

# Reeve & Associates, Inc. - Solutions You Can Build On

## Hooper Irrigation Canal

### SECTION 9, T.5N., R.2W., S.L.B.&M.

NW 1/4 SECTION 9

A RIGHT OF WAY IN THE NW QUARTER OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 2 WEST, FOR CONSTRUCTION AND MAINTENANCE FOR A CANAL AND APPURTENANT STRUCTURES WHICH LIES 22' LEFT AND 28' RIGHT PARALLEL TO THE FOLLOWING DESCRIBED CENTER LINE WITH THE SIDES EXTENDED OR SHORTENED TO MEET THE SECTION LINES INTERSECTED.

BEGINNING AT A POINT WHICH LIES S89°19'15"E ALONG THE SECTION LINE 526.60 FEET FROM A THE NW CORNER SECTION 9; THENCE S25°55'25"W 299.14 FEET; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 330.19', WHOSE RADIUS IS 2000.00', WHOSE CHORD BEARS S21°11'38"W, 329.82'; THENCE S16°27'52"W 273.71 FEET; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 194.51', WHOSE RADIUS IS 2500.00', WHOSE CHORD BEARS S14°14'07"W, 194.46'; THENCE S12°00'23"W 687.48 FEET, THENCE S35°55'06"W, 53.93 FEET TO THE WEST LINE OF SECTION 9 AT A POINT WHICH LIES S00°46'08"W, 1750.03' FROM THE NW CORNER OF SECTION 9

#	RADIUS	DELTA	LENGTH	TANGENT	CHORD DIR	CHD LTH
C1	2000.00'	09°27'33"	330.19'	165.47'	S21°11'38"W	329.82'
C2	2500.00'	04°27'28"	194.51'	97.30'	S14°14'07"W	194.46'

**NARRATIVE**

THE HOOPER CANAL CENTER LINE, EXISTING FENCE LINES, AND SECTION CORNERS WERE LOCATED BY A FIELD SURVEY. PROPERTY LINES SHOWN ARE FROM WEBER COUNTY TAX MAPS AND ARE SHOWN FOR REFERENCE ONLY.

**NOTICE OF PRESCRIPTIVE EASEMENT**

NOTICE IS HEREBY PROVIDED THAT HOOPER IRRIGATION CLAIMS A PRESCRIPTIVE PERPETUAL RIGHT-OF-WAY EASEMENT FOR THE USAGE AND MAINTENANCE OF THE IRRIGATION PIPELINES AND DITCHES (HEREINAFTER THE "IRRIGATION SYSTEM") AND ITS ANCILLARY UTILITIES, INCLUDING BUT NOT LIMITED TO INSTALLATION, MAINTENANCE AND REPAIR OF SAID UTILITIES, AS NEEDED, OVER, ACROSS AND/OR UNDER THE PROPERTY HEREIN DESCRIBED.

A. WHEREAS, HOOPER IRRIGATION COMPANY HAS CONSTRUCTED, OPERATED, MAINTAINED, AND OTHERWISE UTILIZED THE IRRIGATION SYSTEM IN ITS PRESENT LOCATION SINCE 1866,  
 B. WHEREAS, THE IRRIGATION SYSTEM RUNS OVER, ACROSS AND/OR UNDER PROPERTIES WHICH ARE PRIVATELY AND INDIVIDUALLY OWNED AND THE OWNERS OF SAID PROPERTIES ARE ENCRANCHING UPON THE IRRIGATION SYSTEM AND THE EASEMENT NECESSARY TO MAINTAIN THE SAME,  
 C. WHEREAS, IT IS NECESSARY FOR THE PROPER FUNCTION OF THE IRRIGATION SYSTEM AND THE SAFETY OF THE GENERAL PUBLIC TO SECURE THIS EASEMENT FOR THE OPERATION, MAINTENANCE AND PERIODIC UPGRADE OF THE IRRIGATION SYSTEM,  
 D. WHEREAS, HOOPER IRRIGATION COMPANY DESIRES TO PROVIDE GENERAL PUBLIC NOTICE TO THOSE PROPERTIES WHICH THE IRRIGATION SYSTEM AND ACCOMPANYING PRESCRIPTIVE EASEMENT PASS OVER, ACROSS AND/OR UNDER, AND WHEREAS, IN AN EFFORT TO MORE PARTICULARLY DESCRIBE THE PRESCRIPTIVE EASEMENT HOOPER IRRIGATION COMPANY HAS CAUSED A LICENSED UTAH LAND SURVEYOR TO IDENTIFY THE LOCATION OF THE IRRIGATION SYSTEM, ACKNOWLEDGING THAT THIS DOES NOT INCLUDE A PRECISE DESCRIPTION OF ALL IRRIGATION SYSTEMS, HOOPER IRRIGATION COMPANY CLAIMS A PRESCRIPTIVE EASEMENT OVER THOSE PORTIONS WHICH ARE NOT DESCRIBED IN THE SURVEYS PREPARED,

NOW THEREFORE, HOOPER IRRIGATION, HEREBY PROVIDES NOTICE OF ITS CLAIM OF PRESCRIPTIVE EASEMENT AND ASSERTS ALL RIGHTS ASSOCIATED THEREWITH FOR THE MAINTENANCE, OPERATION, AND PERIODIC UPGRADE OF THE IRRIGATION SYSTEM, OVER, ACROSS AND UNDER THE PARCELS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

**DESCRIPTION OF EASEMENT**

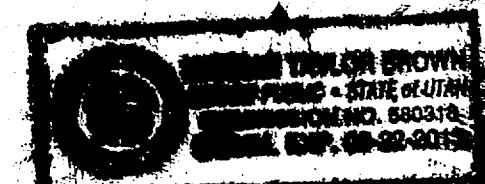
1. THE PRESCRIPTIVE EASEMENT SHALL INCLUDE ALL PARCELS AND LAND DESCRIBED IN EXHIBIT "A" ATTACHED HERETO.
2. THE PRESCRIPTIVE EASEMENT SHALL INCLUDE EACH AND EVERY LOCATION OVER, ACROSS, AND/OR UNDER WHICH ANY PORTION OF THE IRRIGATION SYSTEM PASSES REGARDLESS OF WHETHER SUCH IS DESCRIBED IN EXHIBIT "A". OWNERS OF PROPERTY AFFECTED BY THE PRESCRIPTIVE EASEMENT SHALL NOT CONSTRUCT OR PLACE IMPROVEMENTS INCLUDING BUT NOT LIMITED TO FENCES, ROADS, SIDEWALKS, PASSAGEWAYS, UTILITY LINES, LANDSCAPING FEATURES, OR ANY OTHER IMPROVEMENT, WHICH INTERFERES WITH HOOPER IRRIGATION COMPANY'S ABILITY TO UTILIZE THE PRESCRIPTIVE EASEMENT. HOOPER IRRIGATION COMPANY SHALL NOT BE RESPONSIBLE FOR DAMAGE CAUSED TO SUCH IMPROVEMENTS WHICH ARE IMPINGING UPON THE PRESCRIPTIVE EASEMENT.

DATED THIS 22 DAY OF December, 2009.

HOOPER IRRIGATION COMPANY

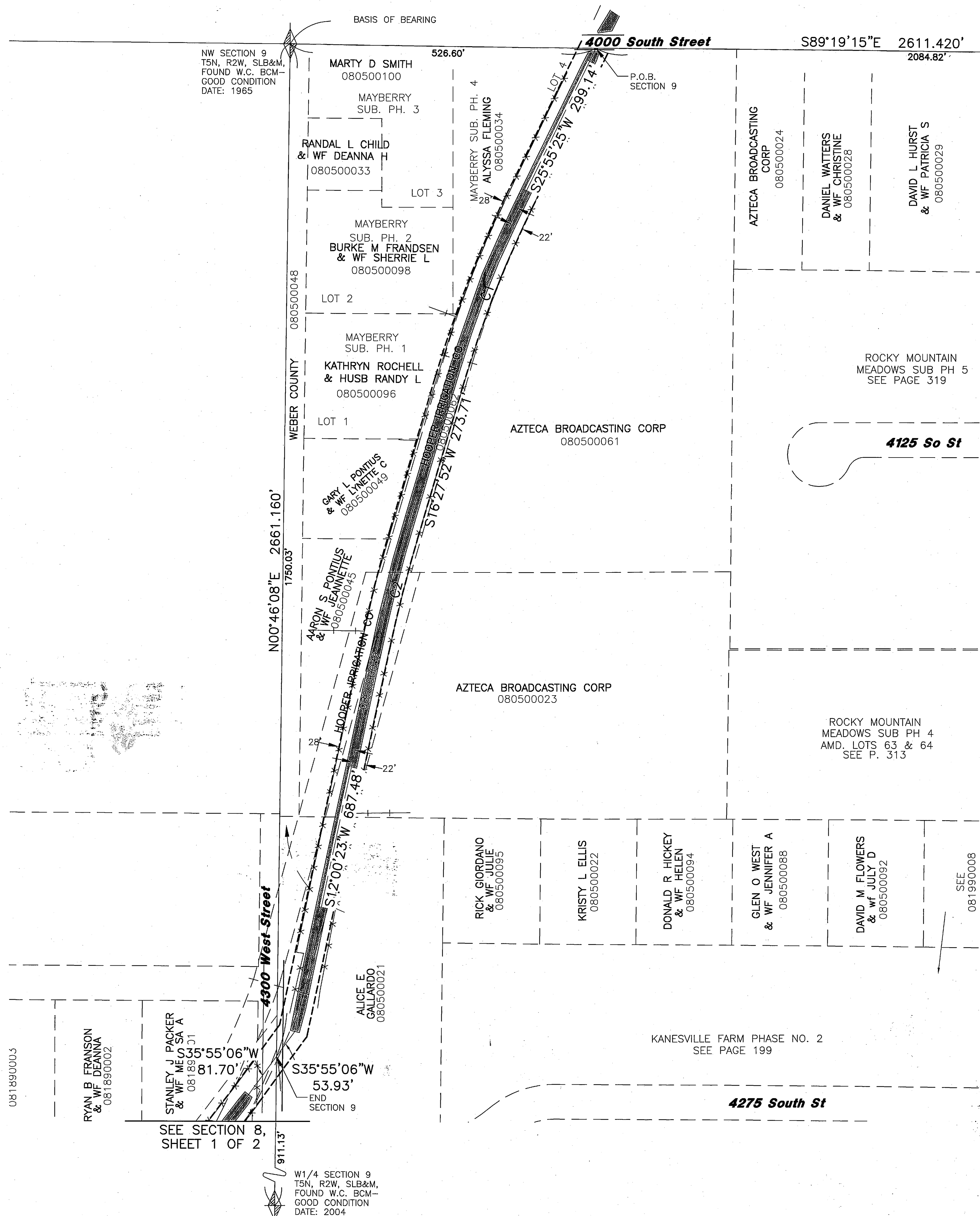
BY: Shes A. Car  
 ITS: President

STATE OF UTAH) :SS.  
 COUNTY OF WEBER)



ON THE 22 DAY OF December, 2009, PERSONALLY APPEARED BEFORE ME Shes A. Car WHO DID SAY THAT HE/SHE IS THE President OF HOOPER IRRIGATION COMPANY THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF HOOPER IRRIGATION COMPANY AND Shes A. Car DULY ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

Heather J. Brown  
 NOTARY PUBLIC



N1/4 SECTION 9  
 T5N, R2W, SLB&M,  
 FOUND W.C. BCM-  
 GOOD CONDITION

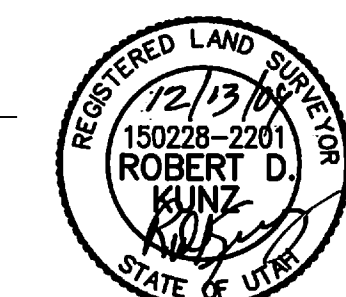
**Basis of Bearing**  
 WEBER COUNTY STATE PLANE GRID SYSTEM  
 NW COR SECTION 9 TO THE N 1/4 CORNER SECTION 9T.5N., R.2W., S.L.B.&M.  
 SHOWN HEREON AS S89°19'15"E 2611.420'

**Surveyor's Certificate**

I, **ROBERT D. KUNZ**, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE CENTER LINE OF THE HOOPER IRRIGATION COMPANY CANAL SURVEY ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS ON THIS PLAT. I FURTHER CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW. NO SURVEY WAS MADE OF ANY OTHER PROPERTIES ABUTTING THIS CENTER LINE. SUCH PROPERTIES ARE SHOWN FOR REFERENCE ONLY.

SIGNED THIS 15 DAY OF Dec, 2009

150228-2201  
 UTAH LICENSE NUMBER



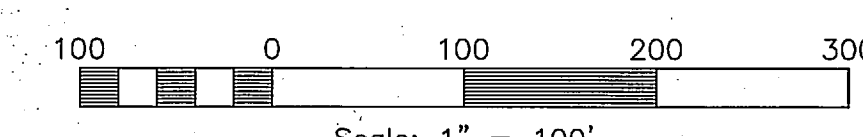
Robert D. Kunz  
 ROBERT D. KUNZ

**Affected Properties**

TAX ID#:
080500021
080500023
080500034
080500045
080500049
080500061
080500096

**Legend**

- = SECTION CORNER
- = CANAL CENTERLINE
- - - = CANAL RIGHT-OF-WAY
- - - = ADJOINING PROPERTY
- - - = EASEMENTS
- - - = SECTION TIE LINE
- - - = EXISTING FENCE LINE



**Reeve & Associates, Inc.**  
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 WWW.REEVE-ASSOCIATES.COM  
 CIVIL ENGINEERS • SURVEYORS • LAND SURVEYORS • LANDSCAPE ARCHITECTS

REVISIONS	DATE	DESCRIPTION
1	12/15/09	Disc - Correction

**HOOPER CANAL RIGHT OF WAY**  
 WEBER COUNTY, UTAH

**Section 9, T.5N., R.2W., S.L.B.&M.**

E# 2451593  
28-DEC-2009  
2:47 P.M.  
\$ 340.00  
 FOR: HOOPER IRRIGATION CO.  
 WEBER CO.  
 RECORDED:  
ERNEST D. BOWLEY  
 DEPUTY  
**Project Info.**  
 Surveyor: R. KUNZ  
 Drafter: N. ANDERSON  
 Begin Date: 9 JAN 2009  
 Name: HOOPER IRRIGATION COMPANY  
 Scale: 1"=100'  
 Checked: \_\_\_\_\_  
 Number: 5758-01