



W3164031



Weber County

June 28, 2021

E# 3164031 PG 1 OF 8
LEANN H KILTS, WEBER COUNTY RECORDER
28-JUN-21 936 AM FEE \$.00 DEP TN
REC FOR: WEBER COUNTY PLANNING

Notice of Non-Buildable Parcel

Legal Description

RE: Land Serial # 10-037-0032 Notice of Non-Buildable Parcel

LEGAL DESCRIPTION:

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN (AS MONUMENTED), BEGINNING AT A POINT WHICH BEARS NORTH 89D15'15" WEST 204.07 FEET FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SOUTHEAST QUARTER OF SAID SECTION 15, SAID POINT BEING MORE PARTICULARLY DESCRIBED AS BEING NORTH 89D15'15" WEST 1517.41 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION, AND RUNNING THENCE NORTH 01D12'46" EAST 229.03 FEET TO AND ALONG AN EXISTING FENCE LINE, THENCE SOUTH 81D50'00" WEST, 3.59 FEET ALONG SAID FENCE, THENCE NORTH 0D42'35" EAST 401.53 FEET, MORE OR LESS, TO A FENCE, THENCE NORTH 89D15'15" WEST (ALONG SAID FENCE) 172.83 FEET, THENCE SOUTH 0D38'20" WEST 630.00 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE SOUTH 89D15'15" EAST 173.59 FEET ALONG SECTION LINE TO THE POINT OF BEGINNING. LESS AND EXCEPTING: A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF LAND, SITUATE IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN, INCIDENT TO THE CONSTRUCTION OF 1200 SOUTH STREET, WEBER COUNTY, STATE OF UTAH, ALSO KNOWN AS PROJECT NO. LG_WC_1200 SOUTH THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 15 AND THE EAST LINE OF THE GRANTORS PROPERTY, SAID POINT LIES 204.07 NORTH 89D15'00" WEST ALONG THE SOUTH LINE OF SAID SECTION 15 FROM THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 15, SAID POINT ALSO LIES 1517.41 FEET NORTH 89D15'00" WEST ALONG THE SOUTH LINE OF SAID SECTION 15 FROM THE SOUTHEAST CORNER OF SAID SECTION 15, AND RUNNING THENCE NORTH 89D15'00" WEST 173.65 FEET ALONG THE SOUTH LINE OF SAID SECTION 15 AND ALSO THE SOUTH LINE OF SAID GRANTORS PROPERTY TO A POINT ON THE WESTLINE OF THE GRANTORS PROPERTY, THENCE NORTH 0D38'00" EAST 49.35 FEET ALONG SAID WEST PROPERTY LINE TO A POINT ON THE PROPOSED NORTH RIGHT OF WAY LINE FOR THE 1200 SOUTH STREET (900 SOUTH STREET) ROAD WIDENING PROJECT (LG_WC_1200 SOUTH) THENCE SOUTH 89D22'36" EAST 174.14 FEET ALONG SAID PROPOSED NORTH RIGHT OF WAY LINE TO A POINT ON THE EAST LINE OF GRANTORS PROPERTY, THENCE SOUTH 01D12'00" WEST 49.74 FEET ALONG SAID EAST PROPERTY LINE TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 8615 SQUARE FEET OR 0.198 ACRES OF WHICH 5736 SQUARE FEET OR 0.132 ACRES IS ARE NOW OCCUPIED BY EXISTING HIGHWAY. BALANCE 2880 SQUARE FEET OR 0.066 ACRES (E# 2824379) [NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THE RECORDERS OFFICE FOR TAX PURPOSES.]

The land with Parcel Number 10-037-0032 is currently zoned Manufacturing (M-1) which allows for a variety of uses, when located on a "Lot of Record" as defined in Title 101 of the Weber County Land Use Code (LUC). The subject parcel is not a "Lot of Record" because it does not meet any of the circumstances listed in LUC §101-2-13 as listed below:

Lot of record. A lot of record is defined as any one of the following circumstances:

- (1) A parcel of real property identified as a building lot on an unrecorded subdivision plat that has been approved by Weber County and is on file in the Weber County Planning Office; or*
- (2) A parcel of real property identified as a building lot on a subdivision plat that has been approved by Weber County and recorded in the office of the Weber County Recorder; or*
- (3) A parcel or lot described in a deed, sales contract or survey that was recorded in the office of the Weber County Recorder before January 1, 1966; or*
- (4) A parcel or lot described in a deed, sales contract or survey that was recorded in the office of the Weber County Recorder in between January 1, 1966, and June 30, 1992, which complied with the zoning requirements in effect at the time of its creation and was shown to be the first or second division of a larger parent parcel; or*
- (5) A parcel or lot that was created in its current size and configuration and contained a lawfully permitted single family dwelling prior to July 1, 1992; or*
- (6) A parcel/lot that does not fall within any one of the previously listed circumstances but has received a variance from the Weber County Board of Adjustment which has otherwise deemed a particular parcel/lot as a lot of record.*

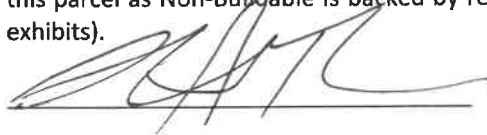
Based on this information, the Weber County Planning Division has found this to be a non-buildable parcel. The Weber



Weber County

County Planning Division cannot issue a Land Use Permit to develop this parcel until the parcel meets one of the above-described circumstances.

This letter addresses the legal status of the parcel based on whether it could be grandfathered in as legal lot. The area and width of this parcel do comply with current zoning requirements and therefore could be subdivided to create a buildable lot (option #2 above). Research into historical plats has been conducted to ensure that the decision to label this parcel as Non-Buildable is backed by recorded historical plats, zoning maps, and zoning ordinances (see attached exhibits).


 Dated this 28 day of June, 2021

Scott Perkes, AICP
Planner III - Weber County Planning Division

STATE OF UTAH)
 :ss
COUNTY OF WEBER)

On the 28 day of June, 2021, personally appeared before me Ann J. Morby the signer(s) of the foregoing instrument, who duly acknowledged to me that he/she/they executed the same.

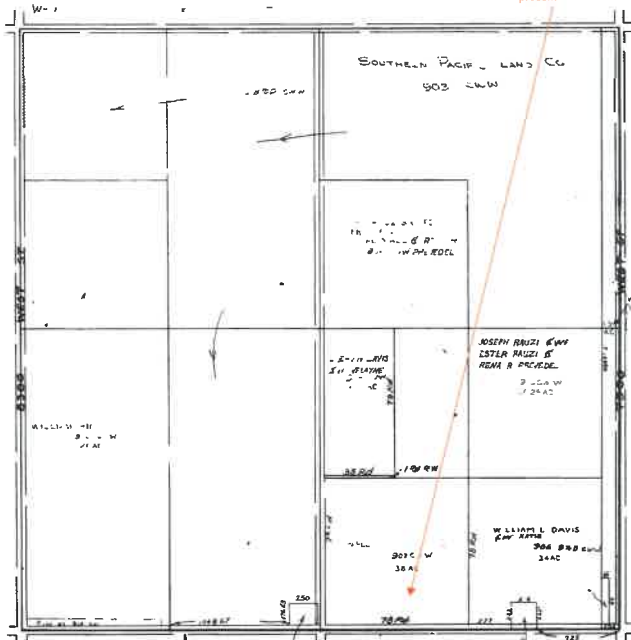
Notary Public
Weber County

Residing at:




SECTION 15 T. 6 N. R. 3 W. S. 1 B. & M
Water District
Scale 1"=400 feet

Exhibit A
1966 Ownership Plat
Parcel 10-037-0032 is not
present



IRRIGATION
CO
B. C. W.

(WILLIAM L DAVIS)
309 A CW

WILLIAM L DAVIS
306 A CW

WILLIAM L DAVIS
307 A CW

SECTION 15, T.6N., R.3W., S.L.B.& M.

IN WEBER COUNTY

SCALE 1" = 400'

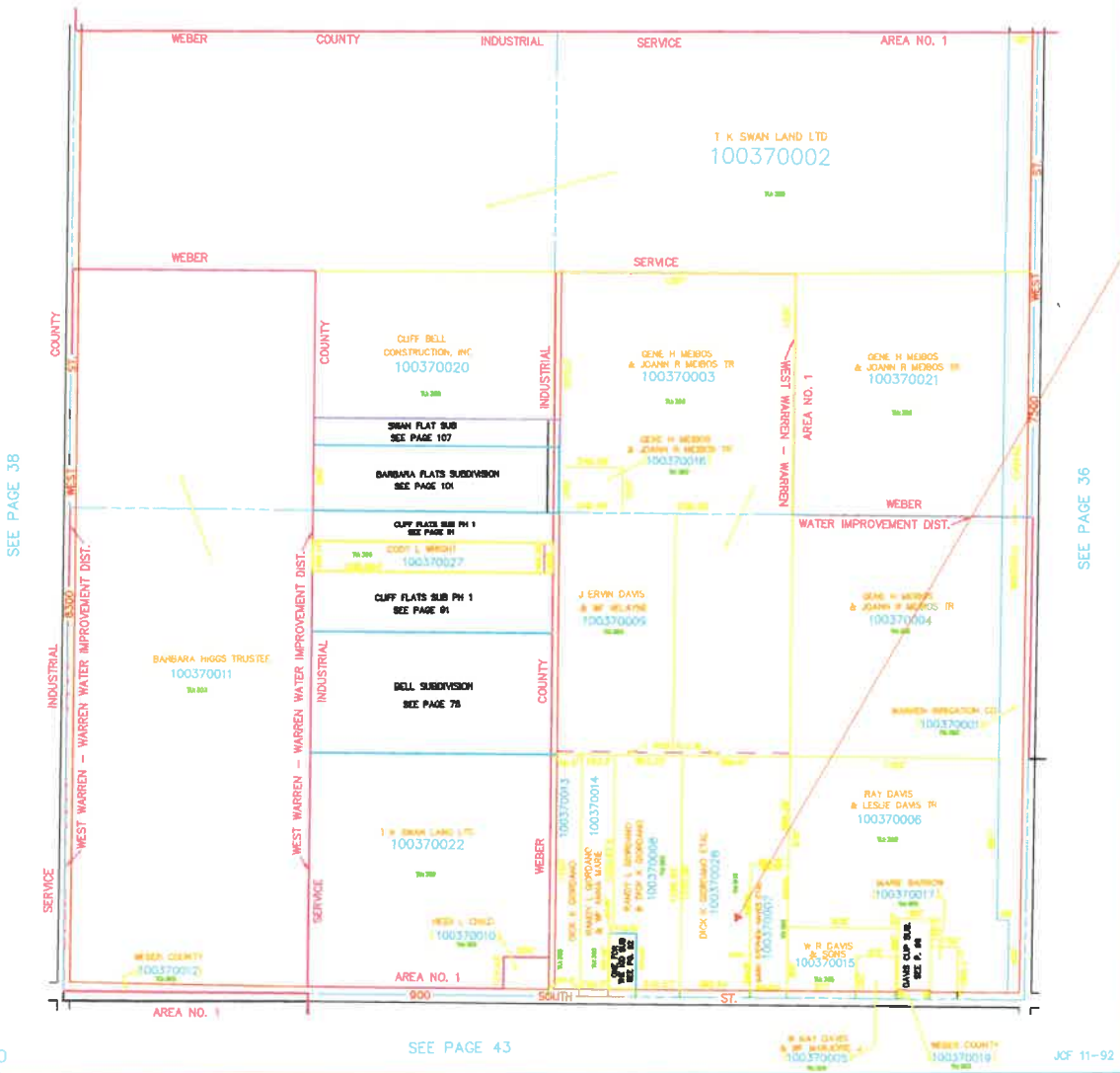
37

TAXING UNIT: 302,303,389

SEE PAGE 33

Exhibit B

2004 Ownership Plat
Parcel 10-037-0032 is not
present.



SEE PAGE 38

SEE PAGE 36

SEE PAGE 43

JCF 11-92

SECTION 15, T.6N., R.3W., S.L.B. & M.

IN WEBER COUNTY
SCALE 1" = 400'

37

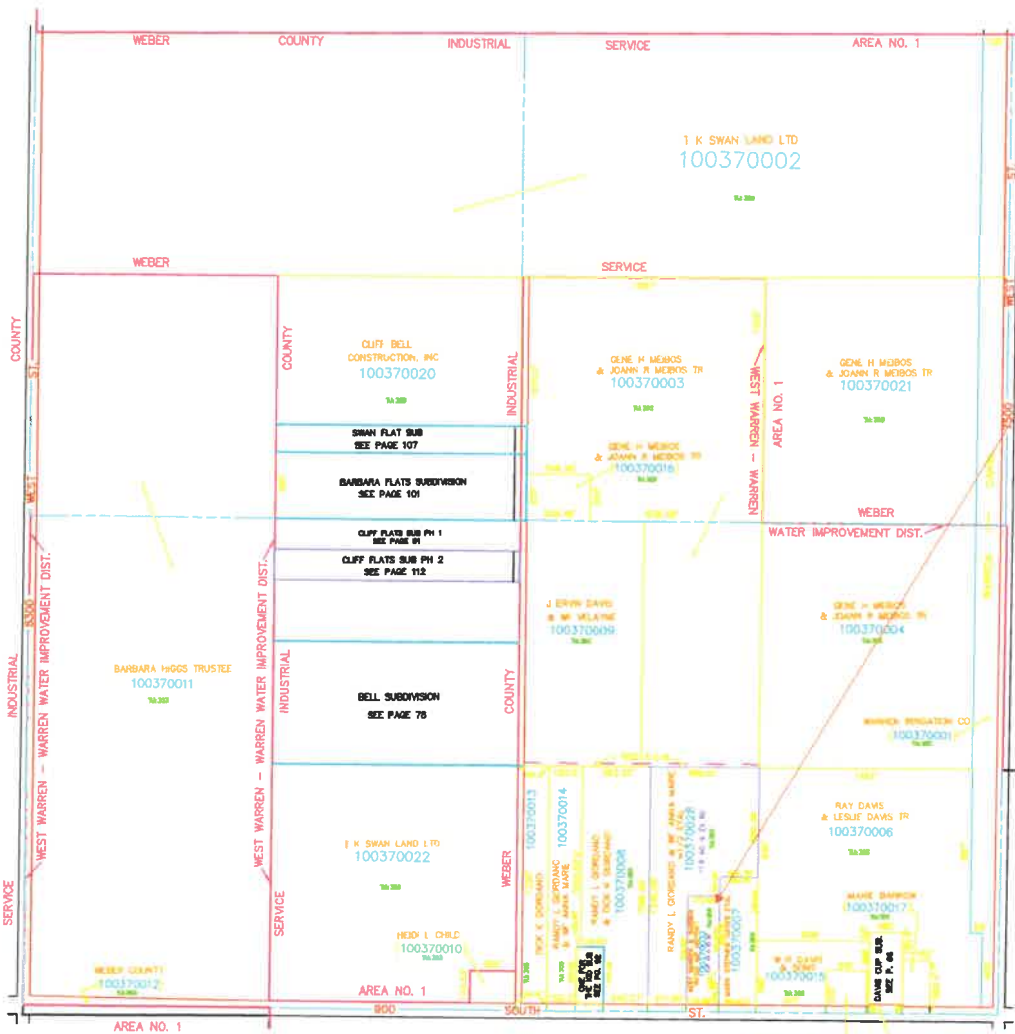
TAXING UNIT: 302,303,389

SEE PAGE 33

Exhibit C

2005 Ownership Plat
Parcel 10-037-0032 is present.

SEE PAGE 38



SEE PAGE 36

SEE PAGE 43

JCF 11-82

0

AFTER RECORDING RETURN TO:
Randy L. Giordano and Anna Marie Giordano
Giordano
7852 West 900 South
Ogden, Ut 84404

Exhibit D

Parcel 10-037-0028 is
created Feb 1st 2005.

SPACE ABOVE THIS LINE (3 1/2" X 5") FOR RECORDER'S USE

WARRANTY DEED

Escrow No. 013-4411783 (www)
A.P.N.: 10-037-0028

Dick K. Giordano and Randy L. Giordano and Ann Marie Giordano, ^{/AKA Anne Marie Giordano} all as joint tenants, Grantor, of Ogden, Weber County, State of Utah, hereby CONVEY AND WARRANT to

Randy L. Giordano and Anna Marie Giordano, husband and wife, as to an undivided one half interest; Michael G. Giordano and Melissa N. Giordano, husband and wife, as to an undivided one quarter interest; Joseph F. Giordano, a single man, as to an undivided one quarter interest, Grantee, of Ogden, Weber County, State of Utah, for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in Weber County, State of Utah:

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN (AS MONUMENTED), BEGINNING AT A POINT WHICH BEARS NORTH 89°15'15" WEST 204.07 FEET FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SOUTHEAST QUARTER OF SAID SECTION 15, SAID POINT BEING MORE PARTICULARLY DESCRIBED AS BEING NORTH 89°15'15" WEST 1517.41 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION, AND RUNNING THENCE NORTH 01°12'46" EAST 229.03 FEET TO AND ALONG AN EXISTING FENCE LINE, THENCE SOUTH 81°50'00" WEST, 3.59 FEET ALONG SAID FENCE, THENCE NORTH 0°42'35" EAST 505.75 FEET ALONG SAID FENCE TO A FENCE INTERSECTION, THENCE SOUTH 88°05'7" EAST 204.75 FEET ALONG AND BEYOND SAID FENCE TO THE EAST LINE OF SOUTHWEST QUARTER OF SOUTHEAST QUARTER OF SECTION 15, THENCE NORTH 0°38'30" EAST 599.39 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER, SOUTHEAST QUARTER, THENCE NORTH 89°12'48" WEST 589.61 FEET ALONG THE NORTH LINE OF SAID QUARTER, QUARTER SECTION, MORE OR LESS TO THE NORTHWEST CORNER OF BOOK 1950 PAGE 1435 OF THE WEBER COUNTY RECORDS, THENCE SOUTH 0°38'20" WEST 1329.85 FEET (SOUTH 0°06'19" EAST 1330.08 FEET) ALONG SAID DEED LINE, MORE OR LESS TO THE SOUTH LINE OF SAID QUARTER SECTION, SAID POINT ALSO BEARS (EAST 723.71 FEET) SOUTH 89°15'15" EAST 723.73 FEET FROM THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SAID SECTION 15, THENCE SOUTH 89°15'15" EAST 385.54 FEET ALONG SECTION LINE TO THE POINT OF BEGINNING.

EXCEPTING THE SOUTH 33 FEET FOR ROAD PURPOSES.

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year 2005 and thereafter.

WITNESS the hand of said Grantor, on Feb. 01, 20 05.

Dick K. Giordano
Dick K. Giordano
Ann Marie Giordano
Ann Marie Giordano
aka Anne Marie Giordano

Randy L. Giordano
Randy L. Giordano

E# 2083578 PG 1 OF 1
DOUG CROFTS, WEBER COUNTY RECORDER
03-FEB-05 302 PM FEE \$10.00 DEP VD
REC FOR: FIRST.AMERICAN.TITLE

STATE OF Utah)
COUNTY OF Weber)
)Ss.

On Feb 1, 20 05, personally appeared before me, Dick K. Giordano and Randy L. Giordano and Ann Marie Giordano the signor of the within Instrument, who duly acknowledged to me that he/she executed the same.

Wendy Whitfield
Notary Public
(Printed Name)

NOTARY PUBLIC
WENDY WHITFIELD
5434 South Freeway Park Drive
Riverdale, Utah 84405
My Commission Expires
October 15, 2008
State of Utah



W2133509

Recording Requested by:
First American Title Insurance Agency, LLC
5434 South Freeway Park Drive
Riverdale, UT 84405
(801)825-6100

Exhibit E

EH 2133509 PG 1 OF 2
DUNG CROFTS, WEBER COUNTY RECORDER
04-OCT-05 208 PH FEE \$15.00 DEP SGC
REC FOR: FIRST AMERICAN TITLE

AFTER RECORDING RETURN TO:
West Warren and Warren Water
Improvement
5783 W. 950 N.
West Haven, UT
Ogden 84404

Parcel 10-037-0032 is
created October 3rd 2005,
which supersedes Parcel
10-037-0028.

SPACE ABOVE THIS LINE (3 1/2" X 7") FOR RECORDER'S USE

WARRANTY DEED

Escrow No. 013-4501572 (www)
A.P.N.: 10-037-0028

Randy L. Giordano and Anna Marie Giordano, husband and wife, as to an undivided one half interest; Michael G. Giordano and Melissa N. Giordano, husband and wife, as to an undivided one quarter interest; Joseph F. Giordano, a single man, as to an undivided one quarter interest, Grantor, of Ogden, Weber County, State of Utah, hereby CONVEY AND WARRANT to

West Warren and Warren Water Improvement District, Grantee, of West Haven, Weber County, State of UT, for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in Weber County, State of Utah:

10-037-0032 (10-037-0028) #

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN (AS MONUMENTED), BEGINNING AT A POINT WHICH BEARS NORTH 89°15'15" WEST 204.07 FEET FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SOUTHEAST QUARTER OF SAID SECTION 15, SAID POINT BEING MORE PARTICULARLY DESCRIBED AS BEING NORTH 89°15'15" WEST 1517.41 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION, AND RUNNING THENCE NORTH 01°12'46" EAST 229.03 FEET TO AND ALONG AN EXISTING FENCE LINE, THENCE SOUTH 81°50'00" WEST, 3.59 FEET ALONG SAID FENCE, THENCE NORTH 0°42'35" EAST 401.53 FEET, MORE OR LESS, TO A FENCE, THENCE NORTH 89°15'15" WEST (ALONG SAID FENCE) 172.83 FEET, THENCE SOUTH 0°38'20" WEST 630.00 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID QUARTER SECTION, THENCE SOUTH 89°15'15" EAST 173.59 FEET ALONG SECTION LINE TO THE POINT OF BEGINNING.

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year 2005 and thereafter.

WITNESS the hand of said Grantor, on Oct 3, 2005.

Randy L. Giordano

Anna Marie Giordano

Michael G. Giordano

Melissa N. Giordano

Joseph F. Giordano
by
In-fact

STATE OF Utah)
) Ss.
COUNTY OF Weber)

On Oct 3, 2005, personally appeared before me, Randy L. Giordano and Anna Marie Giordano and Michael G. Giordano and Melissa N. Giordano the signor of the within instrument, who duly acknowledged to me that he/she executed the same.

Notary Public

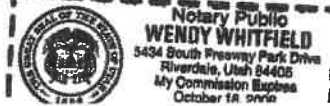


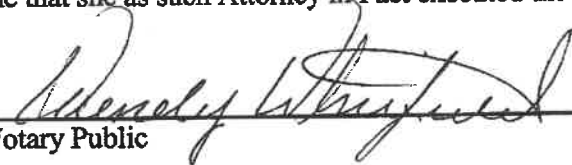
Exhibit E

State of Utah

EN 2133509 PG 2 OF 2

County of Weber

On the 3rd day of October 2005 personally appeared before me, Anna Marie Giordano who duly sworn did say that she is the Attorney in Fact of Joseph F. Giordano and that the foregoing instrument was signed in behalf of said grantor by authority, and the said Anna Marie Giordano acknowledged to me that she as such Attorney in Fact executed the same.



Notary Public

