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

Hooper Irrigation Canal
SECTION 8, T.5N., R.2W., S.L.B.&M.

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 ENCROACHING 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

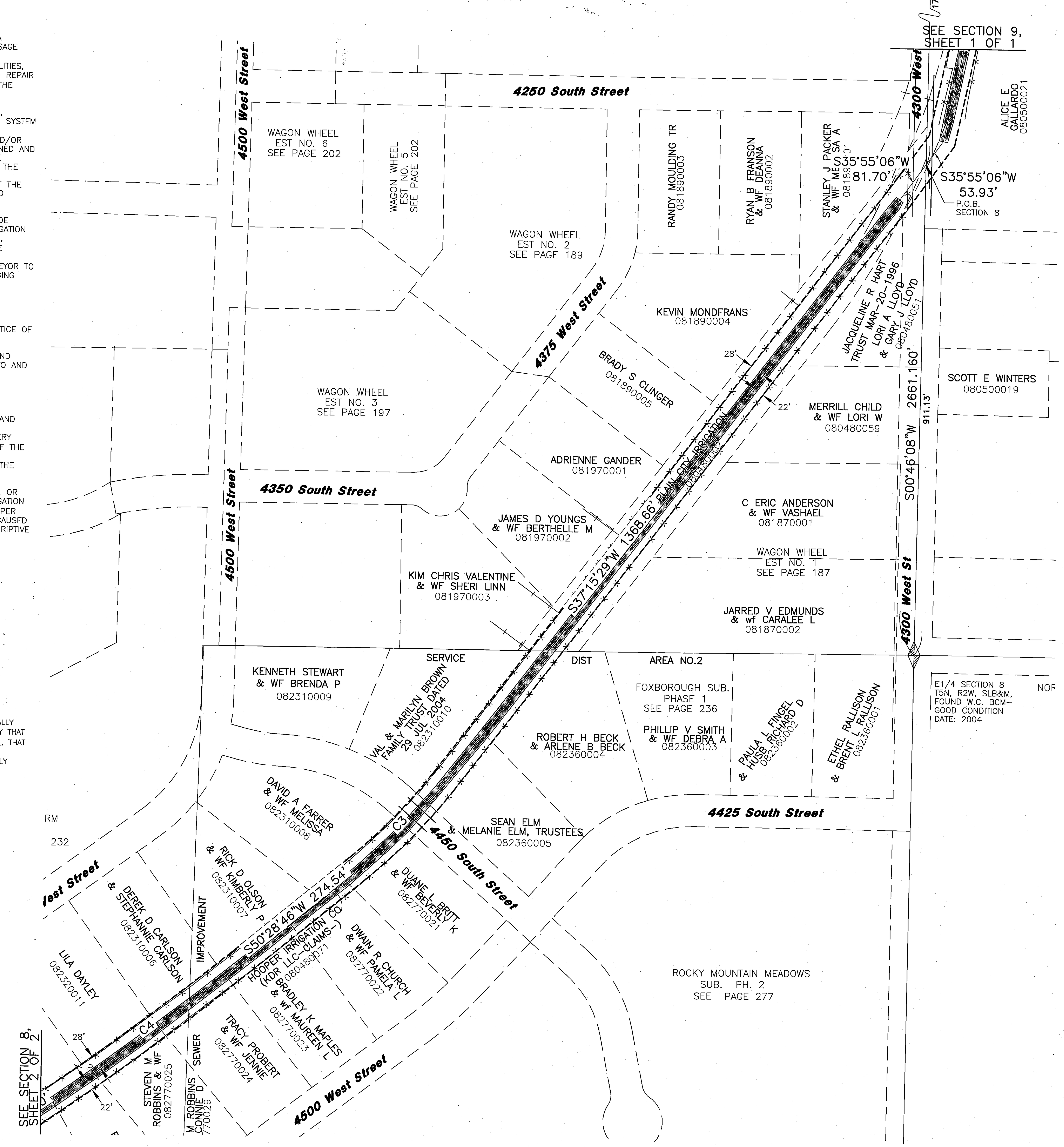
HOOPER IRRIGATION COMPANY

BY: [signature]
ITS: President

STATE OF UTAH)
:SS.
COUNTY OF WEBER)

ON THE 22nd DAY OF December, 2009 PERSONALLY APPEARED BEFORE ME Theo G Cox WHO DID SAY THAT HE/SHE IS THE President OF Hooper Irr Co, THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF Hooper Irr Co, AND Theo G Cox DULY ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

Michelle Y Brown
NOTARY PUBLIC



NE SECTION 8
T5N, R2W, SLB&M,
FOUND W.C. BCM-
GOOD CONDITION
DATE: 1965

Basis of Bearing

WEBER COUNTY STATE PLANE GRID SYSTEM
NE COR SECTION 8 TO THE E 1/4 CORNER SECTION 8 T.5N., R.2W., S.L.B.&M.
SHOWN HEREON AS S00°46'08"W 2661.160'

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 SHOWN 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 ABUTING THIS CENTER LINE. SUCH PROPERTIES ARE SHOWN FOR REFERENCE ONLY.

SIGNED THIS 15th DAY OF Dec, 2009

150228-2201
UTAH LICENSE NUMBER

REGISTERED LAND SURVEYOR 12/15/09 150228-2201 ROBERT D. KUNZ STATE OF UTAH

ROBERT D. KUNZ

SECTION 8

A RIGHT OF WAY IN THE NE, SE, AND SW QUARTERS OF SECTION 8, 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 S00°46'08"W 1750.03 FEET FROM THE NE CORNER OF SAID 8; THENCE S35°55'06"W 81.70 FEET; THENCE S37°15'29"W 1368.66 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 230.76', WHOSE RADIUS IS 1000.00', WHOSE CHORD BEARS S43°52'08"W, 230.25'; THENCE S50°28'46"W 274.54 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 429.53', WHOSE RADIUS IS 5000.00', WHOSE CHORD BEARS S52°56'26"W, 429.40'; THENCE S55°24'06"W 259.10 FEET; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 286.26', WHOSE RADIUS IS 800.00', WHOSE CHORD BEARS S45°09'02"W, 284.74'; THENCE S34°53'58"W 69.82 FEET; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 141.22', WHOSE RADIUS IS 2000.00', WHOSE CHORD BEARS S32°52'36"W, 141.19'; THENCE S30°51'13"W 1497.05 FEET TO THE SOUTH LINE OF SECTION 8 AT A POINT WHICH IS N89°26'40"W 178.58 FEET FROM THE S1/4 CORNER OF SECTION 8

#	RADIUS	DELTA	LENGTH	TANGENT	CHORD DIR	CHD LTH
C3	1000.00'	13°13'17"	230.76'	115.89'	S43°52'08"W	230.25'
C4	5000.00'	04°55'19"	429.53'	214.90'	S52°56'26"W	429.40'

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.

Affected Properties

TAX ID#:
080480002
080480051
080480059
080500021
081870001
081870002
081890001
081890004
081890005
081970001
081970002
081970003
082310006
082310007
082310008
082310010
082320011
082360004
082360005
082770021
082770022
082770023
082770024
082770025

Legend

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

100 0 100 200 300
Scale: 1" = 100'

Reeve & Associates, Inc.
4155 S. HARRISON BLVD., SUITE 310, OGDEN, UTAH 84403
TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve-assoc.com
LAND PLANNERS * CIVIL ENGINEERS * LAND SURVEYORS
TRAFFIC ENGINEERS * STRUCTURAL ENGINEERS * LANDSCAPE ARCHITECTS

REVISIONS
DATE: 12/15/09 DESCRIPTION: Desc. Correction

HOOPER CANAL RIGHT OF WAY
WEBER COUNTY, UTAH
Section 8, T.5N., R.2W., S.L.B.&M.

E.# 2451593

Project Info.
Surveyor: R. KUNZ
Drafter: N. ANDERSON
Begin Date: 9 JAN 2009
Name: HOOPER IRRIGATION COMPANY
Scale: 1"=100'
Checked:
Number: 5758-01

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 4155 S. HARRISON BLVD. EXECUTIVE BLDG. #310, OGDEN, UTAH 84403, AND SHALL NOT BE PHOTOCOPIED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREON WITHOUT THEIR CONSENT.
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70-80

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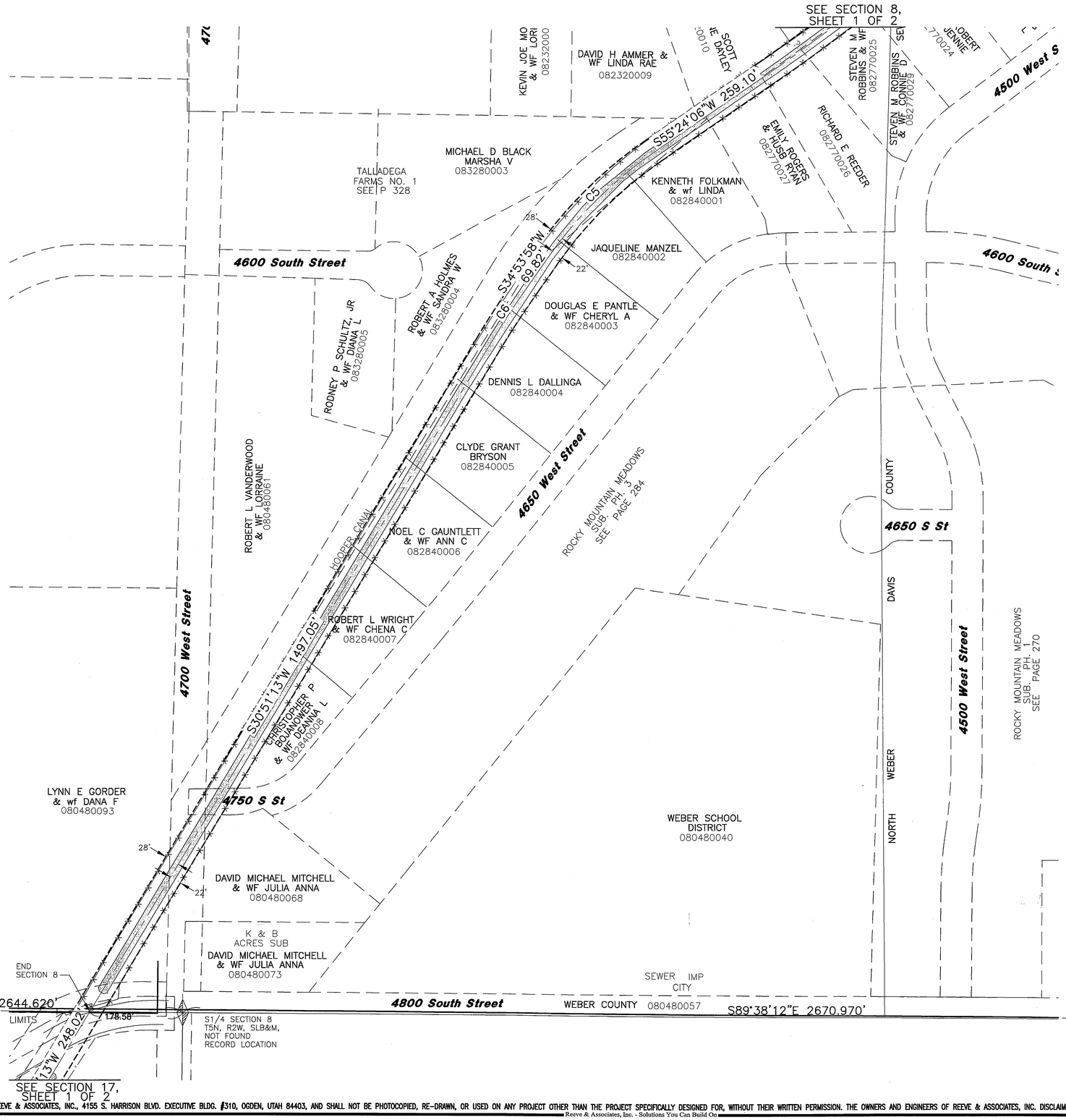
Hooper Irrigation Canal

SECTION 8, T.5N., R.2W., S.L.B.&M.



Affected Properties

TAX ID#:
080480061
080480068
080480093
082320009
082320010
082770025
082770026
082770027
082840001
082840002
082840003
082840004
082840005
082840006
082840007
082840008
083280003
083280004

SECTION 8

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#	RADIUS	DELTA	LENGTH	TANGENT	CHORD DIR	CHD LTH
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C5	800.00'	20°30'08"	286.26'	144.68'	N45°09'02"E	284.74'
C6	2000.00'	04°02'44"	141.22'	70.64'	N32°52'36"E	141.19'

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.

Basis of Bearing

WEBER COUNTY STATE PLANE GRID SYSTEM
NE COR SECTION 8 TO THE E 1/4 CORNER SECTION 8 T.5N., R.2W., S.L.B.&M.
RECORDED AS S00°46'08"W 2661.160'

Legend

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WATER ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS

DATE	DESCRIPTION

HOOPER CANAL RIGHT OF WAY

WEBER COUNTY, UTAH

Section 8, T.5N., R.2W., S.L.B.&M.

2451593

Project Info.

Surveyor: R. KUNZ
Drafter: N. ANDERSON
Begin Date: 9 JAN 2009
Name: HOOPER IRRIGATION COMPANY
Scale: 1"=100'
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Number: 5758–01

Sheet 2 of 2 Sheets

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