

# DAUGHERTY ESTATES SUBDIVISION - 1ST AMENDMENT

## A PART OF THE NORTH 1/2 OF SECTION 23, T.5N., R.2W., S.L.B. & M.

### ROY CITY, WEBER COUNTY, UTAH

JUNE 2015

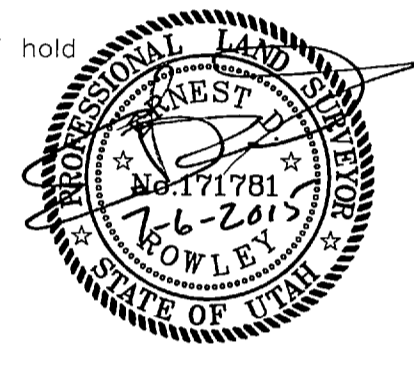


SCALE: 1" = 20'

- = 5/8" x 24" LENGTH REBAR WITH CAP STAMPED 167594
- = SET CURB NAIL
- = FND REBAR AND CAP

**SURVEYOR'S CERTIFICATE**

I, Ernest D. Rowley, do hereby certify that I am a professional land surveyor in the State of Utah and 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.



**OWNER'S DEDICATION**

WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT DAUGHERTY ESTATES SUBDIVISION - 1ST AMENDMENT AND DO HEREBY DEDICATE, GRANT AND CONVEY TO ROY CITY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, STORM WATER DETENTION PONDS AND DRAINAGE EASEMENTS, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY ROY CITY, UTAH, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

EMMETT D. DAUGHERTY \_\_\_\_\_ RYAN DAUGHERTY \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF UTAH COUNTY OF WEBER) ss  
 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNERS OF THE ABOVE OWNERS DEDICATION IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC \_\_\_\_\_

**BOUNDARY DESCRIPTION**

PART OF THE NORTH HALF OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, BEING ALL OF LOTS 2 AND 3 OF DAUGHERTY ESTATES SUBDIVISION, ROY CITY, WEBER COUNTY, UTAH AS RECORDED BOOK 56 PAGE 80 OF THE PLAT RECORDS OF WEBER COUNTY, AND A PORTION OF THE EXCESS OF GROUND BETWEEN 2325 West St and 2200 West St AS MEASURED ON THE GROUND, BEING DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, DAUGHERTY ESTATES SUBDIVISION, RUNNING THENCE NORTH 00°15'45" EAST 75.00 FEET, TO THE NORTHWEST CORNER OF SAID LOT 2, THENCE THE FOLLOWING THREE (3) COURSES ALONG THE NORTH BOUNDARY OF SAID LOT 2, 1) SOUTH 89°44'11" EAST 54.86 FEET, 2) NORTH 62°35'17" EAST 47.90 FEET, 3) SOUTH 89°53'00" EAST 52.25 FEET, TO THE SOUTH EAST CORNER OF LOT 1, SAID SUBDIVISION, THENCE NORTH 00°07'00" EAST 42.62 FEET, ALONG THE EAST LINE OF SAID LOT 1, THENCE THE FOLLOWING TWO (2) COURSES ALONG THE BOUNDARY OF SAID DAUGHERTY ESTATES SUBDIVISION, 1) SOUTH 89°44'11" EAST 16.19 FEET, 2) NORTH 00°30'43" EAST 10.50 FEET, THENCE SOUTH 89°44'11" EAST 92.25 FEET, ALONG SAID SUBDIVISION BOUNDARY AND BOUNDARY EXTENDED TO AN EXISTING FENCE CORNER, THENCE SOUTH 00°14'35" WEST 150.49 FEET, ALONG SAID EXISTING FENCE AND FENCE LINE EXTENDED, SAID FENCE BEING A REPLACEMENT OF AN ANCIENT FENCE MARKING THE BOUNDARY BETWEEN THE ADJOINING PROPERTIES, TO THE NORTH RIGHT OF WAY LINE OF 6000 SOUTH STREET, THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID RIGHT OF WAY AND THE SOUTH BOUNDARY OF SAID DAUGHERTY ESTATES SUBDIVISION, 1) NORTH 89°44'27" WEST 92.96 FEET, MORE OR LESS TO SECTION LINE, 2) NORTH 89°44'11" WEST 15.23 FEET TO THE POINT OF BEGINNING OF SAID DAUGHERTY ESTATES SUBDIVISION, 3) NORTH 89°44'11" WEST 149.77 FEET TO THE POINT OF BEGINNING, CONTAINING 28,995 SQUARE FEET, 0.6656 ACRES MORE OR LESS.

**HAZARDS NOTE:**  
 THIS SUBDIVISION IS LOCATED WITHIN OR NEAR A PHYSICAL & ENVIRONMENTAL HAZARDS AREA OF ROY CITY. SEE THE ROY CITY GENERAL PLAN FOR MORE INFORMATION.

**ROY CITY ENGINEER**  
 I HEREBY CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES PREREQUISITE TO APPROVAL BY THE ENGINEER OF THE FOREGOING PLAT AND DEDICATIONS HAVE BEEN COMPLIED WITH. SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

ROY CITY ENGINEER \_\_\_\_\_

**ROY CITY ATTORNEY**  
 APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_

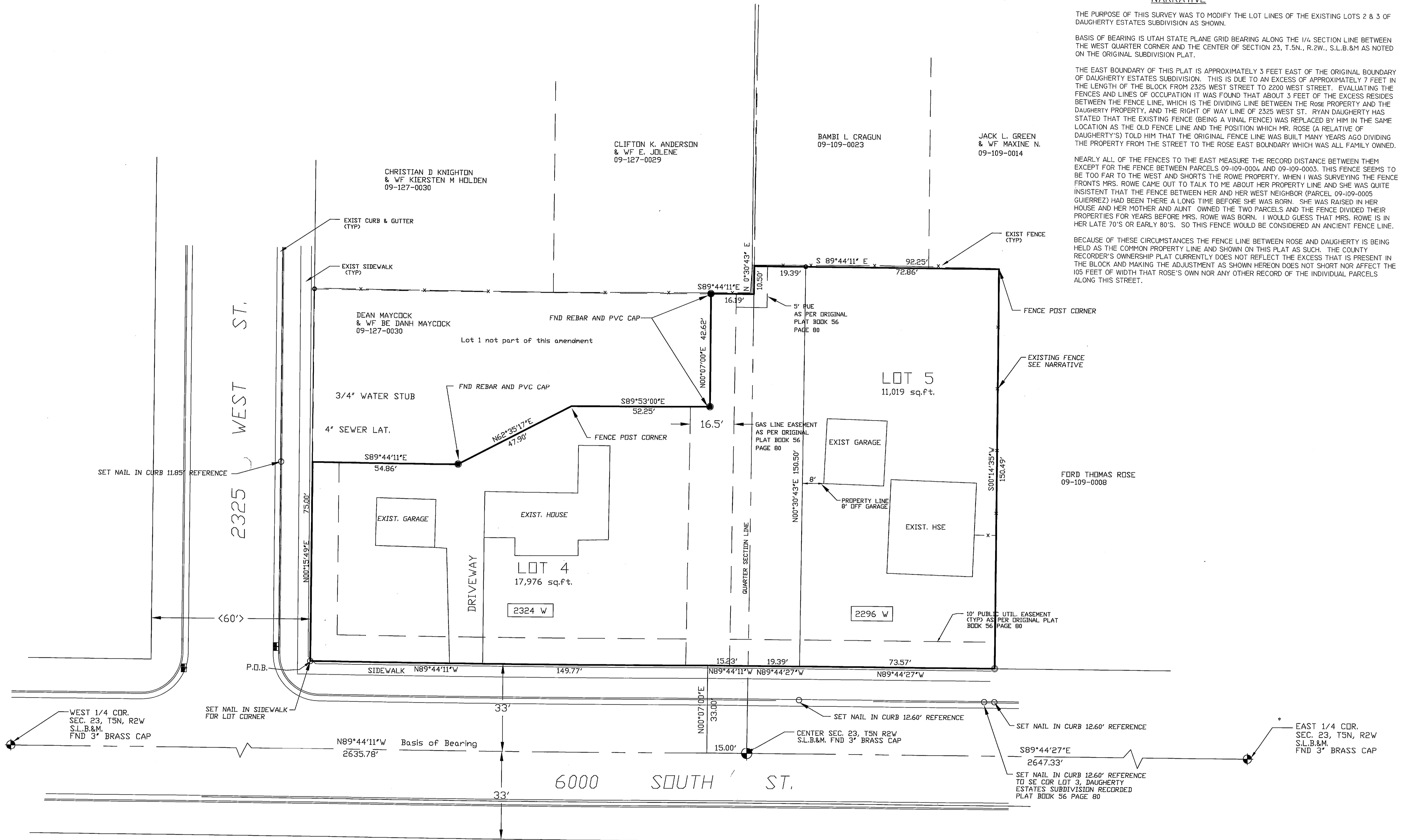
ROY CITY ATTORNEY \_\_\_\_\_

**ROY CITY ACCEPTANCE**  
 THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY ACCEPTED BY THE CITY COUNCIL OF ROY CITY AND APPROVED BY THE MAYOR, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

ROY CITY MAYOR \_\_\_\_\_

**ROY CITY COMMUNITY DEVELOPMENT DEPARTMENT**  
 I HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE MINIMUM REQUIREMENTS OF THE SUBDIVISION ORDINANCES OF ROY CITY. SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

ROY CITY PLANNING AND ZONING ADMINISTRATOR \_\_\_\_\_



**NARRATIVE**

THE PURPOSE OF THIS SURVEY WAS TO MODIFY THE LOT LINES OF THE EXISTING LOTS 2 & 3 OF DAUGHERTY ESTATES SUBDIVISION AS SHOWN.

BASIS OF BEARING IS UTAH STATE PLANE GRID BEARING ALONG THE 1/4 SECTION LINE BETWEEN THE WEST QUARTER CORNER AND THE CENTER OF SECTION 23, T.5N., R.2W., S.L.B. & M AS NOTED ON THE ORIGINAL SUBDIVISION PLAT.

THE EAST BOUNDARY OF THIS PLAT IS APPROXIMATELY 3 FEET EAST OF THE ORIGINAL BOUNDARY OF DAUGHERTY ESTATES SUBDIVISION. THIS IS DUE TO AN EXCESS OF APPROXIMATELY 7 FEET IN THE LENGTH OF THE BLOCK FROM 2325 WEST STREET TO 2200 WEST STREET. EVALUATING THE FENCES AND LINES OF OCCUPATION IT WAS FOUND THAT ABOUT 3 FEET OF THE EXCESS RESIDES BETWEEN THE FENCE LINE, WHICH IS THE DIVIDING LINE BETWEEN THE ROSE PROPERTY AND THE DAUGHERTY PROPERTY, AND THE RIGHT OF WAY LINE OF 2325 WEST ST. RYAN DAUGHERTY HAS STATED THAT THE EXISTING FENCE (BEING A VINYL FENCE) WAS REPLACED BY HIM IN THE SAME LOCATION AS THE OLD FENCE LINE AND THE POSITION WHICH MR. ROSE (A RELATIVE OF DAUGHERTY'S) TOLD HIM THAT THE ORIGINAL FENCE LINE WAS BUILT MANY YEARS AGO DIVIDING THE PROPERTY FROM THE STREET TO THE ROSE EAST BOUNDARY WHICH WAS ALL FAMILY OWNED.

NEARLY ALL OF THE FENCES TO THE EAST MEASURE THE RECORD DISTANCE BETWEEN THEM EXCEPT FOR THE FENCE BETWEEN PARCELS 09-109-0004 AND 09-109-0003. THIS FENCE SEEMS TO BE TOO FAR TO THE WEST AND SHORTS THE ROWE PROPERTY. WHEN I WAS SURVEYING THE FENCE FRONTS MRS. ROWE CAME OUT TO TALK TO ME ABOUT HER PROPERTY LINE AND SHE WAS QUITE INSISTENT THAT THE FENCE BETWEEN HER AND HER WEST NEIGHBOR (PARCEL 09-109-0005 GUERRERZ) HAD BEEN THERE A LONG TIME BEFORE SHE WAS BORN. SHE WAS RAISED IN HER HOUSE AND HER MOTHER AND AUNT OWNED THE TWO PARCELS AND THE FENCE DIVIDED THEIR PROPERTIES FOR YEARS BEFORE MRS. ROWE WAS BORN. I WOULD GUESS THAT MRS. ROWE IS IN HER LATE 70'S OR EARLY 80'S. SO THIS FENCE WOULD BE CONSIDERED AN ANCIENT FENCE LINE.

BECAUSE OF THESE CIRCUMSTANCES THE FENCE LINE BETWEEN ROSE AND DAUGHERTY IS BEING HELD AS THE COMMON PROPERTY LINE AND SHOWN ON THIS PLAT AS SUCH. THE COUNTY RECORDER'S OWNERSHIP PLAT CURRENTLY DOES NOT REFLECT THE EXCESS THAT IS PRESENT IN THE BLOCK AND MAKING THE ADJUSTMENT AS SHOWN HEREON DOES NOT SHORT NOR AFFECT THE 105 FEET OF WIDTH THAT ROSE'S OWN NOR ANY OTHER RECORD OF THE INDIVIDUAL PARCELS ALONG THIS STREET.

RECEIVED  
 APR 14 2017  
 BY: 5713

**RECORD OF SURVEY**

 <b>LANDMARK SURVEYING, INC.</b> A COMPLETE LAND SURVEYING SERVICE 4646 S. 3500 W. #A-3, WEST HAVEN, UTAH 84401 PHONE 801-731-4075	WEBER COUNTY RECORDER ENTRY # _____ FEE _____ FILED FOR RECORD & RECORDED THIS _____ DAY OF _____ 20__ AT _____ IN BOOK _____ OF _____ PAGE _____ _____ WEBER COUNTY RECORDER BY _____ DEPUTY
CLIENT: RYAN DAUGHERTY LOCATION: PART OF THE NORTH 1/2 OF SEC. 23, T.5N., R.2W., S.L.B. & M. SURVEYED: JULY 2002, 2015	DRAWN BY: D.B. CHECKED BY: _____ DATE: 4-15-14 FILE: 2394
REVISIONS: 3-17-2015 EDR 5-6-2015 EDR 9-26-2015 EDR	