



Staff Report to the Weber County Board of Adjustment

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for a variance from setback requirements, lot area requirements, lot width requirements, and lot access requirements on parcels with tax ID 20-019-0001 and 20-019-0004 (being combined), 20-019-0003, 20-019-0002 and 20-018-0004 (being combined), and 20-019-0014.

Agenda Date: Thursday, January 14, 2016

Applicant: Richard Vance, Jeffrey Callahan, Colby Keddington, and Aren Zamani

Authorized Agent: NA

File Number: BOA 2015-08

Property Information

Approximate Address: 940 Ogden Canyon Rd

Project Area: Tax ID 20-019-0001 and 20-019-0004 is approximately 9,775 sqft; Tax ID 20-019-0003 is approximately 9,751 sqft; Tax ID 20-019-0002 and 20-018-0004 is approximately 33,909 sqft; and Tax ID 20-019-0014 is approximately 12,514 sqft.

Zoning: F-40

Existing Land Use: Residential/Forest

Proposed Land Use: Residential/Forest

Parcel ID: 20-018-0004, 20-019-0001, 20-019-0002, 20-019-0003, 20-019-0004, and 20-019-0014

Township, Range, Section: T6N, R1E, Section 16

Adjacent Land Use

North: Forest	South: Residential
East: Forest	West: Forest

Staff Information

Report Presenter: Charles Ewert
cewert@co.weber.ut.us
801-399-8763

Report Reviewer: SM

Applicable Codes

The Weber County Land Use Code (LUC) provisions related to this requests are as follows:

- LUC §101-1-7 (Land Use Code definitions.)
- LUC §102-3 (Administrative provisions for the Board of Adjustments.)
- LUC §104-9 (The forest zones F-5, F-10 and F-40.)
- LUC §104-28 (The Ogden Valley sensitive lands overlay district.)
- LUC §106-1 (General provisions of the Subdivision Code.)
- LUC §108-7-29 (Supplemental regulations for lot access via private rights-of-way.)
- LUC §108-8-3 (Access regulations for lots in subdivisions.)
- LUC §108-12 (Provisions for noncomplying structures, nonconforming uses, and nonconforming lots.)

Summary and Background

In the BOA’s January 14, 2016 meeting this item was tabled pending further information. The information the BOA sought was whether there was a historic property configuration that showed the two subject single family dwelling units on two separate parcels. Further, as staff noted in the staff report, the application would be better suited if the variances requested consider the needs and configurations of the surrounding properties.

To provide for the BOA’s and staff’s requests, the applicants have provided a property deed from 1980¹ that shows that the application’s two original parcels have indeed been separate since at least 1980. This is a significant consideration as will be

¹ See Exhibit E

further explained in the analysis herein. The applicants have also expanded the application to include variances for two more adjacent parcels. These are currently vacant parcels and the variance for them would allow for a single family dwelling unit to be placed on each (after a formal subdivision plat amendment has been approved/recorded).

Staff is recommending approval of the variances, in accordance with varied standards provided in the tables herein, and based on the listed conditions in this report.

Analysis

As part of the application amendment, the applicant's have provided a new site plan². The site plan, which is designed in a manner that could serve as a preliminary subdivision plan, depicts five parcels, lot 32, lot 33, lot 34, lot 35, and lot 36. A variance analysis is provided herein for each except lot 34, which does not need any variances³ at this time.

Zoning requirements for the Subject Properties:

The subject properties are located in the F-40 zone. The F-40 zone is intended for forest uses⁴ that require a minimum lot size of 40 acres and a minimum lot width of 660 feet⁵. The minimum setback standards for single family dwelling units in the F-40 zone are: front = 75 feet, side = 40 feet, rear = 30 feet.⁶ Only one dwelling structure is permitted on one lot.⁷

All of the subject parcels are substantially smaller than these standards allow.

Variance analysis:

The standards for approval of a variance are as follows⁸ (in italics). The BOA must find that the variances meet all five criteria in order to be approved. Reviewing the applicant's assertions⁹ regarding compliance with these standards in tandem with staff evaluation could prove useful in making a final determination.

- a. *Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Land Use Code.*
 - *In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought, and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.*
 - *In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.*
- b. *There are special circumstances attached to the property that do not generally apply to other properties in the same zone.*

² See Exhibit D for the revised site plan (survey plat).

³ Because a single family dwelling currently exists on lot 34 and the parcel boundaries are not proposed to change from the previously approved configuration there is no need for any variances because the current nonconforming legalities prevail.

⁴ Pursuant to LUC §104-9-1 the purpose of the forest zones are to: "... protect and preserve the natural environment of those areas of the county that are characterized by mountainous, forest or naturalistic land, and to permit development compatible to the preservation of these areas," and to "... promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the natural resources, vegetation and attractions; promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the natural resources, vegetation and attractions; reduce the hazards of flood and fire; prevent sanitation and pollution problems and protect the watershed; provide areas for private and public recreation and recreation resorts; and provide areas for homes, summer homes, and summer camp sites."

⁵ See LUC §104-9-4 for a full review of the site development standards.

⁶ *Ibid.*

⁷ Pursuant to LUC §101-1-7, the definition of "lot" prohibits more than one dwelling structure on one lot.

⁸ See LUC §102-3-4.

⁹ See Exhibits A pages 5-10 for the applicant's assertions.

- *In determining whether or not there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances relate to the hardship complained of, and deprive the property of privileges granted to other properties in the same zone.*
- c. *Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.*
- d. *The variance will not substantially affect the general plan and will not be contrary to the public interest.*
- e. *The spirit of the land use ordinance is observed and substantial justice done.*

Lot 32 analysis: Lot 32, as depicted with a red boundary in Image 1, is the largest of the subject parcels, with an area of approximately 33,909 square feet. It is currently being held in two separate parcels (Tax ID 20-019-0002 and 20-018-0004), but the applicants are proposing that the two parcels be combined. Any variance approvals for this property should be conditioned on the two parcels being combined.

The lot is currently vacant. It contains a right-of-way easement that serves as access to other property to the south. It also contains the Wheeler Creek. It comprises all of lot one and two, and part of lot three, of the original Wilcox Camping and Boating Resort subdivision.¹⁰ It also takes in a strip of land on the north that was not a part of the Wilcox Camping and Boating Resort subdivision.

In order to build on the lot, first, multiple variances are needed and, second, it must be platted as an approved subdivision lot. Table 1 shows the various site development standards applicable for this lot. Table 1 also explains the variances being requested (in the right column). Exhibit A¹¹ provides the applicant's analysis for why the variances are merited in this case.

If the variances are granted they would create a virtual building envelope on the property. This building envelope is shown in blue in Image 1 and described as follows:

- The western boundary of the virtual building envelope is a result of the stream corridor setback, which is requested to be varied from 75 feet¹² to 50 feet for this lot.
- The northern boundary of the virtual building envelope is created by the southern edge of the access right of way. The closest this line gets to the northern property line is 17.5 feet. No variance is necessary for it because the nonconforming alternative side setback is reduced to 10.89 feet.¹³
- The eastern boundary of the virtual building envelope parallels the eastern lot line on a 10 foot setback. This will require a variance from the 30 foot rear setback requirement.¹⁴ This setback would also be a variance from the 30 foot required setback from a private right-of-way.¹⁵
- The southern boundary of the virtual building envelope parallels the southern lot line on a 10 foot setback. This will require a variance from the reduced nonconforming alternative side setback of 10.89 feet.¹⁶
- The resulting virtual building envelope creates a buildable area on the lot that is approximately 8,494.5 square feet.

Of worth to note, if this lot is platted pursuant to the proposed survey plat it could cut off the access that the Wilcox Camping and Boating Resort subdivision was intended to provide. If the variances are approved they should be conditioned on access (whether the access is public or private is to be determined via subdivision review) being provided from the County road to the platted Wilcox Camping and Boating Resort subdivision right-of way, together with any necessary public right-of-way dedication for the current County infrastructure.

¹⁰ See Exhibit C.

¹¹ See Exhibit A page 7 for the applicant's analysis.

¹² See LUC §104-28-2(b)(1)(b).

¹³ See LUC §108-12-13.

¹⁴ See LUC §104-9-4.

¹⁵ See LUC §108-7-29(3)(b).

¹⁶ See LUC §108-12-13.

The applicant's assertion that the literal enforcement of the ordinance on this lot creates an unreasonable hardship, and that special circumstances are present that are not generally applicable to the larger 40+ acre lots found elsewhere in the F-40 zone is not an unreasonable assertion. If the law was literally enforced the 75 foot stream corridor setback and the 30 foot rear setback would essentially remove any buildable area on the lot.

With this in mind, in order to grant the variances the BOA must find that the applicant's requests for the variances are reasonable in a manner that does not negatively affect the intent of the general plan and is keeping with the spirit of the law.

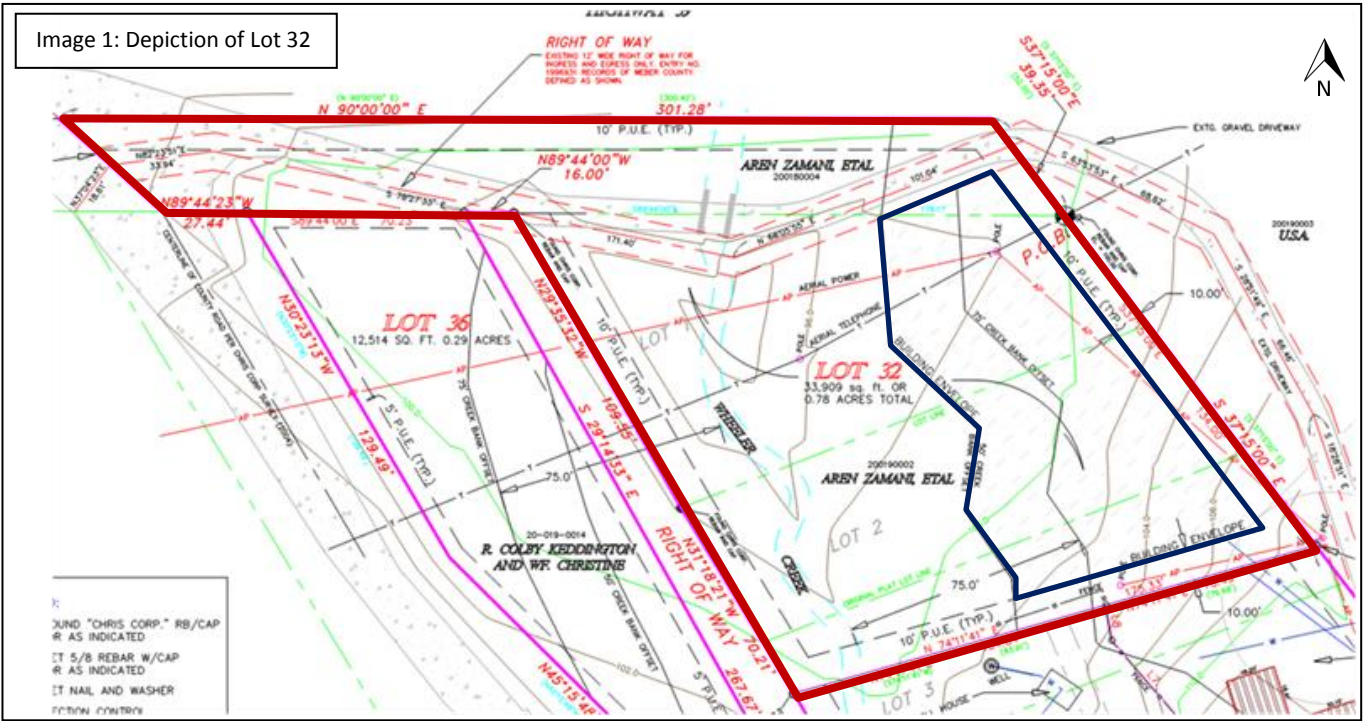


Table 1	F-40 Zone (LUC §104-9-4)	Applicable Ordinance Standards			Existing	Proposed
		Private Right-of-Way Setback (LUC §108-7-29(3)(b))	Stream Corridor Setback (LUC §104-28-2(b)(1)(b))	Nonconforming Alternative (LUC §108-12-13)		
Lot 32						
Area:	40 Acres				0.78 Acres	0.78 Acres
Width:	660 Feet				213.57	213.57
Front Setback (From West Side of Lot):	75 Feet				NA	75 Feet
South Side Setback:	40 Feet			10.89 Feet	NA	10 Feet
North Side Setback:	40 Feet				NA	10 Feet
Setback From Private Right of Way		30 Feet			NA	10 Feet
Setback from Wheeler Creek			75 Feet		NA	50 Feet
Rear Setback:	30 Feet				NA	10 Feet

Lot 33 analysis: Lot 33, as depicted with a red boundary in Image 2, is the smallest of the subject parcels, with an area of approximately 9,314 square feet. It is one of the subject lots from the original variance application, and at some point in the past contained both the existing single family dwelling and the single family dwelling to the west that has since been divided off. It contains a right-of-way easement that serves as access to it and other property to the south. It comprises the eastern part of lot three, lot four, lot five, and lot six of the original Wilcox Camping and Boating Resort subdivision.

This lot was previously suspected of being unlawfully divided. This suspicion arose from an approved 2004 lot line adjustment,¹⁷ to which the current lot size and configuration does not comply. In the January 14, 2016 BOA meeting it was discussed that the 2004 adjustment did not actually consolidate former land divisions as it should have. The applicants have provided a 1980 deed that provides some evidence that the single family dwelling unit on this lot was divided from the single family dwelling on lot 35 quite some time ago.

Regardless of when or how lot 33 was created, it can be observed that the applicant's current proposal will – once a subdivision plat has been filed – create a total of five subdivision lots in a place where the 1910 Wilcox Camping and Boating Resort subdivision created approximately 10 lots; a 50% reduction of lots in the area. It is reasonable to argue that this overall reduction is keeping with the intent of the general plan and the spirit of the zoning ordinances.

In order for the lot to be considered "legal" in its current configuration, first, multiple variances are needed and, second, it must be platted as an approved subdivision lot. Table 2 shows the various site development standards applicable for this lot. Table 2 also explains the variances being requested (in the right column). Exhibit A¹⁸ provides the applicant's analysis for why the variances are merited in this case. The same analysis is provided in the report the BOA reviewed on January 14, 2016.

If the variances are granted they will be applicable to the current configuration of the parcel boundaries and the existing building. For the purposes of this variance request we are considering the front of this lot to be facing the private right-of-way on the east side of the lot.¹⁹ Because this lot is defined as an irregular shaped lot²⁰ the rear lot line is comprised of line segments L3 through L8 shown on the survey plat.²¹

The applicant's assertion that the literal enforcement of the ordinance on this lot creates an unreasonable hardship, and that special circumstances are present that are not generally applicable to the larger 40+ acre lots found elsewhere in the F-40 zone is not an unreasonable assertion. If the law was literally enforced the existing single family dwelling could not receive a re-build letter,²² and the owner would not be able to acquire a mortgage for it. Further, even though we do not have specific evidence that the existing property boundaries were created lawfully we do have evidence that there were numerous other legally platted lots in the Wilcox Camping and Boating Resort subdivision that were never fully developed. In this case, it may be most productive to view the separation of the two existing single family dwelling units as a creative method of transferring one of the units onto an adjacent undeveloped parcel by means of adjusting parcel boundaries. This logic holds when considering the final configuration of the parcels and ultimate plat approval will reduce the lots in the area by 50%.

With this in mind, in order to grant the variances the BOA must find that the applicant's requests for the variances are reasonable in a manner that does not negatively affect the intent of the general plan and is keeping with the spirit of the law.

¹⁷ See Exhibit B.

¹⁸ See Exhibit A pages 5-6 for the applicant's analysis.

¹⁹ Pursuant to LUC §101-1-7, "The term "front lot line" means the boundary line of the lot which abuts a public dedicated street or other legal access from which the front yard setback is measured which determines the lot width and where ingress and egress generally is made to the lot."

²⁰ See "lot, irregular shaped" in LUC §101-1-7.

²¹ See Exhibit D.

²² See "Notice of Non-buildable Parcel," Entry #2690873 in the records of the Weber County Recorder.

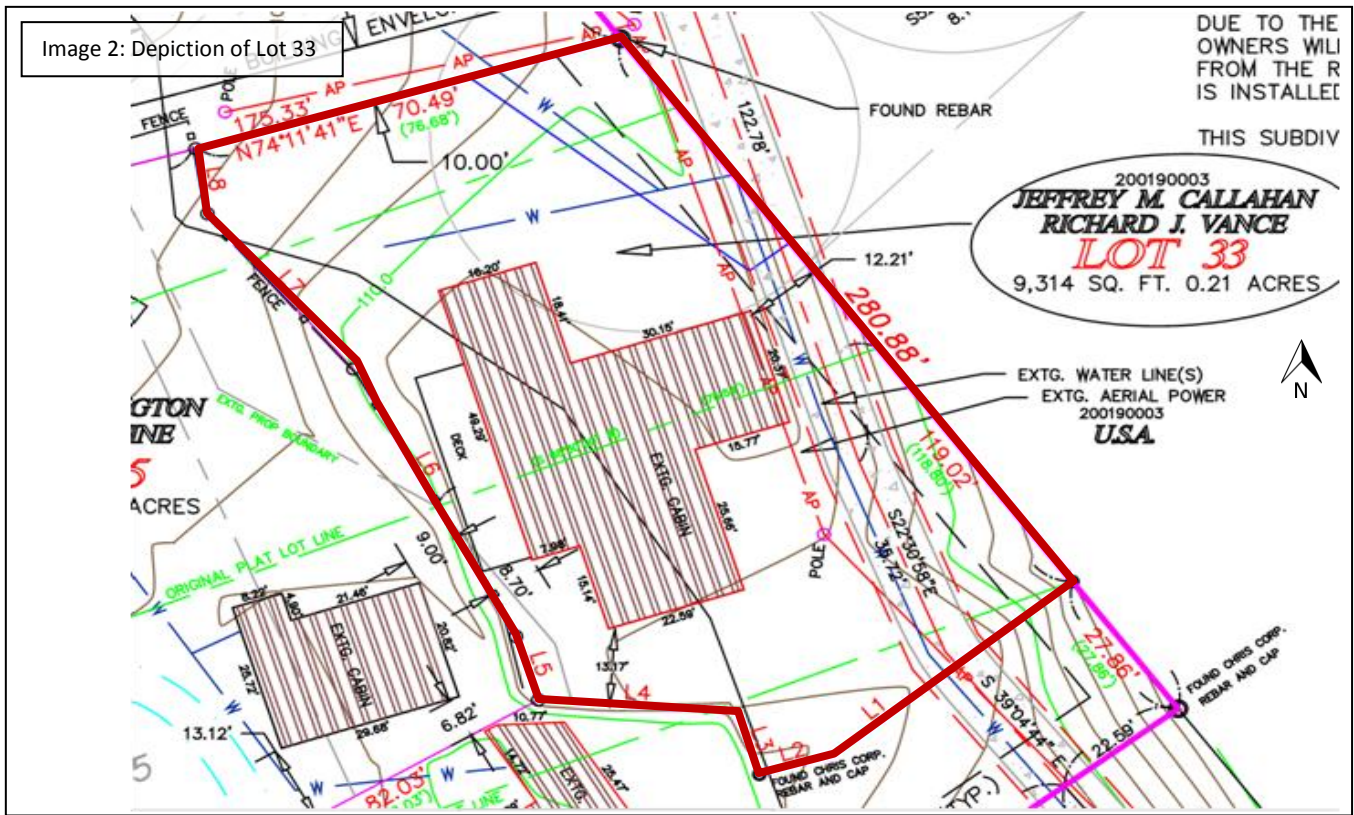


Table 2	Applicable Ordinance Standards				Existing	Proposed Variances
	F-40 Zone (LUC §104-9-4)	Private Right-of-Way Setback (LUC §108-7-29(3)(b))	Stream Corridor Setback (LUC §104-28-2(b)(1)(b))	Nonconforming Alternative (LUC §108-12-13)		
Lot 33	Area: 40 Acres				0.22 Acres	0.21 Acres
	Width: 660 Feet				119.02 Feet	119.02 Feet
	Front Setback (From East Side of Lot): 75 Feet				12.2 Feet	12.2 Feet
	South Side Setback: 40 Feet			5 Feet one side, 8 Feet other	13.2 Feet	13.2 Feet
	North Side Setback: 40 Feet				34.1 Feet	34.1 Feet
	Setback From Private Right of Way	30 Feet			0.21 Feet	0.21 Feet
	Setback from Wheeler Creek		75 Feet		Approximately 55.8	Approximately 55.8 (as existing)
	Rear Setback: 30 Feet				6.2 Feet	8.7 Feet

Lot 34 analysis: Lot 34 is not a part of this variance consideration. Its current size and configuration complies with the approved lot line adjustment of 2004,²³ and therefore is assumed to keep any existing legal nonconforming rights.

Lot 35 analysis: Lot 35, as depicted with a red boundary in Image 3, has an area of approximately 12,088 square feet. It is one of the subject lots from the original variance application. It currently comprises two parcels, Tax ID 20-019-0001 and 20-019-0004, which are proposed to be combined. Any variance approvals for this property should be conditioned on this parcel combination. The lot contains a single family dwelling unit. This dwelling unit was at some point in the past on the same parcel as the dwelling unit on lot 33, but has since been divided off. The lot comprises the western part of lot three, lot four, lot five, lot six, and lot seven of the original Wilcox Camping and Boating Resort subdivision.

²³ See Exhibit B.

This lot was previously suspected of being unlawfully divided. This suspicion arose from an approved 2004 lot line adjustment,²⁴ to which the current lot size and configuration does not comply. In the January 14, 2016 BOA meeting it was discussed that the 2004 adjustment did not actually consolidate former land divisions as it should have, so the illegal division may not have ever occurred. The applicants have provided a 1980 deed that provides some evidence that the single family dwelling unit on this lot was divided from the single family dwelling unit on lot 33 quite some time ago.

Regardless of when or how lot 35 was created, it can be observed that the applicant's current proposal will – once a subdivision plat has been filed – create a total of five subdivision lots in a place where the 1910 Wilcox Camping and Boating Resort subdivision created approximately 10 lots; a 50% reduction of lots in the area. It is reasonable to argue that this overall reduction is keeping with the intent of the general plan and the spirit of the zoning ordinances.

In order for the lot to be considered "legal" in its current configuration, first, multiple variances are needed and, second, it must be platted as an approved subdivision lot. Table 3 shows the various site development standards applicable for this lot. Table 3 also explains the variances being requested (in the right column). Exhibit A²⁵ provides the applicant's analysis for why the variances are merited in this case, which the same analysis is provided in the report the BOA reviewed on January 14, 2016.

If the variances are granted they will be applicable to the current configuration of the parcel boundaries and the existing building. The front of this lot faces west, toward the original Wilcox Camping and Boating Resort subdivision right-of-way.

The applicant's assertion that the literal enforcement of the ordinance on this lot creates an unreasonable hardship, and that special circumstances are present that are not generally applicable to the larger 40+ acre lots found elsewhere in the F-40 zone is not an unreasonable assertion. If the law was literally enforced the existing single family dwelling could not receive a re-build letter, and the owner would not be able to acquire a mortgage for it. Further, even though we do not have specific evidence that the existing property boundaries were created lawfully we do have evidence that there were numerous other legally platted lots in the Wilcox Camping and Boating Resort subdivision that were never fully developed. In this case, it may be most productive to view the separation of the two existing single family dwelling units as a creative method of transferring one of the units onto an adjacent undeveloped parcel by means of adjusting parcel boundaries. This logic holds when considering the final configuration of the parcels and ultimate plat approval will reduce the lots in the area by 50%.

With this in mind, in order to grant the variances the BOA must find that the applicant's requests for the variances are reasonable in a manner that does not negatively affect the intent of the general plan and is keeping with the spirit of the law.

²⁴ *Ibid.*

²⁵ See Exhibit A page 5-6 for the applicant's analysis.

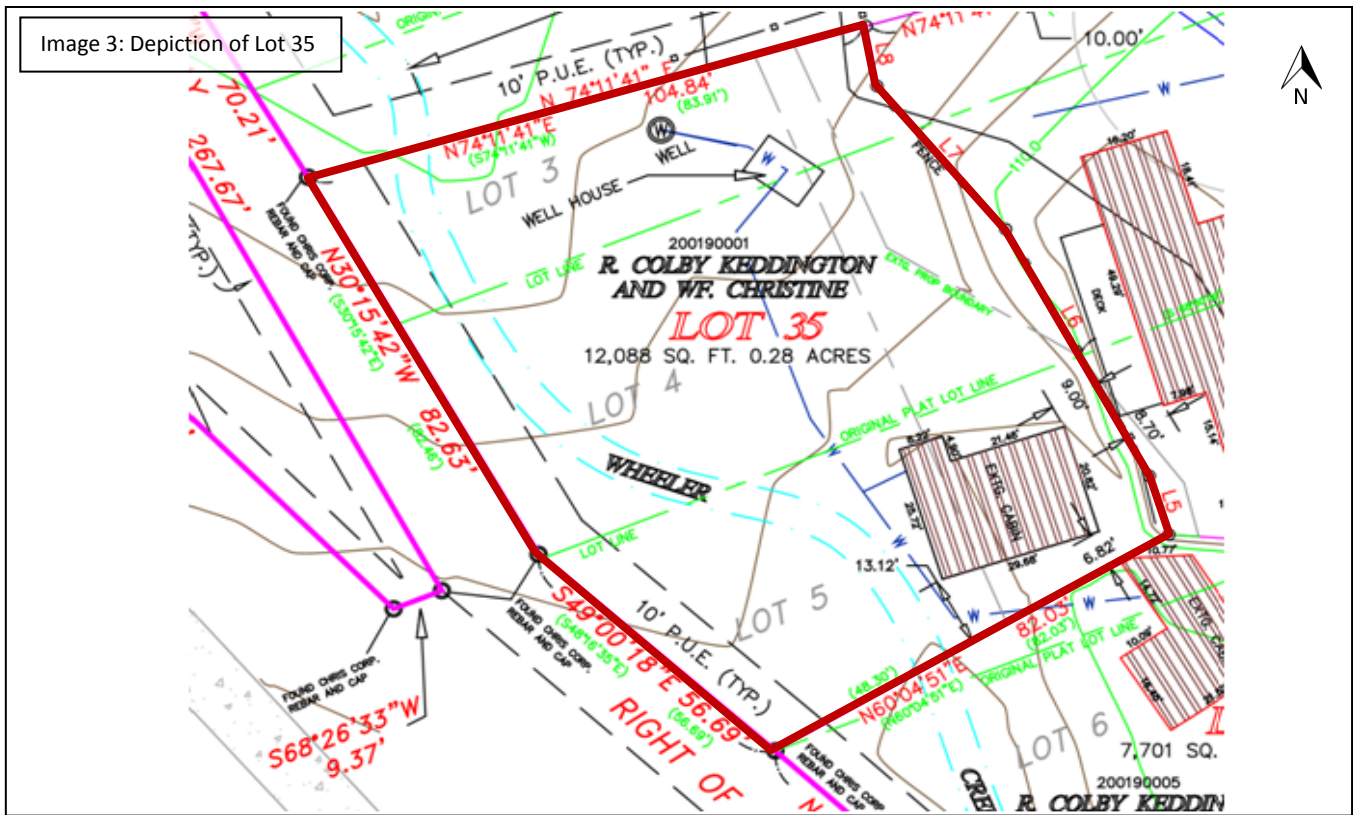


Table 3	Applicable Ordinance Standards				Existing	Proposed
	F-40 Zone (LUC §104-9-4)	Private Right-of-Way Setback (LUC §108-7-29(3)(b))	Stream Corridor Setback (LUC §104-28-2(1)(b))	Nonconforming Alternative (LUC §108-12-13)		
Lot 35						
Area:	40 Acres				0.22 Acres	0.28 Acres
Width:	660 Feet				110.4 Feet	110.4 Feet
Front Setback (From West Side of Lot):	75 Feet				44.8 Feet	44.8 Feet
South Side Setback:	40 Feet			5 Feet one side, 8 Feet other	6.8 Feet	6.8 Feet
North Side Setback:	40 Feet				78.8 Feet	78.8 Feet
Setback From Private Right of Way		30 Feet			44.8 Feet	44.8 Feet
Setback from Wheeler Creek			75 Feet		Approximately 4.1 Feet	Approximately 4.1 Feet (as existing)
Rear Setback:	30 Feet				10.5 Feet	9 Feet

Lot 36 analysis: Lot 36, as depicted with a red boundary in Image 4, has an area of approximately 12,514 square feet. It is currently vacant. It gains access from the frontage along the “right-of-way” as depicted on the original Wilcox Camping and Boating Resort subdivision plat. It comprises part of lot 26, 27, 28, 29, and 30 of the original Wilcox Camping and Boating Resort subdivision. The rest of these original lots are currently held by Weber County as a public right-of-way access to the Wheeler Creek trail, and by the Forest Service.

In order to build on the lot, first, multiple variances are needed and, second, it must be platted as an approved subdivision lot. Table 4 shows the various site development standards applicable for this lot. Table 4 also explains the variances being requested (in the right column). Exhibit A²⁶ provides the applicant’s analysis for why the variances are merited in this case.

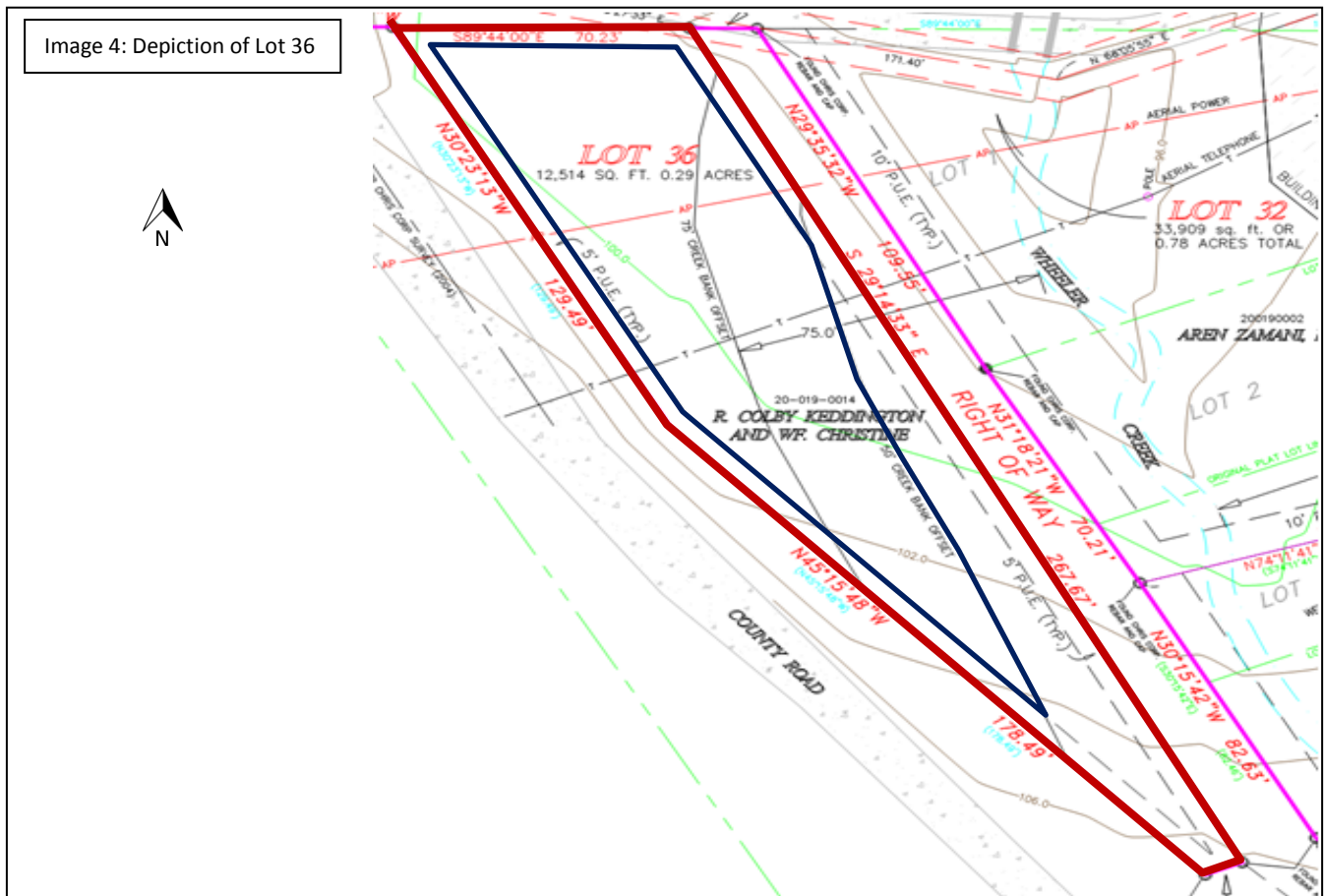
If the variances are granted they would create a virtual building envelope on the property. This building envelope is shown in blue in Image 4 and described as follows:

²⁶ See Exhibit A pages 8-10 for the applicant’s analysis.

- The eastern boundary of the virtual building envelope is a combined result of the stream corridor setback, which is requested to be varied from 75 feet²⁷ to 50 feet for this lot, and the front setback, which is requested to be varied from 75 feet²⁸ to 5 feet for this lot.
- The northern boundary of the virtual building envelope parallels the northern lot line on a five foot setback. This will require a variance from the reduced nonconforming alternative side setback of 16.18 feet.²⁹
- The western boundary of the virtual building envelope parallels the western lot line on a five foot setback. This will require a variance from the 30 foot rear setback requirement.³⁰
- Because of the lot's triangular shape the southern boundary of the virtual building envelope is nonexistent, as the front and rear setbacks intersect.
- The resulting virtual building envelope creates a buildable area on the lot that is approximately 7,615.02 square feet.

The applicant's assertion that the literal enforcement of the ordinance on this lot creates an unreasonable hardship, and that special circumstances are present that are not generally applicable to the larger 40+ acre lots found elsewhere in the F-40 zone is not an unreasonable assertion. If the law was literally enforced the 75 foot stream corridor setback and the 30 rear setback would essentially remove any buildable area on the lot.

With this in mind, in order to grant the variances the BOA must find that the applicant's requests for the variances are reasonable in a manner that does not negatively affect the intent of the general plan and is keeping with the spirit of the law.



²⁷ See LUC §104-28-2(b)(1)(b).

²⁸ See LUC § 104-9-4.

²⁹ See LUC §108-12-13.

³⁰ See LUC §104-9-4.

Table 4	Applicable Ordinance Standards				Existing	Proposed
	F-40 Zone (LUC §104-9-4)	Private Right-of-Way Setback (LUC §108-7-29(3)(b))	Stream Corridor Setback (LUC §104-28-2(b)(1)(b))	Nonconforming Alternative (LUC §108-12-13)		
Lot 36						
Area:	40 Acres				0.29 Acres	0.29 Acres
Width:	660 Feet				267 Feet	267 Feet
Front Setback (From East Side of Lot):	75 Feet				NA	5 Feet
South Side Setback:	40 Feet			16.18 Feet	NA	5 Feet
North Side Setback:	40 Feet				NA	5 Feet
Setback From Private Right of Way		30 Feet			NA	5 Feet
Setback from Wheeler Creek			75 Feet		NA	50 Feet
Rear Setback:	30 Feet				NA	5 Feet

Summary of Board of Adjustment Considerations

Generally, decisions on variances result in one of three ways: approval (with or without conditions³¹); denial; or table, pending further information or clarification.

If the BOA approves the requested variances they should consider that the request is based on the specific survey³² (as amended) provided in the application. Staff's recommendation below provides conditions for these variances for the BOA's consideration.

Findings of fact for approval should be provided that explain the reason for the approval and the conditions of approval based on applicable ordinances. Staff's recommendation below provides findings for these variance for the BOA's consideration.

If the BOA denies the request it should be accompanied by specific findings of fact based on applicable ordinances.

If the BOA tables the request the tabling should be based on the need for more specific information or clarification, or to provide the applicant with time to modify the request in a manner more suitable for an approval. A date to which the item will be tabled should be specified.

Staff Recommendation

Staff is recommending approval of all variances requested. Staff's recommendation based on the following conditions:

1. To the degree practicable, the properties shall be platted in the manner depicted in the application survey, which combines the parcels with tax ID 20-019-0004 and 20-019-0001 into one lot, and combines parcels with tax ID Tax ID 20-019-0002 and 20-018-0004 into one lot.
2. That a contiguous and similar right-of-way shall be provided from the existing County infrastructure to the right-of-way depicted on the original Wilcox Camping and Boating Resort subdivision.
3. The varied standards shall be based on the proposal in the application survey, as documented in Tables 1-4 of this staff report. Minor modifications to the plat may be permitted only to enable a successful subdivision plat amendment pursuant to the applicable requirements of the County ordinances and applicable governing standards of subdivision review agencies.
4. That the reduced area and width requirements of lot 32 may be further reduced to provide for any necessary platting of rights-of-way, pursuant to the applicable requirements of County ordinances and applicable governing standards of subdivision review agencies.
5. That all local, state, and federal laws are observed.

This recommendation is based on the following findings of fact:

³¹ UCA §17-27a-702 and LUC §102-3-4 allows the BOA to impose requirements that will (1) mitigate harmful effects of the variance; or (2) serve the purpose of the standard or requirement that is waived or modified.

³² See Exhibit D.

1. The applicant's have demonstrated that the literal enforcement of the ordinances would cause an unreasonable hardship that is not necessary to carry out the general purposes of the Land Use Code in that if the literal ordinances were applied the subject properties may be deemed unbuildable – prohibiting development on lots 32 and 36 and rendering the existing single family dwellings on lots 33 and 35 illegal and incapable of obtaining any future land use permits, including a permit to rebuild the structures if they were destroyed.
2. The hardship is associated with peculiar circumstances of the characteristics of the property and is not self-imposed. The applicants did not create this hardship, but rather, the hardship exists in large part due to the advent of the small lots in the Wilcox Camping and Boating Resort subdivision,³³ which was first platted in 1910, and further complicated by the adoption and application of the F-40 zone, which provides area, width, and setback standards that are development prohibitive if literally enforced.
3. The applicants have demonstrated that there are special circumstances attached to the property that do not generally apply to other properties elsewhere in the same zone, and these special circumstances are directly related to the specified hardship. Namely, the specified special circumstances are three-fold:
 - a. The undersized nature of the properties in the F-40 zone is a result of the original Wilcox Camping and Boating Resort subdivision, which pre-dates the development standards of the F-40 zone;
 - b. The creation of the buildings on lots 33 and 35 also predate the development standards of the F-40 zone.
 - c. The overall configuration of the original Wilcox Camping and Boating Resort subdivision as it relates to the subject parcels has not proven conducive to effective property ownership, maintenance, or management by past owners. The original property boundaries of the Wilcox Camping and Boating Resort subdivision have been found by the applicant's surveyor to transect existing dwelling units. This, together with the historic movement of Wheeler Creek, and the desire to separate ownership of the two existing single family dwelling units, have presumably led to the historic reconfiguration of parcel boundaries by previous property owners. Such reconfiguration was – in part – approved by the County in 2004.
4. The granting of the variances is essential to the enjoyment of a substantial property right possessed by other property owners in the same zone. If the ordinance is literally enforced the property right of creating or legally maintaining a single family dwelling and related uses on the parcels would be withheld.
5. The variances do not substantially affect the intent of the general plan, nor are contrary to public interest. Literal enforcement of the ordinance would likely result in a lack of reinvestment in the neighborhood, leading to undesirable results. Granting of the variances will stimulate reinvestment in the area and encourage better perpetual property maintenance.
6. The spirit of the Land Use Code is observed and substantial justice is done. The intent of the land use ordinances are, in part, to promote order, prosperity, and welfare.³⁴ The granting of the variances would do better to provide for the advancement of these values.

Exhibits

Exhibit A: Variance Application (amended)

Exhibit B: A depiction of the 2004 lot line adjustment that created parcels "A", "B", and "C".

Exhibit C: 1910 Survey of the Wilcox Camping and Boating Resort Subdivision.

Exhibit D: 2016 Survey plat by Mountain Engineering (revised application survey).

Exhibit E: 1980 Deed showing separate parcel ownership.

³³ See Exhibit C.

³⁴ See LUC §101-1-2.

Weber County Board of Adjustment Application

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

Date Submitted / Completed <i>12/15/15</i>	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
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Property Owner Contact Information

Name of Property Owner(s) <i>Richard J. Vance, Jeffrey M. Callahan, Colby Keddington</i>		Mailing Address of Property Owner(s) <i>1031 N. Coyote Run, Saratoga Springs, UT 84045 198 E. Bay View Circle, Saratoga Springs, UT 84045 6708 Cyclamen Drive, West Jordan, UT 84081</i>	
Phone <i>801-971-0131 801-230-1511 801-759-1151</i>	Fax <i>801-955-1393</i>	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address <i>jcallahan83@hotmail.com rvance25@gmail.com rcolbyk@gmail.com</i>			

Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	

Appeal Request

A variance request:

Lot area
 Yard setback
 Frontage width
 Other: _____

An Interpretation of the Zoning Ordinance

An Interpretation of the Zoning Map

A hearing to decide appeal where it is alleged by appellant that there is an error in any order, requirement, decision or refusal in enforcing of the Zoning Ordinance

Other: _____

Property Information

Approximate Address <i>940 & 942 Ogden Canyon Ogden, UT 84401</i>	Land Serial Number(s) <i>200190003 200190004 200190005</i>
Current Zoning	

Existing Measurements		Required Measurements (Office Use)	
Lot Area <i>See plats</i>	Lot Frontage/Width	Lot Size (Office Use)	Lot Frontage/Width (Office Use)
Front Yard Setback	Rear Yard Setback	Front Yard Setback (Office Use)	Rear Yard Setback (Office Use)
Side Yard Setback	Side Yard Setback	Side Yard Setback (Office Use)	Side Yard Setback (Office Use)

Applicant Narrative

Please explain your request.

See explanation letter

Variance Request

The Board of Adjustment may grant a variance only if the following five criteria are met. Please explain how this variance request meets the following five criteria:

1. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Zoning Ordinance.
 - a. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought, and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.
 - b. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.

See Letter attached

Variance Request (continued...)

2. There are special circumstances attached to the property that do not generally apply to the other properties in the same zone.

a. In determining whether there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances relate to the hardship complained of, and deprive the property of privileges granted to other properties in the same zone.

Please describe the special circumstances attached to the property that do not generally apply to the other properties in the same zone:

See attached letters

3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.

See attached letters

Variance Request (continued...)

4. The variance will not substantially affect the general plan and will not be contrary to the public interest.

See attached letters

5. The spirit of the land use ordinance is observed and substantial justice done.

See attached letters

Property Owner Affidavit

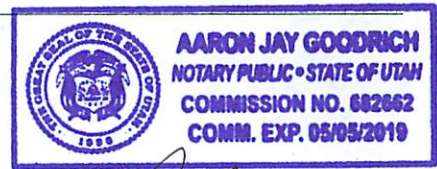
I (We), Jeffrey M Callahan, Richard Vance, and Colby Keddington depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct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

[Signature]

(Property Owner)

[Signature]

(Property Owner)



Subscribed and sworn to me this 15th day of December, 20 15

[Signature]

(Notary)

Authorized Representative Affidavit

I (We), _____, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), _____, 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.

(Property Owner)

(Property Owner)

Dated this _____ day of _____, 20 _____, personally appeared before me _____, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

(Notary)

Narrative)

Our request for variance(s) on our parcels, ID#200190003, ID#200190004, and ID#200190005 is for the sole purpose of recognizing the parcel as a valid approved lot so we can obtain a rebuild letter. Parcel ID#200190003 is owned by Jeffrey Callahan and Richard Vance. Parcels ID#200190004 and ID#200190005 are owned by Coldy Keddington. Currently they are considered to be the same property. We are not seeking a permit for improvements or additions. The intent of the rebuild letter is to allow a valid appraisal to be done and approved which is necessary to obtain a mortgage lien on the property. Our parcels are currently not recognized as their own parcels. They do not enjoy the same rights and privileges that the neighboring properties do. The use and purpose are the exact same as the other properties, but they are not legally recognized as so. Since construction in the 1920's, this community has passed through different ownership. Each new owner has done their own plats and surveys and have adjusted property lines and/or parcels to their liking. Reviewing the history of the area, there has never been any consistency in the surveys, plats, or parcel lines. We had a meeting with Charlie Ewert in the Weber County Planning Commission, and even he is confused with what is going on in this area. The Planning Commission has different information than the Recorder's Office, and the Assessor's Office has additional information that contradicts what the other two departments have. Granting of our variance will FINALLY bring clarity to the issues of this community. The intent of this variance is to recognize these homes and parcels as individual, independent parcels. We have responded to the five criteria necessary for a variance below. Please review them for more details.

Question 1) Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Zoning Ordinance.

Response 1)

Literal enforcement causes an unreasonable hardship on the property in such that we are unable to obtain a rebuild letter due to the property not being considered a valid parcel. The enforcement significantly reduces the value in the property as per the property can't obtain permits for improvements or repairs in the event of a loss or catastrophe. It will not be allowed to have mortgage liens taken against it which burdens the sale of the property and it would not be allowed to obtain permits to repair the structure if it were damaged. The adjoining properties in the community enjoy the right to being recognized as individual, approved parcels and therefore have the availability to obtain permits and/or rebuild letters. The neighboring properties are similar to this property and are used for the exact same purposes as our property. Granting the variance allows this property to enjoy all of the same rights the neighboring parcels do. Granting the variance will not affect the purpose of this zoning ordinance. The request is not to change anything on the property, but to merely legally recognize what currently exists on the property. In fact, it would be beneficial to the community as a whole.

Question 2) There are special circumstances attached to the property that do not generally apply to the other properties in the same zone.

Response 2)

As mentioned above, this property's circumstances are unique in that it is not recognized as it's on unique parcel. It is shared with two different homes that are owned independently. One is owned by Mr. Colby Keddington and the other by Mr. Jeffrey Callahan and Mr. Richard Vance. All of the property in this community had problems and concerns years ago with property lines, parcels, and zoning. For some reason, when the county approved a subdivision these two homes were not subdivided like the others. Therefore, it left the property in a unique situation unlike the neighboring parcels.

Question 3) Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.

Response 3)

Granting of the variance is essential to the enjoyment of this property so it has all of the same rights that as the remaining property in the neighborhood. The other property owners have the right to permits, rebuild letters, and have the ability to take mortgage liens against their properties when this property currently does not possess the same rights.

Question 4) The variance will not substantially affect the general plan and will not be contrary to the public interest.

Response 4)

The variance will not affect the general plan of the neighborhood and will not be contrary to the public interest. It will only allow the property the same rights that the other neighborhood properties currently enjoy. In fact, it might possibly benefit the public interest in the instance that the property value increases and the can have mortgage liens taken against it. This allows for more enjoyment for the homeowner which in turn increases pride of ownership which follows up with better care of the property. We have worked very hard on turning this home and property (which was an unsightly thing to see a few years ago) into a beautiful piece of land which benefits the community as a whole.

Question 5) The spirit of the land use ordinance is observed and substantial justice done.

Response 5)

The spirit of the land use ordinance will be observed and substantial justice will be done. The land will be granted all of the same rights as the neighboring property and the property is a beautiful addition to an already amazing community. It is a win/win for everyone.

Our request for a variance on parcel (A) (200190002) and meeting the five required criteria are below.

Responses to the five criteria are below:

- A) Literal enforcement of the ordinance creates an unreasonable hardship on parcel A (200190002) as per it restricts the parcel in allowing a buildable structure which is essential to the enjoyment of the land. Surrounding parcels enjoy the use of habitable structures, but in the case of parcel (A) it does not. The enjoyment from this land comes from the allowance of a buildable lot which is the same as the surrounding lots in the neighborhood.
- B) This hardship is not self-imposed. The Wilcox Camping and Boating Subdivision originally consisted of 30 Lots when it was first established. Over the years some lots were combined into larger lots and re-plated. The most current plats were not done properly and this variance request goes back to the patent to correct these issues.
- C) Granting this variance will allow rights to this property for the same enjoyment that the surrounding lots in the neighborhood enjoy. Other members of the community have already started revitalizing the area. They have received additional variances for improvements to their properties. They are enjoying the use of their land to the full extent. This variance is essential to allowing the same rights and enjoyment as the other properties in the community.
- D) This variance will not affect the general plan of the community. The general plan is to revitalize this neighborhood and turn it from an "eyesore" to a beautiful, well maintained area. This will also increase homes values and the revitalization will bring a better quality of enjoyment. These changes will actually be beneficial to public interest.
- E) The spirit of the land use ordinance will be fully observed. Justice will be done. The community will see the benefits in property values, an increase in beauty and maintenance in the area, and will enjoy the same use and benefit for all of the properties in the neighborhood.

We hope the county and BOA finds the variance request acceptable and that we have met all of the requirements for the granting of the variance.

Thanks,

Aren Zamani

Ewert, Charles

From: Colby Keddington [rcolbyk@gmail.com]
Sent: Friday, February 12, 2016 9:27 AM
To: Ewert, Charles
Cc: Jeff Callahan; rvance25@gmail.com
Subject: Re: Variance request -- Need the rest of the info...

After coming to the board of adjustment meeting Jan 14, for and separation and legalization of Parcel B including Parcel #'s 20-019-0004, 20-019-0001, 20-019-0003. based on 2 different owners owning 2 different homes on what was supposed to have been 1 legalized parcel in 2004 (parcel B). We were tabled by the The B.O.A. To work with the Planning Department of Weber County to sort out Charles Ewerts recommondation to included surrounding Parcels A, C, and 20-019-0014 in a new Subdivision and abandoning Wilcox Camp and Boat Community. New information was also presented at that meeting showing that all included Parcels are currently in the same form they have been sold in 1980, and going back to 1920's. This information has been sifted through over the last month and discovered to be accurate, and the 2004 adjustment conditions where never fully followed through. We would like to abandon Wilcox Camp and Boat Community which has existed over 100 years and has been a "Third World Country" or "Bermuda Triangle of Utah" for weber county officials, property owners, and local citizens. and request approval of "Pineview Point" which will have legal and documented Ingress and Egress, Legal Parcels providing Legal sell and enjoyable occupation of owners, owner confidence to beautify there property and homes, proper utility easements, and many more modern and present day standards of living and property ownership. Based on the Property lines and information that has existed since the early 1900's.

Please feel free to make alterations or suggestions for success.

Colby Keddington

On Feb 12, 2016, at 8:49 AM, Ewert, Charles <cewert@co.weber.ut.us> wrote:

Gentlemen,

I still do not have Colby or Aren's written request for the variances, as discussed in Tuesday's meeting. Even though positive support is likely from staff, the burden of proving that the variance request complies with the law falls on the land owner. Please review again the criteria below and submit to me your written reasoning as to why the variance requests comply.

If I do not receive the written request by noon today I will only forward Jeff's original request back to the BOA for the 25th, and the other two lots will have to go another time on a separate application.

Sec. 102-3-4. - Decision criteria and standards.

...

(b)

Variances from the requirements of the Land Use Code.

(1) Any person or entity desiring a waiver or modification of the requirements of the Land Use Code as applied to a parcel of property that they own, lease, or in which they hold some other beneficial interest may apply to the board of adjustment for a variance from the terms of the Land Use Code.

(2) The board of adjustment may grant a variance only if the following five criteria are met:

a. Literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the Land Use Code.

1. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship is located on or associated with the property for which the variance is sought, and comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.

2. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic.

b. There are special circumstances attached to the property that do not generally apply to other properties in the same zone.

1. In determining whether or not there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances relate to the hardship complained of, and deprive the property of privileges granted to other properties in the same zone.

c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.

d. The variance will not substantially affect the general plan and will not be contrary to the public interest.

e. The spirit of the land use ordinance is observed and substantial justice done.

<image005.jpg>

Charlie Ewert, AICP

Weber County Planning

801-399-8763

cewert@co.weber.ut.us

<image006.jpg>

From: Robert Keddington [<mailto:rcolbyk@gmail.com>]

Sent: Wednesday, February 10, 2016 2:10 PM

To: Ewert,Charles

Subject: Fwd: new plat

Thanks again for all your help

Sent from my iPhone

Begin forwarded message:

From: jess <mountainengineering@msn.com>

Date: February 10, 2016 at 11:44:58 AM MST

To: Robert Keddington <rcolbyk@gmail.com>, Jeff Callahan

<jcallahan83@hotmail.com>, aren zamani <rockimagesexcavation@gmail.com>

Subject: new plat

Ewert, Charles

From: Robert Keddington [rcolbyk@gmail.com]
Sent: Friday, February 12, 2016 1:56 PM
To: Ewert, Charles
Subject: Colby

Responses to the five criteria are below:

A) Literal enforcement of the ordinance creates an unreasonable hardship on parcel A (20-019-0014) as per it restricts the parcel in allowing a buildable structure which is essential to the enjoyment of the land. Surrounding parcels enjoy the use of habitable structures, but in the case of parcel (A) it does not. The enjoyment from this land comes from the allowance of a buildable lot which is the same as the surrounding lots in the neighborhood.

B) This hardship is not self-imposed. The Wilcox Camping and Boating Subdivision originally consisted of 30 Lots when it was first established. Over the years some lots were combined into larger lots and re-plated. The most current plats were not done properly and this variance request goes back to the patent to correct these issues.

C) Granting this variance will allow rights to this property for the same enjoyment that the surrounding lots in the neighborhood enjoy. Other members of the community have already started revitalizing the area. They have received additional variances for improvements to their properties. They are enjoying the use of their land to the full extent. This variance is essential to allowing the same rights and enjoyment as the other properties in the community.

D) This variance will not affect the general plan of the community. The general plan is to revitalize this neighborhood and turn it from an "eyesore" to a beautiful, well maintained area. This will also increase homes values and the revitalization will bring a better quality of enjoyment. These changes will actually be beneficial to public interest.

E) The spirit of the land use ordinance will be fully observed. Justice will be done. The community will see the benefits in property values, an increase in beauty and maintenance in the area, and will enjoy the same use and benefit for all of the properties in the neighborhood.

We hope the county and BOA finds the variance request acceptable and that we have met all of the requirements for the granting of the variance.

Sent from my iPhone

WEBER COUNTY TAXPAYER REPORT

LSN: 20-019-0003

#	ADDRESS:	UNIT #	CITY:	LOT #	SITE NAME:	BUSINESS NAME:	IMP #
1	940 OGDEN CYN		OGDEN		Wilcox Camp		

STATUS: **A** ACCT TYPE: **IMPROVED** TTL AC: **0.22** REG: **1** PPT: **117** NPPT: **117 - RECREATIONAL IMP**

I M P R O V E M E N T S

IMPROVEMENT	IMP COST TYP: Residential	QUALITY: Average
IMP#: 1	IMP DESC: CB	CONDITION: Average
	IMP SF: 1914	% COMPLETE: 100%

OCCUPANCY

OCC CODE: 111 OCC DESC: Sngl Fam Res ABST CODE: **RS** PCT CMPLT: 100%

BUILT AS IMP#: 1

CLASS:	STRY HGT: 8	BLT AS CODE: 91	SPRINKLER SF:	BLT AS#: 1
EXTERIOR: Frame Siding	BLTAS SF: 1914	BLT AS DESC: CB	ROOF COVER:	Formed Seam Metal
FOUNDATION: Conventional	YEAR BLT: 1935	HVAC TYP: Other	ROOF TYPE:	Gable
STORIES: 1.0	EFF YR BLT: 1984	HVAC %: 100%	FLOOR COVER:	Allowance

DETAILS

DETAIL TYPE:	DESCRIPTION:	UNITS:	QUALITY:	DESC DETACHED:
Appliance	Allowance	1	Semi-Modern	
Appliance	Fireplace Single	1	Metal Fireplace	
Fixture	Bath Full	1		
Garage	Attached	294		
Porch	Open Slab	24		
Porch	Wood Deck	240		
Rough In	Rough In	1		

ADD ONS

TYPE	CODE:	DESCRIPTION:	UNITS:	YEAR BUILT:	QUALITY:	%CMPLT:
Add On	1123	Storage - Shed	120	199	Average	100
Add On	1137	Masonry Trim	1			

A D D I T I O N A L I M P R O V E M E N T S

#: DESC: QUALITY: CONDITION: % C: ABST: CODE: BA DESC: CLS: EXTERIOR: HT: WT: LT: YB: EYB:

WEBER COUNTY TAXPAYER REPORT

LSN: 20-019-0004

#	ADDRESS:	UNIT #	CITY:	LOT #	SITE NAME:	BUSINESS NAME:	IMP #
1	942 W OGDEN CYN		OGDEN		Wilcox Camp		

STATUS: A ACCT TYPE: LAND TTL AC: 0.02 REG: 1 PPT: 999 NPPT: 999 - UNDEV

I M P R O V E M E N T S

A D D I T I O N A L I M P R O V E M E N T S

#:	DESC:	QUALITY:	CONDITION:	% C:	ABST:	CODE:	BA DESC:	CLS:	EXTERIOR:	HT:	WT:	LT:	YB:	EYB:
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WEBER COUNTY TAXPAYER REPORT

LSN: 20-019-0005

# ADDRESS:	UNIT #	CITY:	LOT #	SITE NAME:	BUSINESS NAME:	IMP #
1 946 OGDEN CYN		OGDEN		Wilcox Camp		

STATUS: **A** ACCT TYPE: **IMPROVED** TTL AC: **0.18** REG: **1** PPT: **117** NPPT: **997 - MULTIPLE RESIDENTIAL**

IMPROVEMENTS

IMPROVEMENT	IMP COST TYP: Residential	QUALITY: Average
IMP#: 1	IMP DESC: CB	CONDITION: Below Average
	IMP SF: 484	% COMPLETE: 100%

OCCUPANCY

OCC CODE: 111 OCC DESC: Sngl Fam Res ABST CODE: **RS** PCT CMPLT: 100%

BUILT AS IMP#: 1

CLASS:	STRY HGT: 8	BLT AS CODE: 91	SPRINKLER SF:	BLT AS#: 1
EXTERIOR: Frame Siding	BLTAS SF: 484	BLT AS DESC: CB	ROOF COVER:	Formed Seam Metal
FOUNDATION: Conventional	YEAR BLT: 1924	HVAC TYP: Other	ROOF TYPE:	Gable
STORIES: 1.0	EFF YR BLT: 1983	HVAC %: 100%	FLOOR COVER:	Allowance

DETAILS

DETAIL TYPE:	DESCRIPTION:	UNITS:	QUALITY:	DESC DETACHED:
Appliance	Allowance	1	Semi-Modern	
Appliance	Fireplace Single	1	Metal Fireplace	
Fixture	Bath Full	1		
Porch	Encl Solid Wall	48	Semi-Modern	
Rough In	Rough In	1		

ADD ONS

TYPE	CODE:	DESCRIPTION:	UNITS:	YEAR BUILT:	QUALITY:	%CMPLT:
------	-------	--------------	--------	-------------	----------	---------

IMPROVEMENT	IMP COST TYP: Residential	QUALITY: Fair
IMP#: 2	IMP DESC: CB	CONDITION: Below Average
	IMP SF: 490	% COMPLETE: 100%

OCCUPANCY

OCC CODE: 111 OCC DESC: Sngl Fam Res ABST CODE: **RS** PCT CMPLT: 100%

BUILT AS IMP#: 2

CLASS:	STRY HGT: 8	BLT AS CODE: 91	SPRINKLER SF:	BLT AS#: 1
EXTERIOR: Frame Siding	BLTAS SF: 490	BLT AS DESC: CB	ROOF COVER:	Composition Shingle
FOUNDATION: Conventional	YEAR BLT: 1921	HVAC TYP: Other	ROOF TYPE:	Gable
STORIES: 1.0	EFF YR BLT: 1980	HVAC %: 100%	FLOOR COVER:	Allowance

DETAILS

DETAIL TYPE:	DESCRIPTION:	UNITS:	QUALITY:	DESC DETACHED:
Appliance	Allowance	1	Basic-Old/SY	
Appliance	Fireplace Single	1	METAL FP	
Fixture	Bath Full	1		
Porch	Open Slab	90		
Rough In	Rough In	1		

ADD ONS

TYPE	CODE:	DESCRIPTION:	UNITS:	YEAR BUILT:	QUALITY:	%CMPLT:
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ADDITIONAL IMPROVEMENTS

#: DESC: QUALITY: CONDITION: % C: ABST: CODE: BA DESC: CLS: EXTERIOR: HT: WT: LT: YB: EYB:

2002



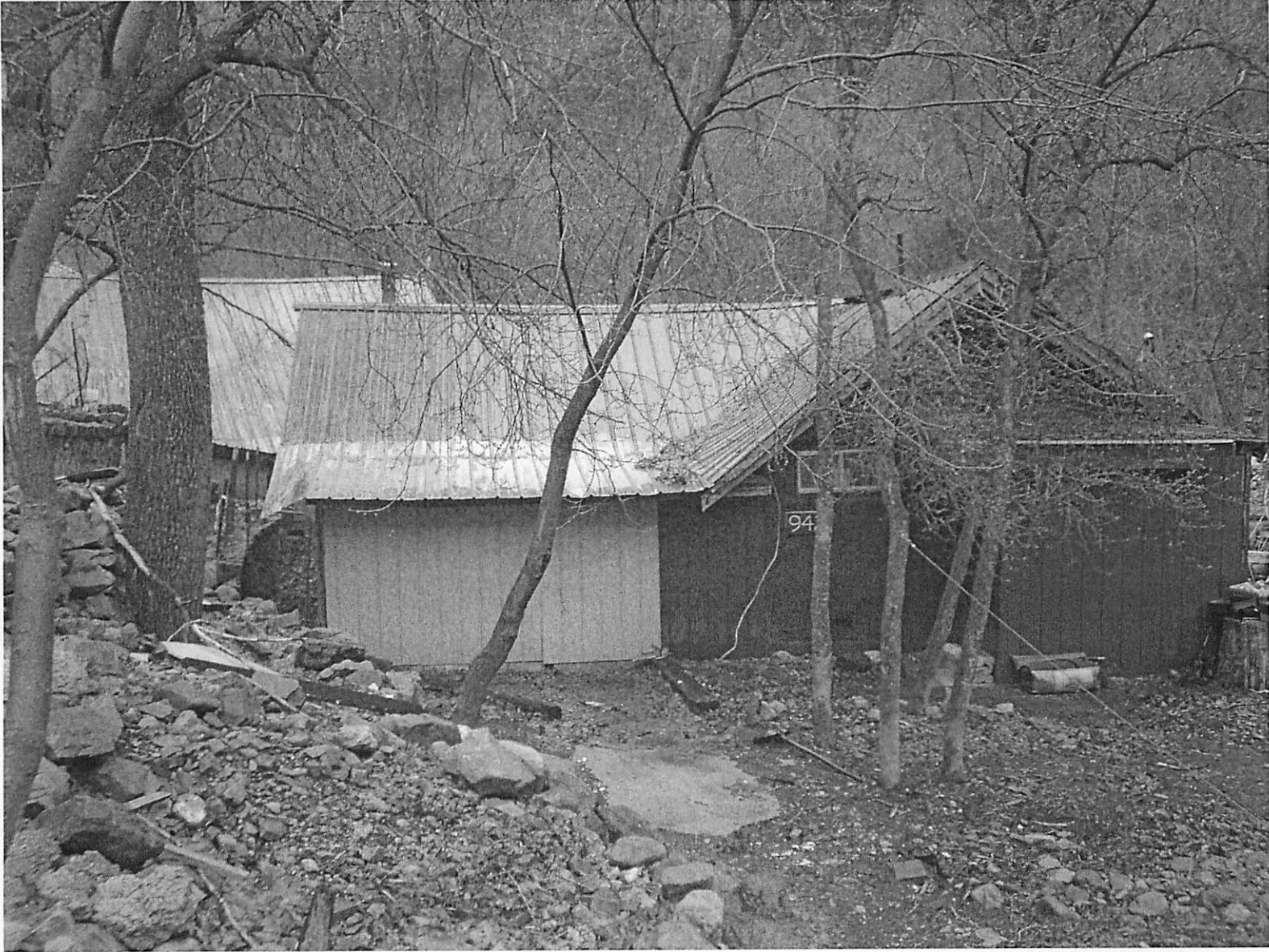
0004

2009

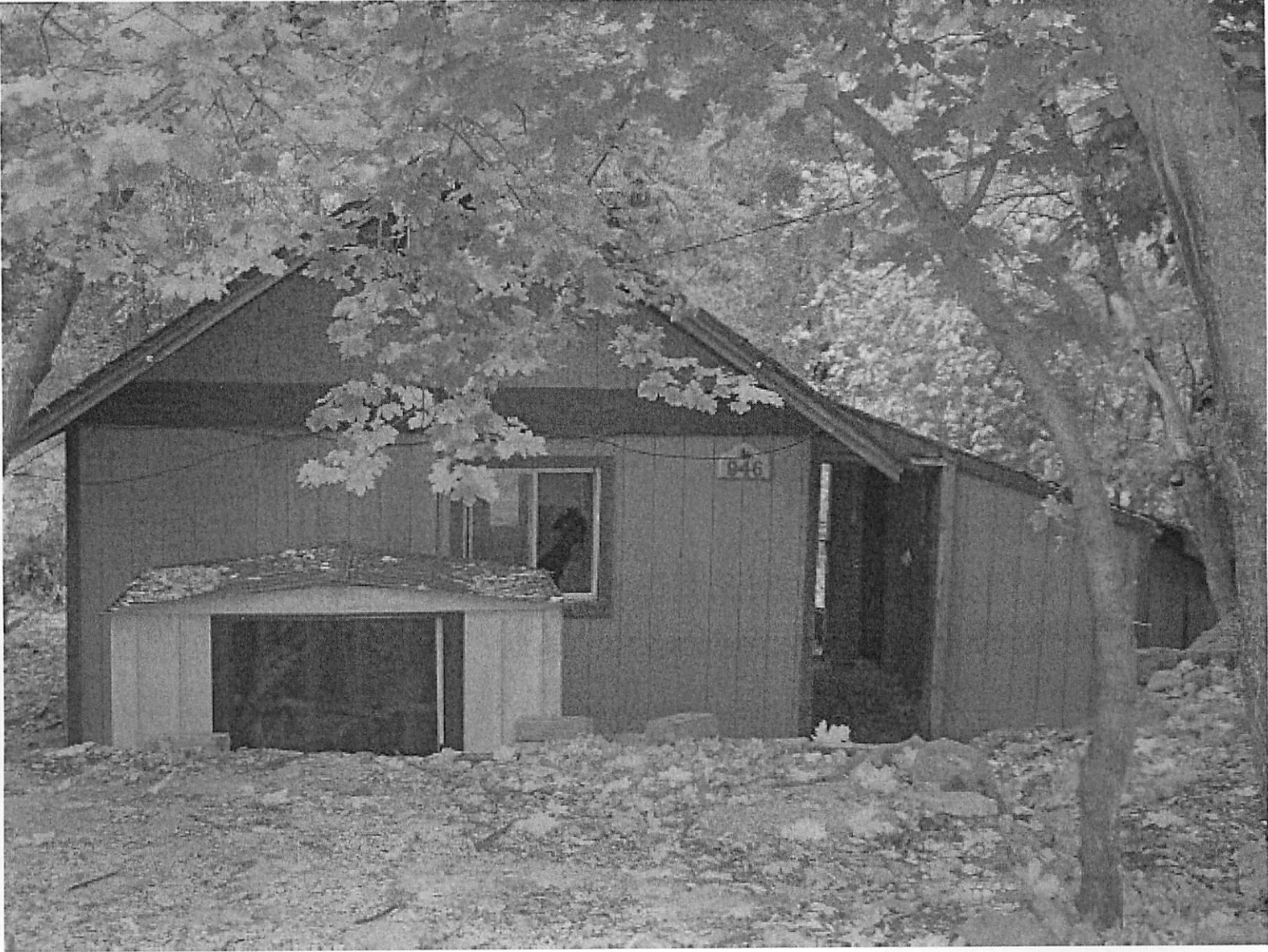


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2013

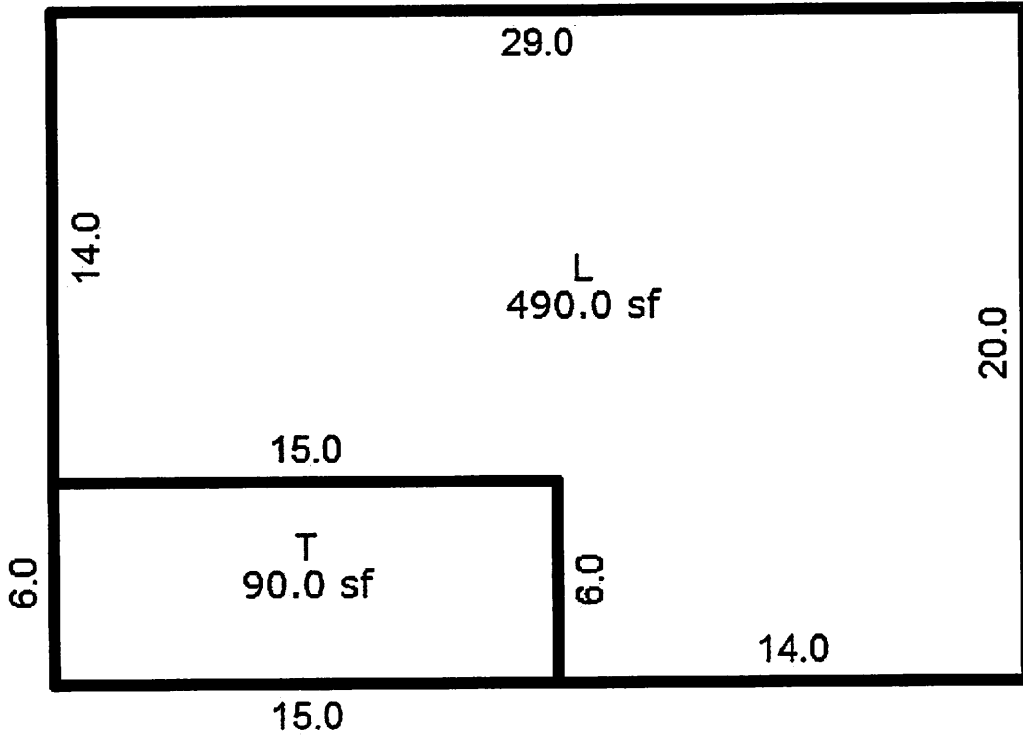


0004









Sketch by Apex Medina™

20-019-0005

290E 45018 7/161
 Recorded at Request of SXC at 8417 M. Fee Paid \$
 by Dep. Book Page 135 RUTHERFORD WEBER
 Address DEC 18 2 29 PM '80
 Mail tax notice to 20-019-0001 0014,0003
20-018-0004
 0003

BOOK 1373 PAGE 773

826719

QUIT CLAIM DEED

AND RECORDED FOR Bary D. Larson & Assoc

PLATTED RECORDED
 ENTERED MICROFILMED grants

NOLAN M. and ALANNA B. LOFTUS
 of OGDEN, UTAH, County of WEBER, State of Utah, hereby
 QUIT CLAIM to LOFTUS INVESTMENTS, LTD., A Utah Limited Partnership

grantee for the sum of (\$10,000) DOLLARS
 of Ogden County of Weber, Utah
 Ten and no/100 and other good and valuable consideration
 the following described tract of land in County,
 State of Utah, to wit:

All of that part of Lots 1, 2, 3, 4, 5, and 6 lying West of the center of the old channel of Wheeler Creek, as the same was located prior to the channel change in 1956, in Wilcox Camping and Boating Resort. Also Lots 27, 28, 29, and 30, lying East of the 66 foot road, in Wilcox Camping and Boating Resort, located in the Southwest Quarter of the Southeast Quarter of Section 16, Township 6 North, Range 1 East, Salt Lake Meridian, excepting the right-of-way conveyed to Ogden City by Deed recorded in Book 72 at Page 59, Weber County Records.

A part of the South half of the Southeast Quarter of Section 16, Township 6 North, Range 1 East, Salt Lake Meridian, U.S. Survey: Beginning at a point 1025.5 feet North of the Southwest corner of said Southeast Quarter; thence North 294.5 feet to the Northwest corner of said South half of Southeast Quarter; thence East 570 feet; thence South 37° 15' East 52 feet; thence North 85° 44' West 350 feet to the West line of County Road; thence Southeasterly along the West line of the County Road to a point East of beginning; thence West 455.4 feet, more or less, to the place of beginning.

(Legal Description Continued on Reverse Side of this Deed.)

WITNESS the hand of said grantor, this 10 day of December, 1980

Signed in the presence of
Nolan M. Loftus
Alanna B. Loftus

STATE OF UTAH,
 County of Salt Lake ss.

On the 10 day of December 1980
 and Alanna B. Loftus personally appeared before me Nolan M. Loftus

the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

Janet Hostetler
 Notary Public, residing at

My commission expires July 13, 1983 Salt Lake City, Utah

THIS DEED PRINTED ESPECIALLY FOR PHOTO-RECORDING. USE BLACK INK AND TYPE.

BOOK 1673 PAGE 774

(Legal Description Continued)

A part of Lots 3, 4, 5, and 6 of the Wilcox Camping and Boating Resort, a subdivision of part of the Southwest Quarter of the Southeast Quarter of Section 16, Township 6 North, Range 1 East, Salt Lake Meridian, U.S. Survey: Beginning at the Northeast corner of said Lot 3 and running thence South $37^{\circ} 15'$ East 175.30 feet; thence South $57^{\circ} 29'$ West 53.68 feet to the South face of Stone Wall; thence South 75° West 5.5 feet along the South face of said Stone Wall; thence North $17^{\circ} 30'$ West 10 feet, more or less, along the West face of a Stone Wall; thence North $84^{\circ} 35'$ West 37 feet along the South face of a Stone Wall; thence North $14^{\circ} 50'$ West 20 feet along the West face of a Stone Wall; thence North $38^{\circ} 10'$ West 30.5 feet to an iron pipe stake; thence North $59^{\circ} 30'$ West 27 feet, more or less, to the center of Wheeler Creek; thence Northerly along the center of Wheeler Creek to the North line of said Lot 3; thence Northeasterly along the North line of said Lot 3, to the place of beginning.

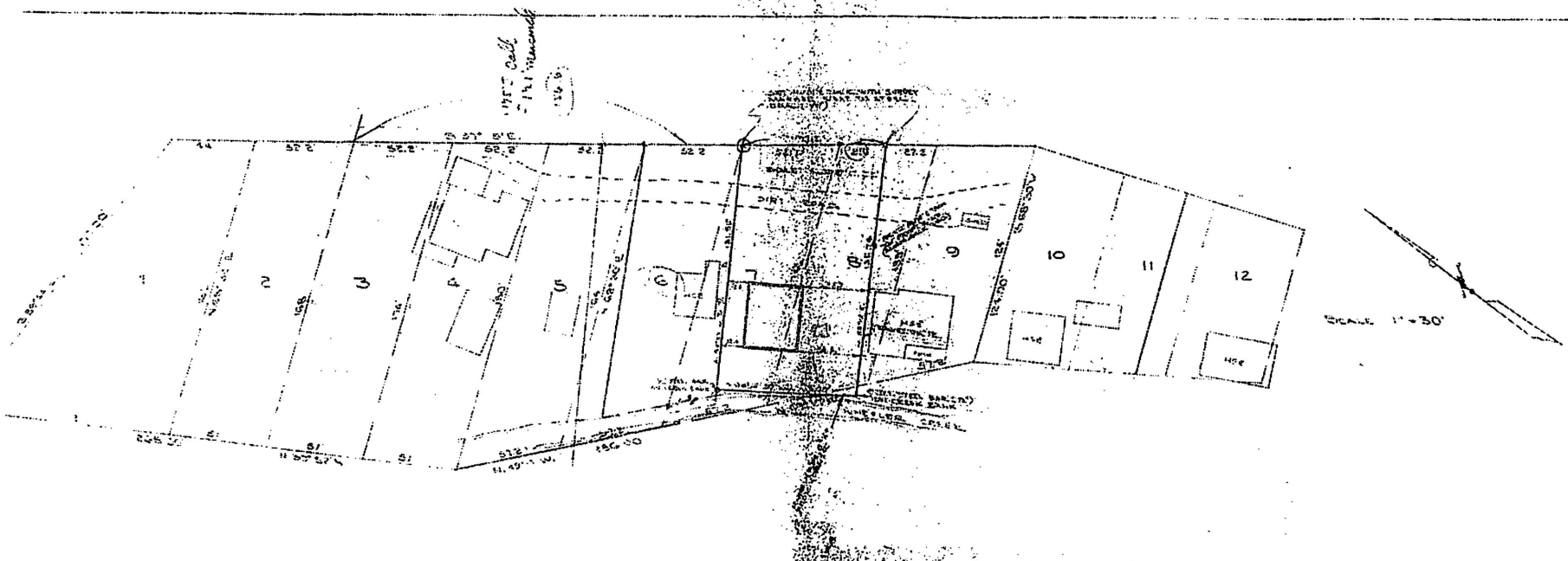
Subject to a roadway along the East side thereof.

A part of Lots 4, 5, and 6 of the Wilcox Camping and Boating Resort, a subdivision of a part of the Southwest Quarter of the Southeast Quarter of Section 16, Township 6 North, Range 1 East, Salt Lake Base and Meridian, U. S. Survey: Beginning 20 feet Southeasterly from the intersection of the North line of said Lot 6 and the East bank of Wheeler Creek and running thence 45 feet, more or less, in a Northeasterly direction to the South face of a Stone Wall; thence North $84^{\circ} 35'$ West 25 feet, more or less, along the south face of a Stone Wall; thence North $14^{\circ} 50'$ West 20 feet along the West face of a Stone wall; thence North $38^{\circ} 10'$ West 30.5 feet to an iron pipe stake; thence North $59^{\circ} 30'$ West 27 feet, more or less, to the East bank of Wheeler Creek; thence Southeasterly along said East bank to the place of beginning.

(The two legal descriptions above, are subject to a possible encroachment with a property adjacent to said two legal descriptions adjoining on the South.)

Subject to easements, rights of way and burdens against said land as appears by instruments of record, or apparent by inspection of the said premises.

Together with any and all water and water rights now or heretofore used in connection with said premises.



DESCRIPTION

Part of Lots 7 and 8 in Wilson Camping and Boating Resort situated in the Southeast quarter of Section 16, T9N, R12E, S28AN, U.S. 6th 1/4.

Beginning at the Northwest corner of said lot 27, thence Southwesterly to a point 25 feet Southwesterly along Mosier Creek from the north line of said lot 7; thence Southwesterly along said Mosier Creek 27.35 feet more or less, thence Northwesterly to a point 25 feet Southeast from the Southeast corner of said lot 27. Thence Northwesterly to beginning. Also all that portion of said lot 7 lying South and West of said Mosier Creek including house and all buildings whatsoever upon said land.

The undersigned, a Registered Land Surveyor, as required by the State of Utah, does hereby certify as follows:

1. that the above plat has been correctly drawn to the assigned scale and shows the dimensions of the property surveyed;
2. that the survey on the site was based on the following data:
 - a. records of the Weber County Recorder's Office
 - b. records of the Weber County Engineer's Office and
 - c. property line stake found in place
 - d. physical occupation of property.

In the absence of official Section or Quarter Section corners in place and used as data, and absence of monumentation at the subdivision boundaries, the undersigned also certifies to correctness of the survey based on data noted above.

Date: October 2, 1970 Job No. 87-25-192



Larry M. Butters
 GREAT BASIN SURVEYING & SUBDIVISION, INC.

MC-141

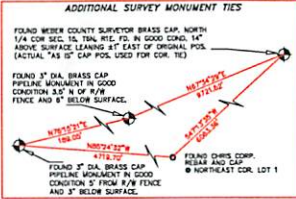
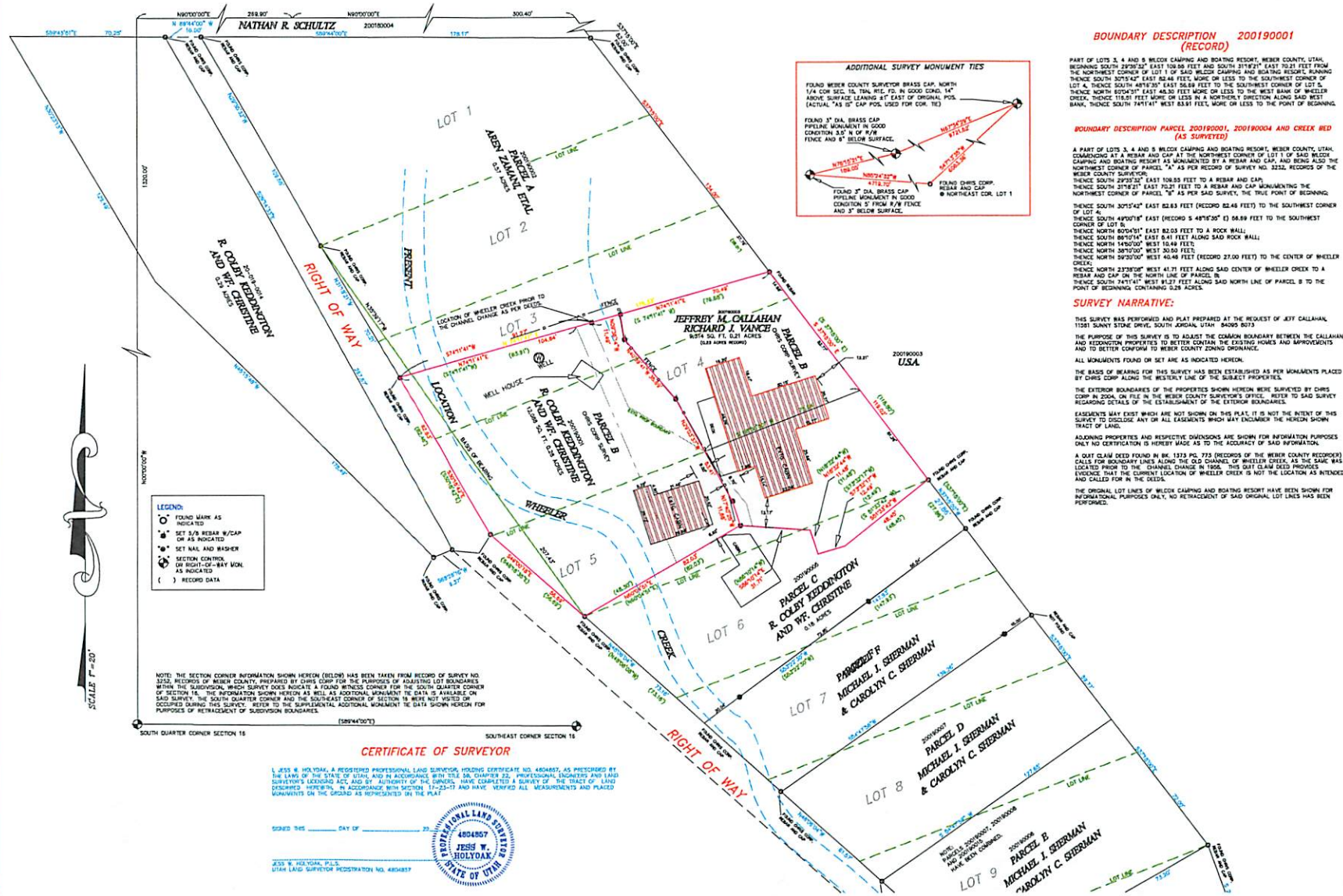
GREAT BASIN SURVEYING & SUBDIVISION, INC.
 CONSULTING ENGINEERS & SURVEYORS
 2001 WEST CENTER

Property Survey for
 First Security
 12345 Center Street
 JAMES CONNER & BANKING

DRAWN BY: L.M.B. CHECKED BY: [Signature]
 DATE: Oct. 2, 1970 SCALE: 1" = 30'

RECORD OF SURVEY

PART OF LOTS 3,4,5 AND 6, WILCOX CAMPING & BOATING RESORT
A PART OF THE SOUTHEAST QUARTER OF SECTION 16, T6N, R1E



BOUNDARY DESCRIPTION 200190001 (RECORD)

PART OF LOTS 3, 4 AND 5 WILCOX CAMPING AND BOATING RESORT, WEBER COUNTY, UTAH, BEGINNING SOUTH 29°20'30\"

BOUNDARY DESCRIPTION PARCEL 200190001, 200190004 AND CREEK BED (AS SURVEYED)

A PART OF LOTS 3, 4 AND 5 WILCOX CAMPING AND BOATING RESORT, WEBER COUNTY, UTAH, BEGINNING AT A REBAR AND CAP AT THE NORTHWEST CORNER OF LOT 1 OF SAID WILCOX CAMPING AND BOATING RESORT AS MONUMENTED BY A REBAR AND CAP, AND BEING ALSO THE NORTHWEST CORNER OF PARCEL \"A\" AS PER RECORD OF SURVEY NO. 3232, RECORDS OF THE WEBER COUNTY SURVEYOR.

SURVEY NARRATIVE:

THIS SURVEY WAS PERFORMED AND PLAT PREPARED AT THE REQUEST OF JEFF CALLAHAN, 11501 SUNNY STONE DRIVE, SOUTH JORDAN, UTAH, 84092-8078.

THE PURPOSE OF THIS SURVEY IS TO ADJUST THE COMMON BOUNDARY BETWEEN THE CALLAHAN AND REDDINGTON PROPERTIES TO BETTER CONTAIN THE EXISTING HOMES AND IMPROVEMENTS AND TO BETTER CONFORM TO WEBER COUNTY ZONING ORDINANCE.

ALL MONUMENTS FOUND OR SET ARE AS INDICATED HEREON.

THE BASIS OF HEARING FOR THIS SURVEY HAS BEEN ESTABLISHED AS PER MONUMENTS PLACED BY CHAS CORP ALONG THE WESTERN LINE OF THE SUBJECT PROPERTIES.

THE EXISTING BOUNDARIES OF THE PROPERTIES SHOWN HEREON WERE SURVEYED BY CHAS CORP IN 2004, ON FILE IN THE WEBER COUNTY SURVEYOR'S OFFICE. REFER TO SAID SURVEY REGARDING DETAILS OF THE ESTABLISHMENT OF THE EXISTING BOUNDARIES.

EASEMENTS MAY EXIST WHICH ARE NOT SHOWN ON THIS PLAT. IT IS NOT THE INTENT OF THIS SURVEY TO DISCLOSE ANY OF ALL EASEMENTS WHICH MAY ENCLUMBER THE HEREON SHOWN TRACT OF LAND.

ADJOINING PROPERTIES AND RESPECTIVE DIVISIONS ARE SHOWN FOR INFORMATION PURPOSES ONLY. NO CERTIFICATION IS HEREBY MADE AS TO THE ACCURACY OF SAID INFORMATION.

A QUIT CLAIM DEED FOUND IN BK. 1513 PG. 733 (RECORDS OF THE WEBER COUNTY REDEVELOPER) ALIENS FOR BOUNDARY LINES ALONG THE OLD CHANNEL, WHEELER CREEK, AS THE SAME WAS LOCATED PRIOR TO THE CHANNEL CHANGE IN 1968. THIS QUIT CLAIM DEED PROVIDED EVIDENCE THAT THE CHANNEL LOCATION OF WHEELER CREEK IS NOT THE LOCATION AS INTENDED AND CALLED FOR IN THE DEEDS.

THE ORIGINAL LOT LINES OF WILCOX CAMPING AND BOATING RESORT HAVE BEEN SHOWN FOR INFORMATION PURPOSES ONLY. NO RESTATEMENT OF SAID ORIGINAL LOT LINES HAS BEEN PERFORMED.

- LEGEND:**
- FOUND MARK AS INDICATED
 - SET 3/8\"
 - SET NAIL AND WASHER
 - SECTION CONTROL OR RIGHT-OF-WAY MON. AS INDICATED
 - () RECORD DATA

NOTE: THE SECTION CORNER INFORMATION SHOWN HEREON (BELOW) HAS BEEN TAKEN FROM RECORD OF SURVEY NO. 3232, RECORDS OF WEBER COUNTY SURVEYOR, PREPARED BY CHAS CORP FOR THE PURPOSES OF ADJUSTING LOT BOUNDARIES WITHIN THE SUBSECTION, WHICH SURVEY DOES INDICATE A FOUND WRENCH CORNER FOR THE SOUTH QUARTER CORNER OF SECTION 16. THE INFORMATION SHOWN HEREON AS WELL AS ADDITIONAL MONUMENT TIE DATA IS AVAILABLE ON SAID SURVEY. THE SOUTH QUARTER CORNER AND THE SOUTHEAST CORNER OF SECTION 16 WERE NOT ADVISED OR OCCUPIED DURING THIS SURVEY. REFER TO THE SUPPLEMENTAL ADDITIONAL MONUMENT TIE DATA SHOWN HEREON FOR PURPOSES OF RESTATEMENT OF SUBDIVISION BOUNDARIES.

CERTIFICATE OF SURVEYOR

JESS W. HOLYOAK, A REGISTERED PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NO. 4804857, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 36, CHAPTER 302, PROFESSIONAL LIABILITY AND LAND SURVEYOR'S LICENSING ACT, AND BY AUTHORITY OF THE OWNER, HAVE COMPLETED A SURVEY OF THE TRACT OF LAND DESCRIBED HEREWITH, IN ACCORDANCE WITH SECTIONS 11-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND PLACED MONUMENTS ON THE GROUND AS REPRESENTED BY THE PLAT.

SIGNED THIS _____ DAY OF _____, 20____.

JESS W. HOLYOAK, P.L.S.
UTAH LAND SURVEYOR REGISTRATION NO. 4804857

MOUNTAIN ENGINEERING

P. O. BOX 309
MIDWINTER, UTAH 84020
TEL (801) 878-3375 FAX (878-3375)

NO.	DATE	BY	COMMENTS

DATE OF SURVEY: 2/18/18
DATE OF PLAT: 2/18/18
DATE OF RECORD: 2/18/18

RECORD OF SURVEY

PART OF LOTS 3,4,5 AND 6, WILCOX CAMPING & BOATING RESORT
A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER,
SECTION 16, T6N, R1E, S1E, WEBCO COUNTY, UTAH.

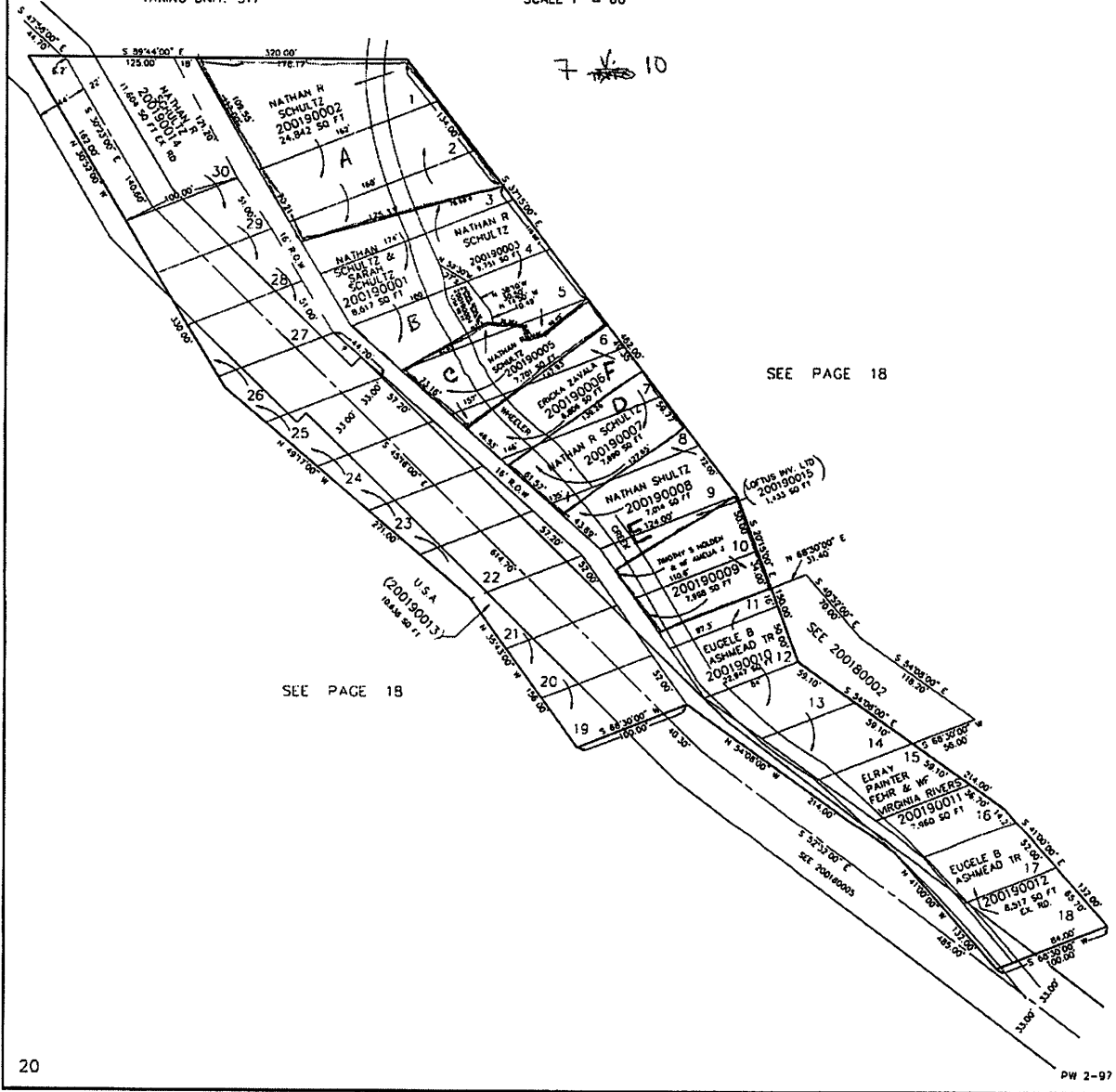
JEFF CALLAHAN, 11501 SUNNY STONE DRIVE, SOUTH JORDAN, UTAH 84092-8078

DRAWING NO. MC 10-43
SHEET 1 OF 1
RECORDED 2/18/18

PART OF S.E. 1/4, SEC. 16, T.6N., R.1E., S.L.B. & M.
WILCOX CAMPING & BOATING RESORT

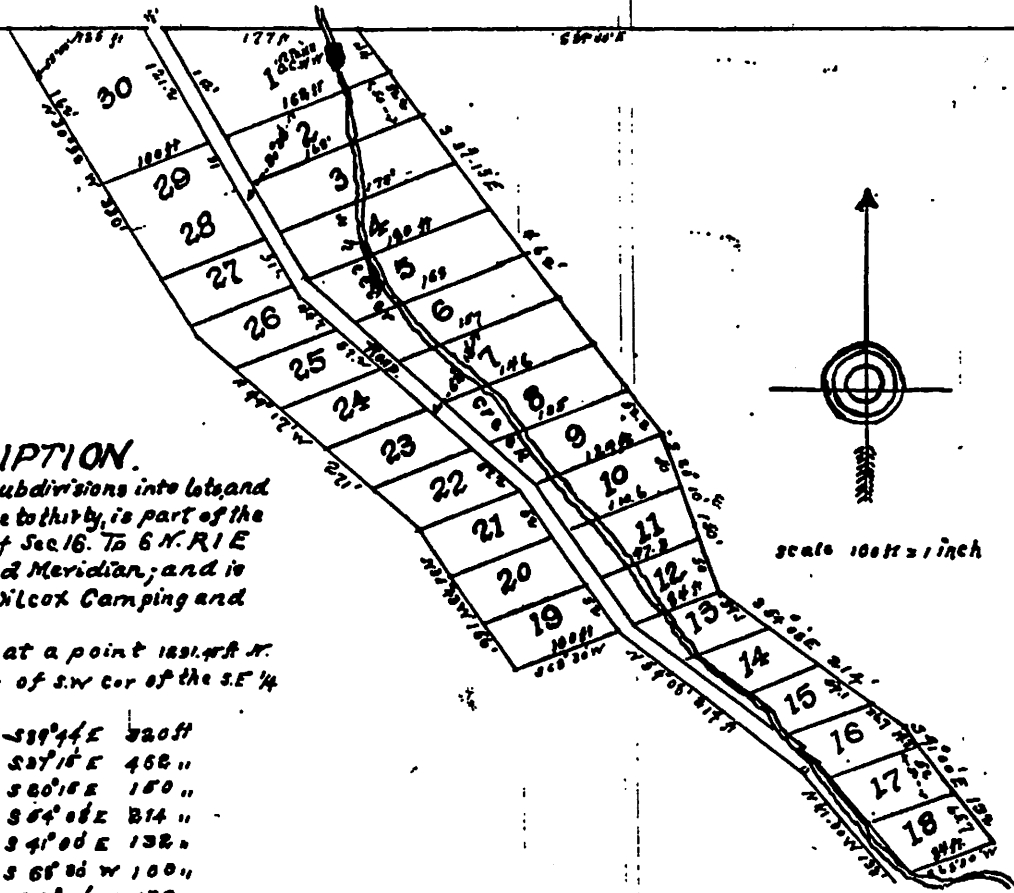
TAXING UNIT: 317

IN WEBER COUNTY
SCALE 1" = 60'



WILCOX CAMPING AND BOATING RESORT.

57



REMARKS.	
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DESCRIPTION.

This Plat and its subdivisions into lots and numbered from one to thirty, is part of the S.W. 1/4 of the S.E. 1/4 of Sec. 16. To 6 N. R. 1 E Salt Lake Base and Meridian; and is to be known as "Wilcox Camping and Boating Resort."

Beginning at a point 1831.4 ft N. and 589.44' E. 275 ft of S.W. cor of the S.E. 1/4 of said Sec. 16

Running thence;

Do.	Do.	S 89° 44' E	320 ft
"	"	S 87° 15' E	458 "
"	"	S 60° 15' E	150 "
"	"	S 64° 08' E	314 "
"	"	S 41° 08' E	132 "
"	"	S 68° 30' W	100 "
"	"	N 41° 08' W	132 "
"	"	N 57° 35' W	214 "
"	"	S 68° 30' W	100 "
"	"	N 35° 48' W	156 "
"	"	N 79° 17' W	271 "
"	"	N 30° 58' W	330 "

to beginning, being the exterior boundary of said tract of land, and containing 4.67 acres including road 16 ft wide as shown on this plat and on which the present owner M.E. Wilcox reserves a right of way.

Approved and accepted for record by the Commissioners of Weber County Utah, this 27th day of December 1910.

I W.C. Sumner, a Civil Engineer do hereby certify that the plat hereto attached of "Wilcox Camping and Boating Resort, in Weber County, State of Utah, is correct and accurately constructed from the field notes of survey made by me in November 1910.

W.C. Sumner

Weber County } ss.
State of Utah }

Subscribed and sworn to before me this 13th day of November 1910
John E. Bagley
Notary Public
My commission expires March 30th 1913.



Workspaces ▾

200190002

200180003

200190003

200190014

200190001

200190004

OGDEN CYN

190014

200190005

200190005

200190013

201450001

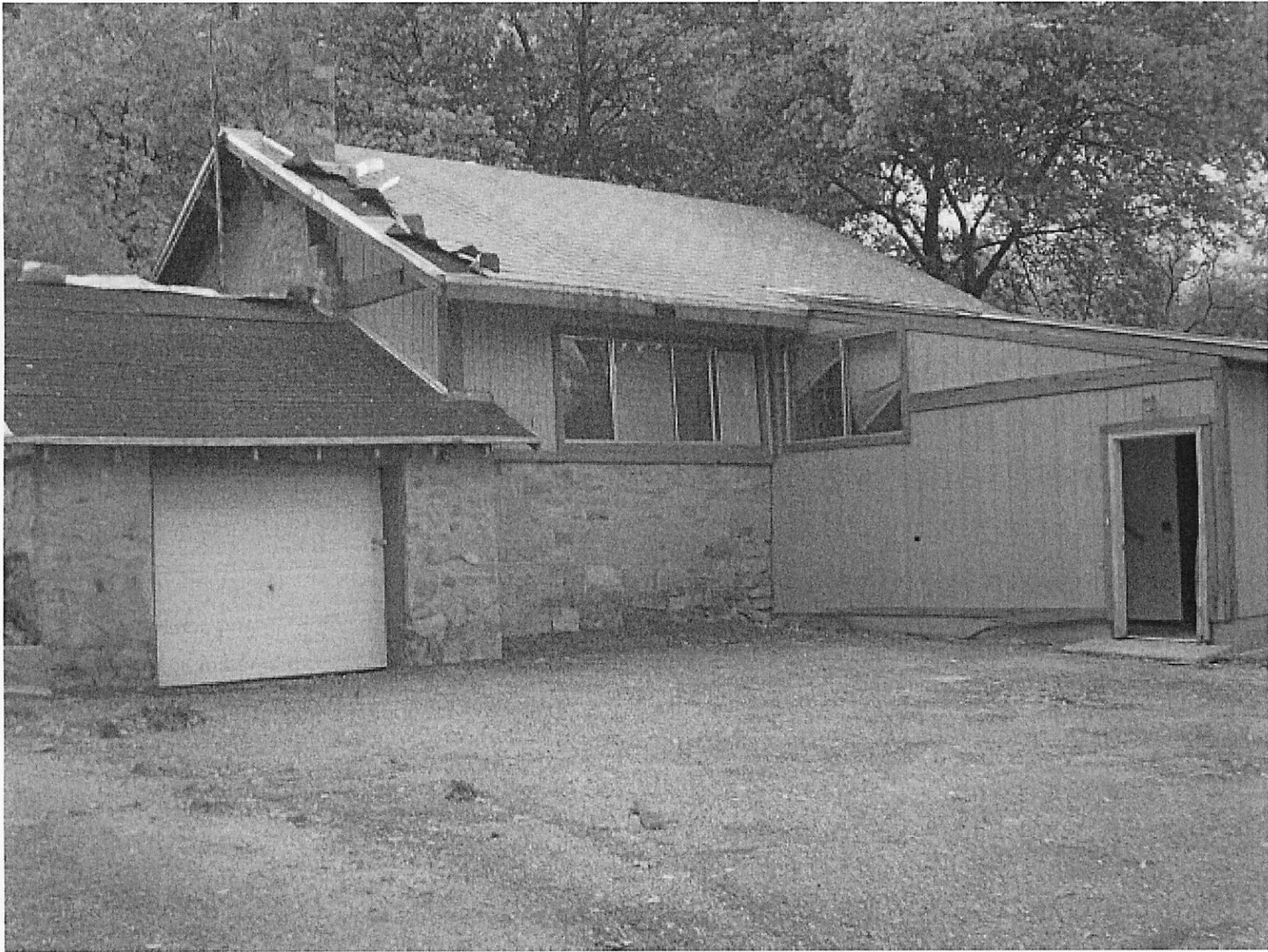
200180003

2002



0003

2009

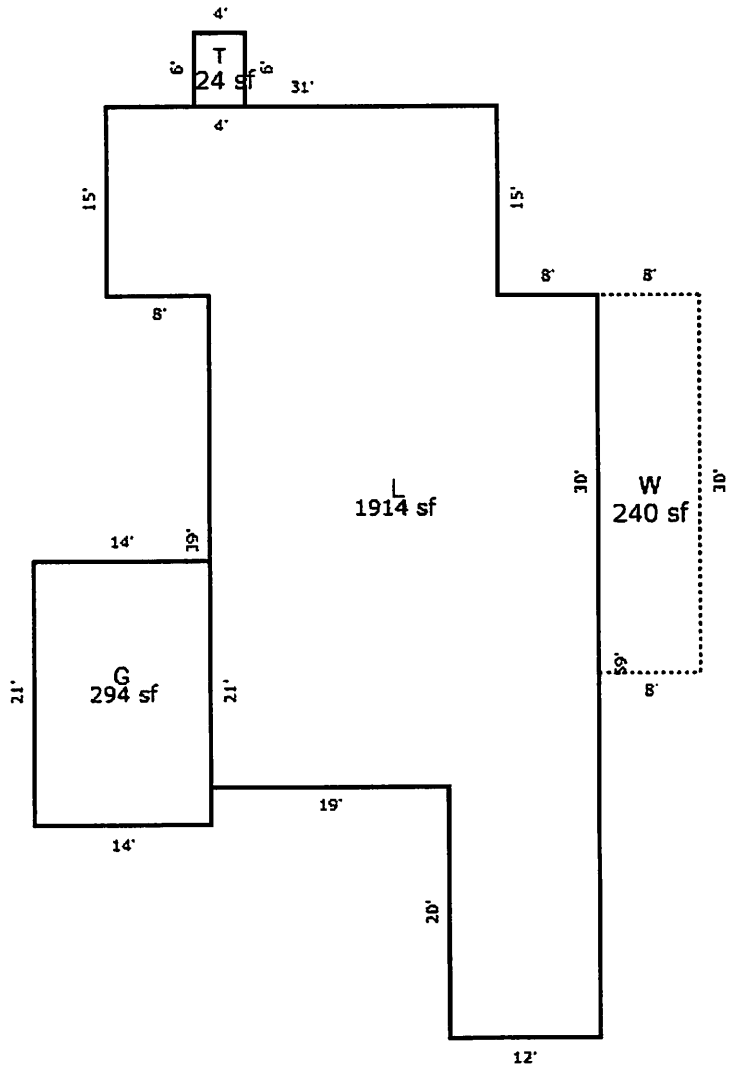


0003

2013



0003



Sketch by Apex Medina™

20-019-0003

PART OF S.E. 1/4. SEC. 16, T.6N., R.1E., S.L.B. & M.
WILCOX CAMPING & BOATING RESORT

IN WEBER COUNTY

SCALE 1" = 60'

TAXING UNIT: 317



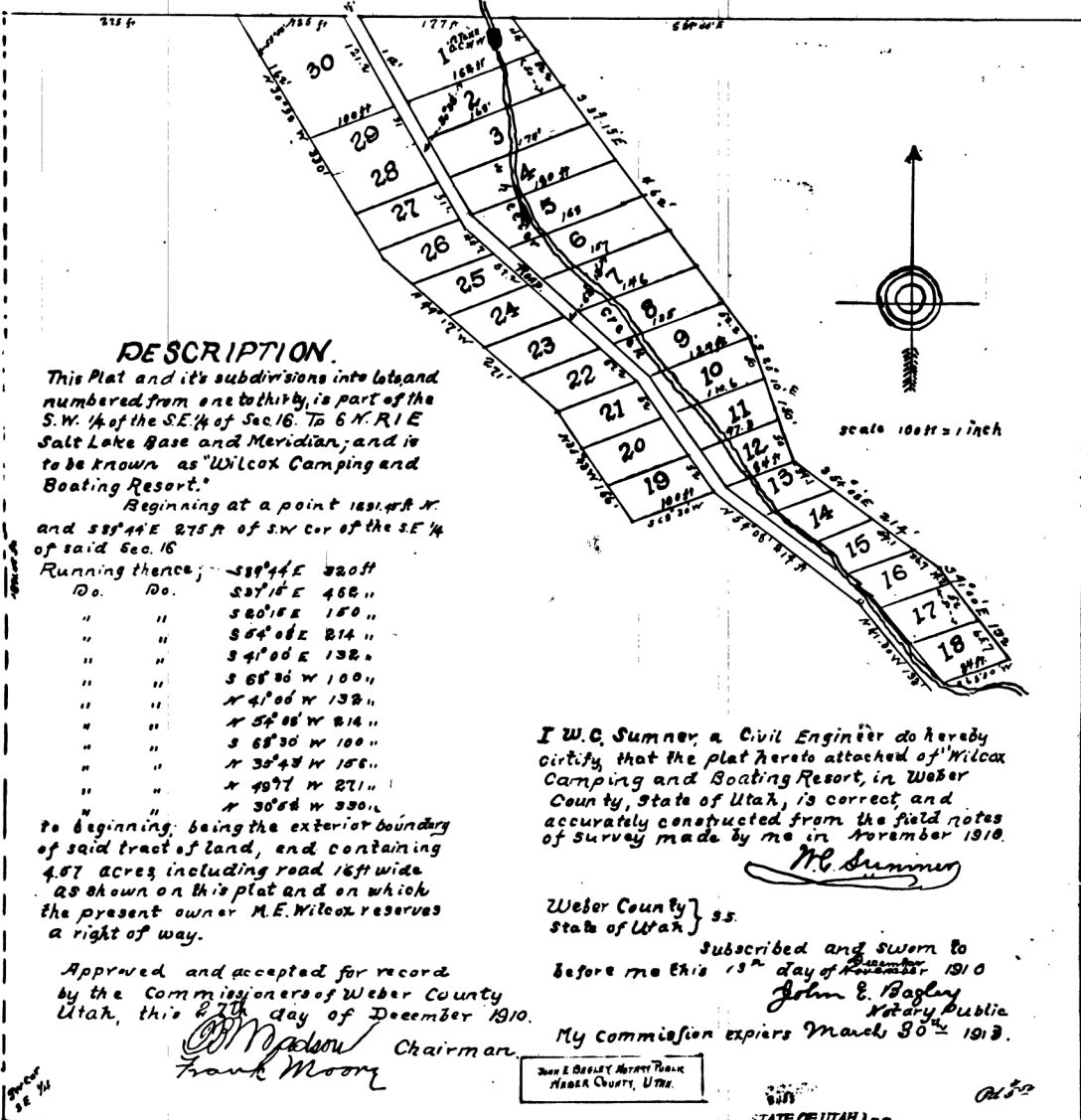
SEE PAGE 18

SEE PAGE 18

WILCOX CAMPING AND BOATING RESORT.

649-4-57

57



DESCRIPTION.

This Plat and its subdivisions into lots and numbered from one to thirty, is part of the S.W. 1/4 of the SE. 1/4 of Sec. 16. To 6 N. R. 1 E Salt Lake Base and Meridian; and is to be known as "Wilcox Camping and Boating Resort."

Beginning at a point 1831.48 ft. N. and 589'44" E. 275 ft. of S.W. cor. of the SE. 1/4 of said Sec. 16

Running thence;

Do.	Do.	S 89° 44' E	320 ft
"	"	S 87° 15' E	468 "
"	"	S 80° 15' E	150 "
"	"	S 64° 08' E	214 "
"	"	S 41° 00' E	132 "
"	"	S 68° 30' W	100 "
"	"	N 41° 00' W	132 "
"	"	N 57° 00' W	214 "
"	"	S 68° 30' W	100 "
"	"	N 32° 43' W	156 "
"	"	N 49° 17' W	271 "
"	"	N 30° 58' W	330 "

to beginning, being the exterior boundary of said tract of land, and containing 4.57 acres including road 16 ft wide as shown on this plat and on which the present owner M.E. Wilcox reserves a right of way.

Approved and accepted for record by the Commissioners of Weber County Utah, this 27th day of December 1910.

Frank Moore Chairman
Frank Moore

I W.C. Sumner, a Civil Engineer do hereby certify that the plat hereto attached of "Wilcox Camping and Boating Resort, in Weber County, State of Utah, is correct and accurately constructed from the field notes of survey made by me in November 1910.

W.C. Sumner

Weber County } ss.
State of Utah }

Subscribed and sworn to before me this 13th day of December, 1910
John E. Bagley
Notary Public
My Commission expires March 30th 1912.

John E. Bagley, Notary Public
Weber County, Utah.

Chas. H. J. Larsen
County Surveyor

REMARKS.

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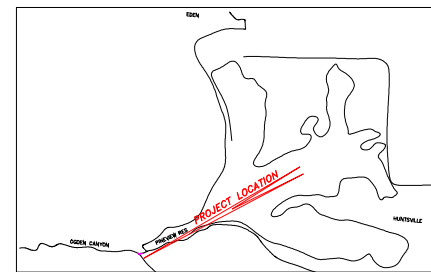
STATE OF UTAH, ss.
County of Weber
Filed for record and recorded
Shirley 27th A. D. 1910
at 9:25 o'clock P. M. and recorded
in book *13* Page *13*
Shirley
County Recorder

4-57
6-49

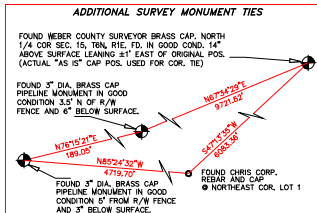
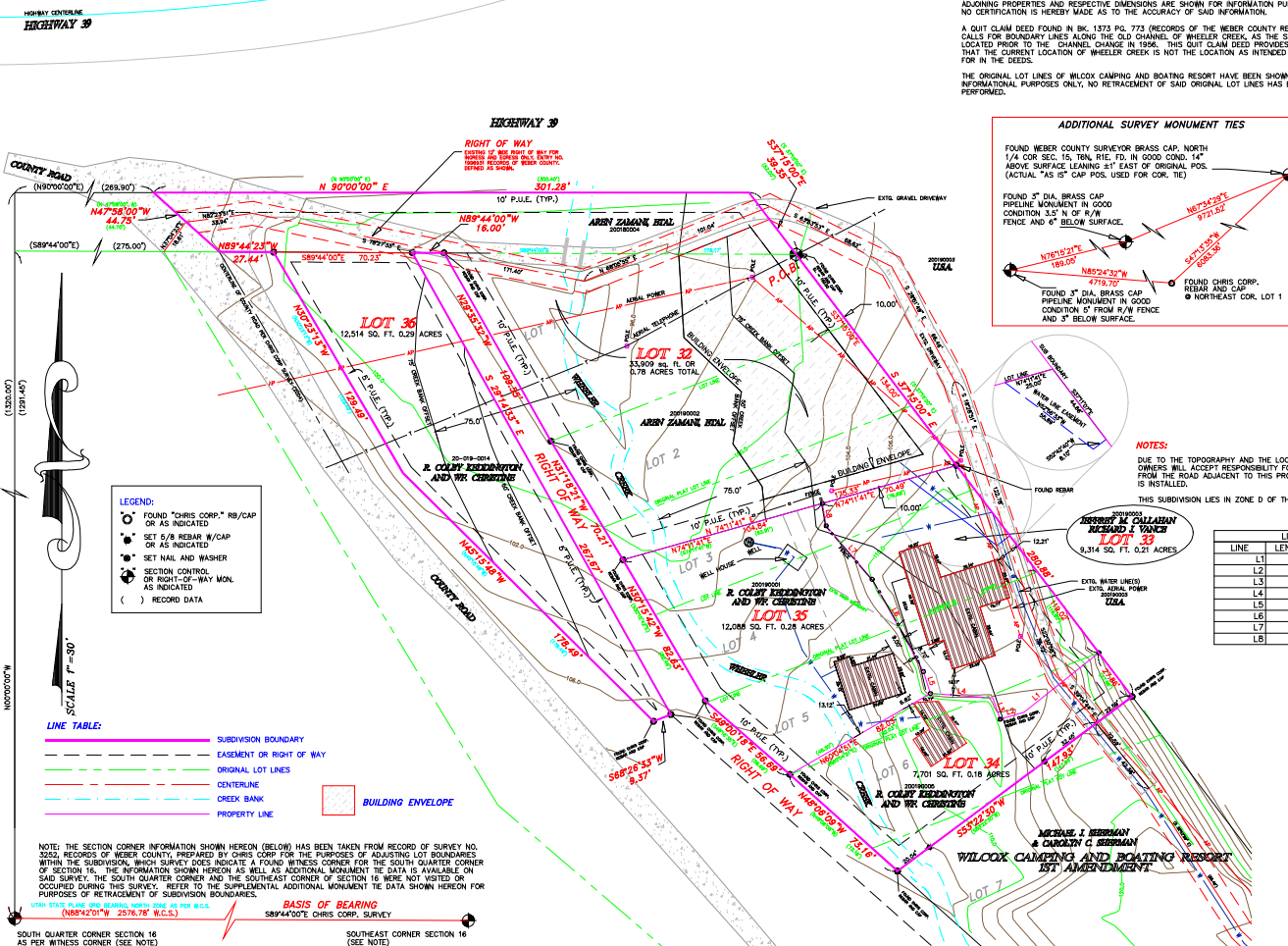
PRELIMINARY PLAN
PINEVIEW POINTE SUBDIVISION

PART OF ORIGINAL LOTS 1,2,3,4,5,6 AND 7,
 ALSO BEING ALL OF ADJUSTED PARCELS A, B AND C
 WILCOX CAMPING & BOATING RESORT
 A PART OF THE SOUTHEAST QUARTER OF SECTION 16, T6N, R1E

SURVEY NARRATIVE:
 THIS SURVEY WAS REFORMED AND PLAT PREPARED AT THE REQUEST OF JEFF CALLAHAN, 1031 N. COYOTE RUN, SARATOGA SPRINGS, UTAH 84045
 THE PURPOSE OF THIS SURVEY IS TO ADJUST THE COMMON BOUNDARY BETWEEN THE CALLAHAN AND KEDDINGTON PROPERTIES TO BETTER CONTAIN THE EXISTING HOMES AND IMPROVEMENTS AND TO BETTER CONFORM TO WEBER COUNTY ZONING ORDINANCE AND TO ESTABLISH A 3 LOT SUBDIVISION CONTAINING SEVERAL ORIGINAL LOTS OF THE WILCOX CAMPING AND BOATING RESORT. ALL MONUMENTS FOUND OR SET ARE AS INDICATED HEREON.
 THE CORNER LOCATIONS FOR THIS SURVEY WERE ESTABLISHED AS PER MONUMENTS PLACED BY CHRIS CORP ALONG THE WESTERLY LINE OF THE SUBJECT PROPERTIES.
 THE EXTERIOR BOUNDARIES OF THE PROPERTIES SHOWN HEREON WERE SURVEYED BY CHRIS CORP IN 2004. ON FILE IN THE WEBER COUNTY SURVEYOR'S OFFICE. REFER TO SAID SURVEY REGARDING DETAILS OF THE ESTABLISHMENT THEREON.
 ADJOINING PROPERTIES AND RESPECTIVE DIMENSIONS ARE SHOWN FOR INFORMATION PURPOSES ONLY NO CERTIFICATION IS HEREBY MADE AS TO THE ACCURACY OF SAID INFORMATION.
 A DUT CLAIM BEING FOUND IN BK. 1273 PG. 773 (RECORDS OF THE WEBER COUNTY RECORDER) CALLS FOR BOUNDARY LINES ALONG THE OLD CHANNEL OF WHEELER CREEK, AS THE SAME WAS LOCATED PRIOR TO THE CHANNEL CHANGE IN 1996. THIS DUT CLAIM DEED PROVIDES EVIDENCE THAT THE CURRENT LOCATION OF WHEELER CREEK IS NOT THE LOCATION AS INTENDED AND CALLED FOR IN THE DEEDS.
 THE ORIGINAL LOT LINES OF WILCOX CAMPING AND BOATING RESORT HAVE BEEN SHOWN FOR INFORMATIONAL PURPOSES ONLY. NO RETRACEMENT OF SAID ORIGINAL LOT LINES HAS BEEN PERFORMED.



VICINITY MAP



BOUNDARY DESCRIPTION
 A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, WEBER COUNTY, UTAH, AND BEING ALL OF LOTS 1,2,3,4 AND 5 AND PART OF LOTS 6 AND 7, WILCOX CAMPING AND BOATING RESORT, WEBER COUNTY, UTAH

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF SAID WILCOX CAMPING AND BOATING RESORT AS MONUMENTED BY A REBAR AND CAP, BEING ALSO THE NORTHWEST CORNER OF PARCELS "A" AS PER RECORD OF SURVEY NO. 3252, RECORDS OF THE WEBER COUNTY SURVEYOR;

THENCE NORTH 37°05'00" EAST 200.00 FEET ALONG THE EAST LINE OF SAID WILCOX CAMPING AND BOATING RESORT TO THE NORTHEAST CORNER OF THE WILCOX CAMPING AND BOATING RESORT; 1ST AMENDMENT, ACCORDING TO THE OFFICIAL PLAT THEREON;

THENCE SOUTH 53°22'30" WEST 147.93 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION;

THENCE NORTH 48°09'50" WEST 56.69 FEET TO A REBAR AND CAP;

THENCE NORTH 30°15'40" WEST 82.83 FEET TO THE WEST LINE OF ORIGINAL LOTS 3 AND 4, WILCOX CAMPING AND BOATING RESORT;

THENCE NORTH 09°02'50" WEST 109.55 FEET ALONG THE WEST LINE OF ORIGINAL LOT 1 OF SAID SUBDIVISION;

THENCE NORTH 89°44'00" WEST 18.00 FEET TO A REBAR AND CAP;

THENCE SOUTH 29°14'33" EAST 287.67 FEET TO A REBAR AND CAP;

THENCE SOUTH 88°58'30" WEST 9.37 FEET TO A REBAR AND CAP;

THENCE NORTH 45°15'47" WEST 178.49 FEET;

THENCE NORTH 30°23'10" WEST 129.49 FEET TO A REBAR AND CAP;

THENCE NORTH 89°44'20" WEST 27.44 FEET TO THE CENTERLINE OF A COUNTY ROAD;

THENCE NORTH 47°58'00" WEST 44.75 FEET ALONG SAID CENTERLINE;

THENCE NORTH 90°00'00" EAST 30.26 FEET;

THENCE SOUTH 37°10'00" EAST 39.36 FEET TO THE POINT OF BEGINNING;

CONTAINING 75,627 SQ. FT. OR 1.73 ACRES.

OWNERS DEDICATION AND CERTIFICATION
 WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS TO BE KNOWN HEREAFTER AS:

PINEVIEW POINTE SUBDIVISION

AND DO HEREBY DEDICATE TO PRIVATE USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND INDICATED BY PRIVATE DRIVEWAYS, THE SAME TO BE USED AS PRIVATE DRIVEWAYS AND ALSO TO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, IRRIGATION, STORM WATER DETENTION POND, DRAINAGE EASEMENTS AND CANAL MAINTENANCE EASEMENT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, PIPED PRESSURE IRRIGATION OR OPEN IRRIGATION CANALS OR FOR THE PROTECTION, PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITH SUCH EASEMENTS.

SIGNED THIS _____ DAY OF _____ 2016

R. COLBY KEDDINGTON CHRISTINE KEDDINGTON
 JEFFREY M. CALLAHAN RICHARD J. VANCE

THIS SUBDIVISION LIES IN ZONE D OF THE FLOODPLAIN.

LINE TABLE		
LINE	LENGTH	BEARING
L1	48.45	S51°35'42"W
L2	12.49	S73°32'17"W
L3	11.48	N18°32'44"W
L4	31.71	N80°10'15"W
L5	11.66	N174°02'25"W
L6	53.41	N29°03'57"W
L7	35.69	N40°39'41"W
L8	11.49	N09°56'14"W

ACKNOWLEDGEMENT

STATE OF _____ COUNTY OF _____

ON THE _____ DAY OF _____ 2016, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, R. COLBY KEDDINGTON AND MY CHRISTINE KEDDINGTON, JEFFREY M. CALLAHAN, RICHARD J. VANCE AND AREN ZAMANI, SIGNED THE ABOVE OWNERS' DEDICATION AND CERTIFICATION, WHO BEING BY ME KNOW SWORN, DO ACKNOWLEDGE TO ME THAT HE SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC
 RESIDING IN _____

<p>WEBER COUNTY ATTORNEY</p> <p>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.</p> <p>Signed this _____ day of _____, 20____</p> <p>Signature _____</p>	<p>WEBER COUNTY SURVEYOR</p> <p>I hereby certify that the Weber County Surveyor's Office has reviewed this plat for mathematical correctness, section corner data, and for conformity with lines and monuments on record in County offices. The approval of this plat by the Licensed Land Surveyor does not relieve the Licensed Land Surveyor who execute this plat from the responsibilities and/or liabilities associated therewith.</p> <p>Signed this _____ day of _____, 20____</p> <p>Signature _____</p>	<p>WEBER COUNTY PLANNING COMMISSION</p> <p>This is to certify that this subdivision plat was duly approved by the Weber County Planning Commission on the _____ day of _____, 20____</p> <p>Chairman, Weber County Planning Commission _____</p>	<p>WEBER COUNTY ENGINEER</p> <p>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.</p> <p>Signed this _____ day of _____, 20____</p> <p>Signature _____</p>	<p>WEBER COUNTY COMMISSION</p> <p>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 _____, 20____</p> <p>Chairman, Weber County Commission _____</p> <p>Attest: _____ Title: _____</p>	<p>CERTIFICATE OF SURVEYOR</p> <p>J. LEE M. HOLVAK, A REGISTERED PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NO. 480487, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 64, CHAPTER 2, SECTION 2-103, UTAH LAWS, HAS SURVEYED THE LOTS, BOUNDARIES, EASEMENTS AND MONUMENTS SHOWN ON THIS PLAT AND HAS FOUND THEM TO BE CORRECT AND ACCORDANT WITH THE RECORDS OF THE WEBER COUNTY SURVEYOR'S OFFICE AND THE RECORDS OF THE WEBER COUNTY RECORDER'S OFFICE AND IN ACCORDANCE WITH THE REQUIREMENTS OF ALL APPLICABLE LAWS AND ORDINANCES OF WEBER COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLETED WITHIN THE PRESCRIBED TIME PERIOD.</p> <p>SIGNED THIS _____ DAY OF _____ 2016</p> <p>J. LEE M. HOLVAK, RLE UTAH LAND SURVEYOR REGISTRATION NO. 480487</p>	<p>WEBER COUNTY RECORDER</p> <p>ENTRY NO. _____ FEE PAID _____ FILED FOR RECORD AND RECORDED _____ AT _____ IN BOOK _____ OF THE OFFICIAL RECORDS, PAGE _____</p> <p>RECORDED FOR: _____</p> <p>WEBER COUNTY RECORDER _____ DEPUTY, _____</p>
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MOUNTAIN ENGINEERING
 P. O. BOX 309
 MORGAN, UTAH 84050
 TEL (801) 876-3978 FAX 876-3979

DESIGNED BY: _____
 DRAWN BY: _____
 DATE: FEBRUARY, 2016

PINEVIEW POINTE SUBDIVISION
 PART OF ORIGINAL LOTS 1, 2, 3, 4, 5, 6 AND 7,
 ALSO BEING ALL OF ADJUSTED PARCELS A, B AND C
 WILCOX CAMPING AND BOATING RESORT
 A PART OF THE SOUTHEAST QUARTER OF SECTION 16, T 6 N, R 1 E
 SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, WEBER COUNTY, UTAH

DRAWING NO. _____
 SHEET _____ OF _____
 FILED/MOUNTAIN_ENGINEERING

2290E 4501.87/161 000K1373 PAGE 773
Recorded at Request of SXC 826719
at 8-9-17 M. Fee Paid \$ 135 RUTH WEBER
by Robert D. Weber Dep. Book Page

Mail tax notice to 20-019-0001, 0014, 0003 Address DEC 18 2 29 PM '80
20-018-0004 **QUIT CLAIM DEED** Bary D. Gardner & Assoc
0002 CLAIMS

PLATTED VERIFIED
ENTERED MICROFILMED grantees

NOLAN M. and ALANNA B. LOFTUS
of OGDEN, UTAH, County of WEBER, State of Utah, hereby
QUIT CLAIM to LOFTUS INVESTMENTS, LTD., A Utah Limited Partnership

of Ogden County of Weber, Utah for the sum of (\$10,000) DOLLARS
Ten and no/100 and other good and valuable consideration County,
the following described tract of land in
State of Utah, to wit:

All of that part of Lots 1, 2, 3, 4, 5, and 6 lying West of the center of the old channel of Wheeler Creek, as the same was located prior to the channel change in 1956, in Wilcox Camping and Boating Resort. Also Lots 27, 28, 29, and 30, lying East of the 66 foot road, in Wilcox Camping and Boating Resort, located in the Southwest Quarter of the Southeast Quarter of Section 16, Township 6 North, Range 1 East, Salt Lake Meridian, excepting the right-of-way conveyed to Ogden City by Deed recorded in Book 72 at Page 59, Weber County Records.

A part of the South half of the Southeast Quarter of Section 16, Township 6 North, Range 1 East, Salt Lake Meridian, U.S. Survey: Beginning at a point 1025.5 feet North of the Southwest corner of said Southeast Quarter; thence North 294.5 feet to the Northwest corner of said South half of Southeast Quarter; thence East 570 feet; thence South 37° 15' East 52 feet; thence North 89° 44' West 350 feet to the West line of County Road; thence Southeasterly along the West line of the County Road to a point East of beginning; thence West 455.4 feet, more or less, to the place of beginning.

(Legal Description Continued on Reverse Side of this Deed.)

WITNESS the hand of said grantor, this 10 day of December, 1980

Signed in the presence of
Nolan M. Loftus
Alanna B. Loftus

STATE OF UTAH,
County of Salt Lake ss.
On the 10 day of December 1980
and Alanna B. Loftus personally appeared before me Nolan M. Loftus
the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

Janet Hunter
Notary Public, residing at

My commission expires July 13, 1982 Salt Lake City, Utah

THIS DEED PRINTED ESPECIALLY FOR PHOTO-RECORDING. USE BLACK INK AND TYPE.

BOOK 1673 PAGE 774

(Legal Description Continued)

0003

A part of Lots 3, 4, 5, and 6 of the Wilcox Camping and Boating Resort, a subdivision of part of the Southwest Quarter of the Southeast Quarter of Section 16, Township 6 North, Range 1 East, Salt Lake Meridian, U. S. Survey: Beginning at the Northeast corner of said Lot 3 and running thence South 37° 15' East 175.30 feet; thence South 57° 29' West 53.68 feet to the South face of Stone Wall; thence South 75° West 5.5 feet along the South face of said Stone Wall; thence North 17° 30' West 10 feet, more or less, along the West face of a Stone Wall; thence North 84° 35' West 37 feet along the South face of a Stone Wall; thence North 14° 50' West 20 feet along the West face of a Stone Wall; thence North 38° 10' West 30.5 feet to an iron pipe stake; thence North 59° 30' West 27 feet, more or less, to the center of Wheeler Creek; thence Northerly along the center of Wheeler Creek to the North line of said Lot 3; thence Northeasterly along the North line of said Lot 3, to the place of beginning.

Subject to a roadway along the East side thereof.

0004

A part of Lots 4, 5, and 6 of the Wilcox Camping and Boating Resort, a subdivision of a part of the Southwest Quarter of the Southeast Quarter of Section 16, Township 6 North, Range 1 East, Salt Lake Base and Meridian, U. S. Survey: Beginning 20 feet Southeasterly from the intersection of the North line of said Lot 6 and the East bank of Wheeler Creek and running thence 45 feet, more or less, in a Northeasterly direction to the South face of a Stone Wall; thence North 84° 35' West 25 feet, more or less, along the south face of a Stone Wall; thence North 14° 50' West 20 feet along the West face of a Stone wall; thence North 38° 10' West 30.5 feet to an iron pipe stake; thence North 59° 30' West 27 feet, more or less, to the East bank of Wheeler Creek; thence Southeasterly along said East bank to the place of beginning.

(The two legal descriptions above, are subject to a possible encroachment with a property adjacent to said two legal descriptions adjoining on the South.)

Subject to easements, rights of way and burdens against said land as appears by instruments of record, or apparent by inspection of the said premises.

Together with any and all water and water rights now or heretofore used in connection with said premises.

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