Lot/

21-019-0006

Ella O. Fowles to

23.09/8 saft

Albert G Hunt 1954 Book 453 pg 103

NARRATIVE

- The Basis of Bearing is as noted in the Boundary Description hereon. The purpose of the survey is to correct long standing deed errors for several properties identified in the Weber County Tax Record as parcel numbers, 21-019-0001, 21-019-0002, 21-019-0003, 21-019-0004, 21-019-0005, 21-019-0006, 21-019-0007, 21-019-0008. The error also affects parcel number 21-018-0015. The Parcel numbers and original document of conveyance for the respective lots are noted within each lot and are not intended to be the description of the properties. The references are included only to identify the root of title associated with each parcel.
- The southwest boundary of Lot 1 is being modified in this subdivision in accordance with an agreement between the respective owners to match the existing fence line which has been used as the property boundary by each party and/or their successors in interest for a long period of time.
- The description errors as originally conveyed were caused by a mis-description of the Point of Beginning of each parcel in the magnitude of about 100 feet being short of what the physically occupied locations of the property are in relation to the North Quarter Corner of Section 14, Township 6 North, Range 2 East, SLB&M. So the error has placed the deed for each parcel about 100 feet Northeasterly of the historic occupation.
- The North Quarter Corner has been in place since 1935 according to Weber County Surveyor tie sheet records. The deeds which first conveyed these parcels are noted on the plat for each lot with the grantor, grantee, and date of conveyance. The other two parcels that the Eagles own are being consolidated into the overall RV park property that they own and are not included in this subdivision.
- The Historic Easement Fences shown at the top right of the sheet (the lane running north-south) identify the location of the original 20 foot easement granted for the use of the lot owners by Ella O Fowles as Book 444 page 299. The east fence of this lane is being held as the evidence of the right of way which matches the easement description as written and the west fence is very close to being a 20 foot offset of the east fence and is being held as the subdivision boundary for some portions as noted hereon. It is at the southerly end of these fences that the granted easement no longer conformed to the existing road as it is fenced and used by the lot owners and where the modification of said easement is being made.
- This plat is holding the general alignment of an existing fence as the north boundary of this subdivision and the right of way is set to be 20 feet southerly of this north boundary which will not coincide with some of the existing fences near the south line of the described and granted Private Right-of-way (Ella Way). The West boundary is being held on an existing fence line that the Eagles and the
- owner of Lot 1 have agreed to hold as their boundary The southerly boundary is identified as it was conveyed in original deeds which identify the intended boundary to be the thread of the river and the courses shown are only intended to document approximate angle points in the river for the purpose of calculating an approximate area for the new lots and aid in platting the lots in the tax record. The described line in many of the original deeds is the center of the river which "center" or "thread" would be and is still the controlling boundary location.
- In checking the deeds for the properties on the south side of the river it is found that those parcels also identify the center of the river as their property boundary. Therefore, the bearings and distances shown hereon may be adjusted or modified if the center of the river were to be precisely located
- . Additionally, the Weber County surveyor's office is requiring that the river bank be shown and described by metes and bounds courses along with the 100 foot river protection zone line. This information is being included on this plat only for the purpose of complying with such request. This survey or plat is not to be construed to fix or establish a legal or binding line or boundary by such river bank and 100 foot protection line data. Nor should such data be construed to identify a detailed or accurate location of the bank of the river or protection zone line.
- 1. In regard to the river bank location and 100 foot protection zone location the certificate of survey issued hereon by the certifying surveyor, nor will Landmark Surveying, Inc., include, accept or acknowledge any liabilities associated with the inclusion of said data. Any loss, damage, claims or rights whether real or perceived are also expressly excepted.
- 2. This plat is creating a Private Right of Way dedication which is granted as detailed in the owners dedication. It should be noted that access to this private right of way is currently on an unimproved aravel driveway which, accordi information provided by the affected land owners to the surveyor, may be an easement of use. The recorded and described easement for this subdivision is described in deeds from Ella O. Fowles to her grantee's. A portion of that described easement from the state highway southerly and easterly to the right of way is not currently being used by the lot owners to access their property. Any dispute, disagreement, right, title, interest, use, or encumbrance associated with legal access to this subdivision is expressly excepted from this survey and plat. The granting of title to this plat by the Eagles or the deeding of current descriptions to the Eagles of parcels within this subdivision do not grant, expand, relinguish, or disavow any existing rights of access whether recorded or otherwise with one exception, the easement and right of way as granted by Ella O. Fowles for access to the individual parcels of property which may be within the bounds of this plat is intended to be released and relinquished by separate deed in exchange for rights of access along the private right of way as dedicated herein.
- 3. This project is located in the F-5 Zone of unincorporated Weber County and from information provided by the county planning office these parcels have been provided a "grandfathered" status as Legal Non-conforming lots. The county is well aware of the reason for the change in the location of the original conveyance and the purpose of this document in correcting those original deeded locations.
- 14. Documents used in the survey are numerous which relate to the title of the property. Almost all of the documents within the NW 1/4 of the section have been looked at in some manner which dated from the late 1800's to the present. Those that specifically reference the properties being dealt with have been examined in more detail. Additional documents used in this survey are as follows but not limited
- 14.1. Record of survey plat number 3210. 14.2. County Tie Sheet records for the North Quarter and Northwest corners as well as the Bearing Sheet for the township were utilized.

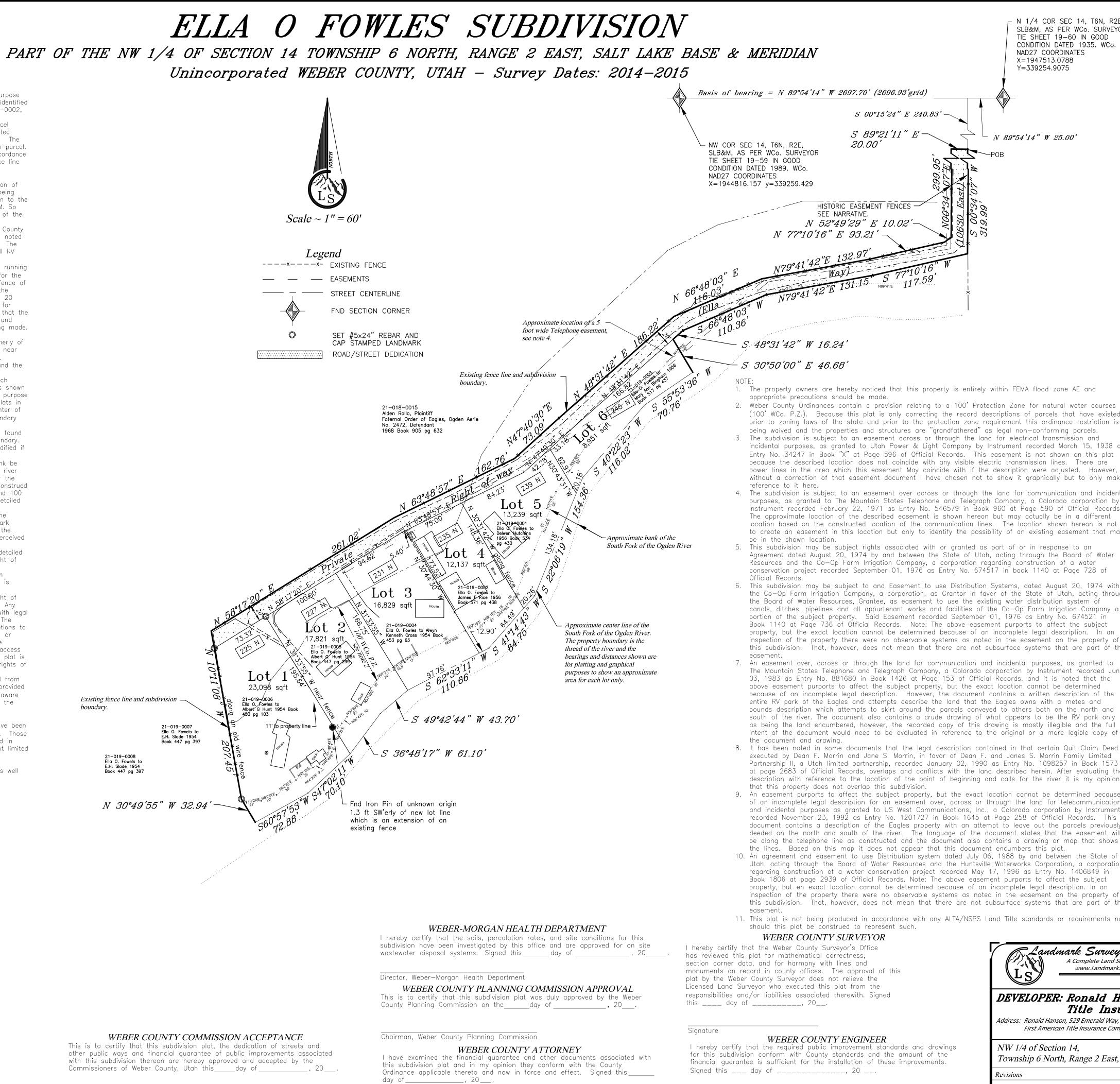
WEBER COUNTY COMMISSION ACCEPTANCE This is to certify that this subdivision plat, the dedication of streets and other public ways and financial guarantee of public improvements associated with this subdivision thereon are hereby approved and accepted by the Commissioners of Weber County, Utah this _____day of _____, 20____.

Existing fence line and subdivision —

Ella O. Fowels to E.H. Slade 1954 Book 447 pg 397

1-019-0007 Ella O. Fowels to E.H. Slade 1954 Book 447 pg 397

N 30°49'55" W 32.94'



Signature

This Plat is the Intellectual Property of Landmark Surveying, Inc., all legal rights are reserved.

N 1/4 COR SEC 14, T6N, R2E, SLB&M, AS PER WCo. SURVEYOR TIE SHEET 19-60 IN GOOD CONDITION DATED 1935. WCo. NAD27 COORDINATES X=1947513.0788 Y=339254.9075

N 89°54'14" W 25.00'

OWNER'S DEDICATION

We the undersigned owners of the herein described tract of land, do hereby set apart and subdivide the same into lots and **Private Right-of-Way** as shown hereon and name said tract ELLA O FOWLES SUBDIVISION We hereby dedicate and reserve unto ourselves, our heirs, our grantees and/or assigns, an easement(s), and/or right(s)-of-way as shown hereon as Private Right-of-way (Ella Way) to be used in common with all others within said subdivision on, over and across all those portions or parts of said tract of land

designated on said plat as access to the individual lots, or other property or uses granted for the ownership or use of said owner(s), heirs, grantees, and/or assigns, to be maintained by the owners, their grantees, successors, or assigns of said lots. In the event that there is not a formal association that is empowered to resolve maintenance issues related to the right of way and disputes arise from such the aggrieved lot owners may petition the Weber County Commission to resolve such disagreements and at the discretion of the County may deem a maintenance issue to be a safety hazard and choose to resolve the maintenance issue and assess a fee which will cover the costs of the County in resolving the safety concern to each lot owner on an equal basis which will be based on lot ownership and not by area of lot.

We hereby grant and dedicate a perpetual right and easement over, upon and under the lands designated as Private Right-of-way (Ella Way) shown hereon as public or private utility, storm water detention pond(s), drainage easement(s), and canal maintenance easement(s), the same to be used for the installation maintenance and operation of public or private utility service line(s), storm drainage facilities, irrigation canal(s) or for the perpetual preservation of water channels in their natural state whichever is applicable and as may be authorized by the governing authority, with no buildings or structures being erected within such easements. In the event that there is no formal governing authority to represent the private interests of the lot owners the Weber County Commission shall be and is hereby designated as the governing authority for such utility purposes.

Corporate Acknowledgement

STATE OF UTAH COUNTY OF WEBER)

IN WITNESS WHEREOF, Ogden Arie No. 2472, Fraternal Order of Eagles on this , 20 , before me personally appeared the day of above named signers, personally known to me or proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged to me that they voluntarily executed the same in her corporate capacity indicated herein.

Lisa Witman, Its Worthy President

Virginia McKay, Its Worthy Secretary

Aron Scrip, Its Treasurer

My Commission Expires:

Witness my hand and official seal.

Notary Public

Residing in:

BOUNDARY DESCRIPTION

A subdivision being a part of the Northwest Quarter of Section 14, Township 6 North, Range 2 East, Salt Lake Base and Meridian, Weber County, Utah. This subdivision having NAD1927 basis of bearing of North 89°54'14" West between the monumented North Quarter Corner (NAD1927 coordinates of X=1947513.0788 Y=339254.9075) and the Northwest Corner (NAD1927 coordinates of X=1944816.157 Y=339259.429) of said Section 14 as published by the Weber County Surveyor's Office said subdivision being more particularly described as follows;

BEGINNING at a point in the existing east right of way fence of an easement having been first granted by Ella O Fowles to Albert G Hunt, by warranty deed Book 444 page 299, on April 29, 1954 recorded August 17, 1954; said point being located by survey 25.00 feet North 89°54'14" West and 240.83 feet South 00°15'24" East;

FROM said monumented North Quarter Corner of Section 14;

RUNNING thence South 00°34'07" West 320.00 feet along said fence line and fence line extended;

Thence South 77°10'16" West 117.59 feet;

Thence South 79°41'42" West 131.15 feet;

Thence South 66°48'03" West 110.36 feet:

Thence South 30°50'00" East 46.68 feet, more or less, to the center line of the South Fork of the Ogden River; Thence in a Southwesterly direction along the center of the South Fork of the Ogden River being approximately described by survey with the following Nine (9) courses as it exists April 1, 2015, 1) South 55°53'36" West 70.74 feet, 2) South 40°22'23" West 116.02 feet, 3) South 22°06'19" West 154.36 feet, 4) South 41°14'43" West 84.75

feet, 5) South 62°33'11" West 110.66 feet, 6) South 49°42'44" West 43.70 feet, 7) South 36°48'17" West 61.10 feet, 8) South 47°02'11" West 70.10 feet, 9) South 60°57'53" West 72.88 feet:

Thence leaving said river North 30°49'55" West 32.94 feet; Thence North 10°11'08" West 207.45 feet along an old existing fence line and extension of said fence to an old existing fence corner;

Thence the following Eight(8) courses along and/or near an existing fence line, 1) North 58°17'20" East 261.02 feet; 2) North 63°48'57" East 162.76 feet; 3) Thence North 47°40'30" East 73.09 feet; 4) Thence North 48°31'42' East 186.22 feet; 5) Thence North 66°48'03" East 116.03 feet; 6) Thence North 79°41'42" East 132.97 feet; 7) Thence North 77°10'16" East 93.21 feet; 8) Thence North 52°49'29" East 10.02 feet;

Thence North 00°34'07" East 299.95 feet parallel to and 20 feet perpendicularly distant westerly of the east

Subject to any and all easements or encumbrances of record or which may be valid in equity and law.

SURVEYOR'S CERTIFICATE

No.171781

I, Ernest D. Rowley, do hereby certify that I am a professional land surveyor in the State of Utah and hold license no. 171781-2201 in accordance with Title 58, Chapter 22 known as the Professional Engineers and Professional Land Surveyor's Licensing Act, have made a survey of the property(s) shown hereon in accordance with UCA 17-23-17, verifying measurements, and placing monuments as represented. That this plat was documents and records as noted hereon. I further certify the 11. This plat is not being produced in accordance with any ALTA/NSPS Land Title standards or requirements nor to the best of my knowledge and belief, all lots meet the current requirements of the Land Use Ordinance of Weber county.

A Complete Land Surveying, Inc. A Complete Land Surveying Service www.LandmarkSurveyUtah.com	4646 South 3500 West - #A-3 West Haven, UT 84401 801-731-4075	Weber County Recorder
DEVELOPER: Ronald Hanson~First American Title Insurance Company Address: Ronald Hanson, 529 Emerald Way, Laguna Beach, CA 92651-1256 First American Title Insurance Company, 9000 E Pima Center Pkwy, Scottsdale, AZ 85258		Fee paid Filed for record and recorded day of 2017. at
NW 1/4 of Section 14, Township 6 North, Range 2 East, Salt Lake Base and Meridian.		in book of official records,
Revisions	DRAWN BY: EDR	County Recorder: Leann H Kilts
	CHECKED BY:	, , , , , , , , , , , , , , , , , , ,
	DATE: October 20, 2017	
	<i>FILE: 3414</i>	By Deputy:

2. Weber County Ordinances contain a provision relating to a 100' Protection Zone for natural water courses (100' WCo. P.Z.). Because this plat is only correcting the record descriptions of parcels that have existed prior to zoning laws of the state and prior to the protection zone requirement this ordinance restriction is incidental purposes, as granted to Utah Power & Light Company by Instrument recorded March 15, 1938 as Entry No. 34247 in Book "X" at Page 596 of Official Records. This easement is not shown on this plat because the described location does not coincide with any visible electric transmission lines. There are power lines in the area which this easement May coincide with if the description were adjusted. However,

4. The subdivision is subject to an easement over across or through the land for communication and incidental purposes, as granted to The Mountain States Telephone and Telegraph Company, a Colorado corporation by Instrument recorded February 22, 1971 as Entry No. 546579 in Book 960 at Page 590 of Official Records. The approximate location of the described easement is shown hereon but may actually be in a different location based on the constructed location of the communication lines. The location shown hereon is not to create an easement in this location but only to identify the possibility of an existing easement that may

Agreement dated August 20, 1974 by and between the State of Utah, acting through the Board of Water

The Mountain States Telephone and Telegraph Company, a Colorado corporation by Instrument recorded June 03, 1983 as Entry No. 881680 in Book 1426 at Page 153 of Official Records. and it is noted that the above easement purports to affect the subject property, but the exact location cannot be determined because of an incomplete legal description. However, the document contains a written description of the entire RV park of the Eagles and attempts describe the land that the Eagles owns with a metes and bounds description which attempts to skirt around the parcels conveyed to others both on the north and south of the river. The document also contains a crude drawing of what appears to be the RV park only as being the land encumbered, however, the recorded copy of this drawing is mostly illegible and the full intent of the document would need to be evaluated in reference to the original or a more legible copy of

executed by Dean F. Morrin and Jane S. Morrin, in favor of Dean F. and Janes S. Morrin Family Limited Partnership II, a Utah limited partnership, recorded January 02, 1990 as Entry No. 1098257 in Book 1573 at page 2683 of Official Records, overlaps and conflicts with the land described herein. After evaluating the description with reference to the location of the point of beginning and calls for the river it is my opinion

9. An easement purports to affect the subject property, but the exact location cannot be determined because of an incomplete legal description for an easement over, across or through the land for telecommunications and incidental purposes as granted to US West Communications, Inc., a Colorado corporation by Instrument recorded November 23, 1992 as Entry No. 1201727 in Book 1645 at Page 258 of Official Records. This document contains a description of the Eagles property with an attempt to leave out the parcels previously deeded on the north and south of the river. The language of the document states that the easement will be along the telephone line as constructed and the document also contains a drawing or map that shows 10. An agreement and easement to use Distribution system dated July 06, 1988 by and between the State of Utah, acting through the Board of Water Resources and the Huntsville Waterworks Corporation, a corporation regarding construction of a water conservation project recorded May 17, 1996 as Entry No. 1406849 in Book 1806 at page 2939 of Official Records. Note: The above easement purports to affect the subject

inspection of the property there were no observable systems as noted in the easement on the property of this subdivision. That, however, does not mean that there are not subsurface systems that are part of this prepared from the field notes of this survey and from

without a correction of that easement document I have chosen not to show it graphically but to only make

conservation project recorded September 01, 1976 as Entry No. 674517 in book 1140 at Page 728 of

6. This subdivision may be subject to and Easement to use Distribution Systems, dated August 20, 1974 with the Co-Op Farm Irrigation Company, a corporation, as Grantor in favor of the State of Utah, acting through the Board of Water Resources, Grantee, as easement to use the existing water distribution system of canals, ditches, pipelines and all appurtenant works and facilities of the Co-Op Farm Irrigation Company a portion of the subject property. Said Easement recorded September 01, 1976 as Entry No. 674521 in Book 1140 at Page 736 of Official Records. Note: The above easement purports to affect the subject property, but the exact location cannot be determined because of an incomplete legal description. In an inspection of the property there were no observable systems as noted in the easement on the property of this subdivision. That, however, does not mean that there are not subsurface systems that are part of this

boundary of the subdivision being an existing fence line; Thence South 89°25'53" East 20.00 feet to the point of

Containing 2.1778 acres, more or less.