line 1234.50 feet to the point of beginning.

Excepting therefrom half of all oil, gas, and/or other minerals in, on, or under said land, together with the right of ingress and egress for the purpose of exploring and/or removing the same

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**GARFIELD COUNTY CORPORATION
Tax Roll Master Record**

April 14, 2021

11:43:45AM

Parcel: 02-0005-0076	Serial #: B-76	Entry: 263924
Name: NELSON RAY H II TRUSTEE		
c/o Name:		
Address 1: PO BOX 1456		
Address 2:		
City State Zip: BOULDER	UT 84716-0000	
Mortgage Co:		
Status: Active	Year: 2021	District: 002 BOULDER DISTRICT 0.008155

Property Address	
UTAH STATE HIGHWAY 12 W 925	
BOULDER	84716-0000
Acres: 28.98	

Owners	Interest	Entry	Date of Filing	Comment
NELSON RAY H II TRUSTEE		263924	11/12/2013	(0477/0248)

Property Information	2021 Values & Taxes				2020 Values & Taxes		
	Units/Acres	Market	Taxable	Taxes	Market	Taxable	Taxes
BA01 AG BUILDINGS	0.00	5,406	5,406	44.09	5,406	5,406	44.09
BR01 RESIDENTIAL PRIMARY BUILDING	0.00	141,544	77,849	634.86	141,544	77,849	634.86
LG01 LAND GREENBELT	28.00	110,000	3,672	29.95	110,000	3,672	29.95
LH01 LAND GB HOMESITE PRIMARY	0.98	19,000	10,450	85.22	19,000	10,450	85.22
RLF RESIDENTIAL LANDFILL FEE	0.00	0	0	60.00	0	0	60.00
Totals:	28.98	275,950	97,377	854.12	275,950	97,377	854.12

Greenbelt Class Code & Name	Zone Code & Name	Acres	Price/Acre	Market	Taxable	Status	Changed
GZ2 GRAZE II	0001 GARFIELD COUNTY	8.00	1,250	10,000	152	Active	01/21/2020
IT3 IRRAGATED III	0001 GARFIELD COUNTY	20.00	5,000	100,000	3,520	Active	01/21/2020
Greenbelt Totals		28.00		110,000	3,672		

Property Type	Year Built	Square Footage	Basement Size	Building Type
BR01 RESIDENTIAL PRIMARY BUILDING	1992	1,540	1,232	RESIDENTIAL PRIMARY

<p>**** ATTENTION !! **** Tax Rates for 2021 have NOT BEEN SET OR APPROVED! Any levied taxes or values shown on this printout for the year 2021 are SUBJECT TO CHANGE!! (Using Proposed Tax Rate)</p>	<table style="width:100%;"> <tr> <td>2021 Taxes:</td> <td style="text-align: right;">794.12</td> <td>2020 Taxes:</td> <td style="text-align: right;">854.12</td> </tr> <tr> <td>Special Fees:</td> <td style="text-align: right;">60.00</td> <td>Review Date</td> <td></td> </tr> <tr> <td>Penalty:</td> <td style="text-align: right;">0.00</td> <td>02/26/2019</td> <td></td> </tr> <tr> <td>Abatements: (</td> <td style="text-align: right;">0.00)</td> <td></td> <td></td> </tr> <tr> <td>Payments: (</td> <td style="text-align: right;">85.00)</td> <td></td> <td></td> </tr> <tr> <td>Amount Due:</td> <td style="text-align: right;">769.12</td> <td>NO BACK TAXES!</td> <td></td> </tr> </table>	2021 Taxes:	794.12	2020 Taxes:	854.12	Special Fees:	60.00	Review Date		Penalty:	0.00	02/26/2019		Abatements: (0.00)			Payments: (85.00)			Amount Due:	769.12	NO BACK TAXES!	
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Abatements: (0.00)																								
Payments: (85.00)																								
Amount Due:	769.12	NO BACK TAXES!																							

02/16/2021 10:08AM 00157774 2021 NELSON RAY H II TRUSTEE	Current - Check	85.00
	Total Payments:	85.00

DO NOT USE THIS TAXING DESCRIPTION FOR LEGAL PURPOSES OR OFFICIAL DOCUMENTS. For taxing purposes only. Consult property deeds for full legal description.

Taxing Description

BEG AT A POINT N0°01'00"E 200.00 FT FROM THE W 1/4 COR OF SEC 35 T33S R4E SLB&M AND RUNNING TH N89°59'01"E 1149.47 FT TO AN EXISTING FENCE LINE; TH N5°36'35"E ALONG SAID FENCE 60.25 FT TO AN ANGLE POINT; TH N8°01'46"E ALONG SAID FENCE 373.26 FT TO AN ANGLE POINT; TH N58°24'26"E ALONG SAID FENCE LINE 126.10 FT TO THE 1/16 LINE; TH DEPARTING SAID FENCE LINE N0°01'57"W ALONG SAID 1/16 LINE 202.97 FT TO A FENCE LINE; TH N77°20'26"W ALONG SAID FENCE 128.79 FT TO AN ANGLE POINT; TH N66°04'55"W ALONG SAID FENCE 296.80 FT TO AN ANGLE POINT; TH DEPARTING SAID FENCE LINE N83°29'45"W 284.67 FT; TH N24°08'38"W 119.21 FT; TH N23°50'00"W ALONG AN EXISTING FENCE LINE 370.52 FT TO THE S'LY R/W LINE OF UTAH STATE HWY 12; TH S77°58'21"W ALONG SAID R/W LINE 445.94 FT TO THE W SEC LINE; TH S0°01'00"W ALONG SEC LINE 1234.50 FT TO POB CONT 28.98 AC M/L

TAX CLEARANCE

GARFIELD COUNTY CORPORATION
Tax Roll Master Record

April 19, 2021

10:27:59AM

Parcel: 02-0005-0076	Serial #:B-76	Entry: 263924
Name: NELSON RAY H II TRUSTEE		
c/o Name:		
Address 1: PO BOX 1456		
Address 2:		
City State Zip: BOULDER	UT 84716-0000	
Mortgage Co		
Status: Active	Year: 2021	District: 002 BOULDER DISTRICT
		0.008155

Owners	Interest	Entry	Date of Filing	Comment
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Totals:	28.98	275,950	97,377	854.12	275,950	97,377	854.12

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---	--	---

02/16/2021 10:08AM 00157774 2021 NELSON RAY H II TRUSTEE	Current - Check	85.00 twood
	Total Payments:	85.00

NO BACK TAXES

GARFIELD COUNTY TREASURER / DEPUTY

signature

GARFIELD COUNTY CORPORATION
Tax Roll Master Record

April 19, 2021

10:27:59AM

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Name: NELSON RAY H II TRUSTEE		
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City State Zip: BOULDER	UT 84716-0000	
Mortgage Co		
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PROPERTY OWNER ADDRESSES

PROPERTY OWNER ADDRESSES

For Ray Nelson's subdivision "Mesa Views"
(OWNERS WITHIN 300 FEET)

Rev. 1, 4/28/2021

1. Dave and Suzanne Conine
PO Box 1473 1764 E. Pioneer Rd
Boulder, UT 84716 Draper, UT 84020

2. Sarah Langwell
1602 Aliso Drive N.E.
Albuquerque, NM 87110

3. Colleen Thompson
PO Box 1446
Boulder, UT 84716

4. Phillip and Torrian Nelson
PO Box 1302
Boulder, UT 84716

5. Boulder Creek Partners
PO Box 540478
North Salt Lake, UT 84054

6. Bill and Judith Geil
PO Box 1413
Boulder, UT 84716

7. Selna and Mongini Investments
PO Box 35
Jerome, AZ 86331

8. SHICK Wood Family, LLC
6428 Eagle Point Road
Las Vegas, NV 89108

CULINARY WATER
UTAH WATER RIGHT # 97-2439

Services

Agencies

View New Water Right Webpage Design

Select Related Information

(WARNING: Water Rights makes NO claims as to the accuracy of this data.) RUN DATE: 04/28/2021

WATER RIGHT: 97-2439 APPLICATION/CLAIM NO.: A81592 CERT. NO.:

OWNERSHIP*****

NAME: Ray H. Nelson II Living Trust
ADDR: P O Box 1456
Boulder, UT 84716

DATES, ETC.*****

LAND OWNED BY APPLICANT? COUNTY TAX ID#: 02-0005-0076
FILED: 04/30/2019 PRIORITY: 04/30/2019 PUB BEGAN: 05/16/2019 PUB ENDED: 05/23/2019 NEWSPAPER: The Wayne and Garfield County I
ProtestEnd:06/12/2019 PROTESTED: [No] HEARING HLD: SE ACTION: [Approved] ActionDate:08/05/2019 PROOF DUE: 08/31/2024
EXTENSION: [ELEC/PROOF:[]] ELEC/PROOF: CERT/WUC: LAP, ETC: LAPS LETTER:
RUSH LETTER: RENOVATE: RECON REQ: TYPE: [] 50YR DATE: 08/05/2069
PD BOOK: [97-] MAP: [] PUB DATE:

*TYPE -- DOCUMENT -- STATUS--
Type of Right: Application to Appropriate Source of Info: Application to Appropriate Status: Approved

LOCATION OF WATER RIGHT*** (Points of Diversion: Click on location to access PLAT Program.) ***** MAP VIEW *****

FLOW: 1.73 acre-feet
SOURCE: Underground Water Wells (2)
COUNTY: Garfield COMMON DESCRIPTION: Boulder

POINT OF DIVERSION -- UNDERGROUND: (Click Well ID# link for more well data.)
(1) N 677 ft E 840 ft from W4 cor, Sec 35, T 33S, R 4E, SLBM
DIAMETER OF WELL: 6 ins. DEPTH: 180 to ft. YEAR DRILLED: 1990 WELL LOG? Yes WELL ID#: 32964
(2) S 792 ft E 669 ft from NW cor, Sec 35, T 33S, R 4E, SLBM
DIAMETER OF WELL: 14 ins. DEPTH: 500 to ft. YEAR DRILLED: 1975 WELL LOG? No WELL ID#: 32965

USES OF WATER RIGHT***** ELU -- Equivalent Livestock Unit (cow, horse, etc.) ***** EDU -- Equivalent Domestic Unit or 1 Family
(The Beneficial Use Amount is the quantity of Use that this Water Right contributes to the Group Total.)

WATER USE GROUP NO.: 726024.
IRRIGATION: 0.25 acres PERIOD OF USE: 04/01 TO 10/31
STOCKWATER: 10.0000 Stock Units PERIOD OF USE: 01/01 TO 12/31
DOMESTIC: 1.0000 EDUs PERIOD OF USE: 01/01 TO 12/31

Table with columns for quarter types (North West, North East, South West, South East) and sub-quarters (NW, NE, SW, SE). Includes a 'GROUP ACREAGE TOTAL' column.

***** END OF DATA *****

WASTEWATER



620 S. 400 East #400, ST. GEORGE, UT 84770 - 435-673-3528
 260 E. D.L. Sargent Drive, CEDAR CITY, UT 84720 - 435-586-2437
 445 North Main Street, KANAB, UT 84741 - 435-644-2537
 PO Box 374, 601 East Center, PANGUITCH, UT 84759 - 435-676-8800
 PO Box G, 75 West 1175 North, BEAVER, UT 84713 - 435-438-2482

ONSITE WASTEWATER SYSTEM SUBDIVISION FEASIBILITY APPLICATION

(REQUIRED INFORMATION FOR ANY PROPOSED SUBDIVISION TO DETERMINE ONSITE WASTEWATER SYSTEM FEASIBILITY.)

Please complete the application in full, incomplete applications will be rejected

Application date: 4/16/2021

Primary Contact Name: RAY NELSON Phone: (801) 560-3863

E-mail: raynelson-ii@yahoo.com

Property Owner Name: RAY NELSON Phone: (801) 560-3863

Mailing Address: PO BOX 1456 BOULDER UT 84716
City State Zip

Development Engineer Name: RAY NELSON Phone: (801) 560-3863

Mailing Address: ~~raynelson-ii@yahoo.com~~ BOULDER UT 84716
PO BOX 1456
City State Zip

Name of Proposed Subdivision: MESA VIEWS

Tax ID (Parcel) #(s) for Property to be subdivided: 02-0005-0076/B-76

Proposed Number of Lots: 2
 Proposed Use: Single Family Residential Condominium/Town homes Commercial Other: CURRENTLY IN GREEN BELT

Subdivision Site Address: JUST WEST OF 925 W HWY 12
BOULDER, UT 84716
If no address is available, give the most accurate location information possible
BOULDER UT
City State

- Beaver
- Garfield
- Iron
- Kane
- Washington County

Proposed Water Supply: UTAH WATER RIGHT # 97-2439

Are there any wells, streams, ponds, ditches, springs, or drinking water source protection zones within 1500 feet of the proposed subdivision? Y N
If Yes please show complete details on the plat map

ALL ITEMS ON THE ONSITE WASTEWATER SYSTEM SUBDIVISION FEASIBILITY CHECKLIST ARE REQUIRED AS PART OF THE APPLICATION PROCESS. REVIEW OF FEASIBILITY WILL NOT BEGIN UNTIL ALL ITEMS HAVE BE SUBMITTED.

I HEREBY CERTIFY ALL INFORMATION CONTAINED IN THIS APPLICATION IS CORRECT.

SIGNATURE Ray J Nelson II Date 4/16/2021

Environmental Health Scientist Signature Mitchell Christensen Date: 5/5/2021

APPROVED REJECTED

Fees Received: \$190 By: Sharla Larsen
initials

260 DL Sargent Dr.
Cedar City, UT 84721
(435) 586-2437

May 3, 2021

Bruce Chesler

RE: Onsite Wastewater and Drinking Water Feasibility, Parcel
02-0005-0076/B-76, Garfield, UT

We have received plans and supportive information to establish feasibility for the above referenced subdivision. The following comments reflect the results of our review regarding feasibility.

WASTEWATER TREATMENT FACILITIES

Septic tanks and subsurface absorption systems are the proposed method of onsite wastewater treatment and disposal for the one lot included in this development. Based on the review of the submitted plans and supportive information, onsite wastewater treatment by means of septic tanks and subsurface absorption appears **feasible**. It is important to stress that soil and percolation information submitted for feasibility may be used in obtaining septic system permits for individual lots, provided the tests were conducted in close proximity to the proposed absorption field, otherwise additional tests must be conducted. Wastewater disposal for each lot will be dependent on strict compliance with the following:

1. The design for each septic tank and seepage device must be based on results of soil exploration and percolation tests conducted in the vicinity of the proposed wastewater treatment system. An application, percolation and soil information, detailed plans for each disposal system along with any other information and fees required must be submitted to the Southwest Utah Public Health Department (SWUPHD) for review and evaluation prior to construction and installation. If soil and related tests disclose unfavorable conditions for septic tanks and subsurface disposal in certain areas, septic tanks and subsurface treatment will not be permitted in those areas.
2. Each onsite wastewater treatment system must be installed in compliance with Utah Department of Environmental Quality,

3. Final approval of individual wastewater disposal systems may be granted only after an on-site inspection of each system by an authorized representative of SWUPHD following construction and installation, but prior to backfilling.

4. It is noted that sandstone bedrock was found at a depth of 10 feet. The depth of a waste trench must remain at least 48 inches above bedrock. Given the type of soil found throughout the soil exploration pit, I recommend that a chambered system be used in the future when constructing an onsite wastewater system on this lot.

DRINKING WATER SUPPLY

Drinking water for this development is to be provided by a private well located on the lot. Public drinking water systems are regulated by the Utah Department of Environmental Quality, Division of Drinking Water.

This statement of feasibility applies only to the requirements of the Southwest Utah Public Health Department concerning water and wastewater treatment and disposal suitability. The proposed development is subject to any restrictions or limitations that may be imposed by Garfield County or other regulatory agency governing development.

If you have any questions, contact our office.

Sincerely,

Mitchell Christensen

435-865-2537

Soils Report on Subdivision Feasibility

Parcel 02-0005-0076/B-76

Ray Nelson, Boulder Utah

A ten foot depth soil exploration was made on April 13 , 2021 on a 9 acre parcel to evaluate this site's horizonatal setback requirement and to view soil depth and quality for On-site wastewater feasibility. The pit is approximately within the middle of the westside of the parcel. Soils are derived from eolian sediments from Navajo Sandstone. Soft Navajo Sandstone bedrock was found to be at a depth 10 feet in the trench

In the Panguitch Area Soil Survey this land has been mapped Mespun loamy fine sand, 1-3 percent slopes. The classification for this soil is Ustic Torripsamments coarse-loamy. From my obervation I would agree with this soil Series classification.

A 24 inch deelep soil percolation test was performed adjacent to the soil exploration pit and I have recorded a 1.3 minute/inch rate. Locations for using conventional on-site wastewater systems for a home are available on this parcel, with the exception of areas with Navajo sandstone bedrock shallower than 5 feet dpeth.

Bruce Chesler

Soils Consultant

PERCOLATION TEST CERTIFICATE AND SOIL EXPLORATION RESULTS
Information Required for Determining Soil Suitability for
Individual Wastewater Disposal Systems

NAME: Ray Nelson

PROPERTY LOCATION: BOULDER UTAH

I certify that percolation tests have been conducted on the above property in accordance with requirements specified in R317-4-5, Utah Administrative Code, and that percolation rates calculated as specified by said rule are as follows (use reverse side or additional sheets, if necessary):

TEST HOLE NUMBER	TEST HOLE DEPTH	SATURATION PERIOD (Hrs & Mins)	SWELLING PERIOD (Hrs & Mins)	INCHES DROP / FINAL 30 min. PERIOD* FIVE	FINAL STABILIZED PERCOLATION RATE** (Min/Inch)
1	24	N/A	N/A	3 15/16	1.3

Statement of soil conditions obtained from soil explorations to a depth of 10 feet. In the event that absorption systems will be deeper than 6 feet, soil explorations must extend to a depth of at least 4 feet below the bottom of the proposed absorption field, seepage trench, seepage pit or absorption bed. A descriptive log of each exploration hole should be given:

SEE ATTACHED SOIL EXPLORATION

Date soil exploration(s) conducted: APRIL 13 2021

Statement of present and maximum anticipated ground water table throughout the property and area of the proposed absorption system: NONE TO TEN FEET

Date ground water table determined: 4/13/2021

I hereby certify, to the best of my knowledge, the foregoing information is correct.

Name: BRUCE CHESLER
 Address: Box 355
ESCALANTE UTAH

Signed: Bruce Chesler Date: 4/13/21
 (Unsigned test certificates will not be accepted)

* Ten minute time intervals between percolation test measurements may be used only for certain circumstances - refer to detailed instructions for conducting percolation tests above. If a 10-minute time interval is used for tests, so indicate.

** Percolation rate is equal to period of time used in minutes divided by distance water dropped in inches and fractions thereof.

RECORD SHEET FOR CONDUCTING SOIL PERCOLATION TESTS
Utah Division of Water Quality

Name of Project or Development: RAY NELSON Date of Test: 4/3/21
 Location of Property: BOULDER HILL
 Name of Person Performing Test: BRUCE CHESLER

Percolation Test No. 1

Period of time hole is saturated	<u>N/A</u>	Time interval used for measuring water drop	<u>5 MINUTES</u>	Hole width or diameter	<u>10 INCHES</u>
Depth of hole	<u>24'</u>	Period of time soil permitted to swell	<u>N/A</u>	Depth of water table	<u>> 10 FEET</u>

Successive Percolation Tests	Initial Depth to Water	Beginning Time	Final Depth to Water	Ending Time	Distance Water Dropped in Inches	Elapsed Time in Minutes	Perc Rate in Minutes/Inch
1	12.0	10:01	0	10:10	12	9	
2	12.0	10:11	0	10:23	12	12	
3	8 1/2	10:25	13 7/16	10:30	4 1/2	5	1.06
4	8 5/16	10:31	13 2/16	10:36	4 10/16	5	1.08
5	8 8/16	10:37	13.0	10:42	4 8/16	5	1.11
6	8 8/16	10:43	13.0	10:48	4 1/2	5	1.11
7	8 8/16	10:49	12 7/16	10:54	3 15/16	5	1.27
8							

Final Stabilized Percolation Rate: 1.3 minutes/inch

Descriptive log of soil exploration hole No. _____

Thickness of Each Stratum

Description and Texture of Each Stratum

_____ to: _____ to: _____
 _____ to: _____ to: _____
 _____ to: _____ to: _____
 _____ to: _____ to: _____

Soil Exploration Pit Analysis Certificate

Please indicate all testing locations on plot map

Property Owner: RAY NELSON Parcel Number: 02-0005-0076/876

Location of property: BOULDER City State Zip

SOIL EXPLORATION PIT ANALYSIS

(Minimum depth is 10 feet or 4 feet below the bottom of the proposed absorption system, whichever is greater)

Soil Exploration Pit # 1 Date of Exploration: 4/13/21

Depth Interval ft	Soil Type	Soil Structure	%			Comments
			Sand	Silt	Clay	
0-16	LOAMY FINE SAND	<input checked="" type="checkbox"/> Single Grain <input type="checkbox"/> Granular <input type="checkbox"/> Prismatic <input type="checkbox"/> Blocky <input type="checkbox"/> Massive	90	6	4	EOLIAN SAND
16-39	LOAMY FINE SAND	<input checked="" type="checkbox"/> Single Grain <input type="checkbox"/> Granular <input type="checkbox"/> Prismatic <input type="checkbox"/> Blocky <input type="checkbox"/> Massive	91	6	3	No Rocks
39-120	LOAMY FINE SAND	<input type="checkbox"/> Single Grain <input checked="" type="checkbox"/> Granular <input type="checkbox"/> Prismatic <input type="checkbox"/> Blocky <input type="checkbox"/> Massive	93	4	3	No Rocks
120+	NAVAJO SS	<input type="checkbox"/> Single Grain <input type="checkbox"/> Granular <input type="checkbox"/> Prismatic <input checked="" type="checkbox"/> Blocky <input type="checkbox"/> Massive				WEATHERED SOFT SANDSTONE
		<input type="checkbox"/> Single Grain <input type="checkbox"/> Granular <input type="checkbox"/> Prismatic <input type="checkbox"/> Blocky <input type="checkbox"/> Massive				
		<input type="checkbox"/> Single Grain <input type="checkbox"/> Granular <input type="checkbox"/> Prismatic <input type="checkbox"/> Blocky <input type="checkbox"/> Massive				
		<input type="checkbox"/> Single Grain <input type="checkbox"/> Granular <input type="checkbox"/> Prismatic <input type="checkbox"/> Blocky <input type="checkbox"/> Massive				

Depth of bedrock: 10 FT Not encountered SOFT WET NAVAJO SANDSTONE

Depth of encountered or anticipated ground water table: Not encountered

Notes: 10 FEET DEPTH BACKHOE PIT LOCATED IN MIDDLE OF 9 ACRE PARCEL PROPOSED FOR SUBDIVISION MAPPED MESPUN SERIES NBCS PARKVILLE AREA SOIL SURVEY GPS 37° 53' 81" 111° 26' 43" ELEV 6466 FT

CERTIFIED INDIVIDUAL PERFORMING ANALYSIS AND TESTING

Name: BRUCE CHESTER Certification Number: 00158-OSP2
 Phone Number: 435-826-4961 Certification Expiration Date: 12/22

I hereby certify that soils analysis have been conducted on the above property in accordance with Utah Administrative Code R317-4 Appendix D. I further certify that the results of the soils analysis, recorded above, are for the same property. Finally I certify that to the best of my knowledge, the information submitted on this form is true, accurate, correct and complete.

Signature: Bruce Chester Date: 4/13/21

Unsigned certificates will not be accepted.

FIRE PROTECTION AND SUPPRESSION REQUIREMENTS

Regarding Ray Nelson's proposed subdivision

From: Pete Benson (pabenson@gmail.com)

To: raynelson_ii@yahoo.com; tc@boulder.utah.gov; pc@boulder.utah.gov; mayor@boulder.utah.gov;
za@boulder.utah.gov

Date: Tuesday, May 4, 2021, 10:23 AM MDT

I did a site visit at the Ray Nelson two lot subdivision in my capacity as Boulder fire code authority. My opinion is that it should not require any new infrastructure. The smaller lot has no existing dwelling, it abuts Highway 12 and is well within 400 feet of the existing fire hydrant. The larger lot with the existing dwelling has access and fire flow as before.

Though Ray has assured me that he has no intention of subdividing again I would like the planning commission and town council to require some guarantee that if either of the lots ever gets subdivided again that the calculation of whether some required infrastructure is feasible includes this subdivision, or that there will be no more subdivision. I believe this can be achieved with a deed restriction agreement on the new lots but I am not a lawyer.

Thank you
Peter Benson
Boulder Town Fire Code Authority
435-335-7312
pabenson@gmail.com

**ROAD ACCESS
HIGHWAY 12
UDOT WILL SERVE LETTER**



State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.
Executive Director

TERIANNE S. NEWELL, P.E.
Deputy Director of Planning and Investment

LISA J. WILSON, P.E.
Deputy Director of Engineering and Operations

April 27, 2021

To Whom It May Concern:

SUBJECT: Possible Access on SR-12 MP 85.6

This letter is to inform you of the UDOT's decision concerning existing access to highway SR-12 at mile post 85.6 on the south side of the highway. The UDOT may allow a future access in this area in the future. At that time the applicant for the access will be required to meet all of the UDOT standards for access.

Sincerely,

Josh Peterson
Region 4 Right of Way Coordinator

JDP/jdp

CC: Jeff Bunker, Region 4 Permits Engineer

**POWER
(ELECTRICITY)**
GARKANE WILL SERVE LETTER

04/21/2021

Ray Nelson
Boulder Parcel #02-0005-0077/B-76
raynelson_ii@yahoo.com

To Whom It May Concern:

Garkane Energy has the means to provide power for the electrical service needs for the Property of Ray Nelson, located Parcel #02-0005-0076B-76, in Boulder UT. The electrical service will need to be installed in accordance with NESC specifications and the policies of Garkane Energy.

Should you have any questions, please let us know.

Sincerely,

GARKANE ENERGY

Justin Miller

Hatch Area , Staking Technician

COMMUNICATIONS
SOUTH CENTRAL WILL SERVE LETTER



South Central COMMUNICATIONS

Advanced technology with a personal touch.

Apr 14, 2021

Ray Nelson (801) 560-3863
Boulder, UT 84721

Ref: Communications Services to the proposed 9 acre Subdivision (more or less), for Ray Nelson,

To Whom it may concern,

This letter is to advise you that the property identified as being South of Hwy 12 in T 33 S, R 4 E, Section 35, with the SW property corner beginning at the W Quarter Corner of Section 35 and running along the section line to the Southerly boundary of State Hwy 12, being approx. 9 acres, in Boulder, UT is located within the area where South Central Communications (SCC) is willing to provide services.

Under the terms of our current tariffs, a subdivider is required to pay 90% of the cost of installing our facilities in their subdivision, or, for a single property, if the property is within 300' of SCC facilities, SCC will provide service with no installation cost. If the property is within 1000' and the owner is willing to provide a trench, SCC will also provide service with no installation cost. An owner may reduce the project cost by combining the installation of water or power with SCC facilities. Installation of the conduit must meet SCC's installation specifications. If SCC is unable to use the conduit without making repairs, SCC may charge additional costs to the customer for the work required to make the conduits useable.

SCC will provide service to the above location subject to the obtaining of any required easements or rights of way, and upon satisfactory resolution of the terms and conditions of any service agreement enacted between SCC and the property owner.

Please feel free to call me, if you have any questions regarding this matter at (435) 616-0508.

Michael Savage
Field Engineer
South Central Communications
(435) 676-0508 Office
(435) 616-0508 Cell
mikes@socen.com

IRRIGATION COMPANY

(Boulder Irrigation and Water Company)

subdivision

From: Katie Coleman (katiea@scinternet.net)
To: raynelson_ji@yahoo.com
Cc: colemanhydro@yahoo.com
Date: Wednesday, May 5, 2021, 08:59 AM MDT

Dear Ray,
And to whom it may concern,
The Boulder Irrigation and Water Development Company does not have any irrigation ditches, any underground infrastructure, or any easements for such on Lot 1 of the newly proposed Mesa Views Subdivision in Boulder, Utah.

Sincerely,

Shane Coleman
Secretary
Boulder Irrigation and Water Development Company
Boulder, Utah 84716