

PART OF THE NW 1/4 OF SECTION 6, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN
UNINCORPORATED WEBER COUNTY, UTAH - Record of Survey Date: January 2016

WARREN

Center line Warren Canal deed Book 26 page 336.

CANAL

NARRATIVE

The purpose of the survey is to reconfigure two parcels identified as Tax Serial Numbers 15-022-0012 and 15-022-0025 so that the parcel with an existing house on it (0025) will have about an acre of ground and consolidate the remainder as an agricultural parcel.

The basis of bearing is as noted in the boundary description. Bearings on this plat are shown rotated to reflect the NAD27 system of the county's, however, in this narrative comparisons of bearings are noted as reflected in the deeds. Also Book and Page deed references will be in the form of "Book No."-Page No." (i.g. 5-25 for Book 5 page 25).

This survey began by researching the chain of title. A listing of all documents within the NW 1/4 of the section was compiled and the descriptions of the documents were examined and many were plotted over aerial photography. Some of the key features that the deeds were calling for were the Warren Canal, Salt Creek, the Halverson ditch, and another Canal on the south of the Rose parcels. This area is what I call the "river" sections, which means that the monuments from the west side of the section do not project an East bearing to the monuments on the east side of the section. As shown herein there is a bearing noted in the county records between the Northwest and Northeast corners as monumented of S 85°43'36" E. It has been found that many of the "river" sections have a historical surveying error. It is believed that the sections were surveyed, in this case, east or west up to the creek and terminated without crossing the creek and the surveyor did not know that there was a closing error in the lines of the sections. Deed evidence in 32-349 for the location of the N 1/4 corner place it significantly north of the straight line between the county monuments as shown hereon. One of the deed features are calls to the creek and utilizing those calls provides "Location 1" for the corner. This location may work for many of the properties on the west side of Salt Creek but not for ones on the east side.

Location 2 is identified by utilizing other deeds, one in particular is 673-379 and is not too far west of what would be a split of the existing monuments but splitting the monuments does not match the lines of occupation that have historically marked what I believe to be the quarter section line.

The physical location of the Warren Canal is a clue to the bearing of the section line because of the deeds on both sides in that they call for the canal and a road north of the canal. Deed 2-601 from 1889 also confirms the location of the section line differing from the monumented lines of today. This is based on the location of "Occupation line 1" and is close to the location of the Section line using the North 1/4 Location 2. The county monuments may not accurately represent the location of the historical monuments. It is, therefore, necessary to use "old use and occupancy and old recognition (Ballard v. Stanolind Oil & Gas Co. 80 Federal Reporter 2d 588)" and deed records to sort the lines of ownership.

The north and south boundaries of the property begin their history with deed 44-225. This document has a poor point of beginning because of the problems associated with the location of the North 1/4 corner and the location of the creek. Ignoring the ties and placing the property in relation to two other documents and occupation helps to identify the north and south boundary. Those documents are 59-56 and 59-57. Using the Southwest corner of 59-56 as the same location for the Northwest corner of 44-225 (placing that position at 1410.5 feet north of the monumented West 1/4) shows that the north boundary of 44-225 does not follow that of 59-57, however, the bearing of 59-57 follows the line of occupation while the bearing of 44-225 does not. It is interesting to note that the bearing of the north line of 59-57 is similar to a straight line between the county monuments for the north line of the section.

When 59-57 was deeded the frontage of the parcel was given as 506.6 feet which is 13.15 feet short of the 519.75 feet deeded in 44-225. This shortage has been found to be on the south of 59-57 because the POB ties of each rods deeded in 44-225. This shortage has been found to be on the south of 59-57 because the POB ties of each rods deeded in 44-225. This shortage has been found to be on the south of 59-57 because the POB ties of each rods deeded in 44-225. This shortage has been found to be on the south of 59-57 because the POB ties of each rods deeded in 44-225.

of calling for that canal. It is my opinion that both 44-225 and 59-57 intended to describe the same canal as the south boundary although they did not accurately do so. The use of the canal is also learned later in the chain of title in reference to deed 1092-358. Although the deeds on both sides of the canal have used a straight line east-west to represent the canal, the canal does not travel in a straight line as can be seen. Some deeds for the property to the east (15-022-0006) have also tried to identify the difference in the canal location. Therefore, the canal is the south boundary of the property and has been since at least 1909.

Deed 64-103 (Joseph Knight to James Wade) splits the property into an east and west parcel. The west parcel being granted to Wade. The location of the division line is at a point S 85°55' E 1172.0 feet from the section line. This is the location that I have placed the jog in the north boundary of Parcel 2. Deed 64-103 leaves a strip of land on the north of 59-57 which was apparently reserved as a "flag stem" access to the east parcel.

Deed 64-103 also calls the south line of the property to be the canal and the east boundary at a point located 148.89 feet west of the west line of 54-346 which is shown as the location of a north-south Ditch labeled "Ditch 2". Deed 54-346 identifies the boundary to be the 1/16th section line by stating it to be 80 rods east of the west line of the section. On the current county tax map a 10' wide strip that is 148.89 feet long is noted with no ownership and is below where 83-482 is described (to be discussed later).

Deed 79-60 conveys to Joseph Knight all the property east of Ditch 2 (the approximate location of the 1/16th section line) and again calls the south boundary of that description to be the canal. The distance along this Ditch-1/16th section line is noted to be 213.4 feet and ending at the center of the canal (noted as "Point 213.4").

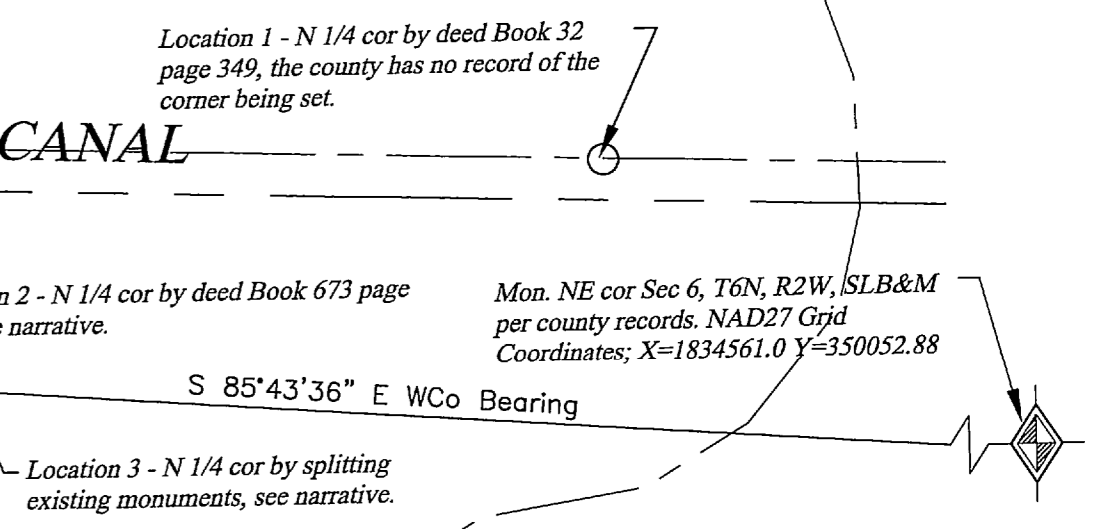
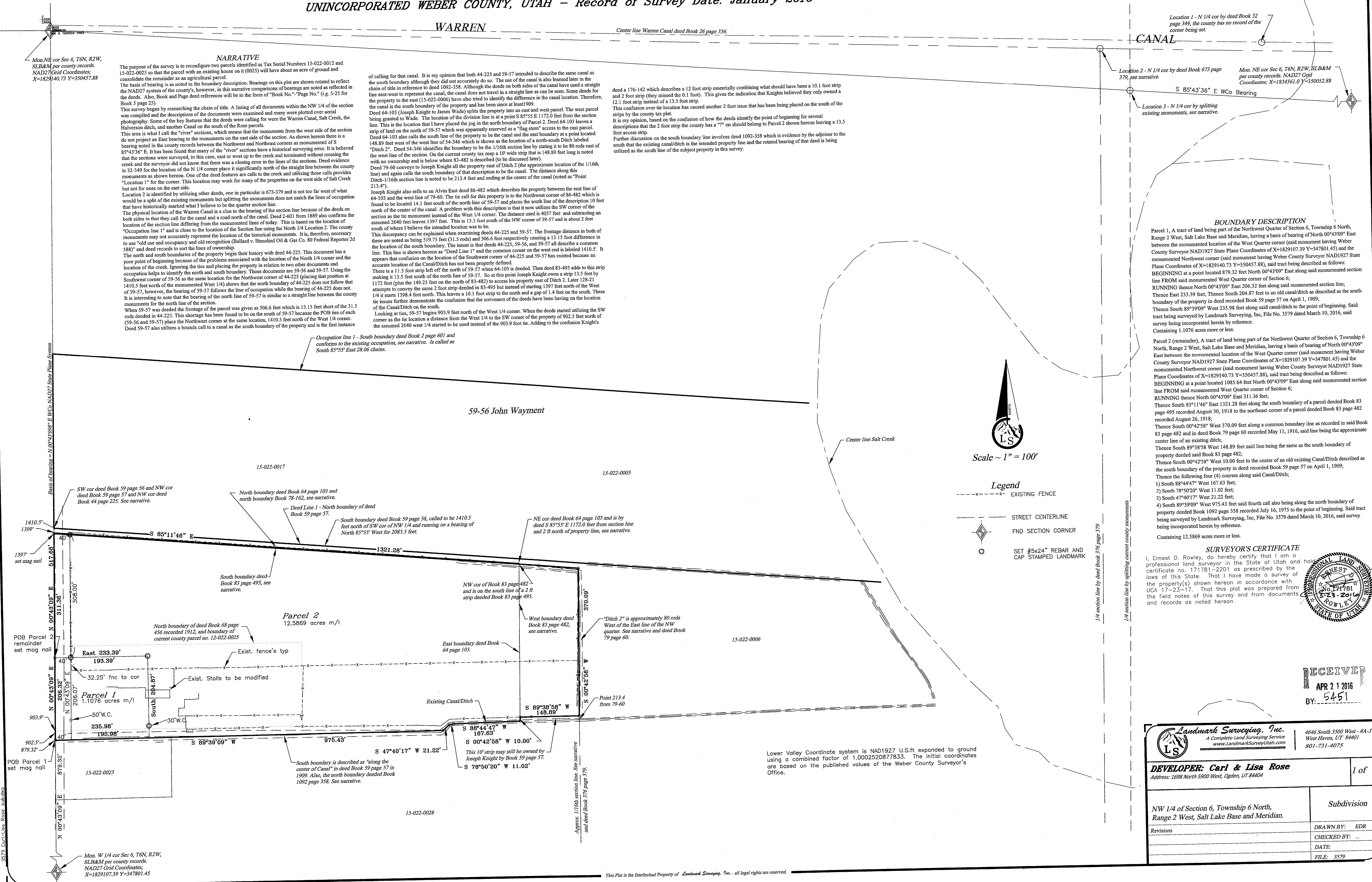
Joseph Knight also sells to an Alvin East deed 86-482 which describes the property between the east line of 64-103 and the west line of 79-60. The tie call for this property is to the Northwest corner of 86-482 which is found to be located 14.1 feet south of the north line of 59-57 and places the south line of the description 10 feet north of the center of the canal. A problem with this description is that it now utilizes the SW corner of the section as the tie monument instead of the West 1/4 corner. The distance used is 4037 feet and subtracting an assumed 2640 feet leaves 1397 feet. This is 13.5 feet south of the NW corner of 59-57 and is about 2 feet south of where I believe the intended location was to be.

This discrepancy can be explained when examining deeds 44-225 and 59-57. The frontage distance in both of these are noted as being 519.75 feet (31.5 rods) and 506.6 feet respectively causing a 13.15 foot difference in the location of the south boundary. The intent is that deeds 44-225, 59-56, and 59-57 all describe a common line. This line is shown hereon as "Deed Line 1" and the common corner on the west end is labeled 1410.5'. It appears that confusion on the location of the Southwest corner of 44-225 and 59-57 has existed because an accurate location of the Canal/Ditch has not been properly defined.

There is a 11.5 foot strip left off the north of 59-57 when 64-103 is deeded. Then deed 83-495 adds to this strip by making it 13.5 feet south of the north line of 59-57. So at this point Joseph Knight owns a strip 13.5 feet by making it 13.5 feet south of the north line of 59-57. So at this point Joseph Knight owns a strip 13.5 feet by making it 13.5 feet south of the north line of 59-57. So at this point Joseph Knight owns a strip 13.5 feet by making it 13.5 feet south of the north line of 59-57.

Occupation line 1 - South boundary deed Book 2 page 601 and conforms to the existing occupation, see narrative. Is called as South 85°55' East 28.06 chains.

59-56 John Wayment



BOUNDARY DESCRIPTION

Parcel 1, A tract of land being part of the Northwest Quarter of Section 6, Township 6 North, Range 2 West, Salt Lake Base and Meridian, having a basis of bearing of North 00°43'09" East between the monumented location of the West Quarter corner (said monument having Weber County Surveyor NAD1927 State Plane Coordinates of X=1829107.39 Y=347801.45) and the monumented Northwest corner (said monument having Weber County Surveyor NAD1927 State Plane Coordinates of X=1829140.73 Y=350457.88), said tract being described as follows: BEGINNING at a point located 879.32 feet North 00°43'09" East along said monumented section line FROM said monumented West Quarter corner of Section 6; RUNNING thence North 00°43'09" East 206.32 feet along said monumented section line; Thence East 233.39 feet; Thence South 204.87 feet to an old canal/ditch as described as the south boundary of the property in deed recorded Book 59 page 57 on April 1, 1909; Thence South 89°39'09" West 235.98 feet along said canal/ditch to the point of beginning. Said tract being surveyed by Landmark Surveying, Inc. File No. 3579 dated March 10, 2016, said survey being incorporated herein by reference. Containing 1.1076 acres more or less.

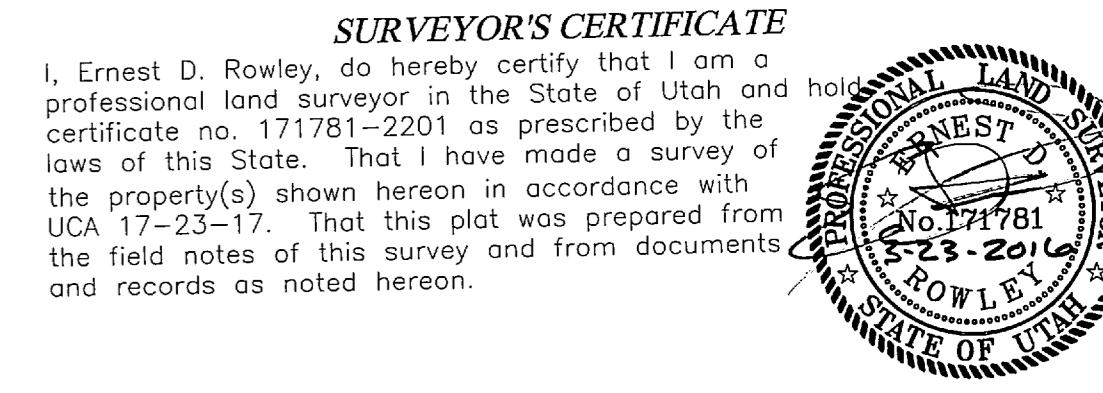
Parcel 2 (remainder), A tract of land being part of the Northwest Quarter of Section 6, Township 6 North, Range 2 West, Salt Lake Base and Meridian, having a basis of bearing of North 00°43'09" East between the monumented location of the West Quarter corner (said monument having Weber County Surveyor NAD1927 State Plane Coordinates of X=1829107.39 Y=347801.45) and the monumented Northwest corner (said monument having Weber County Surveyor NAD1927 State Plane Coordinates of X=1829140.73 Y=350457.88), said tract being described as follows: BEGINNING at a point located 1085.64 feet North 00°43'09" East along said monumented section line FROM said monumented West Quarter corner of Section 6; RUNNING thence North 00°43'09" East 311.36 feet; Thence South 85°11'46" East 1321.28 feet along the south boundary of a parcel deeded Book 83 page 495 recorded August 30, 1918 to the northeast corner of a parcel deeded Book 83 page 482 recorded August 26, 1918; Thence South 00°42'58" West 370.09 feet along a common boundary line as recorded in said Book 83 page 482 and in deed Book 79 page 60 recorded May 11, 1916, said line being the approximate center line of an existing ditch; Thence South 89°38'58" West 148.89 feet said line being the same as the south boundary of property deeded said Book 83 page 482; Thence South 00°42'58" West 10.00 feet to the center of an old existing Canal/Ditch described as the south boundary of the property in deed recorded Book 59 page 57 on April 1, 1909; Thence the following four (4) courses along said Canal/Ditch: 1) South 88°44'47" West 167.63 feet; 2) South 78°50'20" West 11.02 feet; 3) South 47°40'17" West 21.22 feet; 4) South 89°39'09" West 975.43 feet said fourth call also being along the north boundary of property deeded Book 1092 page 358 recorded July 16, 1975 to the point of beginning. Said tract being surveyed by Landmark Surveying, Inc. File No. 3579 dated March 10, 2016, said survey being incorporated herein by reference. Containing 12.5869 acres more or less.

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.

ERNEST D. ROWLEY
 LAND SURVEYOR
 STATE OF UTAH

RECEIVED
 APR 21 2016
 BY: 5451



Lower Valley Coordinate system is NAD1927 U.S.ft expanded to ground using a combined factor of 1.0002520877833. The initial coordinates are based on the published values of the Weber County Surveyor's Office.

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

DEVELOPER: Carl & Lisa Rose
 Address: 1698 North 5900 West, Ogden, UT 84404

NW 1/4 of Section 6, Township 6 North, Range 2 West, Salt Lake Base and Meridian.	Subdivision
Revisions	DRAWN BY: EDR
	CHECKED BY: ...
	DATE:
	FILE: 3579

1 of 1

3579 Carl-Lisa Rose subdwn