

**ENTRY NO. 01023514**

07/15/2015 11:52:28 AM B: 2303 P: 1706

Affidavit PAGE 1/3

MARY ANN TRUSSELL, SUMMIT COUNTY RECORDER

FEE 14.00 BY DICK MITCHELL



Return to Dick Mitchell  
1554 Meadows Connection  
Park City, Utah 84098

**AFFIDAVIT  
FOR MEMORIAL PARK PARCEL**

**State of Utah  
County of Summit**

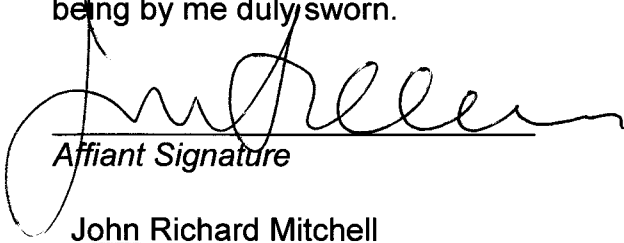
Herein attached is a copy of Silver Springs Phase 1C plat first recorded in 1981 adjacent to Silver Springs Phase 1A Subdivision in Summit County, Utah as Entry 157619. The 1981 Phase C plat Entry 184312 includes a small parcel of land never assigned a parcel number and has not been included in any ownership assignment since the inception of the Silver Springs East subdivision was planned and recorded. The subject property is bordered on the west by Silver Springs Drive; on the south by Meadows Connection; on the north by a semi-dry creek easement; on the east by Silver Springs 1A SLS-17.

Context of this claim:

- A search of Summit County Recorder filings was performed with the assistance of County Recorder Alan Spriggs on three occasions between 1985 to 2008. Spriggs defined said parcel as "a title black hole" having no identification, no ownership on record, no tax I.D. or tax record. This property is known as an abandoned parcel.
- A search of Summit County Recorder filings was on other occasions performed with the assistance of various Summit County Recorder employees beginning in 1985 to 2014, each concluded said parcel has no identifiable County record.
- Due diligence and title search was performed in 2008 by High Country Title Company. Record of title was not found by a search of the subdivision deeds and the recordings of the contiguous properties located within SSSF Phases A and C. No identification is made of this parcel on these recorded instruments: Entry 155752, Entry 157619, Entry for Silver Springs Phase C 10/7/1981, Entry 175697, Entry 186782, Entry 187719, Entry 206631 (S-6580), Entry 228032, Entry 307690, Entry 403324, Entry 663380, Entry 695061, Entry 729948.
- The Silver Springs Master Association has disavowed any ties or ownership of this parcel. As recently as July 10, 2015 the Master Association lists the properties they hold title to as common areas on their website [www.silverspringshoas.com](http://www.silverspringshoas.com). This parcel is not included in their ownership list.
- The Silver Springs Single Family Association, with the advice of their attorneys, has consistently disclaimed ownership of this parcel, most recently in a July 14, 2015 email written by the Silver Springs Association president Rick Hovey.

- Dick Mitchell, owner of record of SLS-17, using open and hostile means to possess this property has been the sole caretaker of this parcel. He extended his irrigation system to this contiguous parcel and maintains mowing and clean-up since 1985.
- Since 1979 no other claims exist for the use or ownership of this small bit of land, therefore, it is now claimed through Adverse Possession by the Dick Mitchell Trust to be developed as the Dick Mitchell Memorial Park.
- Mitchell, as the disseisor, has held non-permissive use of this parcel which is actual, open, notorious, exclusive, adverse, and continuous since 1984.
- This small parcel will continue to be held as an independent, stand-alone park, approximately 40' by 60' in size, not in membership with any homeowners association or city or county recreational organization.

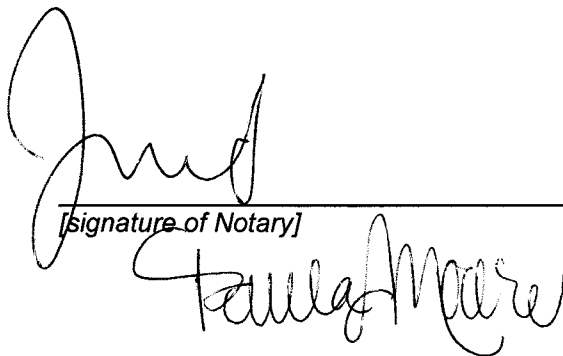
**BEFORE ME** personally appeared John Richard Mitchell on this 15<sup>th</sup> day of July 2015. being by me duly sworn.

  
 Affiant Signature

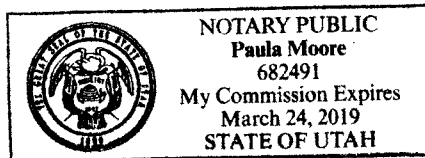
John Richard Mitchell  
 Affiant and Executor for the James Richard "Dick" Mitchell Trust

NOTARY PUBLIC - Subscribed and sworn before me, this 15<sup>th</sup> day of July, 2015.

[Notary Seal:]

  
 [signature of Notary]

My commission expires: March 24, 2019.



November 15, 2014 – Attached Exhibit "A" representing this parcel's location, 1574 Meadows Connection in Summit County, Utah, and the established boundary lines of this parcel.

# SILVER SPRINGS DEVELOPMENT

A PART OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 4 EAST, S.L.B. 8 M.

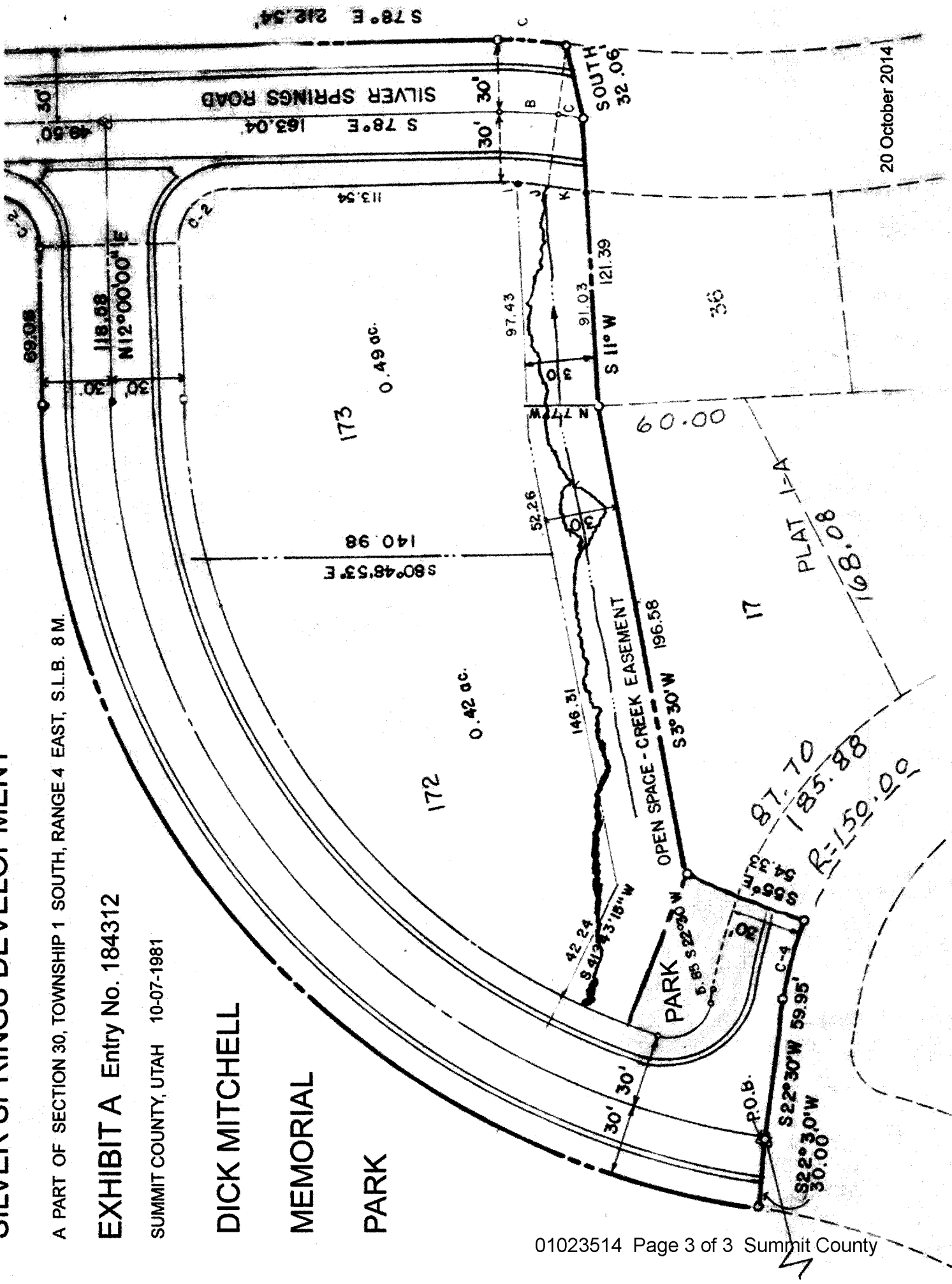
## EXHIBIT A Entry No. 184312

SUMMIT COUNTY, UTAH 10-07-1981

### DICK MITCHELL

### MEMORIAL

### PARK



20 October 2014