

# Weber County Access Exception Permit Application

Application submittals will be accepted by appointment only. (801) 399-8791, 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted /Completed

Fees (Office Use)

Receipt Number (Office Use)

File Number (Office Use)

## Application Type

Access by Private Right of Way

Access at a location other than across the front lot line

## Property Owner Contact Information

Name of Property Owner(s)

Hulon Development LLC

Mailing Address of Property Owner(s)

2848 N 2175 E  
Layton, UT 84040

Phone

801-580-5124

Fax

Email Address (required)

jon@lochgarman.com

Preferred Method of Written Correspondence

Email  Fax  Mail

## Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s)

Jonathan P Nolan

Mailing Address of Authorized Person

2848 N 2175 E  
Layton, UT 84040

Phone

801-580-5121

Fax

Email Address (required)

jon@lochgarman.com

Preferred Method of Written Correspondence

Email  Fax  Mail

## Property Information

Project Name

Total Acreage

Current Zoning

Approximate Address

10350 E SR-391, Huntsville

Land Serial Number(s)

Proposed Use

Access other than across front lot line for lot 4

Project Narrative

Mountain Prime Subdivision 1<sup>st</sup> Amendment

(see email)

## Basis for Issuance of Access by Private Right of Way

Lots/parcels which do not have frontage on a street, but which have access by a private right-of-way or access easement may, under certain circumstances, use a private right-of-way or access easement as the primary access. Approval is subject to the applicant demonstrating compliance with the following criteria and conditions:

- a. The lot/parcel is a bona-fide agricultural parcel that is actively devoted to an agricultural use that is the main use; or
- b. Based on substantial evidence, it shall be shown that it is unfeasible or impractical to extend a street to serve such lot/parcel. Financial adversity shall not be considered; however, circumstances that may support an approval of a private right-of-way/access easement as access to a lot/parcel may include but not be limited to unusual soil, topographic, or property boundary conditions. Please explain the substantial evidence:

Attach proof to this application that the agricultural parcel or other lot/parcel has appropriate and legal access due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right.

The landowner of record or authorized representative agrees to pay a proportionate amount of the costs associated with developing a street if, at any time in the future, the County deems it necessary to have the landowner replace the private right-of-way/easement with a street that would serve as a required access to additional lots. The agreement shall be in the form considered appropriate and acceptable to the office of the Weber County Recorder and shall recite and explain all matters of fact, including a lot/parcel boundary description, which are necessary to make the agreement intelligible and show its successive nature.



**Basis for Issuance of Access at a location other than across the front lot line**

Access to lots/parcels at a location other than across the front lot line may be approved as the primary access, subject to the following criteria:

The applicant demonstrates that special or unique boundary, topographic, or other physical conditions exist which would cause an undesirable or dangerous condition to be created for property access across the front lot line as follows:



Attach proof that appropriate and legal access exists due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right.

**Property Owner Affidavit**

I (We), \_\_\_\_\_, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

\_\_\_\_\_ Property Owner \_\_\_\_\_ Property Owner

Subscribed and sworn to me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_ Notary

**Authorized Representative Affidavit**

I (We), Hulon Development LLC, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), Jonathan P Nolan, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature] \_\_\_\_\_ Property Owner Kenneth J. Hull \_\_\_\_\_ Property Owner

Dated this 12 day of April, 20 ~~16~~ personally appeared before me Jonathan P. Nolan, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

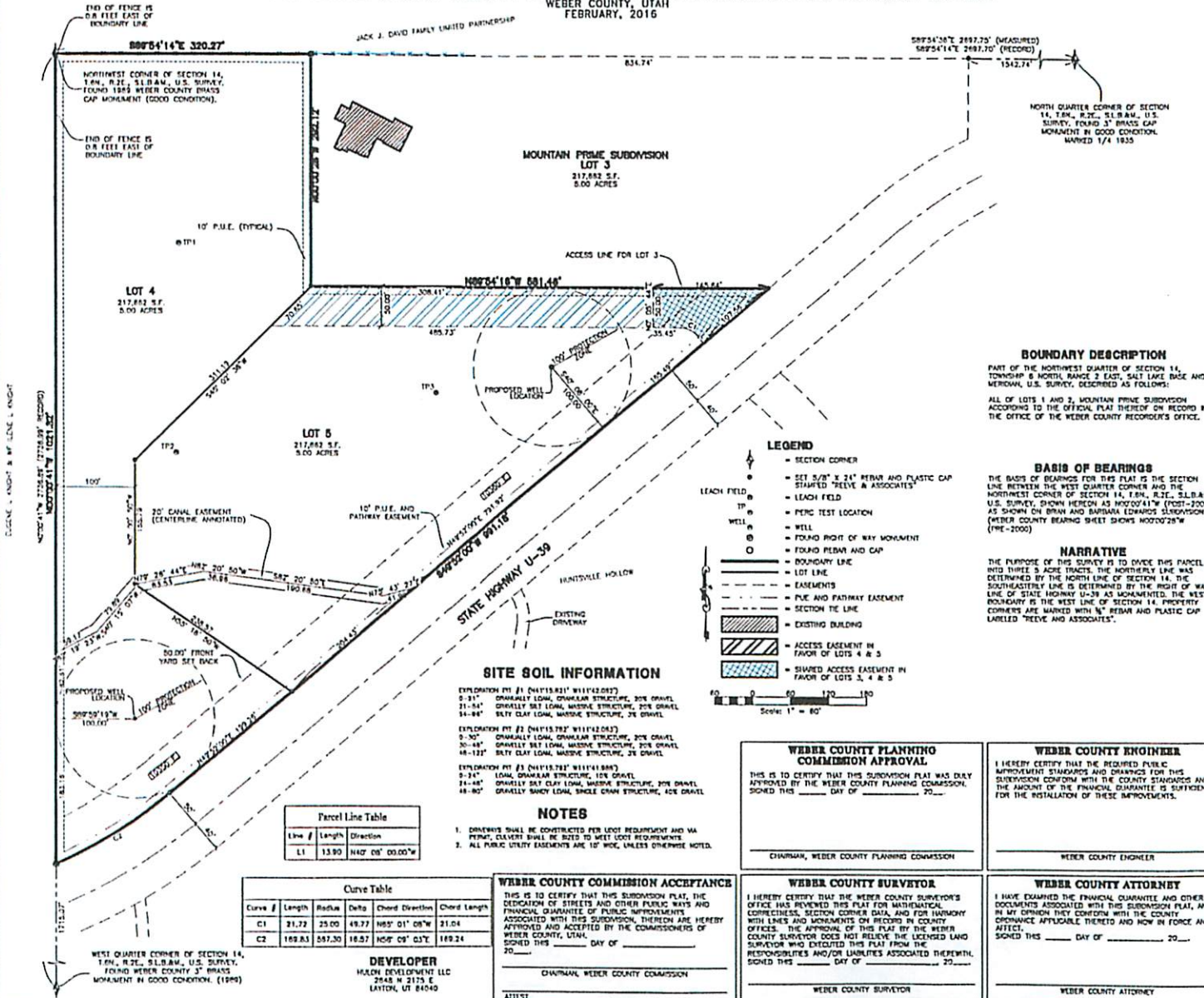
[Signature] \_\_\_\_\_ Notary





# MOUNTAIN PRIME SUBDIVISION 1ST AMENDMENT

PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY  
WEBER COUNTY, UTAH  
FEBRUARY, 2016



### SITE SOIL INFORMATION

- EXPLANATION BY #1 (04/15/82) W1142.027  
0-31" GRAVELLY LOAM, CONCRETE STRUCTURE, 20% GRAVEL  
11-54" GRAVELLY SBT LOAM, MASONRY STRUCTURE, 20% GRAVEL  
14-84" SILTY CLAY LOAM, MASONRY STRUCTURE, 20% GRAVEL
- EXPLANATION BY #2 (04/15/82) W1142.043  
0-30" GRAVELLY LOAM, CONCRETE STRUCTURE, 20% GRAVEL  
30-48" GRAVELLY SBT LOAM, MASONRY STRUCTURE, 20% GRAVEL  
48-122" SILTY CLAY LOAM, MASONRY STRUCTURE, 20% GRAVEL
- EXPLANATION BY #3 (04/15/82) W1141.888  
0-24" LOAM, DRINKER STRUCTURE, 10% GRAVEL  
24-48" GRAVELLY SBT CLAY LOAM, MASONRY STRUCTURE, 20% GRAVEL  
48-80" GRAVELLY SANDY LOAM, SINGLE CHAIN STRUCTURE, ACE GRAVEL

### NOTES

- CONCRETS SHALL BE CONSTRUCTED PER UDOT REQUIREMENT AND MA PAVEMENT; CEMENT SHALL BE SIZED TO MEET UDOT REQUIREMENTS.
- ALL PUBLIC UTILITY EASEMENTS ARE 10' WIDE, UNLESS OTHERWISE NOTED.

**Parcel Line Table**

Line #	Length	Direction
L1	13.90	N407 08' 00" W

**Curve Table**

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	21.72	25.00	49.73	N85° 01' 08" W	31.04
C2	169.83	257.30	18.57	N09° 09' 03" E	169.24

### WEBER COUNTY COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAN, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, THEREBY ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF WEBER COUNTY, UTAH.  
SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
CHAIRMAN, WEBER COUNTY COMMISSION

### WEBER COUNTY PLANNING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAN WAS DULY APPROVED BY THE WEBER COUNTY PLANNING COMMISSION.  
SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
CHAIRMAN, WEBER COUNTY PLANNING COMMISSION

### WEBER COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE WEBER COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAN FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA, AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN COUNTY OFFICES. THE APPROVAL OF THIS PLAN BY THE WEBER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO DEDICATED THIS PLAN FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.  
SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
WEBER COUNTY SURVEYOR

### WEBER COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.  
WEBER COUNTY ENGINEER

### WEBER COUNTY ATTORNEY

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAN, AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND HOW IN FORCE AND EFFECT.  
SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
WEBER COUNTY ATTORNEY

**Project Info.**  
Surveyor: J. HATCH  
Designer: N. ANDERSON  
Begin Date: 2-23-16  
Name: MOUNTAIN PRIME SUBDIVISION 1ST AMNDG  
Number: 8977-01  
Revision: 2-23-16  
Scale: 1"=60'  
Checked: \_\_\_\_\_

**Reeve & Associates, Inc.**  
360 SOUTH 200 WEST, SUITE 100, OGDEN, UTAH 84403  
TEL: 438-2211 FAX: 438-2212

**SURVEYOR'S CERTIFICATE**  
I, TREVOR J. HATCH, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 20, CHAPTER 22, PROFESSIONS, TRADES AND LICES SURVEYORS ACT, AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAN IN ACCORDANCE WITH SECTIONS 11-3-17 AND 11-3-18, U.T.C. AND I HAVE REVIEWED ALL MONUMENTS, AND I HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAN, AND THAT THE PLAN OF MOUNTAIN PRIME SUBDIVISION 1ST AMENDMENT IS A TRUE AND CORRECT REPRESENTATION OF THE HERIN DESCRIBED LOTS INCLUDING IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE PUBLIC COUNTY RECORDERS OFFICE AND FROM SAID READING MADE BY ME ON THE ORIGINAL PLAT. FURTHER, I CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF WEBER COUNTY CONCERNING RECORDING REQUIREMENTS RELATING TO MONUMENTS HAVE BEEN COMPLIED WITH.  
SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
TREVOR J. HATCH  
UDN LICENSE NUMBER: TREVOR J. HATCH

**OWNERS DEDICATION AND CERTIFICATION**  
WE, THE UNDERSIGNED OWNERS OF THE HERIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND RESERVE THE BRUSH AND LOGS AS SHOWN ON THE PLAN AND HERIN SHOWN TRACT INCLUDING PUBLIC UTILITY RIGHTS, DO HEREBY GRANT AND RESERVE A PERPETUAL RIGHT AND EASEMENT OVER, UNDER AND UNDER THE LINES DESCRIBED HEREON AS PUBLIC UTILITY THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, WITH CONFORMANCE TO ALL APPLICABLE ORDINANCES FOR THE PERPETUAL PERFORMANCE OF SAID UTILITIES IN THEIR ROUTING, SIZES, SPACINGS AND INSTALLATIONS AS SHOWN ON THE PLAN AND HERIN SHOWN, WITH NO BUILDINGS OR STRUCTURES BEING SITUATED WITHIN SUCH EASEMENTS, AND DO HEREBY CERTIFY THAT WE HAVE NO ACCESS TO SAID TRACT AS A PART OF LOT 4 & 5 AS A PERPETUAL PUBLIC RIGHT OF WAY EXCEPT AS SHOWN ON THE PLAN AND HERIN SHOWN AND ACCESS TO BE PROVIDED AND IMPROVED BY THE OWNERS OF SAID LOTS, AND DO HEREBY RESERVE THE LOTS BRUSH AND LOGS AS AN ACCESS EASEMENT IN FAVOR OF LOT 3, 4 & 5 AS A PERPETUAL PUBLIC RIGHT OF WAY EXCEPT AS SHOWN ON THE PLAN AND HERIN SHOWN, AND ACCESS TO BE PROVIDED AND IMPROVED BY THE OWNERS OF SAID LOTS.  
JOSEPH P. HOUAN (AGENT)

**Acknowledgment**  
SOLE OF UDH COUNTY OF \_\_\_\_\_  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED HOBBY PUBLIC \_\_\_\_\_, WHO ARE \_\_\_\_\_, AND \_\_\_\_\_, BEING THE ABOVE OWNERS' DESIGNER AND CONVEYOR, WHO BEING BY ME DULY SEEN, DO ACKNOWLEDGE TO ME \_\_\_\_\_, BEING IN FULL, VOLUNTARILY, AND FOR THE PURPOSES HEREIN SET FORTH.  
COMMISSION EXPRESSES \_\_\_\_\_ HOBBY PUBLIC

**Acknowledgment**  
SOLE OF UDH COUNTY OF \_\_\_\_\_  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED HOBBY PUBLIC \_\_\_\_\_, WHO ARE \_\_\_\_\_, AND \_\_\_\_\_, BEING THE ABOVE OWNERS' DESIGNER AND CONVEYOR FULLY, VOLUNTARILY, AND IN SUFFICIENT CONSIDERATION FOR THE PURPOSES HEREIN SET FORTH.  
COMMISSION EXPRESSES \_\_\_\_\_ HOBBY PUBLIC

**WEBER-MORGAN HEALTH DEPARTMENT**  
I HEREBY CERTIFY THAT THE SOILS, PERCOLATION PATHS, 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 \_\_\_\_\_, 20\_\_\_\_  
WEBER-MORGAN HEALTH DEPARTMENT

**Webber County Recorder**  
Entry No. \_\_\_\_\_ Fee Paid \_\_\_\_\_  
Filed For Record \_\_\_\_\_  
At \_\_\_\_\_ In Book \_\_\_\_\_  
On the Official Records, Page \_\_\_\_\_  
Recorded For: \_\_\_\_\_  
Webber County Recorder \_\_\_\_\_  
Deputy: \_\_\_\_\_