

PART OF THE NW 1/4 OF SECTION 21, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN
OGDEN CITY, WEBER COUNTY, UTAH - Record of Survey Date: August 2018

Lower Valley Coordinate system is NAD1983 U.S. ft expanded to ground using a combined factor of 1.002520877833. The initial coordinates are based on the published values of the Weber County Surveyor's Office.

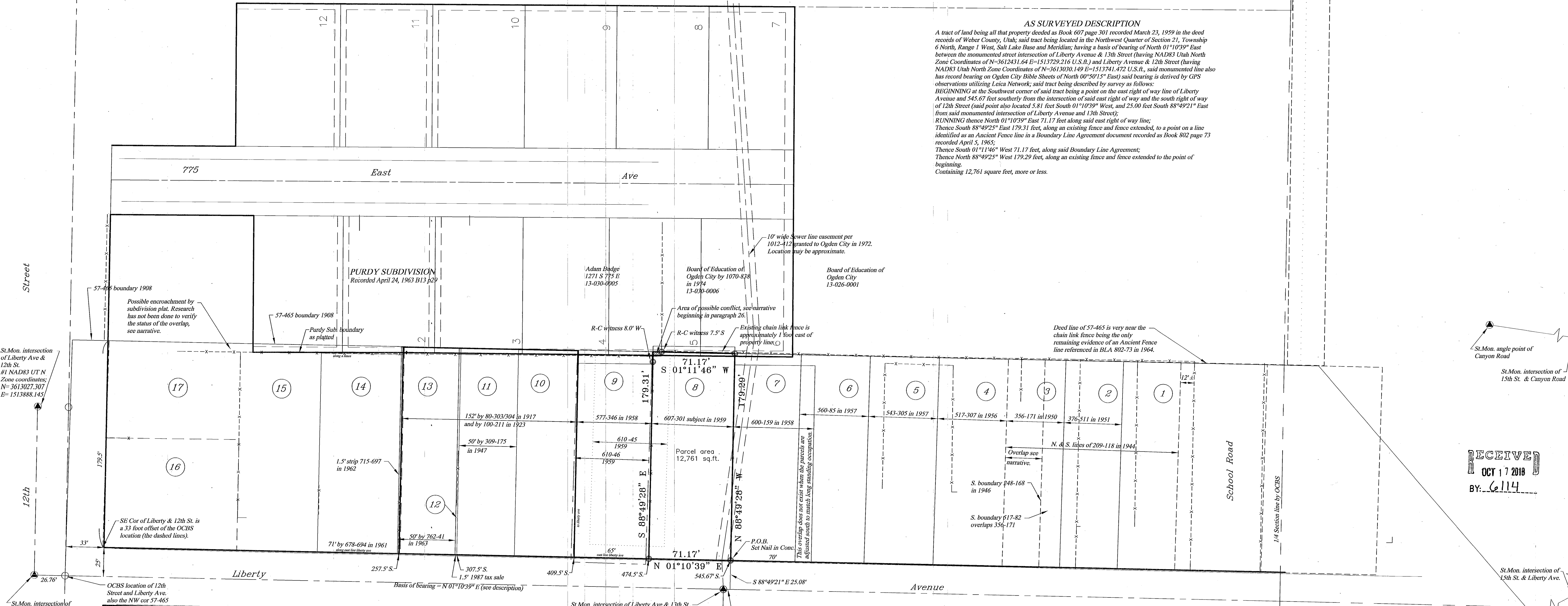
C 1/4 Cor location #1 OCBS coordinates: 185+07.89 N, 133+69.29 E
 NAD83 UT N Zone coordinates:
 N=3611933.17 E=1514529.93

C 1/4 Cor location #2 by 248-168 and other deeds

C 1/4 Cor location #3 by occupational evidence, approx. 12' south and 4 feet east of location #1, OCBS.

AS SURVEYED DESCRIPTION

A tract of land being all that property deeded as Book 607 page 301 recorded March 23, 1959 in the deed records of Weber County, Utah; said tract being located in the Northwest Quarter of Section 21, Township 6 North, Range 1 West, Salt Lake Base and Meridian; having a basis of bearing of North 01°10'39" East between the monumented street intersection of Liberty Avenue & 12th Street (having NAD83 Utah North Zone Coordinates of N=3612431.64 E=1513729.216 U.S. ft.) and Liberty Avenue & 12th Street (having NAD83 Utah North Zone Coordinates of N=3613030.149 E=1513741.472 U.S. ft.), said monumented line also has record bearing on Ogden City Bible Sheets of North 00°50'15" East) said bearing is derived by GPS observations utilizing Leica Network; said tract being described by survey as follows:
BEGINNING at the Southwest corner of said tract being a point on the east right of way line of Liberty Avenue and 545.67 feet southerly from the intersection of said east right of way and the south right of way of 12th Street (said point also located 5.81 feet South 01°10'39" West, and 25.00 feet South 88°49'21" East from said monumented intersection of Liberty Avenue and 12th Street);
RUNNING thence North 01°10'39" East 71.17 feet along said east right of way line;
Thence South 88°49'25" East 179.31 feet, along an existing fence and fence extended, to a point on a line identified as an Ancient Fence line in a Boundary Line Agreement document recorded as Book 802 page 73 recorded April 5, 1965;
Thence South 01°10'39" West 71.17 feet, along said Boundary Line Agreement;
Thence North 88°49'25" West 179.29 feet, along an existing fence and fence extended to the point of beginning.
 Containing 12,761 square feet, more or less.



St. Mon. intersection of Liberty Ave & 12th St. #1 NAD83 UT N Zone coordinates: N=3613027.307 E=1513888.145

St. Mon. intersection of Liberty Ave & 12th St. #2 NAD83 UT N Zone coordinates: N=3613030.149 E=1513741.472

St. Mon. intersection of Liberty Ave & 12th St. #3 NAD83 UT N Zone coordinates: N=3613030.149 E=1513741.472

St. Mon. intersection of 15th St. & Canyon Road

St. Mon. intersection of 15th St. & Liberty Ave.

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 BY: 6114

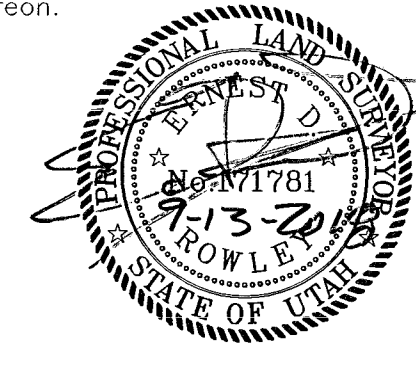
NARRATIVE

- The purpose of the survey is to identify the property of Joe & Taunya Brandon.
- The basis of bearing is as noted in the As Surveyed Description.
- The survey began with collecting field data related to existing monuments and fences for the area. The monuments noted were found and surveyed as control for the streets and right of way lines. The monuments were found to conform quite well with the record information for the street center lines as documented on Ogden City Bible Sheets (OCBS) except for those in 12th Street.
- The center of 12th Street is shown with two locations one being the current monuments for the street and the second (the one to the south) is the OCBS location of the street based on several other street monuments in 12th Street, 13th Street, 15th Street, and Canyon Road. The OCBS historical documents can be obtained from the City Surveyor. The right-of-way were established from the existing monument positions by offsetting the centerlines the record distances as noted on OCBS.
- Once the right-of-way were established a search for record documents was made which included those listed at the end of the narrative. Over 700 pages of abstract sheets were searched to find the answers to the boundary question a part of which involved a 1.5 foot strip of ground that is in the name of Weber County and is identified as parcel 12. (The parcel numbers in circles are the manner that I will be referring to each property so that a chain of transactions can be discussed).
- After making an extensive search in the abstract the Original Parent tract was found as Book Y page 351 in 1889 (subsequent references to book and page will be noted as XX-XX). This description, Y-351, encompassed all of the parcels numbered 1-17 and some property on the west of Liberty Ave. and property extending to Mill Creek on the south. The East boundary of this parcel followed an old fence line (much of which is no longer in place because the school constructed a chain link fence in what appears to be essentially as a replacement of the old location, the fence on the west of the Purdy Subdivision does not coincide with the historical boundary).
- Essentially the east half of Y-351 was deeded by 49-112 in 1905, then 57-465 in 1908 it was conveyed to George and Luana Hadfield. These descriptions, as do many of the descriptions, are tied to the Center of the Section. The only record of where this corner would be is shown on the OCBS with Station coordinates. The OCBS location of the C 1/4 is noted on this plat as well as other locations evidenced by deeds. Placing the deed with the NW corner at the OCBS Liberty & 12th intersection and rotating it to match the monument line of Liberty shows that the tie to the C 1/4 corner is South 0.7 feet and East 4.6 feet of the OCBS coordinate location.
- The next transaction to take place on the property is 80-303 in which Hadfield deeded to John Anderson the parcels identified as 10, 11, 12, and 13. This deed begins "at a point on the east line of Liberty Avenue 257 1/2 feet South from the South line of 12th Street". This is a common tie used in many of the descriptions and is noted as "S8E Cor of Liberty & 12th St". The deed then uses S 0°50'15" W as the bearing of Liberty. This has been rotated to State Plane. Anderson conveys the same property to A.J. Morrell in 1900-211 in 1923, Hadfield still owning the remainder of 57-465.
- In 1939 Hadfield deeded to Ezra Nelson and wife Gertrude 133-296 which is the remainder of 57-465 comprising parcels 1 thru 9 and 14 thru 17.
- A series of transactions by Nelson began to subdivide the property into individual lots, the first are parcels on the south being the parcel south of the school road, the school road it's self, and parcels 1, 2, and 3. These are described from the C 1/4 corner and when compared with the existing fences with 209-118 the fences are South of the deed lines by about 32 feet. The 32 feet is derived from comparing descriptions 209-118 with 248-168 causing an overlap. This document is also tied to 12th St and I have held it in that position because it matches the location of the Morrell 100-211 property, however, doing so also gives another location for the C 1/4 corner.
- The next transaction is 309-175 in 1947 where Morrell deeded to Phil Call parcel 11. This parcel is described as 307.5 feet south of 12th Street. This effectively splits the original 100-211 into three parcels, 10, 11, and 13.
- Two parcels are next conveyed out of 209-118 each 50 feet wide and being coincident with the north described line of 209-118 leaving a remainder on the south of 50 feet. These three parcels are described about 12 feet North of the occupation lines and should be shifted south, doing so, however, does not eliminate the overlap with 248-168. Shifting them south then describes parcels 1, 2, and 3 but it also identifies another location for the C 1/4 corner about 12 feet south of the OCBS location.
- Next is a series of transactions conveying what should be parcels 4, 5, and 6. These are shown hereon plotted from the OCBS C 1/4 location which, again, is about 12 feet in error.
- The next document, 577-346 deeded in 1958, is for parcel 9, the adjoining parcel north of the subject parcel 8. This parcel is described from the C 1/4 corner but utilizes a secondary tie from 12th Street placing the northwest corner at a point being 409.5 feet south on the right of way of Liberty Ave. I have placed this description in the location that coincides with the 409.5 foot position and rotated to match the description of 100-211 which I believe was the intent. Doing so shows that the east boundary does not reach the location of the BLA 802-73 fence. The south boundary of this description also matches the occupied boundary fence between parcels 8 and 9, being the line in question. Using this adjustment also gives yet another location for the C 1/4 corner.
- The next transaction that is made is for 600-159 in 1958 which provides a tie from 12th Street where the Northwest corner of the parcel is to be 545.67 feet south. This describes parcel 7 and matches the east-west fence between parcel 7 and 8. As with the description for parcel 9, this description is also short of the BLA 802-73 fence line.
- At this point parcel 8, the subject parcel, has not been described and is identified as a remainder between the described parcels of 7 and 9. In 1959 Nelson deeded to Barnett parcel 8 as 607-301. Parcel 8 also is described from the C 1/4 corner and when using the OCBS location it would plot about 12 feet north of the occupied location. However, the description also has a tie to the northwest corner of the parcel from 12th Street of 474.5 feet. Adjusting the parcel to match the 474.5 foot location and rotating the same as parcel 9 places the boundary between parcels 8 and 9 on the fence line and matches the tie to the C 1/4 corner. The description for parcel 8 also has an east-west distance that exceeds the space between the East line of Liberty and the BLA 802-73 boundary fence. The distance will be terminated at the fence line.
- There is also an overlap with 607-301 (parcel 8 as described) and the Purdy Subdivision boundary. However, it appears that Lot 6 of the Purdy Subdivision is being occupied by the school and the BLA 802-73 boundary fence line makes a jog westerly at an existing ditch fence between the school property and Adam Budge property. The fence line turns northerly and follows the Purdy Subdivision boundary to 12th Street.
- These three documents, 577-346, 600-159, and 607-301 are the root descriptions of the boundary lines associated with the parcels 9, 7, and 8, respectively. The east boundary of parcel 8 is, however, limited to the original deed of 57-465 which was also documented in BLA 802-73.
- Subsequently two transactions were made with respect to parcel 9 in 1959 with 610-45, Don Hansen, grantor, to Gertrude Nelson, grantee, and 610-46, Gertrude Nelson, grantor, to Don Hansen, grantee. The description for 610-45 conveyed the property as described by 577-346, the original division of parcel 9. I can only assume that this was done because someone believed that the location of the description was to be identified from the C 1/4 corner location #3. I have shown the location based on the C 1/4 corner location #3 in dotted lines and labeled as 610-45 1959.
- Then 610-46 was deeded back to the Hansen's using a different description. Because I believe that the C 1/4 corner location #3 was being used in 610-45 I have plotted the location of 610-46 from that same corner location and labeled it 610-46 1959. The line type is a "phantom" line as it is known in Civil 3D) and the location is plotted from the same C 1/4 corner location #3. From this plotting it can be seen that the description attempted to "correct" the described location of the property but still has some issues. What is interesting is that both description, 610-45 and 610-46 use the same 409.5 foot South tie from 12th Street.
- Parcel 7 is next conveyed by 613-289 using the same description of 600-159. Then Parcels 14 thru 17 were conveyed using the same remainder description of 248-168. This is where some additional confusion takes place regarding parcel 12 and it's eventual tax conveyance to Weber County.
- Deed 663-603 was conveyed in 1960 from Ester Manning to Wade Brothers Construction Co. The description being used was attempting to convey parcels 14, 15, and 17 (leaving out 16). The manner in which this parcel was described caused an overlap of 1.5 feet with parcel 13 (these parcels are shown with dashed lines).
- Wade Brothers then deeded to Millo Pagano what was the south 71 feet of the original property of 248-168 and matches the Northwest corner of parcel 13 with a secondary tie of 257.5 feet south of 12th Street. Since Manning did not have title to any part of parcel 13 the 1.5 foot overlap does not exist and, in my opinion, with the conveyances of 678-694 utilizing the 257.5 foot tie call any claim that Wade Brothers may have had on parcel 13 is invalid. Pagano never had an interest in the 1.5 foot strip of property to convey.
- Pagano then conveyed a 1.5 foot strip off of the south of his property to A.J. Morrell by 715-697 which begins at a point 257.5 south of 12th Street then runs north 1.5 feet, east, south 1.5 feet, and west to the beginning.
- A.J. Morrell then conveyed to Michael Morrell by 762-41 a parcel that begins 256 feet south of 12th Street and runs south 50 feet. This conveyance left a 1.5 foot strip of ground in A.J.'s name between parcels 11 and 13 (noted hereon as parcel 12).
- The Purdy Subdivision was then recorded April 24, 1963. This begins a discussion related to the hatched area shown on the plat near the northeast corner of parcel 8.
- In 1964 and 1965 two Boundary Line Agreements were made (BLA 802-73 mentioned herein and 802-75) which are between Milton Purdy, the owner of the east of parcels 1 thru 17 being the Purdy Subdivision and the then owners of said parcels west of Purdy. Those signing in 802-73 being: Raw K. Parker, Lois D. Parker, J. Wm. DeYoung, Beth T. DeYoung, Arthur J. Nelson, Maryan S. Nelson, Clara A. Brown, Helen S. Brown, Don H. Hansen, Bessie C. Hansen, George W. Barnett (signing for parcel 8), Catherine S. Barnett, those signing in 802-75 being: Michael Paul Morrell, Lucy Morrell, A.J. Morrell, Pauline Morrell, Phil W. Call, Dolores E. Call, Louise (can't read the surname).
- These documents fix the boundary between these owners as being an existing fence line that had existed "[f]or more than fifty years continuous...". The descriptions identify the line shown hereon as the fence which location is identified by deed 57-465. The title effect of this agreement is that a portion of the Purdy Subdivision lots has been cut off and is part of the ownership of each of the parcels 7 thru 15 and 17.
- The fence as it exists today takes out a small corner of parcel 8 (the hatched area). In discussing this area with Taunya Brandon she has indicated that the corner is there because of a ditch that services properties to the north. She was not sure if she has water rights from this ditch or not, but the ditch ends at the fence line that is on the south boundary of the Budge property. The Budge's apparently use this ditch for their water needs which is possibly the reason that the fence is configured as it is.
- Again, the BLA made in September of 1964 (802-73), and March of 1965 (802-75) shortly after the subdivision was recorded (which was April 1963) fixed the line of ownership at the fence and not the subdivision boundary. No part of Lot 5, Purdy Subdivision had been conveyed at the time that Milton Purdy made the boundary agreement.
- The fence between additional parcels and Purdy lots to the north of Brandon's appears to be built on the subdivision boundary. It is unclear to me if the location of the existing fences are in the same location as the Ancient Fence that was agreed to or if the Purdy lot owners had moved the fence to the lot stakes. This question is not going to be resolved in this survey. The As Surveyed Description will, however, include this land if for no other reason than to preserve the Brandon's claim to the land should the ditch someday be abandoned and removed where they can fence their title.
- The portion of Lot 5, Purdy Subdivision that is part of this hatched area was not conveyed until 1980 with deed 1350-502.

Some of the documents used in this survey are but not limited to the following:
 Ownership plats from county recorder Book 13 page 28 and Book 13 page 29.
 Ogden City Bible Sheets, OCBS, #s 2632 and 2369
 Subdivision Plats, Book 1 page 1, Book 13 page 29, Book 10 page 9.
 Records of Survey, 630, 1060, 1268, 1947, 1970, 2512, 4433, 4683, 5175, 5559
 Abstract records for the NW 1/4 of Section 21.
 Deeds (xx-xx - Book x page x): Y-352, Z-159, 49-112, 49-113, 57-465, 80-303, 80-304, 82-622, 82-625, 82-626, 100-211, 100-212, 133-296, 248-168, 309-175, 570-359, 577-346, 600-159, 607-301, 610-45, 610-46, 659-354, 663-603, 678-694, 715-697, 762-41, 802-73, 802-75, 802-346, 907-322, 907-323, 1040-450, 1070-838, Entry numbers: 972556, 1113126, 1182616, 1183239, 1334835, 1393429, 1421077, 1477692, 1579831, 1594045, 1619664, 1640688, 1643137, 1877618, 1934232, 2062154, 2087325, 2103242, 2122753, 2145821, 2154134, 2159483, 2217210, 2221095, 2221590, 2260467, 2296038, 2291230, 2296602, 2296741, 2305292, 2359256, 2422712, 2456495, 2494098, 2534157, 2582732, 2618750, 2634674, 2705125, 2713348, 2735500, 2737501, 2767272, 2763181, 2766106, 2801554, 1811111, 2889647, 2899032, 2908738, 2915380, 2919142, 2920409, 293121

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.



<p align="center">Landmark Surveying, Inc. A Complete Land Surveying Service www.LandmarkSurveyUtah.com 4646 South 3500 West - BA-3 West Haven, UT 84401 801-731-4075</p>	
<p align="center">CLIENT: Joe & Taunya Brandon Address: 1272 Liberty Ave, Ogden, UT</p>	
<p align="center">NW 1/4 of Section 21, Township 6 North, Range 1 West, Salt Lake Base and Meridian.</p>	<p align="center">Record of Survey 1 of 1</p>
<p>Revisions</p>	<p>DRAWN BY: EDR CHECKED BY: ... DATE: September 13, 2018 FILE: 3843</p>

Scale ~ 1" = 40'

Legend

- - - - - EXISTING FENCE
- - - - - EASEMENTS (as labeled or granted)
- - - - - STREET CENTERLINE
- ◆ FND SECTION CORNER
- ▲ FND STREET MONUMENT
- SET #5x24" REBAR AND CAP STAMPED LANDMARK