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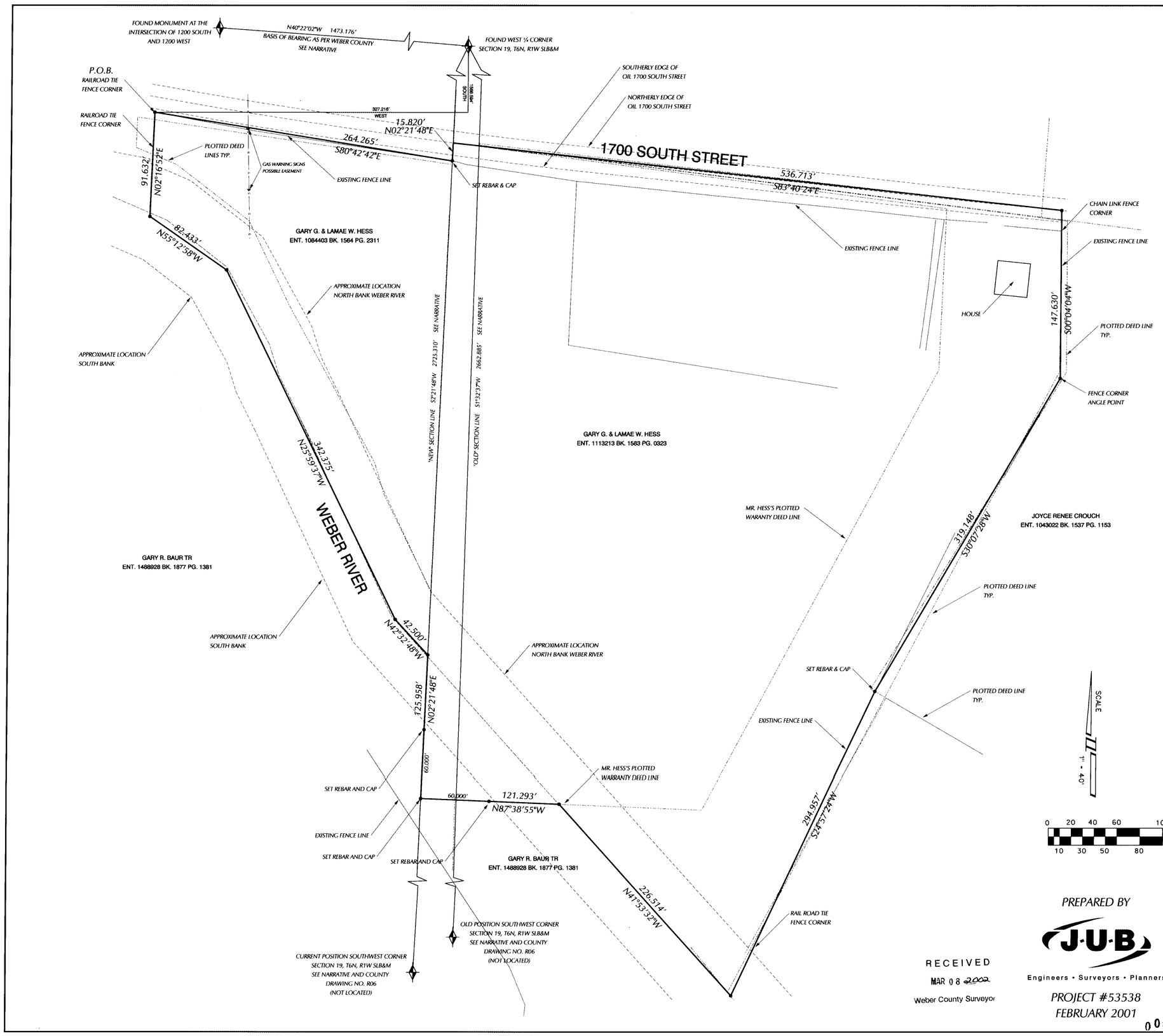

RECEIVED
MAR 08 2002
Weber County Surveyor

PREPARED BY
J·U·B
Engineers • Surveyors • Planners
PROJECT #53538
FEBRUARY 2001

002829

SURVEYOR'S CERTIFICATE

002829

I, JASON D. WILLES, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 376067 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, A SURVEY WAS PERFORMED UNDER MY DIRECTION OF THE LAND SHOWN HEREON AND DESCRIBED BELOW. I HEREBY STATE THAT THIS PROPERTY DESCRIPTION AND SURVEY ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, BELIEF AND IN MY PROFESSIONAL OPINION.

DATE: 2-25-02

REGISTERED LAND SURVEYOR

LICENSED LAND SURVEYOR — JASON D. WILLES — 376067 — STATE OF UTAH

AS SURVEYED BOUNDARY DESCRIPTION

COMMENCING AT A RAIL ROAD TIE FENCE CORNER WHICH IS 1566.594 FEET SOUTH AND 327.216 FEET WEST OF THE WEST ¼ CORNER OF SECTION 19, TOWNSHIP 6 NORTH, RANGE 1 WEST SALT LAKE BASE AND MERIDIAN: THENCE SOUTH 80°42'42" EAST 264.265 FEET ALONG AN EXISTING SOUTHERLY FENCE OF 1700 SOUTH STREET; THENCE NORTH 02°21'48" EAST 15.82 FEET ALONG THE SECTION LINE TO THE CENTER OF ROAD; THENCE SOUTH 83°40'24" EAST 536.713 FEET ALONG SAID CENTER OF ROAD TO THE EXTENSION OF A WIRE FENCE LINE; THENCE SOUTH 0°04'04" WEST 129.519 FEET ALONG SAID WIRE FENCE AND THE EXTENSION THEREOF; THENCE SOUTH 30°07'28" WEST 319.148 ALONG SAID WIRE FENCE; THENCE SOUTH 24°57'24" WEST 294.957 ALONG SAID WIRE FENCE AND THE EXTENSION THEREOF TO THE CENTER LINE OF THE WEBER RIVER, SAID CENTER LINE BEING ALSO THE MARRIOTT-SLATERVILLE SOUTHERLY CORPORATE BOUNDARY; THENCE NORTH 41°53'32" WEST 226.514 FEET ALONG SAID CENTER LINE AND CORPORATE BOUNDARY; THENCE NORTH 87°38'55" WEST 121.293 FEET TO THE WEST LINE OF SAID SECTION 19; THENCE NORTH 2°21'48" EAST 125.958 FEET ALONG SAID SECTION LINE TO THE CENTER LINE OF SAID WEBER RIVER; THENCE THE FOLLOWING THREE CALLS BEING TO AND ALONG THE CENTER LINE OF SAID WEBER RIVER BEING ALSO THE SOUTHERLY CORPORATE BOUNDARY OFMARRIOTT-SLATERVILLE; NORTH 42°32'48" WEST42.500 FEET; NORTH 25°59'37" WEST 342.375 FEET; THENCE NORTH 55°12'58" WEST 82.433 FEET TO THE EXTENSION OF A FENCE LINE; THENCE NORTH 2°16'52" EAST 91.632 FEET ALONG A FENCE LINE AND EXTENSION THEREOF TO THE POINT OF COMMENCEMENT.
EXCEPTING THAT PORTION OF THE NORTH USED FOR ROAD PURPOSES. TOGETHER WITH ANY AND ALL WATER AND WATER RIGHTS USED ON OR IN CONNECTION WITH SAID LAND, HOWEVER EVIDENCED, INCLUDING BUT NOT NECESSARILLY LIMITED TO (4) FOUR SHARES OF WATER IN THE MARRIOTT IRRIGATION COMPANY.

PARCEL CONTAINING 7.90 ACRES MORE OR LESS.

BASIS OF BEARING: THE REFERENCE LINE BETWEEN THE WEST ¼ CORNER OF SECTION 19, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, AND A BRASS CAP MONUMENT IN THE INTERSECTION OF 1200 SOUTH AND 1200 WEST, BEARS N40°22'02"W AS PER COUNTY PROVIDED DATA.

SURVEYOR'S NARRATIVE

PURPOSE: THE PURPOSE OF THIS SURVEY WAS TO LOCATE AND MONUMENT THE BOUNDARIES OF THE MR. GARY HESS PROPERTIES FOR THE CITY OF MARRIOTT-SLATERVILLE. THIS SURVEY WAS ALSO PERFORMED FOR THE PURPOSE OF PURCHASING AND SUBDIVIDING SAID PROPERTY, TO CREATE THE MARRIOTT NATURE PARK.
PROCEDURE: THE DEEDS OF RECORD WERE OBTAINED AND PLOTTED AS SHOWN HEREON. IN THE COURSE OF RECOVERING SECTIONAL CONTROL FROM WHICH THE SURVEY WOULD BE BASED, MR. ERNEST ROWLEY WHO IS THE CHIEF DEPUTY SURVEYOR FOR WEBER COUNTY INDICATED THAT SOME DISCREPANCIES EXIST WITH THE CORNERS OF THE SECTION IN WHICH THE SUBJECT PROPERTIES LIE. A RESURVEY OF THE AREA PERFORMED BY MR. ROWLEY SHOWS THAT THE SOUTHWEST CORNER OF SECTION 19 HAS BEEN IN DIFFERENT LOCATIONS OVER THE YEARS. HE PROVIDED COORDINATES FOR THE MONUMENT IN THE INTERSECTION OF 1200 SOUTH AND 1200 WEST AND SUGGESTED THAT THE LINE THEREFROM TO THE WEST ¼ BE USED AS THE BASIS OF BEARING FOR OUR SURVEY AS IT WOULD TIE INTO HIS RETRACED POSITION OF THE AFOREMENTIONED SOUTHWEST SECTION CORNER. BECAUSE OF THE DIFFERENT POSITIONS OF SAID CORNER, BOTH LOCATIONS WERE PLOTTED AS SHOWN HEREON PER MR. ROWLEY'S PLAT. THOSE DEEDS THAT ORIGINATE THEREFROM WERE PLOTTED FROM BOTH LOCATIONS AND THE SUBJECT PARCEL WAS PLOTTED FROM THE WEST ¼ CORNER. IT WAS DISCOVERED THAT IF THE SUBJECT PROPERTY IS ROTATED ALONG THE LINE FROM THE WEST ¼ TO THE "NEW" RETRACED POSITION OF THE SOUTHWEST CORNER THAT THE LINES CORRESPOND CLOSELY WITH THE EXISTING ROADWAY AND ASSOCIATED FENCES. ALSO, IF THE ADJOINING DEEDS ARE PLOTTED FROM THE "OLD" LOCATION AND ROTATED ALONG THE LINE THEREFROM TO THE WEST ¼ CORNER, THEY TOO CORRESPOND WITH THE ROADWAY AS CALLED FOR BY DEED. ADDITIONALLY, WHEN PLOTTED AS DESCRIBED HEREIN ABOVE, THE RECORD LINES COINCIDE WITH OTHER CALLS TO MONUMENTS CONTAINED IN EACH OF THE RESPECTIVE DEEDS. IT SEEMED THAT THIS WAS THE BEST APPROACH BECAUSE IT REPRESENTS WHAT IS BELIEVED TO HAVE BEEN THE INTENT OF EACH CONVEYANCE. THE SUBJECT PROPERTY COMPRISES TWO SEPARATE PARCELS, ONE THAT WAS GRANTED BY WARRANTY DEED, AND THE OTHER BY WAY OF COURT DECREE. THE WARRANTY DEED PARCEL CORRESPONDS CLOSELY WITH THE EXISTING 1700 SOUTH STREET AS MENTIONED HEREIN ABOVE, HOWEVER, THE EASTERLY LINE FALLS WELL SHORT OF THE ADJOINER'S WESTERLY LINE THEREBY CREATING A GAP. FOR THE PURPOSES OF THIS SURVEY THAT WOULD NOT NORMALLY BE A CONCERN, BUT MR. HESS'S HOUSE IS BUILT IN THE GAP AREA AND NOT ON THE PROPERTY DEEDED TO HIM. UPON DISCOVERY OF THIS, MR. HESS INDICATED THAT IN 1996 A SURVEY WAS MADE BY FRANK BUTTARS THAT FOUND THE SAME PROBLEM. HE ALSO MENTIONED THAT A PREVIOUS SURVEY MADE IN 1960 CERTIFIED THE HOUSE TO BE ON THE PROPERTY AND SHOWS HIS EASTERLY FENCE LINE TO BE ON THE BOUNDARY LINE. MR. BUTTARS' SURVEY WAS OBTAINED AND USED AS AN AID IN THIS SURVEY. THE SURVEY FROM 1960 IS NOT ON FILE.
RESULTS: ALL OF THE DEEDS FOR THE SUBJECT AND ADJOINING PARCELS CONTAIN ENOUGH CALLS TO MONUMENTS THAT FOR THE MOST PART THE BOUNDARIES ARE WELL DEFINED. WITH RESPECT TO THE GAP, IT WAS DECIDED THAT BECAUSE MR. HESS HAS OBVIOUSLY OCCUPIED THE AREA FOR A LONG PERIOD OF TIME, AND BECAUSE HIS EASTERLY FENCE LINE COINCIDES QUITE CLOSELY WITH THE ADJOINER'S RECORD LINE, THAT SAID FENCE LINE WOULD BE HELD AS THE EASTERLY BOUNDARY, THEREBY INCLUDING THE GAP AS PART OF THE OVERALL PARCEL. THIS APPEARS TO BE IN HARMONY WITH FRANK BUTTARS DETERMINATION OF THE EASTERLY LINE. IT IS RECOMMENDED HOWEVER THAT A BOUNDARY LINE AGREEMENT BE ENTERED INTO ■ AND RECORDED TO CORRECT THE LINE IN QUESTION. WITH RESPECT TO THE REST OF THE OVERALL PARCEL, IN CERTAIN AREAS THE NORTH BANK OF THE RIVER IS CALLED FOR BY DEED. SEVERAL UNSUCCESSFUL ATTEMPTS WERE MADE TO FIND THE STATUS OF SAID RIVER WITH REGARD TO NAVIGABILITY. IT IS PRESUMED TO BE NON-NAVIGABLE BUT EXTENSIVE RESEARCH COULD PROVE OTHERWISE. SHOULD THAT BE THE CASE, FEE TITLE MAY ONLY PASS TO SAID NORTH BANK IN THOSE AREAS WHERE IT IS CALLED FOR BY DEED. HOWEVER, FOR THE PURPOSES OF THIS SURVEY, THE CENTER LINE OF THE RIVER WAS USED BECAUSE IT IS THE SOUTHERLY CORPORATE BOUNDARY OF THE CITY AND THE CITY IS PURCHASING THE PROPERTY. FINALLY, HAVING TAKEN THE GATHERED EVIDENCE INTO CONSIDERATION, A NEW DESCRIPTION WAS WRITTEN AND THE CORNERS WERE SET WHERE NEEDED AS SHOWN HEREON.
NOTE: EVIDENCE OF A GAS LINE WAS LOCATED AS SHOWN HEREON. A WRITTEN EASEMENT WAS NOT FOUND BUT IT MAY EXIST.

RECORD OF SURVEY MAP FOR

CITY OF MARRIOTT-SLATERVILLE

GARY G. HESS PROPERTIES
MARRIOTT-SLATERVILLE, WEBER COUNTY, UTAH
SCALE 1" = 40'

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