



**2815 WEST 3300 SOUTH  
WEST HAVEN, UTAH 84401  
801-731-1668**

12/10/2021

Weber County Planning Commission  
2380 Washington Boulevard  
Ogden, Utah 84401

To Whom It May Concern:

Taylor West Weber Water District is holding 1/2 of a share of Hooper Irrigation water for limited outdoor water use for Ryan and Tracy Toller at the approximate address of 832 N. 4400 W. West Weber, Utah. This share is in Taylor West Weber Water District name and will be held until a pressurized system becomes available at that time the 1/2 share being held will be used for the pressurized secondary and resident must connect to the pressurized system. If you have any further questions feel free to contact Taylor West Weber Water.

Sincerely,

Ryan Rogers – Manager

Taylor West Weber Water District

When Recorded Return To:  
**Ryan & Tracy Toller**  
**832 N 4400 W**  
**Ogden UT 84404**



\*W3183074\*

EN 3183074 PG 1 OF 7  
LEANN H KILTS, WEBER COUNTY RECORDER  
13-SEP-21 11:35 AM FEE \$40.00 DEP TH  
REC FOR: TOLLER

With Copy To:  
Taylor West Weber Water Imp. Dist.  
2815 West 3300 South  
West Haven UT 84401

## DECLARATION OF COVENANT

*pertaining to parcel no. 15-027-0116*

**THIS COVENANT** is made by Ryan Toller & Tracy Toller, owner(s) of certain real property herein described.

### RECITALS

**WHEREAS**, Grantor is the owner of certain real property in Weber County described in Attachment A (“Property”); and

**WHEREAS**, certain improvements which would allow for Grantor to connect to pressurized secondary water at the Property are unavailable as of the date of execution of this Covenant, and

**WHEREAS**, Grantor does have culinary water access granted through the Taylor West Weber Water Improvement District (“District”); and

**WHEREAS**, the purpose of this Covenant is to ensure that Grantor or Grantor’s successors in the Property will connect to the secondary pressurized water system in a timely matter as herein described; and

**WHEREAS**, Grantor does also desire to convey ½ share of Grantor’s secondary water right in the Hooper Irrigation Company, hereinafter described to the Taylor West Weber Water District (“District”) to hold until such pressurized water system becomes available; and

**THEREFORE**, in exchange for valuable consideration, including the mutual covenant contained in this Agreement, the Grantor covenants and agrees as follows:

**AGREEMENTS**

1. Grantor does convey to District ½ share of Grantor’s Property water rights in the Hooper Irrigation Company. Grantor must have the share transferred into Taylor West Weber Water Improvement District’s name and is responsible for the transfer fees and transfer of this share. This ½ share will remain attached to the Property and will be held in trust by District until it is turned over to the pressurized secondary water provider when it becomes available at the Property. District agrees it will not sell or otherwise convey to any party this ½ share except as provided herein.

2. If Grantor desires to use its water share for flood irrigation until the pressurized system is available, District will allow use of this ½ share to Grantor for the price of the yearly Hooper Irrigation Company’s taxes/assessments. If Grantor opts not to exercise its right to use this water share, it will be the District’s responsibility to pay the yearly taxes/assessments or allow them to be rented in lieu of paying the yearly taxes/assessments.

Initial   *ZJ*    Grantor desires to use its water share for flood irrigation and will be responsible to pay the yearly taxes/assessments.

Initial \_\_\_\_\_  Grantor opts not to use its water share and the District will pay the yearly taxes/assessments or allow it to be rented in lieu of paying the yearly taxes/assessments.

3. The homeowner will be required to pay for and connect to the pressurized secondary water system within six months after the pressurized secondary water provider has installed water lines providing for connectivity to the Property. District reserves the right to ensure that all sprinkling lines are disconnected from the District’s water supply before the property is connected to the pressurized secondary water. In the event the pressurized secondary water provider requires Grantor to obtain more than ½ share to connect to pressurized secondary water, Grantor shall be required to purchase any and all necessary share(s) to establish the required connection.

4. If Grantor fails to connect to the pressurized secondary water system within six months after the availability of pressurized secondary water lines, Grantor will be responsible for payment to District of all imposed monthly rates and/or fines (in addition to the regular usage rate).

5. It is the intention of the Grantor that this Covenant and all terms and conditions contained herein shall run with the land and with the title to the Property in perpetuity, and shall apply to and be binding upon and the successors and assigns of Grantor and to any and all parties hereafter having any right, title or interest in the affected Property or any part thereof. Every provision of this Covenant that applies to the Grantor or District shall also apply to their respective agents, heirs, executors, administrators, assigns, and all other successors as their interests may appear.

6. This Covenant shall not be terminated or modified without the express written consent of the District. Any agreed upon modification shall be recorded in the Weber County Recorder’s Office.

7. District shall be responsible to submit the fully executed original document to the Weber County Recorder’s Office for proper recording and filing of this document. Grantor is responsible for all fees associated therewith.



IN WITNESS WHEREOF, Grantor and District agree to be bound by the terms and conditions of this Covenant.

TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT

By: [Signature]

Title: Manager

Date: 9/7/21

GRANTOR(S)

Print: Ryan Toller

Print: Tracy Toller

By: [Signature]

By: [Signature]

Date: 9/7/21

Date: 9/7/21

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

STATE OF Utah )

COUNTY OF Weber )<sup>SS.</sup>

On the date first above written personally appeared before me, Ryan Toller, & Tracy Toller as Grantor(s) and signers of the within and foregoing instrument, who duly acknowledged to me that he/she executed the same.

WITNESS my hand and official stamp the date in this certificate first above written:

[Signature]  
Notary Public



## ATTACHMENT A

Property mailing address:

**832 North 4400 West**

**Ogden UT 84404**

Parcel No.:

**15-027-0116**

Legal Description:

PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT WHICH IS THE NORTHWEST CORNER OF DEBRA ROBINSON SUBDIVISION PHASE 3 AS RECORDED WITH THE WEBER COUNTY RECORDER OF THE STATE OF UTAH IN BOOK 77 AT PAGE 37 OF PLATS, WHICH IS ALSO AT A POINT ON THE 4400 WEST STREET AND RUNNING THENCE NORTH 00D44'18" EAST ALONG THE EAST RIGHT OF WAY LINE OF 4400 WEST STREET, 345.00 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF ALLAN ROBINSON SUBDIVISION PHASE 2 AS RECORDED WITH THE WEBER COUNTY RECORDER OF THE STATE OF UTAH IN BOOK 40 AT PAGE 84 OF PLATS; THENCE SOUTH 89D15'37" EAST 583.00 FEET, MORE OR LESS, ALONG THE SOUTH LINE OF ALLAN ROBINSON SUBDIVISION PHASE 2 AND CONTINUING ALONG SAID COURSE TO THE SECTION LINE; THENCE SOUTH 00D44'18" WEST 345.00 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF DEBRA ROBINSON SUBDIVISION PHASE 3; THENCE NORTH 89D15'42" WEST 583.00 FEET, MORE OR LESS, TO THE EAST LINE OF 4400 WEST STREET, BEING THE POINT OF BEGINNING. [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.]



# Weber County Parcel Search

2380 Washington Blvd Ogden, Utah

[Weber County Home](#) - [Parcel Search](#) - [Interactive Maps](#)

[Print this page](#)

<a href="#">Current Taxes</a>	<a href="#">Ownership Info</a>	<a href="#">Tax History</a>	<a href="#">Property Characteristics</a>	<a href="#">Delinquent Taxes</a>
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Today's Date: 08/26/2021

[<--Back to Search](#)  
[<--Back to Search Results](#)

**Parcel # 15-027-0116**

## Ownership Info

<b>Owner</b>	TOLLER, RYAN & TRACY TOLLER	<a href="#">View in Geo-Gizmo</a>
<b>Property Address</b>	832 N 4400 W OGDEN 84404	<b>Plat Map</b>
<b>Mailing Address</b>	2674 W 2925 N FARR WEST UT 844048941	15-027 <a href="#">View PDF</a> Updated: July 19 2021
<b>Tax Unit</b>	516	<b>Dash Pages</b>
		15-027-1 <a href="#">View PDF</a>
		15-027-2 <a href="#">View PDF</a>
		15-027-3 <a href="#">View PDF</a>
		15-027-4 <a href="#">View PDF</a>

### Prior Year Plats

Plats as of Dec 31st of each year

**2017** - 15-027 [View PDF](#)

**2017 Dash Pages**

- 15-027-1 [View PDF](#)
- 15-027-2 [View PDF](#)
- 15-027-3 [View PDF](#)
- 15-027-4 [View PDF](#)

**2016** - 15-027 [View PDF](#)

**2016 Dash Pages**

- 15-027-1 [View PDF](#)
- 15-027-2 [View PDF](#)
- 15-027-3 [View PDF](#)
- 15-027-4 [View PDF](#)

**2015** - 15-027 [View PDF](#)

**2015 Dash Pages**

- 15-027-1 [View PDF](#)
- 15-027-2 [View PDF](#)
- 15-027-3 [View PDF](#)
- 15-027-4 [View PDF](#)

**2014** - 15-027 [View PDF](#)

**2014 Dash Pages**

- 15-027-1 [View PDF](#)
- 15-027-2 [View PDF](#)
- 15-027-3 [View PDF](#)
- 15-027-4 [View PDF](#)

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**Dedication Plat**

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Nealy's Sub  
33-046(TIF)

Penman Sub Ph 01  
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34-064(TIF)

Penman Sub Ph 05  
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34-064(TIF)  
40-045(TIF)

Presidio Sub Ph 03  
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34-064(TIF)  
40-045(TIF)  
44-086(TIF)

Presidio Sub  
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Penman Sub Ph 03  
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Penman Sub Ph 02  
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36-032(TIF)

Manning Farm Sub  
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35-051(TIF)  
35-052(TIF)



40-084(TIF)  
 36-032(TIF)  
 37-080(TIF)

Travis Parke Place  
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 35-051(TIF)  
 35-052(TIF)  
 40-084(TIF)  
 36-032(TIF)  
 37-080(TIF)  
 45-018(TIF)

**Current References**

Entry #	Book	Page	Recorded Date
3100864			12-NOV-20
		Kind of Instrument WARRANTY DEED JT	

**Prior Parcel Numbers**

150270104 (Dead)

**Legal Description**

*\* For Tax Purposes Only \**

PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT WHICH IS THE NORTHWEST CORNER OF DEBRA ROBINSON SUBDIVISION PHASE 3 AS RECORDED WITH THE WEBER COUNTY RECORDER OF THE STATE OF UTAH IN BOOK 77 AT PAGE 37 OF PLATS, WHICH IS ALSO AT A POINT ON THE 4400 WEST STREET AND RUNNING THENCE NORTH 00D44'18" EAST ALONG THE EAST RIGHT OF WAY LINE OF 4400 WEST STREET, 345.00 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF ALLAN ROBINSON SUBDIVISION PHASE 2 AS RECORDED WITH THE WEBER COUNTY RECORDER OF THE STATE OF UTAH IN BOOK 40 AT PAGE 84 OF PLATS; THENCE SOUTH 89D15'37" EAST 583.00 FEET, MORE OR LESS, ALONG THE SOUTH LINE OF ALLAN ROBINSON SUBDIVISION PHASE 2 AND CONTINUING ALONG SAID COURSE TO THE SECTION LINE; THENCE SOUTH 00D44'18" WEST 345.00 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF DEBRA ROBINSON SUBDIVISION PHASE 3; THENCE NORTH 89D15'42" WEST 583.00 FEET, MORE OR LESS, TO THE EAST LINE OF 4400 WEST STREET, BEING THE POINT OF BEGINNING. [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.]