

# EVERGREEN PARK SUBDIVISION NO.1~2nd Amendment

PART OF THE NE 1/4 OF SECTION 32, TOWNSHIP 7 NORTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN  
UNINCORPORATED WEBER COUNTY, UTAH - Date of Survey: Sept. 2015

### NARRATIVE

- The purpose of the survey is to adjust the lot line between Lots 331 and 332 of Evergreen Park Subdivision No.1 to provide the minimum county required side yard clearance for the existing home and carport and to ensure that the culinary well is located on the lot with the home. Additionally, the lots are being configured so that each lot is capable of meeting the well protection requirement of the Weber/Morgan Health Department, thus the reason for the curved lot boundary.
- The basis of bearing is as noted in the boundary description and on the plat. It should be noted that the existing monuments are 1944 GLO and are about 12 to 18 inches out of the ground. They are leaning so that the cap is not over the base where it enters the ground. The location that I have used in this survey is the base of the monument where it enters the ground and not the top of the cap. These monuments are in need of rehabilitation to preserve their physical location.
- The plat dimensions (both bearing and distance) of the lots being amended have been held for this amended plat, however, there are rebar and caps at several of the lot corners. Some are close to the record lot corner and others are not. The caps have been in the ground long enough that they are deteriorating and only one could be read which is near the SW corner of the Lot 706. I have tried to find the old 4 digit license number on the state web site but unable to find a cross listing of old and new numbers. My experience in this area is that it is from a survey of Lyle Pagés. From my experience with his surveys in Evergreen they have been anywhere from 2 to 3 feet out of position from prior survey evidence of the lots. When I was with the county surveyor's office we were asked by the county road department to stake the right-of-way of Evergreen Park Drive and in that retracement work we found numerous rebar along the road right of way. In several locations we found Pagés's caps and other rebar close to them (the 2 to 3 feet of difference). The other rebar reasonably coincided with one another and in the reconstruction of the location of the plat the other, older rebar were held to position the lot lines and right of way location. It is that retracement location that is being held for the location of these lots which coincide with older rebar.
- The age of this subdivision indicates that the original lot corners would have been set using transit and steel tape. Many of the rebar in this subdivision development were set within a foot to foot and a half of the original locations. The reason that the rebar shown hereon for the NW and SW corners of Lot 332 are not being held is that they have caps. The original rebar that we found along the road do not. There is a record of survey that Reeve and Reeve filed with the county (which is the only survey of these lots), however, examining the plat shows that not all of the corners of the subdivision were set in that survey and there is no indication that they did work on these lots.
- The rebar with the lot number sign attached near the NE corner of Lot 332 has no indication of whether it was intended to be a property corner set in the original survey or just a general identification of the lot location. It is also out of position with other lot corner evidences as noted. Therefore, not held.
- The basis is noted on this plat as shot in the field but, again, the monuments were shot at the base where the pipe enters the ground and the difference between the record basis published by the Weber County Surveyor's Office and the plat basis only makes 0.70 feet in the 2630.54 foot measured distance and the monuments condition could account for that much of difference. I am holding the East quarter and Northeast corners as I have surveyed and using the measured bearing between the monuments and providing accurate lies to the northeast corner of this amended plat.

Lot 334  
(Not part of this plat)  
Brent R. Petersen  
23-030-0022

Lot 329  
(Not part of this plat)  
Judith N. Olson Family Trust  
23-030-0017

FND REBAR & CAP - Representing the Lot corner common to Lots 331 and 332 of the original plat and is 23.70' north of new lot corner. The rebar is X-0.42' Y-0.23' from the platted lot corner. See narrative.

FND REBAR & CAP - Labeled "LS4614" X=2.14' Y=1.39' from Lot corner

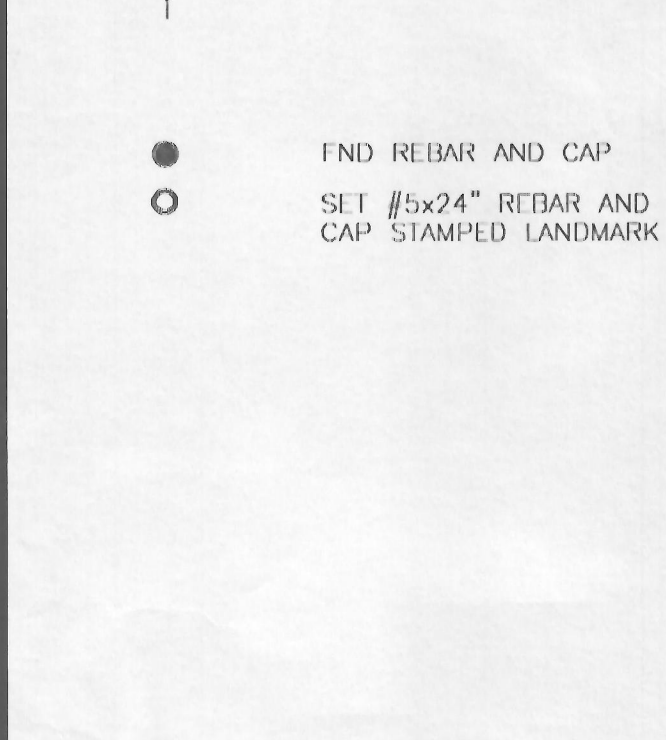
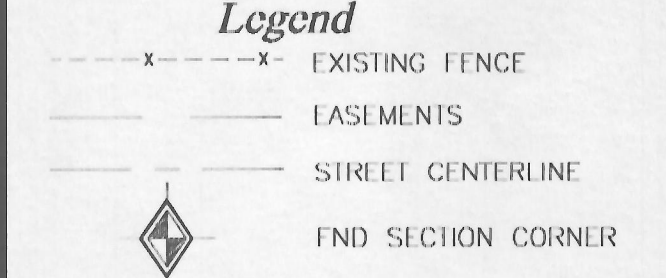
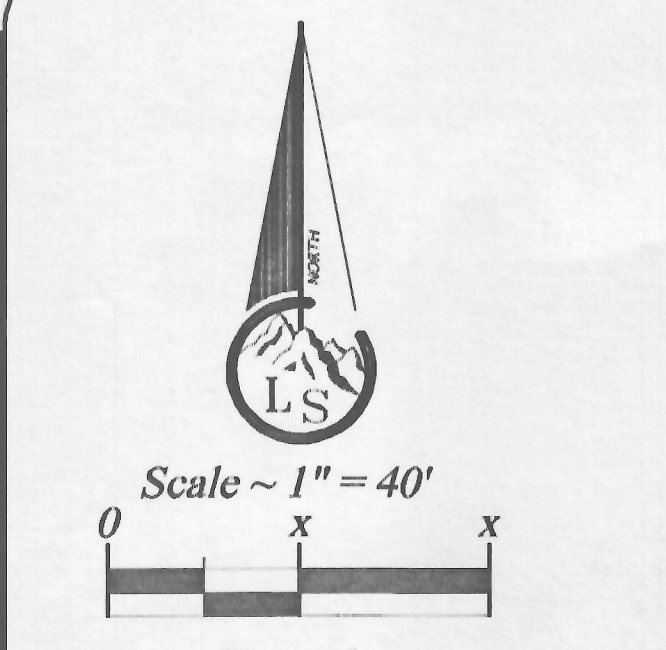
FND REBAR & CAP - Cap unreadable X-0.23' Y-0.54' from Lot corner

FND REBAR with lot number sign of unknown origin X-1.24' Y-1.90' from Lot corner. See narrative.

FND Monumented NE cor Sec 32, T 7 N, R 3 E, S1/4&M. Poor condition, 1944 GLO brass cap. See narrative.

FND Monumented E 1/4 cor Sec 32, T 7 N, R 3 E, S1/4&M. Poor condition, 1944 GLO brass cap. See narrative.

NOTE:  
1. This subdivision plat is located in the F-5 zone of Weber County.  
2. The recording of this Amended plat in the office of the County Recorder acts as a statutory vacation of the original plat which is being modified by this amendment in accordance with UCA 10-9a-609 and/or UCA 17-27a-609  
3. The Coordinate system for this survey is based on GPS observations in NAD83 State Plane Coordinates. They were derived by holding the record Latitude and Longitude of the Weber County Surveyor's Office for Tri-Station Evergreen of 4118'05.581881 N & 111'38'10.469570 W converted using NGS web based conversion tools to NAD83 State Plane Coordinates of N=1107529.517m E=488590.187m (N=3633619.757 E=1602982.971 U.S.F.) Ground coordinates obtained by measuring with a total station between two common points surveyed with GPS.



**WEBER-MORGAN HEALTH DEPARTMENT**  
I hereby certify that the soils, percolation rates, and site conditions for this subdivision have been investigated by this office and are approved for on site wastewater disposal systems. Signed this \_\_\_ day of \_\_\_, 2016.

**WEBER COUNTY PLANNING COMMISSION APPROVAL**  
This is to certify that this subdivision plat was duly approved by the Weber County Planning Commission on the \_\_\_ day of \_\_\_, 2016.

**WEBER COUNTY ATTORNEY**  
I have examined the financial guarantee and other documents associated with this subdivision plat and in my opinion they conform with the County Ordinance applicable thereto and now in force and effect. Signed this \_\_\_ day of \_\_\_, 2016.

**WEBER COUNTY SURVEYOR**  
I hereby certify that the Weber County Surveyor's Office has reviewed this plat for mathematical correctness, section corner data, and for harmony with lines and monuments on record in county offices. The approval of this plat by the Weber County Surveyor does not relieve the Licensed Land Surveyor who executed this plat from the responsibilities and/or liabilities associated therewith. Signed this \_\_\_ day of \_\_\_, 2016.

**WEBER COUNTY COMMISSION ACCEPTANCE**  
This is to certify that this subdivision plat, the dedication of streets and other public ways and financial guarantee of public improvements associated with this subdivision thereon are hereby approved and accepted by the Commissioners of Weber County, Utah this \_\_\_ day of \_\_\_, 2016.

**WEBER COUNTY ENGINEER**  
I hereby certify that the required public improvement standards and drawings for this subdivision conform with County standards and the amount of the financial guarantee is sufficient for the installation of these improvements. Signed this \_\_\_ day of \_\_\_, 2016.

**OWNER'S DEDICATION**  
We the undersigned owners of the herein described tract of land, do hereby set apart and subdivide the same into lots and Private Rights-of-Way as shown hereon and name said tract EVERGREEN PARK SUBDIVISION NO.1~2nd Amendment:

We hereby recognize and accept the original dedication of Private Right(s)-of-way and easements as dedicated, granted, and/or reserved by the Owner's Dedication as recorded Plat Book 13 page 51 of Evergreen Park Subdivision No. 1 as recorded on Feb. 13, 1964, furthermore, we hereby dedicate and reserve unto ourselves, our heirs, our grantees and/or assigns, an easement(s), and/or right(s)-of-way as shown hereon to be used in common with all others within said subdivision and those adjoining subdivisions that may be subdivided by the undersigned owners, successors, and/or assigns on, over and across all those portions or parts of said tract of land designated on said plat as Private Right(s)-of-way as access to the individual lot(s), common area(s), open spaces(s), agricultural parcel(s), park(s), or other property or uses granted for the ownership or use of said owner(s), heirs, grantees, and/or assigns. Said dedication and reservation recognizes and incorporates herein the Private Right(s)-of-way and easement reservation along with the maintenance requirements as originally signed and acknowledged as part of the Evergreen Park Subdivision No.1 recorded as Plat Book 13 Page 51 of the records of Weber County Recorder, the Owner's Dedication of said plat being incorporated and made a part hereof.

We hereby grant and dedicate a perpetual right and easement over, upon and under the lands designated hereon as public utility, storm water detention pond(s), drainage easement(s), and canal maintenance easement(s), the same to be used for the installation maintenance and operation of public utility service line(s), storm drainage facilities, irrigation canal(s) or for the perpetual preservation of water channels in their natural state whichever is applicable and as may be authorized by the governing authority, with no buildings or structures being erected within such easements.

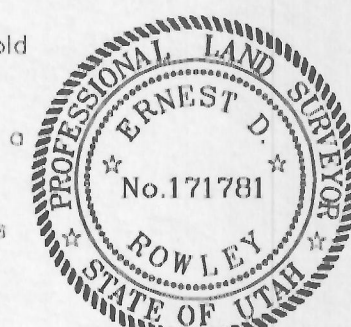
We, the herein signers, grantor(s), hereby grant a well protection easement(s) to Weber/Morgan Health Department, 477 23rd St., Ogden, Utah, 84401, grantee, the terms of this easement are to comply with the regulatory laws, requirements, ordinances, and policies administered by the Weber/Morgan Health Department for the protection of drinking water related to culinary water wells in the State of Utah, and to provide a separation from a culinary water well from concentrated sources of pollution. The sources of pollution are described as but not limited to septic tanks, septic drain fields, garbage dumps, livestock corrals, feed lots, hazardous waste storage, or other sources of pollutants deemed inappropriate under the regulatory authority of the Weber/Morgan Health Department. The easement is granted as a perpetual easement and shall run with the land and is binding on any and all successors and assigns. The easement is as shown and noted hereon as New Well Protection Easement(s) having a 100 foot radius. The center of which shall be the physical location of the well as constructed. Also, the Existing Well Protection Easement as shown hereon is hereby granted to said Weber/Morgan Health Department in accordance with the same terms and conditions as herein granted for New Well Protection Easement(s) excepting, however, that at such time that the Existing Well should be abandoned and taken out of service the easement granted for such Existing Well shall be relinquished once said Health Department approves the use of a new well for Lots 706 and 707. The relinquishment shall take effect at said time further written document(s). This relinquishment is acknowledged and agreed to as evidenced by the signature as executed hereon of the Weber/Morgan Health Department approving authority.

**Trust Acknowledgement**  
IN WITNESS WHEREOF, said trust titled "The Judith N. Olson Family Trust, dated March 23, 2015, (or current revision or amendment) has caused this instrument to be executed by its trustee(s) hereunto duly authorized, this \_\_\_ day of \_\_\_, 20\_\_.  
STATE OF UTAH )  
COUNTY OF WEBER ) SS Judith N. Olson, Trustee  
On the date first above written personally appeared before me the above named signer(s), residing at 2421 N. Water Canyon Ave., Huntsville, Utah 84317, who, being duly sworn and affirmed, did say that she is the trustee(s) of the above named trust and that the within and foregoing instrument was signed in behalf of said trust by authority, and the said above named signer(s) acknowledged to me that she as trustee(s), executed the same in the name of the trust.  
WITNESS my hand and official stamp the date in this certificate first above written:

Notary Public Residing in: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**BOUNDARY DESCRIPTION**  
All of Lots 331 and 332, Evergreen Park Subdivision No. 1 as recorded in Plat book 13 page 51 on Feb. 13, 1964 of the Weber County Recorder's Office, Utah, more specifically described by survey as follows:  
A Tract of land located in the Northeast Quarter of Section 32, Township 7 North, Range 3 East, Salt Lake Base and Meridian, having a basis of bearing of North 89°03'19" East between the monumented location of the East Quarter corner (having NAD83 U.S. feet State Plane Coordinates of record N=3632926.146 E=1606909.108) and the Northeast corner (having NAD83 U.S. feet State Plane Coordinates of record N=3635556.3581 E=1606911.625) of said Section 32, said tract being described by survey as follows:  
BEGINNING at a point located 1093.04 feet North 00°03'19" East along said monumented section line and 20.87 feet North 89°55'46" West FROM said monumented East Quarter of Section 32, RUNNING thence the following 3 courses along the center line of a private right-of-way known as Water Canyon Avenue,  
1) South 02°54'55" West 258.18 feet to a point of curvature,  
2) along the arc of a curve to the Right 197.88 feet, having a radius of 140.18 feet and a chord bearing and distance of South 43°21'15" West 181.85 feet, more or less, to a point of tangency,  
3) South 83°47'36" West 317.84 feet,  
Thence leaving said center line, North 00°04'14" East 425.00 feet,  
Thence South 89°55'46" East 453.43 feet to the point of beginning.  
Containing 4.0176 acres, more or less.

**SURVEYOR'S CERTIFICATE**  
I, Ernest D. Rowley, do hereby certify that I am a professional land surveyor in the State of Utah and hold license no. 171781-2201 in accordance with Title 58, Chapter 22 known as the Professional Engineers and Professional Land Surveyor's Licensing Act, have made a survey of the property(s) shown hereon in accordance with UCA 17-23-17, verifying measurements, and placing monuments as represented, that this plat was prepared from the field notes of this survey and from documents and records as noted hereon.



CURVE DATA					
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CH BRG. & DIST
1	80°52'41"	140.18'	119.47'	197.88'	S 43°21'15" W 181.85'
2	80°52'41"	115.18'	98.16'	162.59'	S 43°21'15" W 149.42'
3	40°12'01"	100.00'	36.80'	70.16'	N 69°54'00" E 68.73'
4	39°58'13"	100.00'	36.37'	68.76'	N 70°00'53" E 68.36'

**Landmark Surveying, Inc.**  
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4646 South 3500 West #A 3  
West Haven, UT 84401  
801-731-4075

**DEVELOPER: Judith Olson**  
Property Address: 2421 N. Water Canyon Road, Huntsville, UT  
Mailing Address: P.O. Box 116, Huntsville, UT 84317-0116

**NE 1/4 of Section 32, Township 7 North, Range 3 East, Salt Lake Base and Meridian.**  
Revisions:  
DRAWN BY: EDR  
CHECKED BY: ...  
DATE: January 25, 2016  
FILE: 3451

Webster County Recorder  
Entry no. \_\_\_\_\_  
Fee paid \_\_\_\_\_  
Filed for record and recorded \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
at \_\_\_\_\_  
in book \_\_\_\_\_ of official records,  
on page \_\_\_\_\_  
County Recorder: Leann H Kilts  
By Deputy: \_\_\_\_\_