

# CIRCLE N SUBDIVISION

PART OF THE NW 1/4 OF SECTION 29 TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN  
UNINCORPORATED WEBER COUNTY, UTAH - DECEMBER 2017

### 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 streets as shown hereon and name said tract CIRCLE N SUBDIVISION:

We hereby dedicate to the governing entity for the purpose of public use all those parts or portions of said tract of land designated as street(s) and/or road(s), the same to be used as public thoroughfares. And further dedicate grant and convey said street(s) or and/or road(s) as public utility corridors as may be authorized by the governing entity.

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

We hereby grant and dedicate unto all owners of lots upon which private land drains are constructed or which are otherwise dependent upon such land drains, a perpetual easement over such land drains for the purpose of maintenance and operation.

### Individual Acknowledgement

IN WITNESS WHEREOF, the hand of said Grantor(s), this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Gregory G. Nelson

STATE OF UTAH )  
COUNTY OF ) SS

On the date first above written personally appeared before me the above signer(s) of the within instrument, who duly acknowledged to me that they executed the same.  
WITNESS my hand and official stamp the date in this certificate first above written:

Notary Public

Residing in:

My Commission Expires:

### Individual Acknowledgement

IN WITNESS WHEREOF, the hand of said Grantor(s), this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Jeffrey L. Nelson

STATE OF UTAH )  
COUNTY OF ) SS

On the date first above written personally appeared before me the above signer(s) of the within instrument, who duly acknowledged to me that they executed the same.  
WITNESS my hand and official stamp the date in this certificate first above written:

Notary Public

Residing in:

My Commission Expires:

### Trust Acknowledgement

IN WITNESS WHEREOF, said TAMMY N. PETTIGREW LIVING TRUST, dated February 18, 2011, has caused this instrument to be executed by its trustee(s) hereto duly authorized, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Tammy N. Pettigrew

STATE OF UTAH )  
COUNTY OF ) SS

On the date first above written personally appeared before me the above named signers, residing at [ addresses ], who, being by me duly sworn and affirmed, did say that [he/she/they is/are] the trustee(s) of said trust and that the within and foregoing instrument was signed in behalf of said trust by authority, and the said signer(s) acknowledged to me that [he/she/they] as trustee(s), executed the same in the name of the trust.  
WITNESS my hand and official stamp the date in this certificate first above written:

Notary Public

Residing in:

My Commission Expires:

PERC TABLE			
HOLE #	DEPTH, in.	SOILS EVALUATION	WEBER COUNTY HEALTH DEPT. #14602
1	0-20"	Loam, granular structure	
	20-46"	Gravelly clay loam, granular structure, 15% fine gravel	
	46-72"	Gravelly sandy clay loam, massive structure, 35% fine gravel	
2	0-36"	Loam, granular structure	
	36-56"	Clay loam, granular structure, 10% fine gravel	
3	0-33"	Loam, granular structure, 10% fine gravel	
	33-53"	Gravelly sandy clay loam, blocky structure, 55% fine gravel	
	53-108"	Gravelly sandy clay loam, massive structure, 75% fine-coarse gvl	

### BOUNDARY DESCRIPTION

A part of the Northwest Quarter of Section 29, Township 7 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey described as follows:  
Beginning at a point on the North line of said Quarter Section South 89°31'08" East 825.34 feet (12.12 chains) from the Northwest Corner of said Quarter of Section; running thence South 89°31'08" East along said North Section line 645.85 feet (East 765.18 more or less); thence North 0°28'52" East 71.88 feet to a point of termination of a boundary line agreement as found in Boundary Line Agreement Entry #1512683, recorded December 30, 1997 in the Weber County Recorder's Office; thence following said agreement the following six (6) courses: (1) South 70°47'43" East 57.82 feet, (2) South 65°28'37" East 54.04 feet, (3) South 58°45'01" East 60.46 feet, (4) South 56°46'55" East 37.07 feet, (5) South 47°55'37" East 87.22 feet and (6) South 51°49'51" East 3.27 feet to a point of termination of a boundary line agreement as found in Boundary Line Agreement Entry #1512680, recorded December 30, 1997 in the Weber County Recorder's Office; thence along said agreement South 91°17'41" West 793.94 feet to the beginning point of a boundary line agreement as found in Boundary Line Agreement Entry #1512683, recorded December 30, 1997 in the Weber County Recorder's Office; thence following said agreement the following two (2) courses: (1) South 91°17'41" West 318.48 feet, (2) South 8°39'20" West 161.93 feet to center of County Road 3350 North Street; thence along centerline of road North 83°23'08" West 1083.03 feet; thence North 17°16'52" East 1277.98 feet to the point of beginning.  
Contains 1,292,672 acres or 29,676 acres

### NARRATIVE

The purpose of this survey is to create a three (3) lot subdivision as shown.  
Documents used or reviewed in this survey are, but not limited to, the following:  
1. Weber County Tax Plat 22-023 & 22-014.  
2. Deeds of record as found in the Weber County Recorder's office for parcels 22-023-0028, 22-023-0029, 22-023-0030, 22-023-0032, 22-023-0033, 22-023-0054, 22-023-0158, 22-023-0159, 22-025-0003.  
3. Subdivision Plats for Spring Creek Ranches and Kodel Subdivision as found in the Weber County Recorder's office.  
4. Unrecorded Subdivision Spring Mountain Subdivision No. 1, by Great Basin Mapping & Surveying Co., dated April 1967.  
5. Boundary Line Agreement Entry Nos. 1512680, 1512683 & 151264 of Weber County Records.  
6. Record of Survey Nos. 1878, 2066, 2736 & 4588 as found in the Weber County Surveyor's Office.

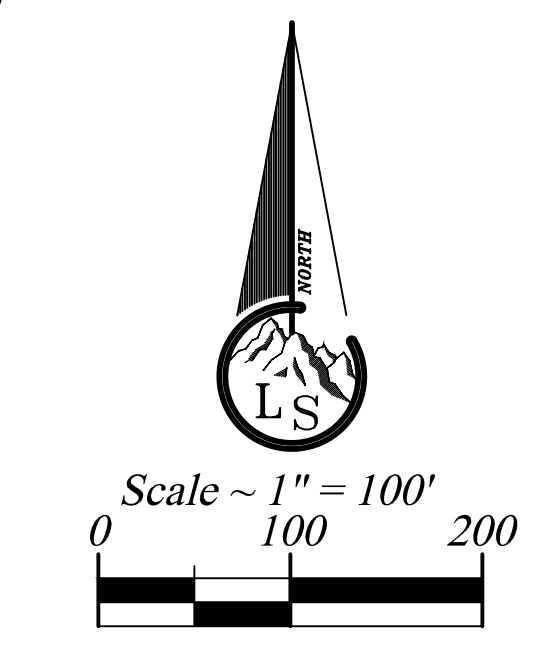
Plotting the current deed for subject parcel does not match what is being occupied on the ground. These errors were being resolved in the Record of Survey No. 4588 and the tie measurement to the point of beginning, the North and West boundary lines have been held from that survey. Said survey shows "old cedar fence posts" along the West boundary and, from testimony of the client, "have been there a long time". The Northeasterly and East boundary lines were established from the Boundary Line Agreement's and, after research of documents and verbal testimony, by the Elements of Acquiescence. In Boundary Line Agreement Entry Nos. 1512683 & 1512684 recorded December 30, 1997, the parties involved stated they were the owners and possessors of adjacent tracts of land, a portion of which had been separated by an existing fence line for over 40 years and had been mutually agreed upon as the boundary line between the parties. These documents support the claim that the elements of Acquiescence has been met. These elements are: (i) occupation up to a visible line marked by monuments, fences, or buildings, (ii) mutual acquiescence in the line as a boundary, (iii) for a period of at least 20 years, (iv) by adjoining landowners. (*Jacobs v. Hafen*, 917 P.2d 1078, 1081 (Utah 1996)). "Title is obtained by operation of law at the time the elements of boundary by acquiescence are satisfied." (*Oz v. Hughes*, 2016 UT 8).

The ditch easement, as found in Entry #367768 in Book 694 at Page 91 of Official Records does not disclose the width of the easement  
The Centerline of 3350 North Street was established from the Spring Mountain Subdivision (Unrecorded Subdivision) and other Record of Survey's along said Street.

The basis of bearing of bearing is State Plane Grid Bearing as shown.

### SURVEYOR'S CERTIFICATE

I, Tyler D. Knight, do hereby certify that I am a professional land surveyor in the State of Utah and hold license no. 9008384-2201 in accordance with Title 58, Chapter 22 known as the Professional Engineers and Professional Land Surveyor's Licensing Act, have made a survey of the property(s) shown hereon in accordance with UCA 17-23-17, verifying measurements, and placing monuments as represented. That this plat was prepared from the field notes of this survey and from documents and records as noted hereon. I further certify that, to the best of my knowledge and belief, all lots meet the current requirements of the Land Use Ordinance of Weber county.



- Legend**
- x---x--- EXISTING FENCE
  - - - - - EASEMENTS
  - - - - - STREET CENTERLINE
  - ◆ FND SECTION CORNER
  - FND REBAR AND CAP
  - SET #5x24" REBAR AND CAP STAMPED LANDMARK
  - ▨ ROAD/STREET DEDICATION

**NOTE:**  
1. Agriculture is the preferred use in the agricultural zones. Agricultural operations as specified in the Land Use Code for a particular zone are permitted at any time including the operation of farm machinery and no allowed agricultural use shall be subject to restriction on the basis that it interferes with activities of future residents of this subdivision. [Amd. Ord. Sec. 106-1-8(c)(5)]  
2. Each lot may be subject to the Easement as contained in the Entry #367768 in Book 694 at Page 91 & 92 of Official Records. This recorded easement does not contain a width for the easement and cannot be shown on this plat.

**WEBER-MORGAN HEALTH DEPARTMENT**  
I hereby certify that the soils, percolation rates, and site conditions for this subdivision have been investigated by this office and are approved for on site wastewater disposal systems. Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Director, Weber-Morgan Health Department  
**WEBER COUNTY PLANNING COMMISSION APPROVAL**  
This is to certify that this subdivision plat was duly approved by the Weber County Planning Commission on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chairman, Weber County Planning Commission  
**WEBER COUNTY ATTORNEY**  
I have examined the financial guarantee and other documents associated with this subdivision plat and in my opinion they conform with the County Ordinance applicable thereto and now in force and effect. Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature \_\_\_\_\_

**WEBER COUNTY SURVEYOR**  
I hereby certify that the Weber County Surveyor's Office has reviewed this plat for mathematical correctness, section corner data, and for harmony with lines and monuments on record in county offices. The approval of this plat by the Weber County Surveyor does not relieve the Licensed Land Surveyor who executed this plat from the responsibilities and/or liabilities associated therewith. Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature \_\_\_\_\_  
**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\_\_\_\_.

Chairman, Weber County Commission  
Attest:  
Title: Weber County Clerk

**WEBER COUNTY ENGINEER**  
I hereby certify that the required public improvement standards and drawings for this subdivision conform with County standards and the amount of the financial guarantee is sufficient for the installation of these improvements. Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature \_\_\_\_\_

<p>Landmark Surveying, Inc. A Complete Land Surveying Service www.LandmarkSurveyingUtah.com</p>		<p>4646 South 3500 West - #A-3 West Haven, UT 84401 801-731-4075</p>	
<p><b>DEVELOPER:</b> Greg Nelson Address: 4620 Westview Drive Salt Lake City, UT 84124</p>		<p>Weber County Recorder</p> <p>Entry no. _____ Fee paid _____ Filed for record and recorded ____ day of _____, 2016. at _____ in book _____ of official records, on page _____ County Recorder: Leann H Kilts</p>	
<p>NW 1/4 of Section 29, Township 7 North, Range 1 East, Salt Lake Base and Meridian.</p>		<p>Subdivision</p>	
<p>Revisions</p>		<p>DRAWN BY: TK CHECKED BY: TK DATE: FILE: 3785v1</p>	