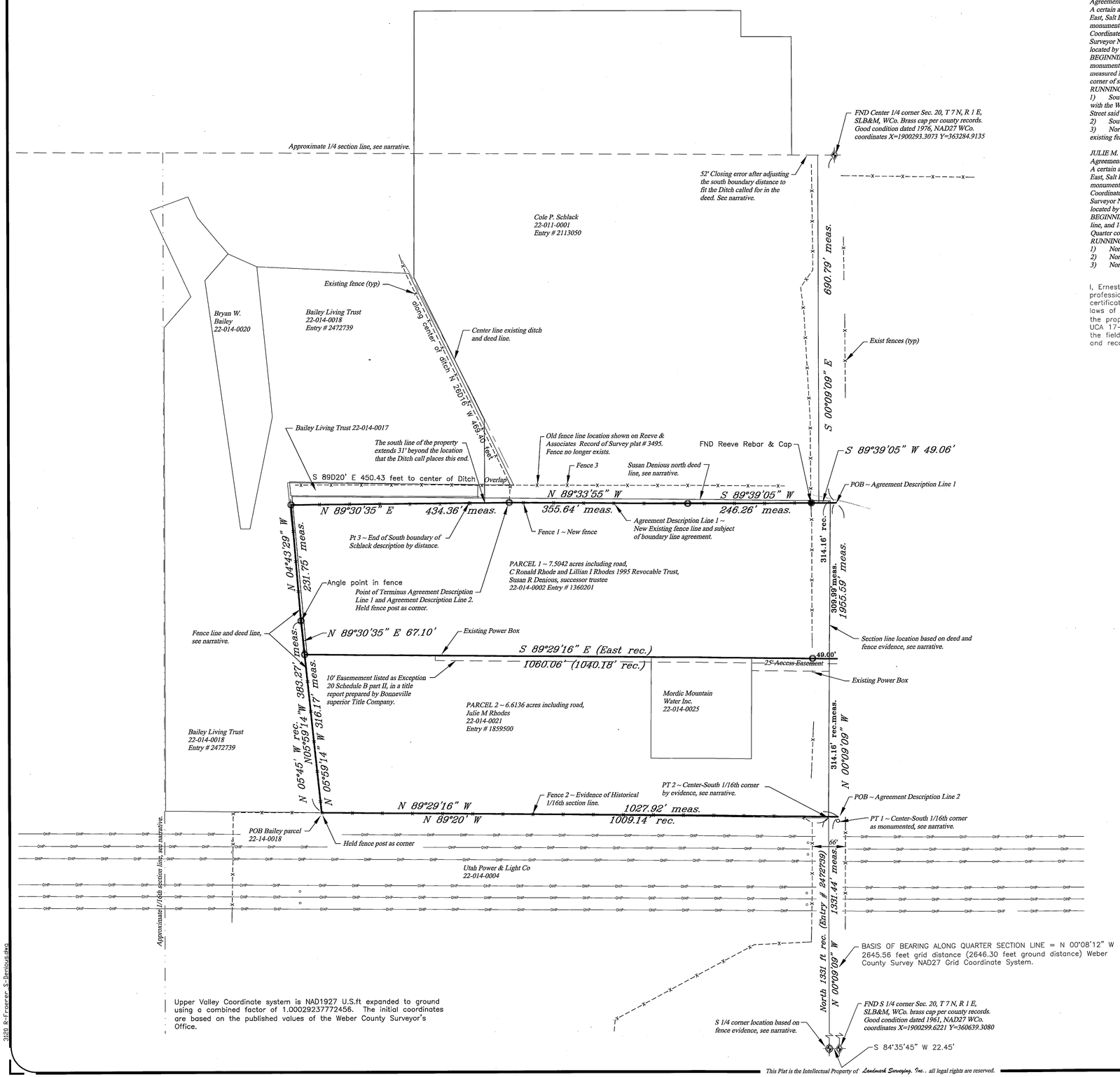
PART OF THE SW 1/4 OF SECTION 20, TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN
UNINCORPORATED, WEBER COUNTY, UTAH – Record of Survey Date: October 2015



Upper Valley Coordinate system is NAD1927 U.S.ft expanded to ground using a combined factor of 1.00029237772456. The initial coordinates are based on the published values of the Weber County Surveyor's Office.

BOUNDARY AGREEMENT DESCRIPTIONS

COLE P. SCHLACK - SUSAN R. DENIOUS
Agreement Description Line 1:
A certain and existing fence line in the Southwest Quarter of Section 20, Township 7 North, Range 1 East, Salt Lake Base and Meridian, having a basis of bearing of North 00°08'12" West between the monumented location of the South Quarter corner (having Weber County Surveyor NAD83 State Plane Coordinates of N=3641458.41 E=1540505.55) and the Center Quarter corner (having Weber County Surveyor NAD83 State Plane Coordinates of N=3644104.02 E=1540499.24) of said Section 20, being located by survey as follows;
BEGINNING at a point on the monumented section line 1955.59 feet North 00°09'09" West along said monumented Section line (the Center Quarter corner of said Section 20 is also located 2646.38 feet measured North 00°09'09" West from said South Quarter corner of Section 20), FROM the South Quarter corner of said Section 20;
RUNNING thence along the agreed fence line and fence line extended the following three (3) courses,
1) South 89°39'05" West 49.06 feet to a rebar and cap as set by Reeve & Associates in a survey filed with the Weber County Surveyor as file number 3495 apparently marking the right of way of 3500 East Street said rebar and cap being in line with the existing fence which is the subject of this agreement,
2) South 89°33'55" West 246.26 feet along said existing fence line,
3) North 89°33'55" West 355.64 feet along said existing fence line to the point of terminus being an existing fence corner.

JULIE M. RHODES - BAILEY LIVING TRUST - C. RONALD RHODES TRUST
Agreement Description Line 2:
A certain and existing fence line in the Southwest Quarter of Section 20, Township 7 North, Range 1 East, Salt Lake Base and Meridian, having a basis of bearing of North 00°09'09" West between the monumented location of the South Quarter corner (having Weber County Surveyor NAD83 State Plane Coordinates of N=3641458.41 E=1540505.55) and the Center Quarter corner (having Weber County Surveyor NAD83 State Plane Coordinates of N=3644104.02 E=1540499.24) of said Section 20, being located by survey as follows;
BEGINNING at a fence corner located 1331.44 feet North 00°09'09" West along the monumented section line, and 1027.92 feet North 89°29'16" West along or near an existing fence line, FROM the South Quarter corner of said Section 20;
RUNNING thence along the agreed fence line the following three (3) courses,
1) North 05°59'14" West 383.27 feet;
2) North 04°43'29" West 231.75 feet;
3) North 89°30'35" East 434.36 feet to the point of terminus being an existing fence corner.

SURVEYOR'S CERTIFICATE

I, Ernest D. Rowley, do hereby certify that I am a professional land surveyor in the State of Utah and hold certificate no. 171781-2201 as prescribed by the laws of this State. That I have made a survey of the property(s) shown hereon in accordance with UCA 17-23-17. That this plat was prepared from the field notes of this survey and from documents and records as noted hereon.

PROFESSIONAL LAND SURVEYOR
No. 171781
1-27-2016
ROWLEY
STATE OF UTAH

NARRATIVE

1. The purpose of the survey is to prepare boundary line agreement descriptions to recognize in writing that the existing fence lines around Parcel 1 and Parcel 2 are the legal and binding property lines.
2. The basis of bearing is as noted in the descriptions.
3. The property lines in this area have been the subject of some controversy over several years due, in my opinion, to the erroneous location of the County Section Corner Monuments representing the Center 1/4 corner and the South 1/4 corner of Section 20. When the deeds were evaluated in relation to long stand in fences it became evident that the scriviner of the original descriptions for Parcels 1 & 2 and for the Bailey property believed that the quarter section line was in the middle of Hwy 162. As can be seen from this survey the current monumented quarter section line is in the east half of the Hwy right of way.
4. To aid in determining the location of the South 1/4 corner as evidenced by the deeds for Parcels 1 & 2 and the Bailey's properties the existing fences were surveyed. We also surveyed the newly constructed location of "Fence 1" which is the reason for this survey and is intended to be the agreed boundary between Denious and Schlack. It is also advised that boundary line agreements be put in place between the owners of Parcels 1 & 2 and the Bailey's to prevent the same type of controversy that has existed between the property of Denious and Schlack.
5. When examining the records pertaining to the length of the quarter section from the South 1/4 to the Center 1/4 corner the county record between is N 00°09'09" W (2645.56' grid) 2646.30 feet. Comparing this distance to the distances of the deeds between these two point we find that the total is 2701.47 feet. So the deeds are 55.17 feet longer than the monument line.
6. There are key parts of the language in the deeds for Parcel 1 & 2 and Bailey's that were used to aid in the correct identification of the deed boundaries, however, to do so the location of the section corner monuments are being ignored and deemed as bearing false witness to the corner.
7. Examining the Bailey description (Entry # 2472739), hereafter Bailey, the description for "S/N. 22-014-0018" calls the Point of Beginning to be located from the South 1/4 corner, "North 1331 feet and along a fence North 89D20' West 1009.14 feet". From this statement it is clear the "Fence 2" is the line being described.
8. Comparing the Rhodes description (Entry # 1859500), hereafter Rhodes, with the Bailey ties the Rhodes description begins at the Center-South 1/16th corner (in the deed "Southeast corner of the Northeast Quarter of said [Southwest] Quarter Section;". The location for this point is normally thought of as being half way between the S 1/4 and C 1/4 along quarter section line. But when a careful reading of the BLM Manual of Surveying Instructions is made this is only true when the interior corners of a section are previously set. (See paragraph 3-85, paragraph 3-99, paragraph 3-131, paragraph 3-137 sub-paragraph 5, and chapters V and VI inclusive, of the 2009 BLM Manual of Surveying Instructions)
9. From the description evidence Fence 2 fits with the location of the 1/16th section line and the Center-South 1/16th corner is not on the monumented 1/4 section line at a mid-point (which is noted as Pt 1). Pt 2 is the location of the 1/16th corner based on the deed and fence evidence.
10. The boundary line between Parcel 1 and Parcel 2 was established by holding the record distance of 314.16' on the quarter section line and paralleling the the bearing of the fence on the south of Parcel 2.
11. When examining the location of the Bailey, Schlack, and Parcel 1 locations a call in the Bailey deed and in the Schlack deed for a ditch become key. The bailey deed does not call for the fence line which is the west boundary of Parcel 1 & 2 but does call for a fence on the next call, "Thence along a fence South 89D20' East 450.43 feet to the center of a Ditch;". When the location of the ditch and the called for fence are used and the deed is moved to coincide with these monuments the west fence of Parcels 1 & 2 also matches the Bailey deed.
12. The Schlack deed contains several errors which make it difficult to know where some of the lines are intended to be on the ground. One error is the call identifying the south line. The deed (Entry # 2113050) states this line to be "West 696.84 feet", shown as Pt 3. The next two calls identify the location of the Ditch and when adjusting these two calls to coincide with the Ditch the 696.84 foot distance of the south line of the property is long by about 31 feet. The description still has a significant closing error of 52 feet, even when making the 31 foot adjustment. To identify the location that these errors should be placed would require significant research in the deed record which this project is not intended to resolve. No further evaluation of the Schlack deed has been done.
13. Fence 3 is shown hereon in the approximate location of where the Reeve & Associates survey places it and no longer exists.
14. Summary: in the process of the survey it has been found that Fence 2 represents the 1/16th section line and the south boundary of the Rhodes property. The West fence of Parcels 1 & 2 are the deed line between the Parcels and Bailey property. Since the deeds, when plotted from the existing monuments, do not coincide with the location of these lines of ownership it is recommended that a boundary line agreement be made to bring these deeds into harmony with the occupation. The description that can be used for that agreement is noted hereon as Agreement Description Line 2. Agreement Description Line 1 is for the common boundary between Parcel 1 and Schlack.

The documents used in this survey are, but may not be limited to, the following:
15. Electronic Ownership and Abstract records of Weber County for parcels, 22-011-0001, 22-011-0026, 22-014-0002, 22-014-0003, 22-014-0004, 22-014-0017, 22-014-0018, 22-014-0021, 22-014-0025, 22-024-0012.
16. Deeds of record by Book-page, 869-347; by Entry #, 851019, 851323, 858939, 866875, 949618, 949619, 1040694, 1117800, 1177945, 1177946, 1177948, 1189477, 1251110, 1360201, 1470546, 1590416, 1590417, 1750519, 1750520, 1751440, 1776658, 1859500, 1924846, 2113050, 2472739, 2647715, 2713830, 2759750.
17. Records of Survey file numbers, 1477, 2804, 3329, 3492, 3495.
18. Ownership Plats from the recorder's records by Book-page, 22-10, 22-11, 22-13, 22-14, 22-177.
19. Tie sheet records from the County surveyor's records, 2741, 2742, 2841, 2842, 2843, 2941, 2942, 2943, and bearing sheets for this township.
20. NOTE: The only item included on this plat from a Title Report prepared by Bonneville Superior Title Company and Stewart Title Insurance Agency of Utah, Inc., Ogden is Item 20 in Schedule B Part II which is an easement granted to PacificCorp, dba Utah Power & Light Company. This survey is not, nor intended to be an ALTA Survey of this property.

NORTH

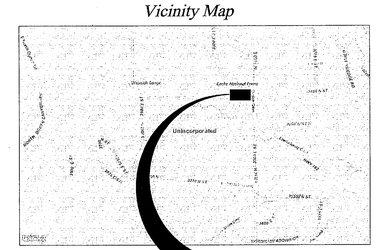
Scale ~ 1" = 100'

Legend

- EXISTING FENCE
- EASEMENTS
- STREET CENTERLINE
- OVERHEAD POWER LINES
- FND SECTION CORNER
- SET #5x24" REBAR AND CAP STAMPED LANDMARK UNLESS OTHERWISE NOTED
- FND REBAR AND CAP

RECEIVED
JAN 28, 2016
By 5412

Vicinity Map



Landmark Surveying, Inc.
A Complete Land Surveying Service
www.LandmarkSurveyUtah.com
4646 South 3500 West - #A-3
West Haven, UT 84401
801-731-4075

CLIENT: Susan R. Denious %Robert Froerer, esq.
Address:

SW 1/4 of Section 20,
Township 7 North, Range 1 East, Salt Lake Base and Meridian.

Revisions	DRAWN BY: EDR
	CHECKED BY: ...
	DATE: January 26, 2016
	FILE: 3569 - 3120

3120 R-Froerer S-Denious.dwg

This Plat is the Intellectual Property of Landmark Surveying, Inc.. all legal rights are reserved.