

G. RAY GLAD
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To:

Sir:

I am writing to you concerning the up coming hearing about UTA crossing at 13200 S Draper, Utah. First, I want to thank you for taking the time to hold a hearing over this issue; I believe that it is both fitting and proper that such a hearing be held. I am also happy that you will take the time to read the information provided to you by the members of the public that are interested in this issue.

I know that there are different positions held by different members of this community; however, I believe that the closer to the issue a person is the more weigh their opium might have on the issue.

For example, if I was to comment about an issue on 12600 S., I do not believe that my opium would or should have as much weigh as someone that lives on 12600 S. Also if I moved into the area in the last six months, my opium would not weigh the same as someone that has lived here for over 40 years. At the same time, if I was the owner of the land the road sits on; my opium should have more weight than someone that has no ownership in the land. Based on assumptions of mine, I would ask that you look as some of the facts that I present here.

In 1862 my wife's GGG Grandfather settled in this part of Little Willow, this would latter become part of Draper. At that time he took out a Quarter section, the south boarder of his land is the South side of what is now 13200 S. A member of his family has owned this land since that time.

In latter years he sold a right of way to the Central Utah Rail Road, this divided his land. He was granted use of the crossing at what is now 13200 S. He and the neighbors used the crossing to access the water in the canyon and the east part of their lands.

As the land to the South passed to different families, they used the crossing to access their farms. This went on for over 140 years. In about 1940, the Barandos built a house on the land east of the Sadler land, and they used the Sadler road as the driveway to their new house. They knew then and still know that this land belonged to the Sadler's. After WW II the Akagie's become owners of the Ennis's land, they also used the Sadler road to access their farm east of the tracks. At that time their was a road between the Bernardo and the Akagi land that was used to enter the canyon. (About 10 to 12 years ago their was a law case over that road and the Utah State Supreme Court (Draper City et al..v. Estate of Fannie Bernardo, et al. declared that it was a privet road, that road was closed until the Bernardo family sold their land to Draper Land Development. Draper Land

Development put in Highland drive where the old road used to be. For over three years, until 1999 three families to enter their homes used the Sadler (now the Glad driveway).

In 1978 I and my wife became the owners of the land between the railroad right a way and what is now Highland drive. At the same time we became the owners of the Sadler driveway, and the right to go over the Rail Road Track, the driveway across the tracks was 12 ft wide.

As time passed, a Mr. Rindlesbach (MLR Enterprises) developed the land east of us, (Deer Hollow) he was told by Draper city that he would need to have a road connect to the North, that the road across the Rail Road track was not safe. He never received permission from the city to change the road across the rail road. His road going to the north was get completed for about four years. As his development went along, he widen the crossing, without any one saying that he could. At that time the Rail Road put up blockades that restricted the size of f the crossing to the 12 ft. we had a right to use. I was never approached by anyone about the use of my land for a road.

As time went on, about sometime in 1998 or 1999, Mr. L. Christensen developed the land that had belonged to the Akagie's. At that time I talked to both Mr. Christensen and to his project manger about the road, and the fact that it belonged to me. The short story is I did not know how to stop them from using my land, so 13200 S is now sitting .in whole on land that I own and that I am paying taxes on. If I wanted to develop my land, I should and will be happy to extend the road so half of it is on my land. I see no reason that I should be required to have a peace of land the size of this road and about 500 ft long taken from me so Mr. Christen, or any other developer, can make more money. I see no justice in this.

I have talked to Draper City Engineer and am told that 13200 S .east of the railroad tracks is not a dedicated road. The reason it is not a dictated road is they cannot title insurance or a proper title to this land. If the crossing is closed, Draper City and I will work together to make sure that the road is turned over to Draper City in a manner that is just and right.

I do not believe that having people trespassed on my driveway for the past five to six years give them the right to take my land away from me. Legal counsel, that even if there is a public right to use my old driveway, they have no rights to improve or change it with our paying me for my loss has told me. The facts are (1.) My wife and I are the owners of land the road sits on. (2.) My wife's family, the Sadler family, have been the owners of that land from 1862. (3). The right of way across the rail road tracks is 12 ft. wide. (4.) As owners of this land, we believe that we should have a say as to what happens to this land. (5.) According to my property taxes assessment that is worth more than \$75,000.00. (6) I have been paying taxes on this land for over 20 years. (7) Mr. Christensen took my fence down in order to put in his fence and to put in the sidewalk that is about 75% on my land. All of this with out my approval.

Article VI of the Bill of Rights talks about the rights of owners of house, papers, and effects,(I believe that also means land or property) shall not be violated. I believe in this case my rights to own and use my property have been violated. I hope that you see the justice in what I have said and support the closing of this crossing, which will allow me to get on with taking care of my wife and my land.

Thank you for taking the time to read this long letter.

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