

NORTH STREET

(S89°02'E 518.8' ORIGINAL DEED)

OGDEN CITY MONUMENT



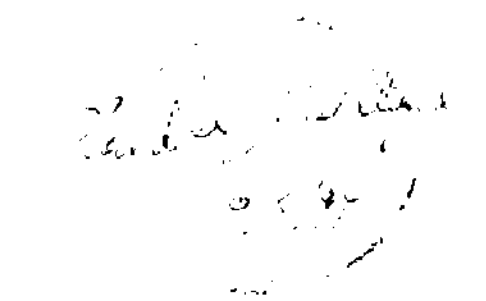
NORTH



SCALE 1"=30'

SURVEYOR'S CERTIFICATE:

I RANDALL J. WILLIFORD, DEPOSE AND SAY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, THAT I HOLD LICENSE NUMBER 159437 THAT I HAVE PERFORMED A SURVEY OF THE PROPERTY DESCRIBED BELOW AND THAT THE RESULTS OF THAT SURVEY ARE CORRECTLY DEPICTED HEREON.



DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF SECTION 8, T.6N., R.1W., S.L.B.&M., U.S. SURVEY:

BEGINNING AT A POINT ON THE WEST LINE OF HARRISVILLE ROAD, SAID POINT BEING S24°54'45"E ALONG THE MONUMENT LINE 225.16 FEET AND S65°05'31"W 49.50 FEET FROM THE OGDEN CITY MONUMENT AT THE INTERSECTION OF NORTH STREET AND HARRISVILLE ROAD, SAID POINT ALSO BEING DESCRIBED AS NORTH 1284.4 FEET, S89°02'E 518.8 FEET AND S24°57'E 249.05 FEET FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION IN PREVIOUS DEEDS; THENCE S24°54'45"E 128.27 FEET (S24°57'E 128.25 FEET); THENCE N88°49'45"W (N88°52'W) 160.00 FEET; THENCE S24°54'45"E (S24°57'E) 200.00 FEET; THENCE N88°49'45"W (N88°52'W) 409.70 FEET; THENCE N00°01'15"E (N00°1'W) 302.51 FEET; THENCE S88°43'45"E (S88°46'E) 265.64 FEET; THENCE S89°33'45" (S89°36'E) 166.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.74 ACRES.

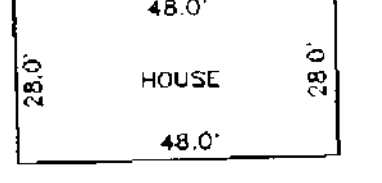
NARRATIVE:

THIS SURVEY WAS PERFORMED AT THE REQUEST OF H. D. POWELL TO DETERMINE THE BOUNDARIES OF HIS PROPERTY FOR FENCING. THE BASIS OF BEARINGS FOR THIS SURVEY WAS THE MONUMENT LINE IN HARRISVILLE ROAD AND THE BEARINGS ON THE OGDEN CITY ATLAS PLAT. THE SUBJECT PROPERTY AND ALL ADJOINING DEEDS ARE DESCRIBED FROM THE SOUTH ONE QUARTER CORNER OF THE SECTION AND ALL PROCEED TO THEIR RESPECTIVE POINTS OF BEGINNING BY GOING NORTH TO SOME POINT ON NORTH STREET, EAST PARALLEL TO NORTH STREET AND SOUTHEAST ALONG THE WESTERLY RIGHT OF WAY LINE OF HARRISVILLE ROAD. THE ONLY REAL POINT OF CONFUSION COMES IN DECIDING IF THE FIRST CALLS GO TO THE CENTER OF NORTH STREET, THE NORTH LINE OF NORTH STREET, OR SOME POINT IN BETWEEN. OCCUPATION LINES SOUTH OF THE SUBJECT PARCEL MAKE IT CLEAR THAT THE INTENT WAS TO COME FROM THE CENTERLINE OF NORTH STREET AS SHOWN ON THE CITY ATLAS PLAT. THAT CENTERLINE IS ACTUALLY THE SOUTH LINE OF THE PUBLIC RIGHT OF WAY IN THAT THE SOUTH HALF OF NORTH STREET AS IT APPEARS ON THE ATLAS PLAT WAS NEVER DEDICATED TO THE CITY. THE DEEDS TO THE ALLEN PARCELS ON THE NORTH OF THE SUBJECT PROPERTY USE A MORE RECENT AND A DIFFERENT LENGTH CALL TO GET TO NORTH STREET, BUT THOSE DEEDS ACTUALLY CALL OUT THE SOUTH LINE OF THE PUBLIC RIGHT OF WAY. THE SCRIVENER OF THOSE DEEDS MISTAKENLY ASSUMED THE LONGER CALL IN THE SUBJECT PARCEL DEED WENT TO SOME POINT NORTH OF THE CENTERLINE OF NORTH STREET AND SHORTENED THE NORTH-SOUTH LENGTH OF THE ALLEN PARCEL ACCORDINGLY. THE RESULT IS A GAP BETWEEN THE ALLEN AND POWELL DEEDS. A LATER ATTEMPT TO CORRECT THE ERROR THROUGH A QUIT CLAIM DEED FAILED BY ERRONEOUSLY ASSUMING THE GAP WAS BETWEEN ALLEN AND NORTH STREET.

CUTLER AND FIELD ARE BOTH OCCUPYING A SUBSTANTIAL STRIP OF THE POWELL DEEDED PROPERTY AND POWELL REPORTS SUCH OCCUPATION HAS CONTINUED FOR WELL OVER 20 YEARS. UNWRITTEN TITLE HAS LIKELY PASSED TO CUTLER AND FIELD AND IT IS RECOMMENDED THIS BE SETTLED BY QUIT CLAIM DEED FROM POWELL TO THOSE RESPECTIVE OWNERS. NO OTHER ENCROACHMENTS EXIST, BUT POWELL IS OCCUPYING SMALL STRIPS OF NEIGHBORING LAND ON ALL BORDERS. NO EVIDENCE WAS OBTAINED ON THOSE BORDERS THAT WOULD INDICATED TITLE TRANSFERS THROUGH USEAGE.

ALLEN

THIS AREA IS A GAP BETWEEN THE MODERN DEEDS OF ALLEN AND POWELL AND LIKELY IS STILL IN THE NAME OF GIBBS. POWELL IS OCCUPYING AND USING THIS AREA.

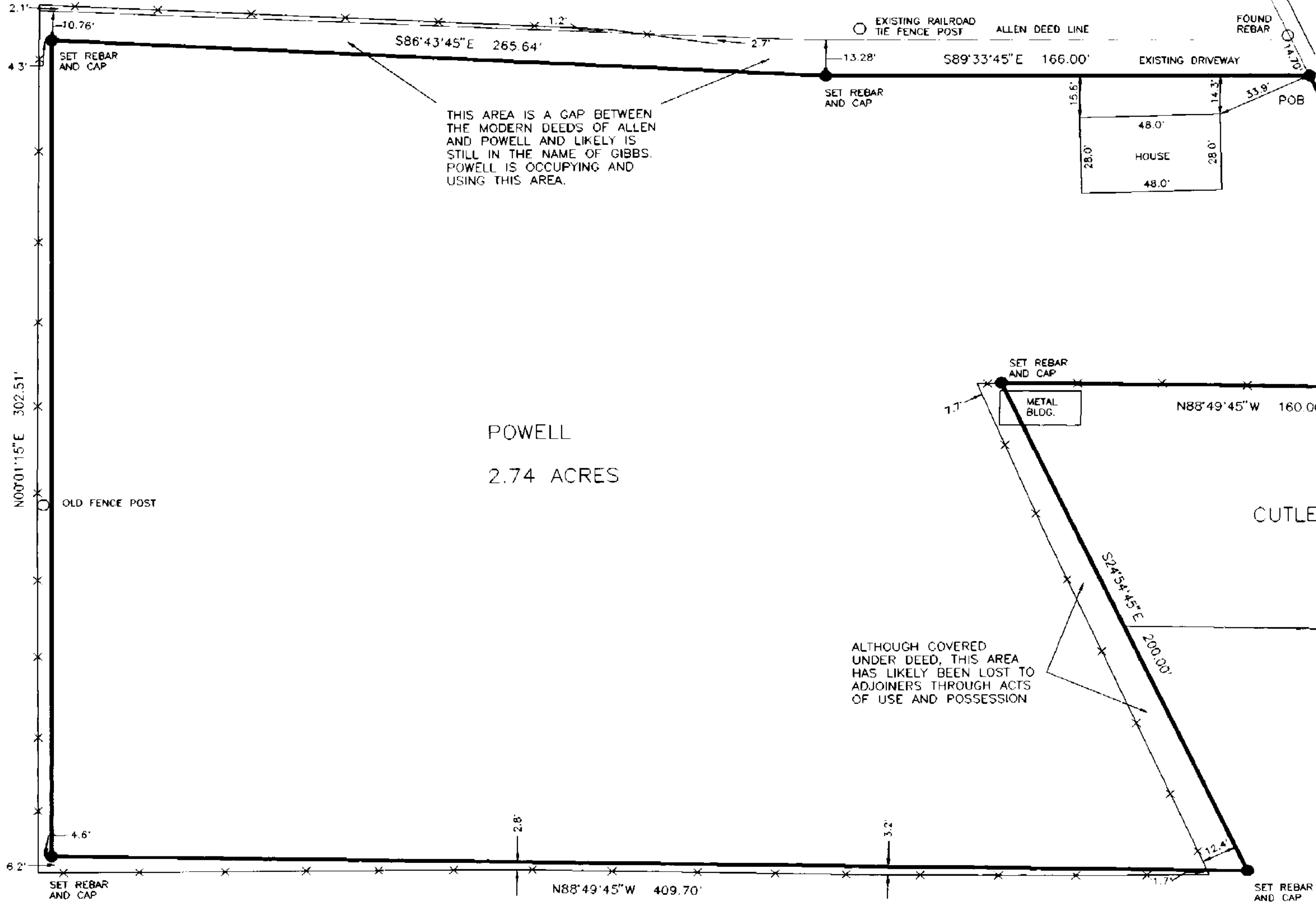


POWELL
2.74 ACRES

CUTLER

FIELD

CRAVEN



NOTE: CAPS ARE STAMPED "159437 WILLIFORD"

SOUTH 1/4 CORNER OF SECTION 8, T.6N., R.1W., S.L.B.&M., U.S. SURVEY NOT FOUND POSITION DETERMINED FROM OGDEN CITY ATLAS

RECEIVED
SEP 30 1996
Weber County Surveyor

THE WILLIFORD GROUP
 PO BOX 10081, Ogden, Utah 84409, 393-9441
 BOUNDARY SURVEY
 IN THE SE 1/4 OF SEC. 8, T.6N., R.1W.
 Client: H. D. Powell Drawn by: Randall J. Williford September 4, 1996