

RESOLUTION NO. 2880

**A RESOLUTION ESTABLISHING
THE GRAND COUNTY TRANSPORTATION SPECIAL SERVICE DISTRICT**

WHEREAS, Grand County owns public roads within unincorporated areas of Grand County;
and

WHEREAS, the Grand County Council ("**Council**") oversees a County Road Department,
which receives Class B Road Funds, to operate and maintain the roads within Grand County; and

WHEREAS, the County Road Department maintains approximately 1385 miles of these roads
comprised of different surface types consisting of 179 miles of paved, 148 miles of graveled, and the
remainder of natural materials; and

WHEREAS, funding associated with Class B road funding requires that the County Road
Department maintain these roads free from obstructions such as high centers, overgrowth of
vegetation, and washouts, and anticipates that roads will be graded on a regular basis to meet this
requirement; and

WHEREAS, County paved and gravel roads entail more maintenance than ensuring that the
roads are free from obstructions; and

WHEREAS, the Council believes that the public health, convenience and necessity require the
establishment of the independent Grand County Transportation Special Service District
(hereinafter the "**District**") to provide greater level of improvement and maintenance to
transportation facilities, and therefore it is desirable to establish said District pursuant to the
provisions of the Utah Special Service District Act, Utah Code Ann. § 17D-1-101 *et seq.*, as
amended; and

WHEREAS, all property within the boundaries of said District (described more particularly
below), shall be benefitted by the addition of such services; and

WHEREAS, none of the area proposed for such services are also within the boundaries of any
other special service district established by said County to provide such services.

NOW THEREFORE BE IT RESOLVED, by the Council as follows:

- Section 1.** The Council has heretofore considered each and every protest filed and has heard
each and every person who wished to be heard in protest against the establishment
of the District and any other matter pertinent to the establishment of the District.
- Section 2.** The Council finds that pursuant to Utah Code Ann. §§ 17B-1-213 and 17D-1-204
and 17D-1-206, adequate time has passed to allow for the filing of any protests to
the creation of the District, and an insufficient number of protests were filed to
prevent the creation of the District.

Section 3. The Grand County Council, declares that the public health, convenience, and necessity require the establishment of *The Grand County Transportation Special Service District* in accordance with Utah Special Service District Act, Utah Code Ann. § 17D-1-101 *et seq.*

Section 4. The Council designates the name of the proposed District as: *The Grand County Transportation Special Service District*, in accordance with Utah Code Ann. § 17D-1-203 (3)(c).

Section 5. The boundary of the District includes all of Grand County except for incorporated municipalities. Exhibit A includes a map showing the boundaries of *The Grand County Transportation Special Service District*.

Section 6. The establishment of the District as proposed and described in the Notice and Letter of Intent to Establish the District is hereby authorized, and the District is hereby created to provide the following:

Construction services shall generally include but are not limited to the following:

- The construction of any new roadbed either by addition to existing systems or relocation that is not included within the County's Capital Facility Plan for which the County is collecting impact fees or a legally exacted road that the County's Land Use Authority shall require as part of a development application approval.
- The resurfacing of existing roadways with more than two inches of bituminous pavement.
- Any project excepting a project for which the County has been collecting impact fee for which exceeds the bid limit as defined in Utah Code Ann. § 72-6-109 for labor, equipment, and materials and for which the County Road Department would be required to bid the project out.
- Replacement and constructions of bridges and culverts.
- Construction projects may include paved non-motorized trails.
- Construction projects may include but are not limited to: the acquisition of land or easements; storm water control generated from the right-of-way or storm water control passing perpendicular to the right-of-way; traffic calming improvements; installation of extensive traffic control devices; subsurface improvements such as sub-base, conduits and chases; hard surface improvements such as asphalt and concrete.
- "Construction" does not include transportation projects that are contained in the County's Capital Facility Plan for which the County is collecting impact fees to construct nor emergency repairs, or the routine installation or replacement of traffic control devices. These transportation projects remain the responsibility of the County. "Construction" also does not include transportation projects that are required as a legal exaction that the County's Land Use Authority shall require as part of a development

application approval. These transportation projects remain the responsibility of the landowner.

Maintenance services shall generally include but are not limited to the following:

- The reworking of an existing surface by the application of up to and including two inches of bituminous pavement such as chip seals and overlays.
- The maintenance of any paved public trail within the District's boundary. The maintenance of the trail may include but is not limited to removal of vegetation adjacent to trails, seal coats, reconstruction of trail segments, replacement of bituminous pavement, etc.
- "Maintenance" does not include the repair of less than the entire surface by crack sealing or patching nor the installation or replacement of guardrails, seal coats, and culverts. These transportation projects remain the responsibility of the County.

Section 7. The District's status, powers, and duties are as follows:

- The District shall have all power and authority allowed by the Special Service District Act contained in the Utah Code unless other prohibited by this Resolution.
- The District shall not assume or undertake responsibility for functions that are the primary responsibility of the County or other local government entities. More specifically the District shall not be responsible for maintaining the roads free from obstructions such as high centers, overgrowth of vegetation on or adjacent to roads, washouts, nor grading the road to keep the road free from obstructions.
- The District alone shall be responsible for all of the projects undertaken solely by the District, without any recourse to the County or other local government entities. Notwithstanding the foregoing, the District, acting in its sole discretion, may at times cooperate with other local government entities and enter into contracts to carry out special service district functions as allowed by Utah Code Ann. § 17D-1-103 (2) (b) and to perform projects through Interlocal Agreements pursuant to Utah Code Ann. § 11-13-101 *et seq.* If the District uses an officer, employee, property, equipment, office, or facility of Grand County or other local government entities, the District shall reimburse Grand County or other local government entity a reasonable amount for what the District uses subject to Utah Code Ann. § 17D-1-103 (2) and (3). The District shall avoid any action that could jeopardize the perceived independence of the District from the County or other local government entities.

Section 8. The District shall finance the above defined services, among other ways, through receipt of Mineral Lease Payments as provided in Chapter 21, Title 59, Utah Code Annotated, 1953, as amended. Fees or charges may be imposed to pay for some

or all of the services that the special service district is proposed to provide in allowance of the State Code. Financing of the District may also include receipts from the Secure Rural School Program as allocated by the Council if authorized by State law. Class B Road Funds shall not be used to finance the Special Service District.

The District may levy taxes annually upon all taxable property within the proposed District as in accordance with the current State Code. Currently Utah Code does not allow the District to levy a tax on the taxable property in the special service district unless the levy has the prior approval of a majority of the registered voters of the special service district voting in an election held for that purpose under Title 11, Chapter 14, Local Government Bonding Act, in the same manner as for an election for the issuance of bonds.

Section 9. As required by Utah Code Ann. § 17D-1-107 (1) the County Council shall by ordinance designate the classes of District contracts that are subject to the requirements of Title 11, Chapter 39, Building Improvements and Public Works Projects.

Section 10. The District shall be administered by an Administrative Control Board (hereinafter the "**Board**"), which is hereby delegated, without limitation, the power to act as the governing authority of the District and to exercise all or any of the powers provided in accordance with Utah Code Ann. § 17D-1-103 unless otherwise stated in this Resolution.

Section 11. The membership of the Board shall consist of five (5) members, each of whom is a registered voter of the District, but only one (1) of whom shall be a member of the County Council, and all of whom shall be appointed by the Council.

One (1) of the Board members shall have an initial term of one (1) year ending December 31, 2009. One (1) of the Board members shall have an initial term of two (2) years ending December 31, 2010. One (1) of the Board members shall have an initial term of three (3) years ending December 31, 2011. Two (2) of the Board members shall have terms of four (4) years. After the conclusion of the first terms of office, all terms thereafter shall be four (4) year terms pursuant to Utah Code Ann. § 17B-1-301 *et seq* with terms ending on December 31st of each year.

The Council has considered the appointments to the Board that are most familiar with the needs of the District, which includes but is not limited to the construction and maintenance services to transportation facilities. The initial appointees and terms of the Board are as follows:

Board Member Appointees

Term Ends

Geoff Freethey

December 31, 2009

Patrick McGann

December 31, 2010

John Hartley

December 31, 2011

Tim Smith

December 31, 2012

Audrey Graham

December 31, 2012

The appointees are hereby appointed effective as of the 17th day of February, 2009, to organize for the commencement of operations beginning the 1st day of March, 2009.

Section 12. The members of the Board shall serve without compensation except that they may be reimbursed for reasonable expenses consistent with Utah Code Ann. § 17D-1-305 and 307.

Section 13. The Board shall create Bylaws in accordance with Utah Code Ann. §§ 17B-1-301(h) and 17B-1-310(1)(b).

Section 14. Subject to Utah Code, the Grand County Council may dissolve the District in accordance with the process contained in the Utah Code Ann. §§ 17D-1-601 through 603.

Section 15. If any one or more sections, sentences, clauses or parts of this Resolution shall, for any reason, affect, impair or invalidate the remaining provisions of this Resolution, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this Resolution so held unconstitutional and invalid, then such offending sections, sentences, clauses or parts shall be severed, and shall not affect or prejudice in any way the applicability and validity of this Resolution in any other instances.

Section 16. All resolutions, by-laws and regulations of Grand County, Utah, in conflict with this Resolution, are hereby repealed to the extent only of such inconsistency. This repeal shall not be construed to revive any resolution, by-law or regulations, or part thereof, heretofore repealed.

APPROVED this 17th day of February, 2009, by the following vote:

AYE: Greenberg, Ballantyne, Graham, Conrad, Baird, Holyoak

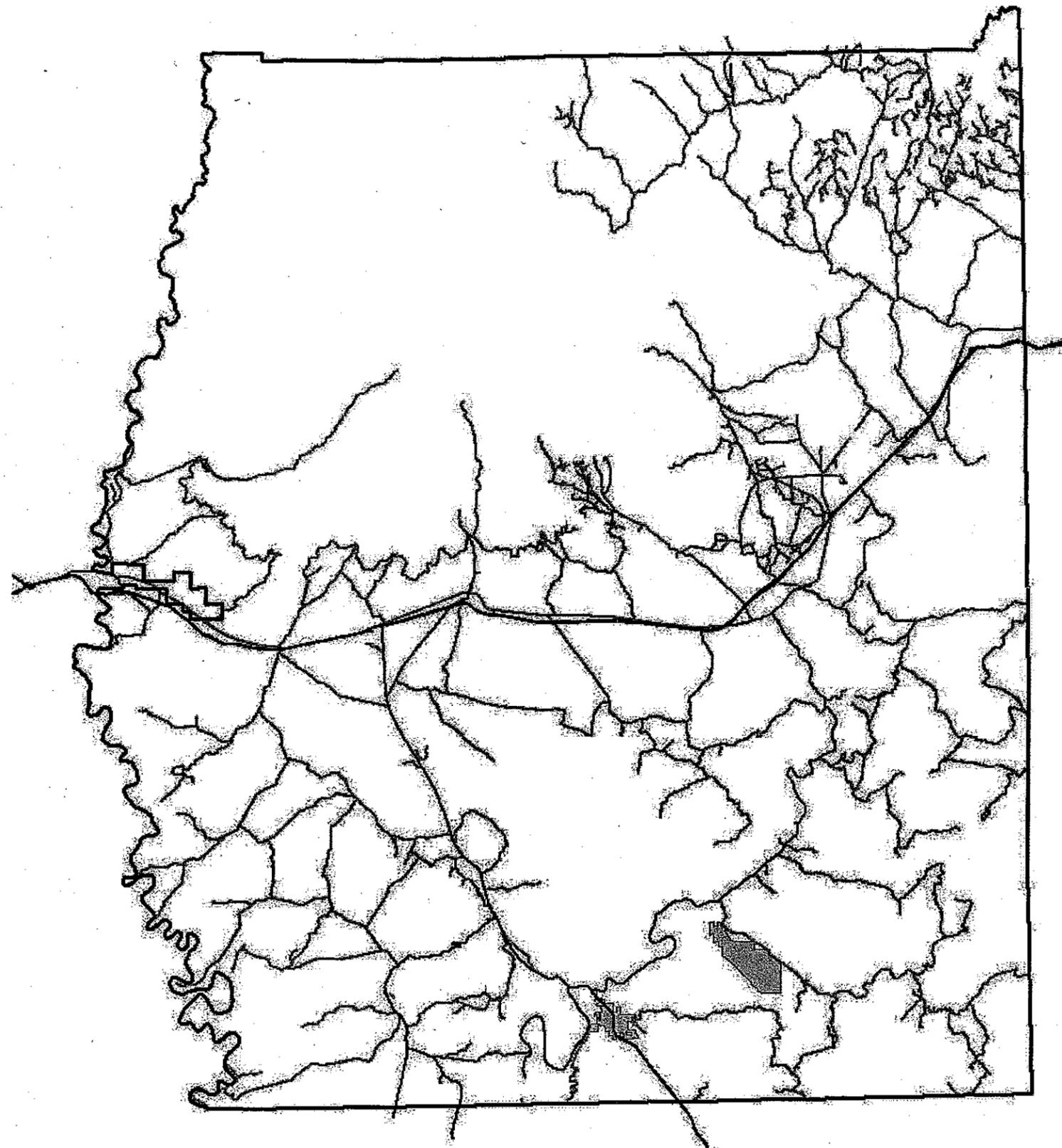
NAY: Ciarus

ABSENT: _____

ATTEST
Diana Carroll
Grand County Clerk/Auditor

Robert Greenberg
Grand County Council Chair

Exhibit A - A map showing the boundaries of *The Grand County Transportation Special Service District*



Grand County Transportation Special Service District Exhibit A

The district shall be all of Grand County (see Exhibit C) excluding the incorporated area of Moab City (see Exhibit B and D) and Castle Valley Town (See Exhibit E).



Legend

- Grand County Boundary
- State Highways
- County Maintained Roads
- Incorporated Areas

SURVEYORS CERTIFICATE

I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A REGISTERED UTAH LAND SURVEYOR, HOLDING CERTIFICATE NO. 17,004 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, AND I FURTHER CERTIFY THAT UNDER AUTHORITY OF THE GRAND COUNTY, THE ATTACHED MAP WAS PREPARED BY ME AND IS UNDER MY DIRECT SUPERVISION.

DATE: Feb. 17/09
 TIMOTHY M. KEOGH



Exhibit B - Moab Inset Map

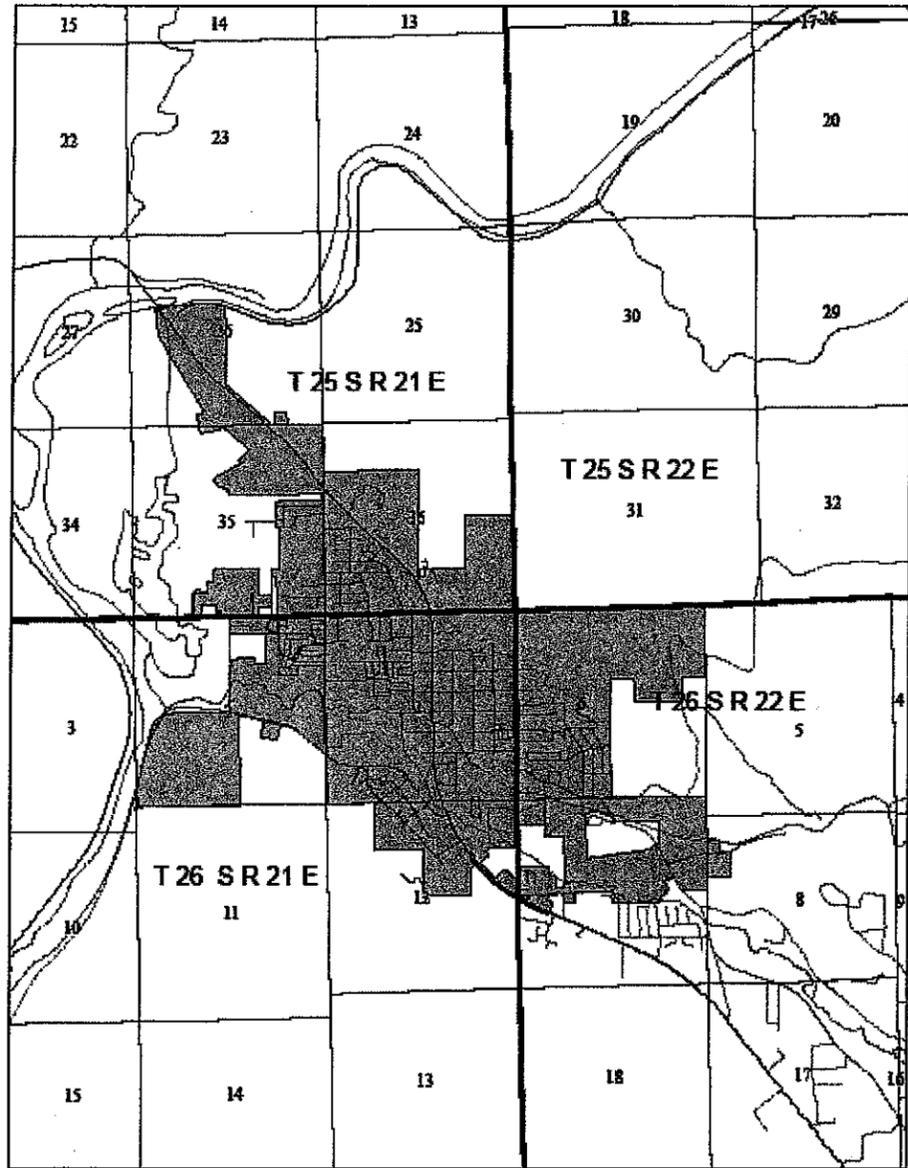


Exhibit B
Moab City Inset



Exhibit C - Grand County Legal Description

LEGAL DESCRIPTION OF GRAND COUNTY:

Beginning at the intersection of the summit of the Brown Cliffs with the eastern boundary of the State, thence westerly along the summit of said cliffs to the Third Standard Parallel south; thence west to the middle of the main channel of the Green River; thence southerly down the middle of said channel to a point 645.76 feet perpendicularly east of the west line of section 10 of Township 21 South Range 16 East SLB & M; said point is also N 56°22'31" W 5583.17 feet more or less from the southwest corner of section 11 Township 21 South Range 16 East SLB & M; thence south 1550.8 feet parallel with and 647.76 feet east of the west line of section 10; thence east 689.0 feet; thence south 548.2 feet to a point 400.0 feet north of the north right-of-way line of US Highway 6 & 50; thence southeasterly 1350 feet along a line 400.0 feet north and parallel with the north right-of-way line of US Highway 6 & 50 to a point on the east line of the SW 1/4 of section 10, thence South 59.0 feet along the quarter section line to a point 277.0 feet north of the south quarter corner of section 10; thence southeasterly 1058.5 feet along a line 400.0 feet north and parallel with the north right-of-way line of US Highway 6 & 50 to a point on the north line of section 15; thence east 1618.4 feet along section line to the southwest corner of section 11, thence north 2640.0 feet along the west line of said section 11 to the west quarter corner of section 11, thence east 5311.7 feet along the quarter section line to the east quarter corner of section 11; thence east 5312.3 feet along the quarter section line to the east quarter corner of section 12, thence south 5280 feet more or less to the west quarter corner of Township 21 South Range 17 East Section 18 SLB & M; thence N 89°56' E 5078.7 feet along the quarter section line to the west quarter corner of section 17; thence N 89°57' E 5280.7 feet along the quarter section line to the west quarter corner of section 16; thence N 00°03' W 2640.0 feet along section line to the northwest corner of section 16; thence N 89°55' E 5294.5 feet along section line to the northeast corner of section 16; thence S 00°02' E 5280.0 feet along section line to the northwest corner of section 22, thence N 89°58' E 5278.7 feet along section line to the northeast corner of section 22; thence S 00°01' E 5280.0 feet along section line to the northwest corner of section 26; thence N 89°58' E 5281.3 feet along section line to the northeast corner of section 26; thence S 0°01' E 5280 feet along section line to the southeast corner of section 26; thence S 89°57' W 5277.4 feet along section line to the southeast corner of section 27; thence S 89°57' W 5283.9 feet along section line to the southwest corner of section 27; thence N 00°02' W 2640.0 feet along section line to the east quarter corner of section 28; thence S 89°57' W 2640.0 feet along the quarter section line to the center quarter of section 28; thence N 00°02' W 2640.0 feet along the quarter section line to the south quarter corner of section 21; thence S 89°57' W 2639.3 feet along section line to the southeast corner of section 20; thence S 89°55' W 2640.6 feet along section line to the south quarter corner of section 20; thence N 00°03' W 5280.0 feet to the south quarter corner of section 17; thence S 89°57' W 2640.0 feet along section line to the southeast corner of section 18; thence S 89°56' W 5078.0 feet to the southwest corner of section 18; thence north to the southeast corner of Township 21 South Range 16 East Section 13 SLB &

M; thence west 2648.2 feet along the north line of the S 1/2 of the SW 1/4 of section to the northwest corner of the S 1/2 of the SW 1/4 of section 13; thence west 1323.3 feet along the north line of the SE 1/4 of the SE 1/4 of section 14 to the northwest corner of the SE 1/4 of the SE 1/4 of section 14; thence south 1320 feet along the west line of the SE 1/4 of the SE 1/4 of section 14 to the southwest corner of the SE 1/4 of the SE 1/4 of section 14; thence west 3969.9 feet along the south line of section 14 to the southeast corner of section 15; thence west 4522.2 feet along the south line of section 15 to the centerline of the Green River, being the boundary between Grand and Emery Counties; thence southerly down the middle of said channel to parallel 38 degrees 30 minutes north latitude; thence east to the State boundary; thence north along the State boundary to the point of beginning.

Exhibit D - Moab City Legal Description

A DESCRIPTION OF THE CORPORATE BOUNDS OF MOAB CITY AS OF FEBRUARY 24, 2009, CONSISTING OF LANDS WITHIN THE MOAB VALLEY, IN TOWNSHIPS 25 & 26 SOUTH, RANGES 21 & 22 E, SLM, GRAND COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the Southeast Corner of section 2, T 26 S, R 21 E, SLM, and proceeding thence with the East line of said Section 2 N 00°15'E 1394.68 ft., thence N 50°01'W 1056.32 ft., thence along the arc of a 711.9 ft. radius curve to the left 259.62 ft. (said curve has a chord which bears N 67°09'51"W 259.18 ft.), thence N 75°34'W 215.8 ft., thence S 14°26'W 440.0 ft., thence N 75°34'W 450.0 ft., thence N 14°26'E 440.0 ft., thence N 75°34'W 735.89 ft., thence S 00°29'W 2526.2 ft. to the South line of Section 2, thence with said line N 89°16'W 243.6 ft., West 2597.1 ft. to the Southwest corner of said Section 2, thence with the West line of said Section 2 N 00°04'W approximately 660.0 ft. to the East bank meander line of the Colorado River, thence with said meander line the following three courses: N 17°44'E 700.0 ft., thence N 26°21'E 680.6 ft., thence N 37°14'E 828.95 ft. to the Center ¼ line of said Section 2, thence with said line S 89°33'29"E 1585.65 ft., thence N 75°04'59"W 41.89 ft., thence S 89°13'E 52.1 ft., thence S 00°29'W 4.9 ft., thence S 75°05'E 32.69 ft. to the Center ¼ line of said Section 2, thence with said line N 00°01'59"W 1342 ft., thence East 19.23 ft., thence N 00°21'40"W 161.86 ft., thence S 89°58'E 676.9 ft., thence S 00°39'E 161.48 ft., thence East 291.38 ft., thence North 849.4 ft., thence West 988.81 ft., thence N 00°16'59"W 465.17 ft. to the North ¼ Corner of said Section 2, thence with the North line of said Section 2 S 89°54'W 250.3 ft., thence North 163.0 ft., thence S 89°54'W 107.89 ft., thence North 175.0 ft., thence S 89°54'W 211.81 ft., thence North 9.81 ft., thence West 120.0 ft.; thence South 10.0 ft., thence S 89°54'W 95.0 ft., thence South 338.0 ft., thence S 89°54'W 202.69 ft., thence North 661.31 ft., thence East 399.68 ft., thence N 01°48'E 315.5 ft., thence N 89°57'E 167.7 ft., thence N 00°31'01"E 344.5 ft., thence East 1065.2 ft., thence South 3.7 ft., thence N 87°18'E 111.6 ft., thence S 89°02'39"E 65.8 ft., thence S 00°53'31"W 739.4 ft., thence N 89°54'E 356.5 ft., thence S 00°06'E 304.0 ft., thence S 89°54'W 358.46 ft., thence S 00°15'W 272.43 ft., thence East 503.14 ft., thence North 237.0 ft., thence N 00°19'01"E 418.5 ft., thence N 12°25'42"E 3.46 ft., thence N 00°31'59"E 415.25 ft., thence West 114.52 ft., thence North 245.56 ft., thence N 89°55'E 194.16 ft., thence N 00°32'E 1126.11 ft., thence West 65.04 ft., thence North 720.0 ft., thence East 1253.02 ft. to the East line of said Section 35, thence with said line North 202.68 ft., thence S 89°46'W 481.29 ft., thence South 5.4 ft., thence N 89°57'W 1309.1 ft., thence West 753.1 ft., thence N 00°01'W 134.1 ft., thence N 71°39'W 96.7 ft., thence N 46°52'W 59.4 ft., thence N 71°02'W 42.3 ft., thence N 82°48'W 57.1 ft., thence N 57°08'W 56.3 ft., thence N 44°41'W 153.1 ft., thence N 13°49'W 93.9 ft., thence N 61°09'E 881.2 ft., thence N 43°27'W 108.9 ft., thence N 46°25'E 424.9 ft., thence N 47°49'W 919.8 ft., thence S 78°18'W 691.0 ft., thence N 11°42'W 500.0 ft., thence N 75°11'E 147.5 ft., thence N 39°54'E 157.5 ft., thence S 60°30'W 54.7 ft., thence N 13°04'W 59.0 ft., thence N 31°20'W 1529.8 ft., thence N 31°42'W 338.0 ft., thence N 27°28'W 574.9 ft., thence N 05°28'W 684.8 ft., thence N 53°35'E 150.0 ft., thence S 36°25'E 121.3 ft., thence with the East bank meander line of the Colorado River the following six courses: N 75°00'E 380.8 ft., thence S 87°00'E 330.0 ft., thence N 83°00'E 330.0 ft., thence East 330.0 ft., thence S 80°30'E 316.8 ft., thence S 71°30'E 90.7 ft. to the Center ¼ line of Section 26 of T 25 S, R 21 E, SLM, thence with said line S 00°29'E 2214.4 ft. to the Easterly Right of Way of U.S. Highway 191, thence with said Right of Way S 47°40'E 1309.5 ft., thence with said Right of Way S 48°28'E 322.0 ft. to the

North line of Section 35 of T 25 S, R 21 E, SLM, thence with said line S 89°56'E 120.1 ft., thence N 00°13'30"W 329.6 ft., thence S 89°55'30"E 330.38 ft., thence S 00°09'32"E 329.58 ft. to said North line of Section 35, thence with said line S 89°56'E 990.1 ft. to the Northeast Corner of said Section 35, thence with the East line of said Section 35 S 00°32'38"W 1317.75 ft. to the Northwest Corner of the Southwest 1/4 Northwest 1/4 of Section 36 of T 25 S, R 21 E, SLM, thence with N 89°58'E 2638.0 ft. to the Center North 1/16 Corner of said Section 36, thence with the Center 1/4 line S 00°38'W 2992.04 ft., thence East 29.58 ft., thence N 80°14'E 133.0 ft., thence N 89°36'E 33.7 ft., thence North 200.0 ft., thence East 1115.0 ft. to the Southeast 1/16 Corner to said Section 36, thence North 1450.78 ft. to the Center East 1/16 Corner to said Section 36, thence N 89°57'E 1327.16 ft. to the East 1/4 Corner to said Section 36, thence South 2639.96 ft. to the Southeast Corner to said Section 36, thence S 89°53'10"E 2613.12 ft. to the North 1/4 Corner of Section 6 of T 26 S, R 22 E, SLM, thence S 89°51'E 361.7 ft. to the South 1/4 Corner of Section 31 of T 25 S, R 22 E, SLM, thence N 89°49'59"E 2281.95 ft. to the Northeast Corner of Section 6 of T 26 S, R 22 E, SLM, thence S 00°15'W 1976.3 ft., thence S 89°58'09"W 662.96 ft., thence S 00°18'30"W 658.49 ft. to the C-E-E 1/64 Corner of said Section 6, thence West 663.63 ft. to the C-E 1/16 Corner of said Section 6, thence West 663.63 ft. to the C-W-E 1/64 Corner of said Section 6, thence N 00°25'30"E 657.79 ft. to the SWNE 1/64 Corner of said Section 6, thence S 89°58'09"W 654.38 ft. to the C-S-N 1/64 Corner of said Section 6, thence with the Center 1/4 line of said Section 6 with said Center 1/4 line S 00°14'02"W 3296.95 ft. to the South 1/4 Corner of Section 6, T 26 S, R 22 E, SLM, thence with the South line of said Section 6 S 89°49'E 2652.77 ft. to the Northeast Corner of Section 7 of T 26 S, R 22 E, SLM, thence S 00°31'W 548.8 ft. to the Northwest Corner of Section 8 of T 26 S, R 22 E, SLM, thence with the West line of said Section 8 S 00°29'W 704.6 ft., thence N 89°11'E 329.79 ft., thence S 00°30'W 330.5 ft., thence N 89°10'E 329.9 ft., thence S 00°32'W 660.8 ft., thence S 89°08'W 659.11 ft. to the West line of said Section 8, thence with said line S 00°29'17"W 330.54 ft. to the East 1/4 Corner of Section 7 of T 26 S, R 22 E, SLM, thence S 89°59'14"W 723.98 ft., thence N 29°41'W 422.09 ft., thence S 65°49'W 298.71 ft., thence S 23°33'E 253.3 ft., thence S 68°56'W 124.4 ft., thence S 19°09'E 90.0 ft., thence S 68°56'W 123.93 ft., thence S 09°52'W 83.91 ft., thence S 00°10'41"W 85.87 ft., thence S 89°50'06"W 1320.02 ft., thence N 00°10'41"E 326.86 ft., thence S 89°52'52"W 1071.35 ft., thence S 01°20'W 310.23 ft., thence N 89°27'29"W 260.15 ft., thence N 00°51'E 307.23 ft., thence West 380.12 ft., thence S 04°16'19"E 32.71 ft., thence N 88°52'11"W 57.9 ft., thence South 20.2 ft., thence S 24°21'W 159.75 ft., thence S 65°39'E 200.81 ft., thence S 24°21'W 337.8 ft. to the Westerly Right of Way of U.S. Highway 191, thence with said Right of Way the following two courses: N 65°39'W 279.9 ft., thence along the arc of a 4851.2 ft. radius curve to the right 2226.28 ft. (said curve has a chord which bears N 52°45'W 2206.8 ft.), thence N 43°42'E 60.4 ft., thence along the arc of a 4911.20 radius curve to the right 108.20 ft.;(said curve has a chord which bears N 39°10'W 108.20 ft.), thence N 54°46'59"E 56.63 ft., thence along the arc of the 4851.2 ft radius curve to the right 239.03 ft (said curve has a chord which bears N 37°09'13"W 237.38 ft), thence S 00°06'54"W 196.63 ft., thence along the arc of a 4971.2 ft radius curve to the left 195.03 ft. (said curve have a chord which bears S 38°45'50"E 195.02 ft), thence S 43°42'W 177.55 ft., thence S 00°06'54"W 751.34 ft. to the Center East 1/16 Corner of Section 12, T 26 S, R 21 E, SLM, thence S 89°48'W 1319.57 ft. to the Center 1/4 Corner of said Section 12, thence N 00°06'54E 1315.71 ft. to the Center North 1/16 of said Section 12, thence S 89°58'W 1318.51 ft. to the Northwest 1/16 Corner of said Section 12, thence N 00°04'12"E 1319.65 ft. to the West 1/16

Corner to Sections 1 & 12, thence with the South line of Section 1 N 89°50'30"W 1319.55 ft. to the point of beginning.

LESS:

Beginning at a point which bears S 00°02'W 709.5 ft. from the Northwest Corner of Section 7, T 26 S, R 22 E, SLM, and proceeding thence East 757.6 ft., thence South 343.8 ft., thence East 552.0 ft., thence S 00°07'W 1309.8 ft., thence West 7.2 ft., thence South 80.0 ft., thence West 235.0 ft., thence North 300.0 ft., thence West 172.0 ft., thence N 03°46'W 294.1 ft., thence N 88°31'W 415.8 ft., thence West 444.5 ft., thence S 00°13'W 356.6 ft., thence West 66.4 ft., thence along the arc of a 4521.2 ft. radius curve to the right 417.60 ft. (said curve has a chord which bears N 51°02'W 417.5 ft.), thence S 41°37'W 330.0 ft. to the Easterly Right of Way of U.S. Highway 191, thence with said Right of Way along the arc of a 4851.2 ft. radius curve to the right 830.7 ft. (said curve has a chord which bears N 43°29'W 829.7 ft.), thence N 54°47'E 475.2 ft., thence N 89°59'E 780.7 ft., thence N 00°02'E 593.8 ft. to the point of beginning,

AND

Beginning at a point which bears S 75°42'E 1887.4 ft. from the Northwest Corner of Section 7, T 26 S, R 22 E, SLM, and proceeding thence N 66°00'E 319.0 ft., thence S 68°42'E 596.3 ft., thence South 104.3 ft., thence S 89°54'E 1269.2 ft., thence S 00°20'W 645.8 ft., thence N 89°59'W 156.6 ft., thence South 60.5 ft., thence S 61°20'W 214.7 ft., thence S 83°09'W 295.1 ft., thence S 83°24'W 750.0 ft., thence S 83°06'W 668.1 ft., thence North 913.1 ft., thence N 51°00'E 43.0 ft., thence N 12°30'W 110.0 ft., thence S 65°30'W 3.9 ft., thence N 24°30'W 173.9 ft. to the point of beginning.

AND

Beginning at a point which bears S 32°29'E 21.1 ft. from the West ¼ Corner of Section 7, T 26 S, R 22 E, SLM, and proceeding thence S 89°21'E 292.2 ft., thence South 22.0 ft., thence S 24°21'W 142.3 ft. to the Easterly Right of Way of U.S. Highway 191, thence with said Right of Way along the arc of a 4851.2 ft. radius curve to the right 272.2 ft. (said curve has a chord which bears N 59°10'W 272.1 ft.), thence N 00°14'E 15.5 ft. to the point of beginning.

AND

Beginning at a point which bears N 89°53'52"E 634.12 ft from the North ¼ corner of Section 2, T 26 S, R 21 E, SLM, and proceeding thence N 00°30'54"W 658.5 ft., thence N 88°57'50"E 32.34 ft., thence S 00°03'14"E 296.38 ft., thence S 11°31'59"E 304.62 ft., thence S 81°50'06"W 26.11 ft. to point of beginning.

Exhibit E - Castle Valley Town Legal Description

TOWN OF CASTLE VALLEY MUNICIPAL BOUNDARY:

Beginning at the NW corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 1, T 25 S, R22 E, SLB&M and running thence East 7024.0 ft. more or less to the West Right-of-way line of the Grand County Loop Road, thence in a Southeasterly direction along said right-of-way approximately 1450 ft. to the North line of Lot 440 of Castle Valley River Ranchos, a subdivision of record in the office of the Grand County Recorder, thence S 46° F along County right-of-way approximately 630 ft. to the East boundary of Castle Valley River Ranchos, thence S 0°16'07"W 2200 ft. more or less to the North $\frac{1}{4}$ corner of Section 7, T 25 S, R 23 E, SLB & M, thence East 382.0 ft. along the Easterly Boundary of Castle Valley River Ranchos, a subdivision, recorded in the office of the County Recorder of Grand County, Utah, thence S 33°33' E 387.0 ft., S 26°23'W 140.0 ft., N 74°57' W 175.0 Ft., S 12°09'E 80.0 ft., S 50°10'E 219.0 ft., S 81°20' E 188.0 ft., S 36°30'E 276.0 ft., S 06°15'E 437.0 ft., S 62°E 34.0 ft., N 88°39'30"E 345.3 ft., S 0° 24'40"E 306.8 ft., S 19°E 556.0 ft., S 89°E 272.0 ft., N 81°10'E 115.0 ft., S 70°30'E 486.0 ft., S 67°E 310.0 ft., S 61°10'E 450.0 ft.; thence in a Easterly direction 6252 ft. more or less to the NE Cor. of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 9., T 25 S, R 23 E, SLB&M (NE Cor. of Fire Dept. tract), thence South 2640 ft. more or less to the SE Cor. of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 9, T 25 S, R 23 E, SLB&M, thence East 3960 ft. more or less to the SE Cor. of Sec. 9, T 25 S, R 23 E, SLB&M, thence in a Southeasterly direction 6500 ft. more or less to the NE Cor. of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 15, T 25 S, R 23 F, SLB&M, thence South 6600 ft. more or less to the SE Cor. of Sec. 22, T 25 S, R 23 E, SLB&M, thence West approximately 10560.0 ft. along the South line of Sections 22, 21 & 20, T 25 S, R 23 E, SLB&M to the crest of Porcupine Rim, and proceeding thence along the crest of Porcupine Rim in a Northwesterly direction approximately 23,000.0 ft. to the SW Cor. of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 1, T 25 S, R 22 E, SLB&M, thence along said Sec. line North approximately 2640.0 ft. to the point of beginning. Containing approximately 5,225.0 acres, or 8.16 square miles.