

CERTIFICATION OF SURVEY

For
Arvin Fackrell
2 Jun, 2015

LEGAL DESCRIPTIONS

PARCEL 'A' - Correction Description of Entry #2698440

A PART OF THE SOUTHWEST QUARTER OF SECTION 24, AND PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN;
BEGINNING AT A POINT WHICH BEARS S.89°41'49"E. (S.89°31'30"E.) 702.13 FEET ALONG THE SOUTH LINE OF SAID SECTION 24, AS MONUMENTED, SAID POINT BEING ON AN EXISTING FENCE LINE AND S.16°30'03"E. 25.23 FEET ALONG SAID FENCE TO A FENCE INTERSECTION, FROM THE SOUTHWEST CORNER OF SAID SECTION 24, AND RUNNING THENCE S.89°39'03"E. (191.09 FEET) 192.22 FEET ALONG SAID FENCE TO A FOUND T.L. & A. REBAR AND CAP, THENCE N.03°47'22"W. 133.13 FEET ALONG SAID FENCE LINE, THENCE N.03°58'36"W. (N.04°06'50"W.) 197.59 FEET ALONG SAID FENCE TO A FOUND MOUNTAIN WEST REBAR & CAP, THENCE N.03°41'49"W. (245.70 FEET) 244.89 FEET MORE OR LESS TO THE EXISTING HOOPER CANAL FENCE LINE, THENCE ALONG SAID CANAL FENCE AS FOLLOWS: THENCE S.10°38'18"E. 201.61 FEET, THENCE S.16°30'03"E. 137.42 FEET MORE OR LESS, ALONG SAID FENCE LINE TO THE POINT OF BEGINNING AT A POINT WHICH BEARS S.89°41'49"E. (S.89°31'30"E.) 702.13 FEET ALONG THE SOUTH LINE OF SAID SECTION 24, AS MONUMENTED, SAID POINT BEING ON AN EXISTING FENCE LINE AND S.16°30'03"E. 25.23 FEET ALONG SAID FENCE TO A FENCE INTERSECTION, S.89°39'03"E. (191.09 FEET) 192.22 FEET ALONG SAID FENCE TO A FOUND T.L. & A. REBAR AND CAP, THENCE N.03°47'22"W. 133.13 FEET ALONG SAID FENCE TO A FOUND MOUNTAIN WEST REBAR & CAP, FROM THE SOUTHWEST CORNER OF SAID SECTION 24, AND RUNNING THENCE N.04°10'27"W. (N.04°06'50"W.) 448.34 FEET MORE OR LESS, ALONG SAID FENCE TO THE SOUTHWEST CORNER OF CARL LAUGHTER PROPERTY, THENCE N.04°06'50"W. 68.64 FEET, THENCE N.88°15'13"W. (N.88°31'30"W.) 191.03 FEET, THENCE S.04°06'28"E. 56.41 FEET, THENCE N.89°41'47"W. 64.93 FEET, MORE OR LESS TO A FENCE ON THE EASTERN SIDE OF THE HOOPER CANAL, THENCE S.10°38'18"E. 97.39 FEET ALONG SAID FENCE LINE TO A POINT WHICH BEARS N.89°41'49"W. OF THE POINT OF BEGINNING, THENCE S.89°41'49"E. 244.89 FEET TO THE POINT OF BEGINNING, CONTAINING 2.407 ACRES, MORE OR LESS.

TOGETHER WITH A 30 FOOT WIDE PRIVATE R/W FOR THE PURPOSE OF INGRESS AND EGRESS, AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF ARV FACKRELL PROPERTY, LOCATED IN WEST HAVEN, WEBER COUNTY, UTAH, SAID POINT BEARS N.01°07'21"E. 842.93 FEET ALONG WEST SECTION LINE, S.89°39'03"E. 60.00 FEET AND S.89°15'13"E. 784.09 FEET FROM THE SOUTHWEST CORNER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN;
AND RUNNING THENCE N.88°15'13"W. 30.16 FEET, THENCE S.04°06'28"E. 56.41 FEET, THENCE S.38°41'52"E. 52.90 FEET MORE OR LESS, TO AN EXISTING FENCE ON PROPERTY LINE, THENCE N.04°10'27"W. (N.04°06'50"W.) 27.24 FEET MORE OR LESS, ALONG SAID FENCE TO THE SOUTHWEST CORNER OF C. KIRK LAUGHTER PROPERTY, THENCE S.77°58'45"E. 23.00 FEET ALONG SAID PROPERTY LINE, THENCE N.89°41'52"W. 38.92 FEET MORE OR LESS TO THE WESTERN PROPERTY LINE OF SAID PROPERTY, THENCE N.04°06'28"E. 43.99 FEET, ALONG SAID PROPERTY LINE TO THE POINT OF BEGINNING.

PARCEL 'B'

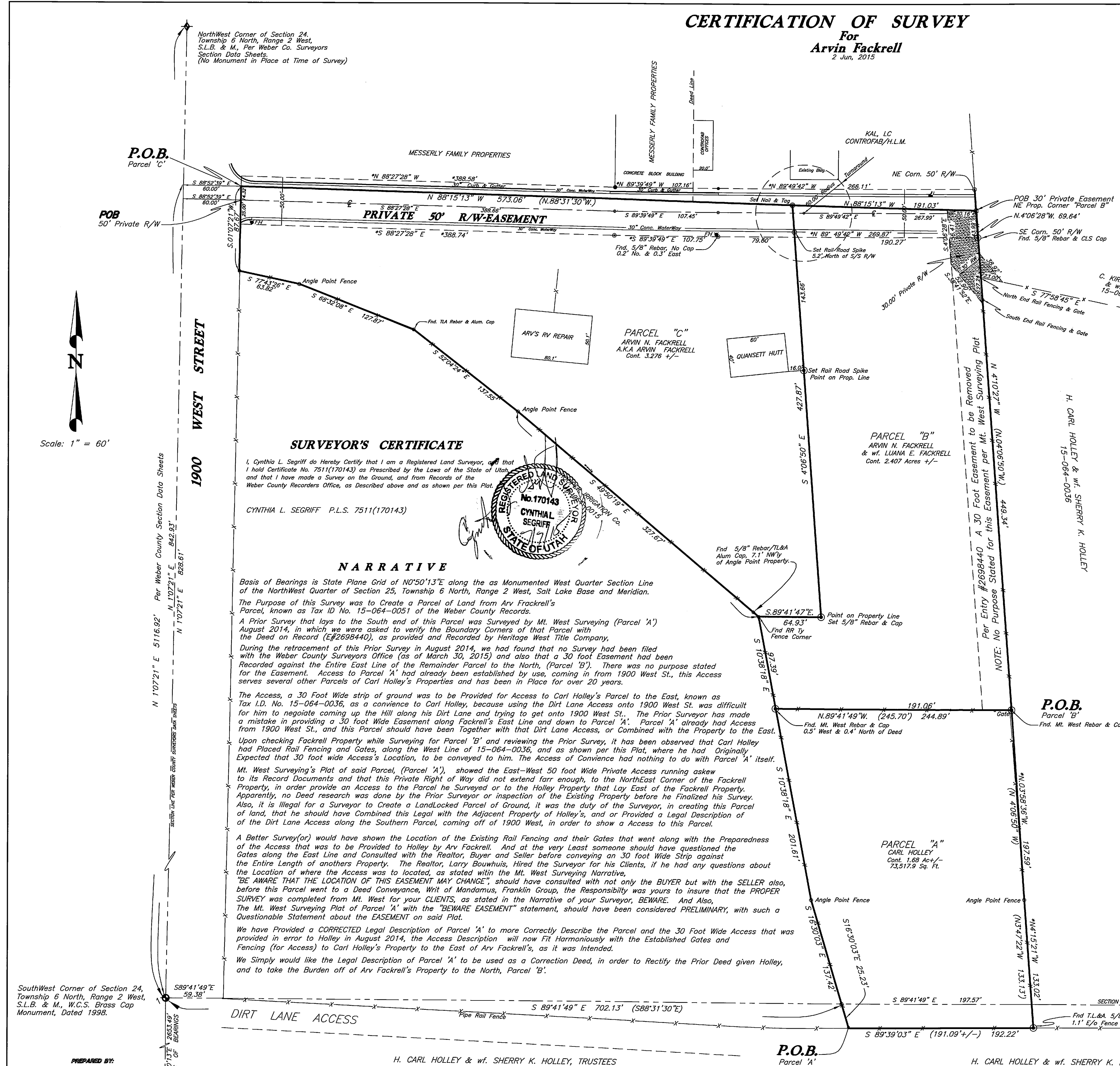
A PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN;
BEGINNING AT A POINT WHICH BEARS S.89°41'49"E. (S.89°31'30"E.) 702.13 FEET ALONG THE SOUTH LINE OF SAID SECTION 24, AS MONUMENTED, SAID POINT BEING ON AN EXISTING FENCE LINE AND S.16°30'03"E. 25.23 FEET ALONG SAID FENCE TO A FENCE INTERSECTION, S.89°39'03"E. (191.09 FEET) 192.22 FEET ALONG SAID FENCE TO A FOUND T.L. & A. REBAR AND CAP, THENCE N.03°47'22"W. 133.13 FEET ALONG SAID FENCE TO A FOUND MOUNTAIN WEST REBAR & CAP, FROM THE SOUTHWEST CORNER OF SAID SECTION 24, AND RUNNING THENCE N.04°10'27"W. (N.04°06'50"W.) 448.34 FEET MORE OR LESS, ALONG SAID FENCE TO THE SOUTHWEST CORNER OF CARL LAUGHTER PROPERTY, THENCE N.04°06'50"W. 68.64 FEET, THENCE N.88°15'13"W. (N.88°31'30"W.) 191.03 FEET, THENCE S.04°06'28"E. 56.41 FEET, THENCE N.89°41'47"W. 64.93 FEET, MORE OR LESS TO A FENCE ON THE EASTERN SIDE OF THE HOOPER CANAL, THENCE S.10°38'18"E. 97.39 FEET ALONG SAID FENCE LINE TO A POINT WHICH BEARS N.89°41'49"W. OF THE POINT OF BEGINNING, THENCE S.89°41'49"E. 244.89 FEET TO THE POINT OF BEGINNING, CONTAINING 2.407 ACRES, MORE OR LESS.

SUBJECT TO A 30 FOOT WIDE PRIVATE R/W FOR THE PURPOSE OF INGRESS AND EGRESS, AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF ARV FACKRELL PROPERTY, LOCATED IN WEST HAVEN, WEBER COUNTY, UTAH, SAID POINT BEARS N.01°07'21"E. 842.93 FEET ALONG WEST SECTION LINE, S.89°39'03"E. 60.00 FEET AND S.89°15'13"E. 784.09 FEET FROM THE SOUTHWEST CORNER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN;
AND RUNNING THENCE N.88°15'13"W. 30.16 FEET, THENCE S.04°06'28"E. 56.41 FEET, THENCE S.38°41'52"E. 52.90 FEET MORE OR LESS, TO AN EXISTING FENCE ON PROPERTY LINE, THENCE N.04°10'27"W. (N.04°06'50"W.) 27.24 FEET MORE OR LESS, ALONG SAID FENCE TO THE SOUTHWEST CORNER OF C. KIRK LAUGHTER PROPERTY, THENCE S.77°58'45"E. 23.00 FEET ALONG SAID PROPERTY LINE, THENCE N.89°41'52"W. 38.92 FEET MORE OR LESS TO THE WESTERN PROPERTY LINE OF SAID PROPERTY, THENCE N.04°06'28"E. 43.99 FEET, ALONG SAID PROPERTY LINE TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO A 50 FOOT WIDE PRIVATE RIGHT OF WAY, PER THE 1994 AGREEMENT OF ACCESS RECORDED IN BOOK 1733 PAGE 390, AND BEING MORE PARTICULARLY DESCRIBED IN BOOK 2410 PAGE 288 (2359-128) OF THE WEBER COUNTY RECORDS, FOR THE PURPOSE OF INGRESS AND EGRESS, AS FOLLOWS:
A PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN;
BEGINNING AT A POINT WHICH BEARS N.01°07'21"E. 828.61 FEET ALONG THE AS MONUMENTED WEST SECTION LINE OF SAID SECTION 24, AND S.88°52'39"E. 60.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 24, BASIS OF BEARINGS IS ALONG THE WEST MONUMENTED SECTION LINE OF THE NORTHWEST QUARTER OF SECTION 25, OF SAID TOWNSHIP AND RUNNING THENCE S.01°07'21"W. 25.00 FEET, THENCE S.88°27'28"E. 388.74 FEET, THENCE S.89°39'49"E. 107.75 FEET, THENCE S.89°49'42"E. 269.87 FEET, THENCE N.04°02'20"W. 50.14 FEET, THENCE N.89°49'42"W. 266.11 FEET, THENCE N.89°39'49"W. 107.16 FEET, THENCE N.88°27'28"W. 388.58 FEET MORE OR LESS, TO THE EASTERN LINE OF 1900 WEST STREET, THENCE S.01°07'21"W. 25.00 FEET ALONG SAID STREET TO THE POINT OF BEGINNING.

PARCEL 'C' Remaining Parcel
A PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN;
BEGINNING AT A POINT ON THE EASTERLY SIDE OF 1900 WEST STREET, SAID POINT BEARS N.01°07'21"E. 842.93 FEET ALONG THE AS MONUMENTED WEST SECTION LINE OF SAID SECTION 24 AND S.88°52'39"E. 60.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 24, BASIS OF BEARINGS IS ALONG THE WEST MONUMENTED SECTION LINE OF THE NORTHWEST QUARTER OF SECTION 25, AND RUNNING THENCE S.01°07'21"W. 87.67 FEET (S.01°11'05"W. 87.70 FEET) MORE OR LESS TO A FENCE ON THE NORTHEASTLY LINE OF THE HOOPER CANAL, THENCE THE FOLLOWING FOUR COURSES ALONG SAID HOOPER CANAL FENCE AS FOLLOWS:
S.77°43'26"E. 63.82 FEET, S.68°32'08"E. 127.87 FEET, S.52°04'24"E. 137.55 FEET AND S.49°50'19"E. 327.67 FEET ALONG SAID CANAL, THENCE S.89°41'47"E. 64.93 FEET, THENCE N.04°06'50"W. 427.87 FEET, THENCE N.88°15'13"W. (N.88°31'30"W.) 573.06 FEET TO THE POINT OF BEGINNING, CONTAINING 3.276 ACRES, MORE OR LESS.

TOGETHER WITH AND SUBJECT TO A 50 FOOT WIDE PRIVATE RIGHT OF WAY, PER THE 1994 AGREEMENT OF ACCESS RECORDED IN BOOK 1733 PAGE 390, AND BEING MORE PARTICULARLY DESCRIBED IN BOOK 2410 PAGE 288 (2359-128) OF THE WEBER COUNTY RECORDS, FOR THE PURPOSE OF INGRESS AND EGRESS, AS FOLLOWS:
A PART OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN;
BEGINNING AT A POINT WHICH BEARS N.01°07'21"E. 828.61 FEET ALONG THE AS MONUMENTED WEST SECTION LINE OF SAID SECTION 24, AND S.88°52'39"E. 60.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 24, BASIS OF BEARINGS IS ALONG THE WEST MONUMENTED SECTION LINE OF THE NORTHWEST QUARTER OF SECTION 25, OF SAID TOWNSHIP AND RUNNING THENCE S.01°07'21"W. 25.00 FEET, THENCE S.88°27'28"E. 388.74 FEET, THENCE S.89°39'49"E. 107.75 FEET, THENCE S.89°49'42"E. 269.87 FEET, THENCE N.04°02'20"W. 50.14 FEET, THENCE N.89°49'42"W. 266.11 FEET, THENCE N.89°39'49"W. 107.16 FEET, THENCE N.88°27'28"W. 388.58 FEET MORE OR LESS, TO THE EASTERN LINE OF 1900 WEST STREET, THENCE S.01°07'21"W. 25.00 FEET ALONG SAID STREET TO THE POINT OF BEGINNING.



SURVEYOR'S CERTIFICATE

I, Cynthia L. Segriff do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 7511(170143) as Prescribed by the Laws of the State of Utah, and that I have made a Survey on the Ground, and from Records of the Weber County Recorder's Office, as Described above and as shown per this Plat.

CYNTHIA L. SEGRUFF P.L.S. 7511(170143)

NARRATIVE

Basis of Bearings is State Plane Grid of NAD83 along the as Monumented West Quarter Section Line of the Northwest Quarter of Section 25, Township 6 North, Range 2 West, Salt Lake Base and Meridian.

The Purpose of this Survey was to Create a Parcel of Land from Arv Fackrell's Parcel, known as Tax ID No. 15-064-0051 of the Weber County Records.

A Prior Survey that lays to the South end of this Parcel was Surveyed by Mt. West Surveying (Parcel 'A') August 2014, in which we were asked to verify the Boundary Corners of that Parcel with the Deed on Record (E#2698440), as provided and Recorded by Heritage West Title Company.

During the retracement of this Prior Survey in August 2014, we had found that no Survey had been filed with the Weber County Surveyors Office (as of March 30, 2015) and also that a 30 foot Easement had been Recorded against the Entire East Line of the Remainder Parcel to the North, (Parcel 'B'). There was no purpose stated for the Easement. Access to Parcel 'A' had already been established by use, coming in from 1900 West St., this Access serves several other Parcels of Carl Holley's Properties and has been in Place for over 20 years.

The Access, a 30 Foot Wide strip of ground was to be Provided for Access to Carl Holley's Parcel to the East, known as Tax I.D. No. 15-064-0036, as a convenience to Carl Holley, because using the Dirt Lane Access along 1900 West St. was difficult for him to negotiate coming up the Hill along his Dirt Lane and trying to get onto 1900 West St., The Prior Surveyor has made a mistake in providing a 30 foot Wide Easement along Fackrell's East Line and down to Parcel 'A'. Parcel 'A' already had Access from 1900 West St., and this Parcel should have been together with that Dirt Lane Access, or Combined with the Property to the East.

Upon checking Fackrell Property while Surveying for Parcel 'B' and reviewing the Prior Survey, it has been observed that Carl Holley had Placed Rail Fencing and Gates, along the West Line of 15-064-0036, and as shown per this Plat, where he had Originally Expected that 30 foot wide Access's Location, to be conveyed to him. The Access of Convenience had nothing to do with Parcel 'A' itself.

Mt. West Surveying's Plat of said Parcel, (Parcel 'A'), showed the East-West 50 foot Wide Private Access running askew to its Record Documents and that this Private Right of Way did not extend far enough, to the NorthEast Corner of the Fackrell Property, in order provide an Access to the Parcel he Surveyed or to the Holley Property that Lay East of the Fackrell Property. Apparently, no Deed research was done by the Prior Surveyor or inspection of the Existing Property before he finalized his Survey. Also, it is illegal for a Surveyor to Create a Landlocked Parcel of Ground, it was the duty of the Surveyor, in creating this Parcel of land, that he should have Combined this Legal with the Adjacent Property of Holley's, and or Provided a Legal Description of the Dirt Lane Access along the Southern Parcel, coming off of 1900 West, in order to show a Access to this Parcel.

A Better Survey(or) would have shown the Location of the Existing Rail Fencing and their Gates that went along with the Preparedness of the Access that was to be Provided to Holley by Arv Fackrell. And at the very Least someone should have questioned the Gates along the East Line and Consulted with the Realtor, Buyer and Seller before conveying an Access to the Property against the Entire Length of another's Property. The Realtor, Larry Bauwhuis, Hired the Surveyor for his Clients, if he had any questions about the Location of where the Access was to be located, as stated within the Mt. West Surveying Narrative.

"BE AWARE THAT THE LOCATION OF THIS EASEMENT MAY CHANGE", should have consulted with not only the BUYER but with the SELLER also, before this Parcel went to a Deed Conveyance, Writ of Mandamus, Franklin Group, the Responsibility was yours to insure that the PROPER SURVEY was completed from Mt. West for your CLIENTS, as stated in the Narrative of your Surveyor, BEWARE. And Also, The Mt. West Surveying Plat of Parcel 'A' with the "BEWARE EASEMENT" statement, should have been considered PRELIMINARY, with such a Questionable Statement about the EASEMENT on said Plat.

We have Provided a CORRECTED Legal Description of Parcel 'A' to more Correctly Describe the Parcel and the 30 Foot Wide Access that was provided in error to Holley in August 2014, the Access Description will now fit Harmoniously with the Established Gates and Fencing (for Access) to Carl Holley's Property to the East of Arv Fackrell's, as it was Intended.

We Simply would like the Legal Description of Parcel 'A' to be used as a Correction Deed, in order to Rectify the Prior Deed given Holley, and to take the Burden off of Arv Fackrell's Property to the North, Parcel 'B'.

PREPARED BY:
C. L. S., Inc.
810 CANYON ROAD
OGDEN, UTAH 84404
PH. (801) 399-4935~cls@clsurveying.net

West 1/4 Corner of Section 25, Township 6 North, Range 2 West, S.L.B. & M., W.C.S. Brass Cap, Monument Dated 1998.

H. CARL HOLLEY & Wf. SHERRY K. HOLLEY, TRUSTEES
15-069-0057

before this Parcel went to a Deed Conveyance, Writ of Mandamus, Franklin Group, the Responsibility was yours to insure that the proper Survey was Completed.

H. CARL HOLLEY & Wf. SHERRY K. HOLLEY, TRUSTEES
15-069-0044

C. L. S., Inc.
810 CANYON ROAD
OGDEN, UTAH 84404
(801) 399-4935

CLIENT: **ARV FACKRELL**

SURVEY LOCATION:
SW 1/4 SEC. 24 & NW 1/4 SEC. 25,
TOWNSHIP 6 NORTH, RANGE 2 WEST,
SALT LAKE BASE & MERIDIAN

SURVEY DATE: **4/23/15**
JOB No. **PS15-03**

