

PETITION TO CREATE KANE SPRINGS IMPROVEMENT DISTRICT

To: Gabriel Woytek Clerk/Auditor Grand, County Utah

Re: Petition to Establish Local Improvement District

Date Submitted: June 23, 2022

Via: Hand Delivery

Pursuant to Utah Code § 17B-1-204, Kane Creek Preservation and Development, LLC, and Kane Springs LLC (“**Owners**”) the undersigned are owners of 100% of private real property described and depicted in **Exhibit A**, (“**Applicable Area**”), hereby respectfully petition Grand County to establish a proposed local improvement district within the Applicable Area of unincorporated Grand County. The Owners holds 100% of the value of all real property in the Applicable Area of Grand County.

Owner's provide the following information in accordance with the requirements of Utah Code § 17B-1-205:

- A. Typed or printed name and current residence address of each property owner, groundwater right owner, or registered voter signing the petition:

*Kane Creek Preservation and Development, LLC
10466 Iverson Lane
Highland, UT 84003*

*Kane Springs, LLC
10466 Iverson lane
Highland, UT 84003*

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JUN 23 2022
GRAND COUNTY

- B. If it is a property owner(s) request or petition: address of the property as to which the owner(s) is signing the request or petition:

1002, 1509, 1519, 1529, 1539, 1813, 1949, and 2441 South Kane Creek Blvd. Moab, Utah 84532 comprising eight (8) parcels: 03-0010-0099, 03-0010-0100, 03-0015-0099, 03-0015-0100, 03-0015-0101, 03-0015-0102, 03-0016-0001, and 03-0016-0002.

- C. Description of the entire area of the proposed local district:

*See attached **Exhibit A**.*

- D. Map showing the boundaries of the entire proposed local district.

*See attached **Exhibit A**.*

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E. Identification of the specific type of local district:

Local improvement district pursuant to Utah Code Ann. Section 17B-2a-401 et seq.

F. Services proposed to be provided by the proposed local district:

Sanitary Sewer collection and treatment service; culinary water service; construction and maintenance of rights-of-way.

G. The name of the proposed local improvement district:

Kane Springs Improvement District.

H. For a proposed service area that is entirely within the unincorporated area of a single county, state whether the initial board of trustees will be: (i) the county legislative body; (ii) appointed as provided in Utah Code § 17B-1-304; or (iii) elected as provided in Utah Code § 17B-1-306:

Individuals qualified as an agent or representative of the Owner under Utah Code § 17B-1-302(3)(a) to be appointed by the legislative body of Grand County as Trustees pursuant to Utah Code § 17B-1-304.

I. Number of Initial Trustees:

Pursuant to Utah Code Ann. Section 17B-1-208 and consistent with the requirements of Utah Code Ann. Section 17B-1-302(4), the initial Board of Trustees shall consist of three (3) members.

J. Designate up to five signers of the petition or request as sponsors, one of whom shall be designated as the contact sponsor, with the mailing address and telephone number of each:

*Craig Weston, Manager
Kane Creek Preservation and Development, LLC
10466 Iverson Lane
Highland, UT 84003
801-318-7100*

*Craig Weston, Manager
Kane Springs, LLC
10466 Iverson Lane
Highland, UT 84003
801-318-7100*

Respectfully submitted by the Owners on this 23rd day of June, 2022.

KANE CREEK PRESERVATION AND DEVELOPMENT, LLC

By: 
CRAIG WESTON, Manager

Type text here

KANE SPRINGS LLC AND DEVELOPMENT, LLC


By: 
CRAIG WESTON, Manager

Exhibit A
(Description and Map of the Entire Area of the Proposed Local District)

Ent 541405 Bk 919 Pg 340-342
Date: 15-Jul-2021 02:05 PM
Fee: \$40.00 ACH
Filed By: JAC
JOHN CORTES, Recorder
GRAND COUNTY CORPORATION
For: Inwest Title - Orem #1
Recorded Electronically by Simplifile

WHEN RECORDED MAIL TO:
CRAIG WESTON
10466 N. IVERSON LANE
HIGHLAND, UT 84003

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY _____

RECORDED AT THE REQUEST OF INWEST TITLE SERVICES, INC. ORDER # 280832
MAIL TAX NOTICE TO: CRAIG WESTON - 10466 N. IVERSON LANE, HIGHLAND, UT 84003

WARRANTY DEED

CHARLES W. NELSON, SOLE TRUSTEE OF THE NELSON FAMILY TRUST DATED MARCH 3, 1990

GRANTOR(S)

OF MOAB, COUNTY OF GRAND, STATE OF UT
HEREBY CONVEY AND WARRANT TO

KANE CREEK PRESERVATION AND DEVELOPMENT, LLC

GRANTEE(S)

FOR THE SUM OF TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION,
THE FOLLOWING DESCRIBED TRACT OF LAND IN GRAND COUNTY,
STATE OF UT:

(03-0015-0102) *MarL*
See Attached Exhibit "A"

TOGETHER WITH ALL WATER FROM WATER RIGHT NUMBERS 05-1295, 05-1296, 05-1990, AND 05-1991 ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS, ALONG WITH ALL OTHER APPURTENANT WATER RIGHTS WHICH ARE CONVEYED WITHOUT WARRANTY.

SUBJECT TO EASEMENTS, RESTRICTIONS, COVENANTS AND RIGHTS OF WAY OF RECORD, AND TAXES FOR THE YEAR 2021 AND THEREAFTER.

WITNESS, THE HAND(S) OF SAID GRANTOR(S), THIS 14TH DAY OF JULY, 2021

THE NELSON FAMILY TRUST DATED MARCH 3, 1990

Charles W. Nelson
BY: CHARLES W. NELSON, SOLE TRUSTEE

STATE OF UTAH

COUNTY OF GRAND

)
(ss.
)

On the 14TH DAY OF JULY, 2021 , personally appeared before me CHARLES W. NELSON , whose identity is personally known to me, or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the SOLE TRUSTEE of THE NELSON FAMILY TRUST DATED MARCH 3, 1990, and that said document was signed by him in behalf of said Trust by the authority of the Trust Agreement and any Amendments thereto, and said CHARLES W. NELSON, acknowledged to me that said trust, executed the same.

Petrea Marie Oman
NOTARY PUBLIC



 **INWEST TITLE**
374 WEST CENTER STREET
OREM, UT 84057

SITUATE IN GRAND COUNTY, STATE OF UTAH.

BEGINNING AT A POINT WHICH BEARS SOUTH 89°51'09" EAST 217.54 FEET ALONG THE CENTER SECTION LINE, THENCE NORTH 25°08'42" EAST 715.08 FEET, THENCE NORTH 28°26'43" EAST 694.83 FEET, FROM THE WEST QUARTER CORNER OF SECTION 15, TOWNSHIP 26 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE NORTH 28°01'26" EAST 994.13 FEET TO A POINT ON THE CENTER SECTION LINE; THENCE ALONG SAID CENTER SECTION LINE SOUTH 00°03'18" WEST 1060.69 FEET MORE OR LESS, THENCE NORTH 68°33'00" WEST 500.75 FEET TO THE POINT OF BEGINNING.

PARCEL 3: (03-0015-0100)
ADDRESS: 1813 S KANE SPRINGS RD, MOAB, UT 84532

SITUATE IN GRAND COUNTY, STATE OF UTAH.

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD, SAID POINT BEING SOUTH 89°51'09" EAST 217.54 FEET ALONG THE SECTION LINE FROM THE WEST QUARTER CORNER OF SECTION 15, TOWNSHIP 26 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE SAID WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD THE FOLLOWING TWO CALLS: NORTH 25°08'42" EAST 715.08 FEET; THENCE NORTH 28°26'43" EAST 694.83 FEET; THENCE SOUTH 68°33'00" EAST 500.75 FEET TO A POINT ON THE SIXTEENTH SECTION LINE; THENCE SOUTH 00°03'18" WEST 1078.03 FEET ALONG THE SAID SIXTEENTH SECTION LINE TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE NORTH 89°51'12" WEST 1099.70 FEET ALONG THE SIXTEENTH SECTION LINE TO THE POINT OF BEGINNING.

PARCEL 2: (03-0015-0101)
ADDRESS: 1949 S KANE SPRINGS RD, MOAB, UT 84532

SITUATE IN GRAND COUNTY, STATE OF UTAH.

BEGINNING AT A POINT WESTERLY OF AN EXISTING POWER TRANSFORMER SAID POINT BEING NORTH 00°03'18" EAST 2360.77 FEET ALONG SECTION LINE AND EAST 52.85 FEET FROM THE SOUTHEAST CORNER OF SECTION 16, TOWNSHIP 26 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 02°39'31" EAST 25.00 FEET; THENCE SOUTH 87°20'29" EAST 43.77 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF KANE CREEK ROAD; THENCE SOUTH 25°08'42" WEST 27.06 FEET ALONG SAID RIGHT OF WAY; THENCE NORTH 87°20'29" WEST 33.42 FEET TO THE POINT OF BEGINNING.

PARCEL 1A:
TOGETHER WITH A 25' WIDE UTILITY EASEMENT AS RESERVED ON WARRANTY DEED ENTRY NO. 525034
FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT NORTH 00°03'18" EAST 714.56 FEET ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 15, TOWNSHIP 26 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 74°05'40" WEST 451.57 FEET TO THE WESTERLY RIGHT OF WAY ROAD THE FOLLOWING FIVE CALLS: NORTH 05°16'45" EAST 100.47 FEET; THENCE NORTH 15°00'54" EAST 394.30 FEET; THENCE NORTH 15°45'52" EAST 383.28 FEET; THENCE NORTH 24°19'32" EAST 534.45 FEET; THENCE NORTH 25°08'42" EAST 512.69 FEET TO A POINT ON THE CENTER SECTION LINE OF SECTION 15; THENCE SOUTH 89°51'12" EAST 1099.70 FEET ALONG THE CENTER SECTION LINE TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE SOUTH 00°04'22" WEST 1321.74 FEET ALONG THE SIXTEENTH SECTION LINE TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE NORTH 89°46'18" WEST 1316.83 FEET ALONG THE SIXTEENTH SECTION LINE TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE SOUTH 00°03'18" WEST 605.23 FEET ALONG THE WEST SECTION LINE OF SECTION 15 TO THE POINT OF BEGINNING.

PARCEL 1: (03-0015-0102)
ADDRESS: 2441 S KANE SPRINGS RD, MOAB, UT 84532

EXHIBIT "A"

PARCEL 4: (03-0010-0100)

ADDRESS: 1539 (1509, 1519, 1529) S KANE SPRINGS RD, MOAB, UT 84532

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 10, TOWNSHIP 26 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 89°50'30" WEST 1048.89 FEET ALONG THE SOUTH SECTION LINE TO THE WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD; THENCE ALONG THE SAID WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD THE FOLLOWING THREE CALLS: NORTH 28°02'43" EAST 1034.91 FEET TO A POINT OF CURVATURE; THENCE 626.59 FEET ALONG A 1772.07 FOOT RADIUS CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 20°15'34" (CHORD BEARS NORTH 35°22'57" EAST 623.34 FEET); THENCE NORTH 45°08'08" EAST 283.04 FEET TO A POINT ON THE CENTER SECTION LINE; THENCE SOUTH 00°01'48" EAST 1624.07 FEET ALONG THE SAID CENTER SECTION LINE TO THE POINT OF BEGINNING.

PARCEL 4A:

TOGETHER WITH A 25' WIDE WELL ACCESS EASEMENT AS RESERVED ON WARRANTY DEED ENTRY NO. 525034 FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY OF KANE CREEK ROAD, SAID POINT BEING NORTH 61°02'50" WEST 927.20 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 10, TOWNSHIP 26 SOUTH, RANGE 21 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 61°57'28" WEST 30.37 FEET; THENCE NORTH 28°02'43" EAST 25.00 FEET; THENCE SOUTH 61°57'17" EAST 30.37 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF KANE CREEK ROAD; THENCE SOUTH 28°02'43" WEST 25.00 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING.

SITUATE IN GRAND COUNTY, STATE OF UTAH.

Recording requested by:
South Eastern Utah Title Company

After Recording Return To:
Kane Creek Preservation and Development, LLC
10466 N Iverson Lane
Highland, Utah 84003

File Number: 2021-G-736
Parcel ID: 03-0010-0099

Ent 541201 Bk 918 Pg 306 - 309
Date: 18-Jun-2021 02:12 PM
Fee: \$40.00 ACH
Filed By: JAC
JOHN CORTES, Recorder
GRAND COUNTY CORPORATION
For: South Eastern Utah Title Com
Recorded Electronically by Simplifile

Warranty Deed

Kane Springs, LLC, a Utah limited liability company, (henceforth referred to as "Grantor") of GRAND County, State of Utah, hereby CONVEYS and WARRANTS to Kane Creek Preservation and Development, LLC, a Delaware Limited Liability Company, (henceforth referred to as "Grantee") for the sum of ten dollars and other good and valuable consideration, the following described tract of land in GRAND County, State of Utah, to-wit:

Property 1:

The land referred to is situated in the State of Utah, County of Grand and is described as follows:

PARCEL A:

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD, SAID POINT BEING NORTH 00 DEG. 01'48" WEST 1624.07 FEET ALONG THE CENTER SECTION LINE FROM THE SOUTH 1/4 CORNER OF SECTION 10, T26S, R21E, SLB&M AND RUNNING THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD THE FOLLOWING THREE CALLS: SOUTH 45 DEG. 08'08" WEST 283.04 FEET TO A POINT OF CURVATURE; THENCE 626.59 FEET ALONG A 1772.07 FOOT RADIUS CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 20 DEG. 15'34" (CHORD BEARS SOUTH 35 DEG. 22'57" WEST 623.34 FEET); THENCE SOUTH 28 DEG. 02'43" WEST 1034.91 FEET TO A POINT ON THE SOUTH SECTION LINE OF SAID SECTION 10; THENCE LEAVING SAID WESTERLY RIGHT OF WAY LINE NORTH 89 DEG. 50'30" WEST 695.95 FEET ALONG SAID SOUTH SECTION LINE TO THE EASTERLY MEANDER LINE OF THE COLORADO RIVER; THENCE ALONG THE SAID EASTERLY MEANDER LINE OF THE COLORADO RIVER THE FOLLOWING SIX CALLS: NORTH 31 DEG. 37'04" EAST 147.57 FEET; THENCE NORTH 40 DEG. 00'29" EAST 596.83 FEET; THENCE NORTH 40 DEG. 36'00" EAST 718.96 FEET; THENCE NORTH 39 DEG. 33'54" EAST 464.01 FEET; THENCE NORTH 43 DEG. 59'37" EAST 392.77 FEET; THENCE NORTH 56 DEG. 42'42" EAST 294.90 FEET TO A

POINT ON THE SAID CENTER SECTION LINE; THENCE SOUTH 00 DEG. 01'48" EAST 311.57 FEET ALONG SAID CENTER SECTION LINE TO THE POINT OF BEGINNING.

EXCEPTING therefrom all oil and gas that have been previously reserved or transferred in prior documents.

Parcel No.: 03-0010-0099

PARCEL B:

BEGINNING AT THE WEST 1/4 CORNER OF SECTION 15, T26S, R21E, SLB&M AND RUNNING THENCE NORTH 00 DEG. 01'48" EAST 743.40 FEET ALONG THE WEST SECTION LINE TO A POINT ON THE EASTERLY MEANDER LINE OF THE COLORADO RIVER; THENCE ALONG THE SAID EASTERLY MEANDER LINE OF THE COLORADO RIVER THE FOLLOWING FOUR CALLS: NORTH 16 DEG. 36'17" EAST 105.60 FEET; THENCE NORTH 15 DEG. 49'52" EAST 601.74 FEET; THENCE NORTH 28 DEG. 26'24" EAST 793.82 FEET; THENCE NORTH 31 DEG. 37'04" EAST 610.29 FEET TO A POINT ON THE NORTH SECTION LINE OF SAID SECTION 15; THENCE SOUTH 89 DEG. 50'30" EAST 427.06 FEET ALONG SAID SECTION LINE TO THE SIXTEENTH SECTION LINE; THENCE SOUTH 00 DEG. 03'18" WEST 504.72 FEET ALONG SAID SIXTEENTH SECTION LINE TO A POINT ON THE WESTERLY RIGHT OF WAY OF KANE CREEK ROAD; THENCE ALONG THE SAID WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD THE FOLLOWING THREE CALLS: SOUTH 28 DEG. 01'26" WEST 994.13 FEET; THENCE SOUTH 28 DEG. 26'43" WEST 694.83 FEET; THENCE SOUTH 25 DEG. 08'42" WEST 715.08 FEET TO A POINT ON THE CENTER SECTION LINE; THENCE NORTH 89 DEG. 51'09" WEST 217.54 FEET ALONG THE SAID SECTION LINE TO THE POINT OF BEGINNING.

Parcel No.: 03-0015-0099

PARCEL C:

BEGINNING AT THE WEST 1/4 CORNER OF SECTION 15, T26S, R21E, SLB&M AND RUNNING THENCE SOUTH 89 DEG. 51'09" EAST 217.54 FEET ALONG THE CENTER SECTION LINE TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD; THENCE ALONG THE SAID WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD THE FOLLOWING THREE CALLS: SOUTH 25 DEG. 08'42" WEST 512.69 FEET; THENCE SOUTH 24 DEG. 19'32" WEST 534.45 FEET; THENCE SOUTH 15 DEG. 45'52" WEST 383.28 FEET TO A POINT ON THE SIXTEENTH SECTION LINE; THENCE SOUTH 89 DEG. 53'42" WEST 120.59 FEET ALONG SAID SIXTEENTH SECTION LINE TO A POINT ON THE EASTERLY MEANDER LINE OF THE COLORADO RIVER; THENCE

ALONG SAID EASTERLY MEANDER LINE OF THE COLORADO RIVER THE FOLLOWING FOUR CALLS: NORTH 08 DEG. 22'50" EAST 511.39 FEET; THENCE NORTH 10 DEG. 24'57" EAST 395.02 FEET; THENCE NORTH 11 DEG. 11'15" EAST 497.69 FEET; THENCE NORTH 16 DEG. 36'17" EAST 711.07 FEET TO A POINT ON THE WEST SECTION LINE OF SECTION 15; THENCE SOUTH 00 DEG. 01'48" WEST 743.40 FEET ALONG SAID SECTION LINE TO THE POINT OF BEGINNING. EXCEPTING therefrom any potash that has been previously reserved or transferred in prior documents.

Parcel No.: 03-0016-0001

PARCEL D:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 16, T26S, R21E, SLB&M AND RUNNING THENCE SOUTH 89 DEG. 55'57" WEST 900.24 FEET ALONG THE SOUTH SECTION LINE TO THE EASTERLY MEANDER LINE OF THE COLORADO RIVER; THENCE ALONG THE SAID EASTERLY MEANDER LINE OF THE COLORADO RIVER THE FOLLOWING FOUR CALLS: NORTH 29 DEG. 10'14" EAST 455.98 FEET; THENCE NORTH 18 DEG. 13'02" EAST 507.07 FEET; THENCE NORTH 10 DEG. 28'53" EAST 319.21 FEET; THENCE NORTH 08 DEG. 22'50" EAST 127.71 FEET TO A POINT ON THE SIXTEENTH SECTION LINE; THENCE NORTH 89 DEG. 53'42" EAST 120.59 FEET ALONG SAID SIXTEENTH SECTION LINE TO THE WESTERLY RIGHT OF WAY OF KANE CREEK ROAD; THENCE SOUTH 15 DEG. 00'54" WEST 394.30 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD; THENCE SOUTH 05 DEG. 16'45" WEST 100.47 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE OF KANE CREEK ROAD; THENCE SOUTH 74 DEG. 05'40" EAST 451.57 FEET TO THE EAST SECTION LINE OF SECTION 16; THENCE SOUTH 00 DEG. 03'18" WEST 714.56 FEET ALONG SAID SECTION LINE TO THE POINT OF BEGINNING.

Parcel No.: 03-0016-0002

Subject to easements, reservations and restrictions however evidenced.

Witness the hand of said grantor, Kane Springs, LLC this 16 day of June, 2021.

Kane Springs, LLC

Andrew Petersen

By: Andrew Petersen, Member

Craig Weston
Craig Weston, Member

STATE OF UTAH {

} SS.

COUNTY OF *Utah* {

On the day 16 of June, 2021 personally appeared before me, Andrew Petersen and Craig Weston, who being by me duly sworn did say, each for themselves, that they are the members of Kane Springs, LLC, a UTAH LIMITED LIABILITY COMPANY and that the within and foregoing instrument was signed on behalf of said Limited Liability Company by authority of its Articles of Organization and each duly acknowledged to me that said limited Liability Company executed the same.

Charissa Ferre

Notary Public

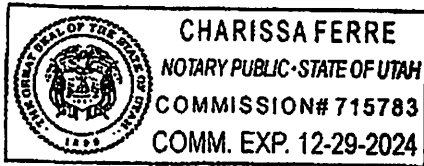


Exhibit A
(Map Showing the Boundaries of the Entire Proposed Local District)

09
4698 ft

10

Behind
Rocks

Potash-Lower Colorado River Scenic Byw.

Kane Springs Rd

Kings Bottoms

T26S R21E

16

15

279

Kings Bottoms
Kane Springs Rd

4400 ft

Potash-Lower Colorado River Scenic Bywy
Williams Bottoms

21

22

4400 ft

