



W3119964

**BUILDING ON A PRIVATE RIGHT OF WAY/ACCESS EASEMENT
EQUITABLE SERVITUDE AND COVENANT
(TO RUN WITH THE LAND)**

3119964 PG 1 OF 2
LEANN H KILTS, WEBER COUNTY RECORDER
22-JAN-21 253 PM FEE \$4.00 DEP DC
REC FOR: WEBER COUNTY PLANNING

This Covenant is entered into this _____ day of _____, 20____ between
Kyle and Julayne Stoker hereafter referred to as Grantor, and Weber County,
Grantee, hereafter referred to as County.

WHEREAS, Grantor has applied for approval from the County for access by a private right of way/access easement, which is allowed in the Uniform Land Use Code of Weber County, Utah (LUC) if an applicant meets the specific criteria and conditions set forth in LUC §108-7-29 and §108-7-31 for lots that do not have frontage on a public street but have access by a private right-of-way/access easement; and

WHEREAS, based on substantial evidence, it has been shown that it is unfeasible or impractical to extend a public street to serve Grantor's lot, the County finds that circumstances support the approval of a private right-of-way/access easement as access to the lot; and

WHEREAS, access to the lot is only feasible or practical at this time by means of a private right-of-way at least 33 ft. wide and 959.93 ft. long;

NOW THEREFORE, as a condition of approval for access by a private right of way/access easement as outlined in LUC§ 108-7-31(2)(b), the Grantor(s) hereby executes this equitable servitude and perpetual covenant, which the parties intend to run with the land and be binding on Grantor and its assigns and other successors in interest. Grantor covenants to pay a proportionate amount of the costs associated with developing a public street if, at any time in the future, the County deems it necessary to replace the private right-of-way/access easement with a public street that would serve as access to additional lots. The cost allocation will only apply to the private right of way/access easement identified as an area 33 feet in width and 959.93 feet in length as shown on the recorded subdivision plat providing access to the subject property.

Legal description of Grantor's subject property and Right of Way location is as follows:

Western boundary line of lots 2 and 3 of the Stoker Subdivision 1st Amendment

See attached plat map

By X *Kyle Stoker*
GRANTOR
Julayne M Stoker

Jan 22, 2021
Date

On the *22* day of *Jan*, 20*21* appeared before me *Kyles Stoker + Julayne M. Stoker*
Grantor, and acknowledged that it had executed the above Covenant.

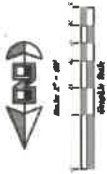
Angela Martin
NOTARY PUBLIC

Residing at _____, Utah



Stoker Subdivision 1st Amendment

All of Lot 1 Stoker Subdivision together with a part of the Southwest 1/4 of Section 21, T1N, R2W, S1B&M, U.S. Survey Weber County, Utah
November 2020



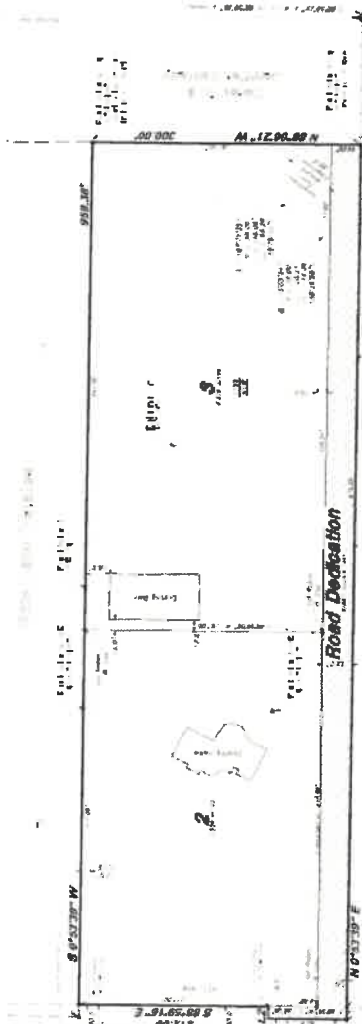
NOTE: This subdivision is subject to the provisions of the Utah Subdivision Map Act, Chapter 67B, Utah Code, and the rules and regulations of the Utah State Board of Survey, Chapter 170, Utah Code. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief.

Legend

- ◆ Subdivision to be filed
- Subdivision already filed
- Easement
- Easement of Record
- Easement of Right
- Easement of Use
- Easement of Access
- Easement of Light & Air
- Easement of Support
- Easement of Water
- Easement of Sewer
- Easement of Gas
- Easement of Electric
- Easement of Telephone
- Easement of Cable
- Easement of Other



Site
Not to Scale



Lot No.	Area (Acres)	Area (Sq. Ft.)
1	1.00	43,560
2	1.00	43,560
3	1.00	43,560

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AGRICULTURAL NOTIFICATION

This subdivision is located in an area that is zoned for agricultural purposes. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief.

ENGINEERING CONSULTANTS
1728 South 1250 West, Suite 100
Provo, Utah 84601
801-734-6219



WEBER COUNTY ENGINEER

Webster, Utah
I hereby certify that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief.

WEBER COUNTY PLANNING COMMISSION APPROVAL

This subdivision is subject to the provisions of the Utah Subdivision Map Act, Chapter 67B, Utah Code, and the rules and regulations of the Utah State Board of Survey, Chapter 170, Utah Code. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief.

WEBER-MORGAN HEALTH DEPARTMENT

I hereby certify that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief.

WEBER COUNTY COMMISSION ACCEPTANCE

I hereby certify that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief.

WEBER COUNTY ATTORNEY

I hereby certify that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief.

WEBER COUNTY SUPERVISOR

I hereby certify that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief.

WEBER COUNTY RECORDER

I hereby certify that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief.

OWNER'S DECLARATION
I, the undersigned, owner of the land described herein, do hereby certify that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief.

ACKNOWLEDGMENT
I, the undersigned, do hereby certify that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief. I warrant that the information provided herein is true and correct to the best of my knowledge and belief.

DESCRIPTION
This subdivision is located in an area that is zoned for agricultural purposes. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief. The applicant warrants that the information provided herein is true and correct to the best of their knowledge and belief.

TENTATIVE FINAL