

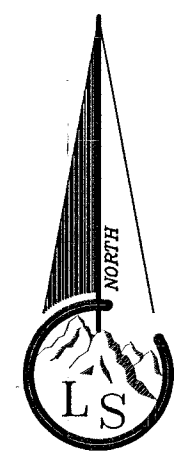
ELLA O FOWLES SUBDIVISION

PART OF THE NW 1/4 OF SECTION 14 TOWNSHIP 6 NORTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN

Unincorporated WEBER COUNTY, UTAH - Survey Dates: 2014-2015

NARRATIVE

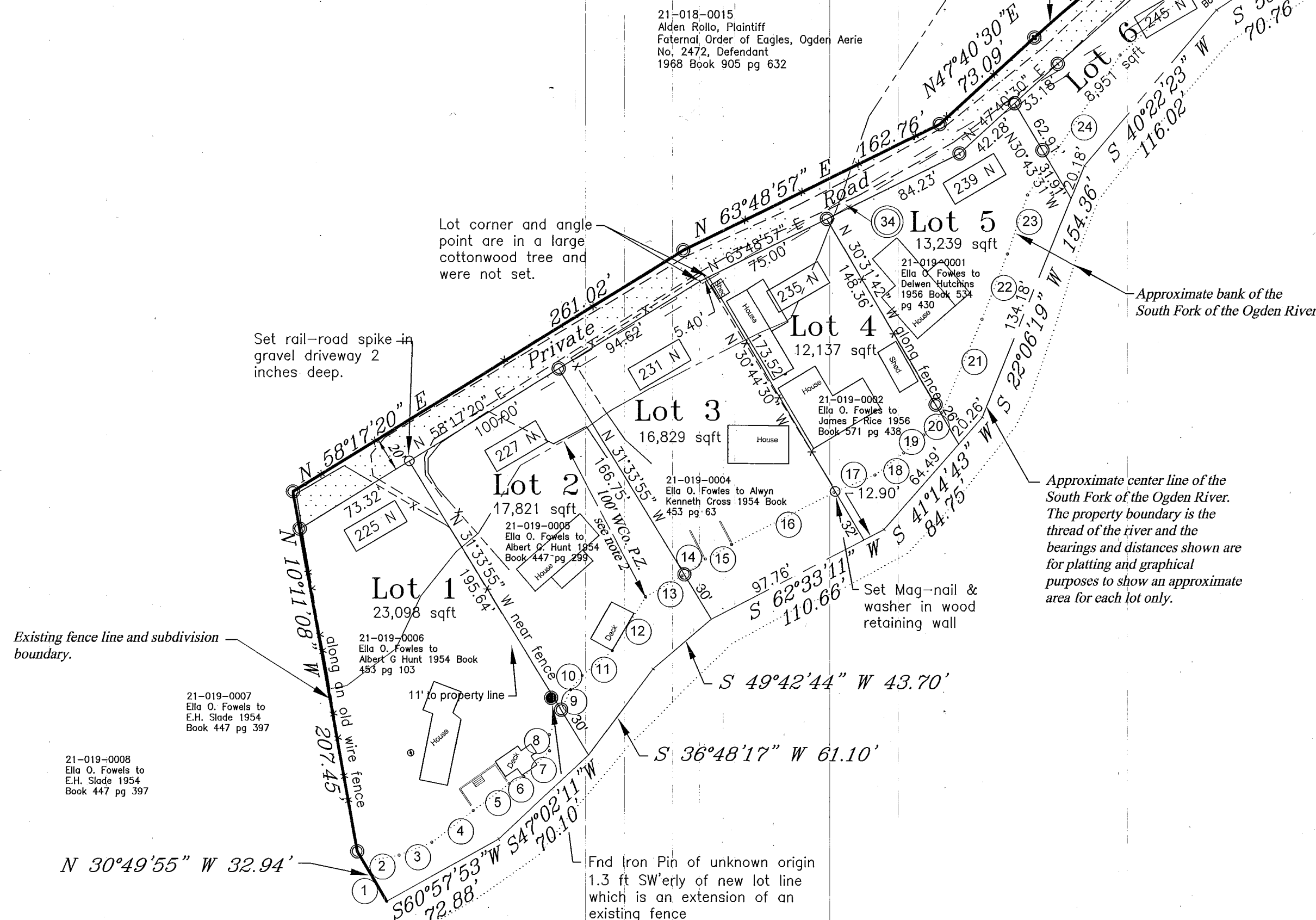
- The Basis of Bearing is as noted in the Boundary Description hereon. The purpose of the survey is to correct long standing deed errors for several properties identified in the Weber County Tax Record as parcel numbers, 21-019-0001, 21-019-0002, 21-019-0003, 21-019-0004, 21-019-0005, 21-019-0006, 21-019-0007, 21-019-0008. The error also affects parcel number 21-018-0015. The Parcel numbers and original documents of conveyance for the respective lots are noted within each lot and are not intended to be the descriptions of the properties. The references are included only to identify the root of title associated with each parcel.
- The southwest boundary of Lot 1 is being modified in this subdivision in accordance with an agreement between the respective owners to match the existing fence line which has been used as the property boundary by each party and/or their successors in interest for a long period of time.
- The description errors as originally conveyed were caused by a mis-description of the Point of Beginning of each parcel in the magnitude of about 100 feet being short of what the physically occupied locations of the property are in relation to the North Quarter Corner of Section 14, Township 6 North, Range 2 East, SLB&M. So the error has placed the deed for each parcel about 100 feet Northeastly of the historic occupation.
- The North Quarter Corner has been in place since 1935 according to Weber County Surveyor tie sheet records. The deeds which first conveyed these parcels are noted on the plat for each lot with the grantor, grantee, and date of conveyance. The other two parcels that the Eagles owns are being consolidated into the overall RV park property that it owns and are not included in this subdivision.
- The Historic Easement Fences shown at the top right of the sheet (the line running north-south) identify the location of the original 20 foot easement granted for the use of the lot owners by Ella O Fowles in the Warranty Deed recorded on April 29, 1954, as Entry No. 219273, as Book 444 page 299, in the Official Records of Weber County, Utah, and other deeds in which Ella O Fowles executed. The east fence of this line is being held as the evidence of the Private Road which matches the easement description as written and the west fence is very close to being 20 feet offset of the east fence and is being held as the subdivision boundary for some portions as noted hereon. It is at the southern end of these fences that the granted easement no longer conformed to the existing road as it is fenced and used by the lot owners and where the modification of said easement is being made.
- This plat is holding the general alignment of an existing fence as the north boundary of this subdivision and the Private Road is set to be 20 feet southerly of this north boundary which will not coincide with some of the existing fences near the south line of the described and granted "Private Road (Ella Way)".
- The West boundary is being held on an existing fence line that the Eagles and the owner of Lot 1 have agreed to hold as their boundary.
- The southerly boundary is identified as it was conveyed in original deeds which identify the intended boundary to be the thread of the river and the courses shown are only intended to document approximate angle points in the river for the purpose of calculating an approximate area for the new lots and aid in platting the lots in the tax record. The described line in many of the original deeds is the center of the river which "center" or "thread" would be and is still the controlling boundary location. Therefore, the bearings and distances shown hereon may be adjusted or modified if the center of the river were to be precisely located.
- In checking the deeds for the properties on the south side of the river it is found that those parcels identify the south bank of the river as their property boundary.
- Additionally, the Weber County surveyor's office is requiring that the river bank be shown and described by metes and bounds courses along with the 100 foot river protection zone line. This information is being included on this plat only for the purpose of complying with such request and at the protest of the surveyor. This survey or plat is not to be construed to fix or establish a legal or binding line or boundary of such river bank and 100 foot protection line data. Nor should such data be construed to identify a detailed or accurate location of the bank of the river or protection zone line.
- In regard to the river bank location and 100 foot protection zone location, neither the certificate of survey issued hereon by the certifying surveyor, nor Landmark Surveying, Inc., will include, accept or acknowledge any liabilities associated with the inclusion of said data. Any loss, damage, claims or rights whether real or perceived are also expressly excepted.
- This plat is creating a Private Road dedication within the Ella O Fowles Subdivision which land is being granted to the lot owners as detailed in the Owner's Dedication and in separately recorded deeds from the Eagles to the lot owners. It should be noted that this Private Road is currently an unimproved gravel driveway. Any dispute, disagreement, right, title, interest, use, or encumbrance associated with legal access to or from the Ella O Fowles Subdivision (i.e., located outside of the Ella O Fowles Subdivision), including the portion of 106.50 East that lies outside of this subdivision, is not addressed by and is expressly excepted from this survey and plat. Nothing in this plat is intended to affect any existing rights of access to or from the Ella O Fowles Subdivision, including those of the lot owners, and their successors and assigns, as may be of record or otherwise. Any dispute, disagreement, right, title, interest, use, or encumbrance associated with legal access to this subdivision is expressly excepted from this survey and plat. The granting of title to this plat by the Eagles or the deeding of current descriptions to the Eagles of parcels within this subdivision do not grant, expand, relinquish, or disavow any existing rights of access whether recorded or otherwise with one exception, the easement and right of way as granted by Ella O. Fowles for access to the individual parcels of property which may be within the bounds of this plat is intended to be released and relinquished by separate deed in exchange for rights of access along the private right of way as dedicated herein.
- This project is located in the F-5 Zone of unincorporated Weber County and from information provided by the county planning office these parcels have been provided a "grandfathered" status as Legal Non-conforming lots. The county is well aware of the reason for the change in the location of the original conveyance and the purpose of this document in correcting those original deeded locations.
- All lot corners and subdivision boundary points have been monumented with rebar and cap except for the points in the river or those that have been noted as having other objects marking the lot corners as noted hereon.
- Documents used in the survey are numerous which relate to the title of the property. Almost all of the documents within the NW 1/4 of the section have been looked at in some manner which dated from the late 1800's to the present. Those that specifically reference the properties being dealt with have been examined in more detail. Additional documents used in this survey are as follows but not limited to:
 - Record of survey plat number 3210.
 - County Tie Sheet records for the North Quarter and Northwest corners as well as the Bearing Sheet for the township were utilized.



Scale ~ 1" = 60'

Legend

- EXISTING FENCE
- EASEMENTS
- STREET CENTERLINE
- FND SECTION CORNER
- SET #5x24" REBAR AND CAP STAMPED LANDMARK ROAD/STREET DEDICATION
- APROX. RIVER BANK COURSES
- RECORD EASEMENT COURSES



NOTE:

- The lot owners are hereby notified that this property is entirely within FEMA flood zone AE and appropriate precautions should be taken.
- Weber County Ordinances contain a provision relating to a 100' Protection Zone for natural water courses (100' Wco. P.Z.). Because this plat is only correcting the record descriptions of parcels that have existed prior to zoning laws of the state and prior to the protection zone requirement this ordinance restriction is being waived and the properties and structures are "grandfathered" as legal non-conforming parcels.
- The subdivision is subject to an easement across or through the land for electrical transmission and incidental purposes, as granted to Utah Power & Light Company by Instrument recorded March 15, 1938 as Entry No. 34247 in Book "X" at Page 596 of Official Records. This easement is not shown on this plat because the described location does not coincide with any visible electric transmission lines. There are power lines in the area which this easement may coincide with if the description were adjusted. However, without a correction of that easement document I have chosen not to show it graphically but to only make reference to it here.
- The subdivision is subject to an easement over across or through the land for communication and incidental purposes, as granted to the Mountain States Telephone and Telegraph Company, a Colorado corporation by Instrument recorded February 22, 1971 as Entry No. 546579 in Book 960 at Page 590 of Official Records. The approved location of the described easement is shown hereon. The actual easement of use may be in a different location based on the constructed location of the communication lines which appear to not be located within the described easement. The location shown hereon is not to create an easement in this location but only to identify the possibility of an existing easement that may be in the shown location based on the easement description. It should be noted that the metes of the easement description are being included on this plat by county requirement. In conversation with the County Surveyor's office it was discussed that the metes of the description were not necessary on this plat because by reference and notation herein the location of the described easement becomes part of this plat. The actual easement of use or the location of the described easement is shown hereon. The county's interpretation of their ordinance is that the metes must be shown to gain approval of the plat. The metes are, therefore, being added in spite of my protest. Notice to any following surveyor, including the metes on this plat is in no way a representation of an accurate or precise location of the easement or any rights that the telephone company may have within this platted area. It is simply being shown to provide graphical notice to the property owners, their heirs, or assigns of a recorded easement. Said easement being described as follows: A five foot (5') easement, the center line of which commences 130 feet West of the Northeast corner of the Northwest Quarter of Section 14, Township 6 North, Range 2 East, Salt Lake Base and Meridian, running thence South 165 feet; thence East 80 feet; thence South 387.54 feet; thence South 79'40" West 223.55'; thence South 50'00" West 250.15 feet; thence South 59'10" West 400 feet."
- This subdivision may be subject to rights associated with or granted as part of or in response to an Agreement dated August 20, 1974 and between the State of Utah, acting through the Board of Water Resources and the Co-Op Farm Irrigation Company, a corporation regarding construction of a water conservation project recorded September 01, 1976 as Entry No. 674517 in Book 1140 at Page 728 of Official Records.
- This subdivision may be subject to an Easement to use Distribution Systems, dated August 20, 1974 with the Co-Op Farm Irrigation Company, a corporation, as Grantor in favor of the State of Utah, acting through the Board of Water Resources, Grantee, as easement to use the existing water distribution system of canals, ditches, pipelines and all appurtenant works and facilities of the Co-Op Farm Irrigation Company a portion of the subject property. Said Easement recorded September 01, 1976 as Entry No. 674521 in Book 1140 at Page 736 of Official Records. Note: The above easement purports to affect the subject property but the exact location cannot be determined because of an incomplete legal description. In an inspection of the property there were no observable systems as noted in the easement on the property of this subdivision. That, however, does not mean that there are not subsurface systems that are part of this easement.
- An easement over, across or through the land for communication and incidental purposes, as granted to the Mountain States Telephone and Telegraph Company, a Colorado corporation by Instrument recorded June 03, 1983 as Entry No. 831680 in Book 1426 at Page 153 of Official Records. And it is noted that the above easement purports to affect the subject property, but the exact location cannot be determined because of an incomplete legal description. However, the document contains a written description of the entire RV park and attempts to describe the land that the Eagles owns with a metes and bounds description which attempts to skirt around the parcels conveyed to others both on the north and south of the river. The document also contains a crude drawing of what appears to be the RV park only as being the land encumbered, however, the recorded copy of this drawing is mostly illegible and the full intent of the document would need to be evaluated in reference to the original or a more legible copy of the document and drawing.
- It has been noted in some documents that the legal description contained in that certain Quit Claim Deed executed by Dean F. Morrin and Jane S. Morrin, in favor of Dean F. and Janes S. Morrin Family Limited Partnership II, a Utah limited partnership, recorded January 02, 1990 as Entry No. 1098257 in Book 1573 at page 2683 of Official Records, overlaps and conflicts with the land described herein. After evaluating the description with reference to the location of the point of beginning and calls for the river it is my opinion that this property does not overlap this subdivision.
- An easement purports to affect the subject property, but the exact location cannot be determined because of an incomplete legal description for an easement over, across or through the land for telecommunications and incidental purposes as granted to US West Communications, Inc., a Colorado corporation by Instrument recorded November 23, 1992 as Entry No. 1201727 in Book 1645 at Page 258 of Official Records. This document contains a description of the Eagles property with an attempt to leave out the parcels previously deeded on the north and south of the river. The language of the document states that the easement will be along the telephone line as constructed and the document also contains a drawing or map that shows the lines. Based on this map it does not appear that this document encumbers this plat.
- An agreement and easement to use Distribution system dated July 06, 1988 by and between the State of Utah, acting through the Board of Water Resources and the Huntsville Waterworks Corporation, a corporation regarding construction of a water conservation project recorded May 17, 1996 as Entry No. 1406849 in Book 1806 at page 2939 of Official Records. Note: The above easement purports to affect the subject property, but the exact location cannot be determined because of an incomplete legal description. In an inspection of the property there were no observable systems as noted in the easement on the property of this subdivision. That, however, does not mean that there are not subsurface systems that are part of this easement.
- This plat is not being produced in accordance with any ALTA/NSPS Land Title standards or requirements nor should this plat be construed to represent such.

RECEIVED
FEB 11 2019
BY: 6179

BOUNDARY DESCRIPTION

A subdivision being a part of the Northwest Quarter of Section 14, Township 6 North, Range 2 East, Salt Lake Base and Meridian, Weber County, Utah. This subdivision having NAD1927 basis of bearing of North 89°54'14" West between the monumented North Quarter Corner (NAD1927 coordinates of X=1947513.0788 Y=339254.9075) and the Northwest Corner (NAD1927 coordinates of X=1944816.157 Y=339259.429) of said Section 14 as published by the Weber County Surveyor's Office said subdivision being more particularly described as follows:

BEGINNING at a point in the existing east right of way fence of an easement having been first granted by Ella O Fowles to Albert G Hunt, by warranty deed Book 444 page 299, on April 29, 1954 recorded August 17, 1954; said point being located by survey 25.90 feet North 89°54'14" West and 240.83 feet South 00°15'24" East;

FROM said monumented North Quarter Corner of Section 14;

RUNNING thence South 00°34'07" West 320.00 feet along said fence line and fence line extended;

Thence South 77°10'16" West 117.59 feet;

Thence South 79°41'42" West 131.15 feet;

Thence South 66°48'03" West 110.36 feet;

Thence South 30°50'00" East 46.68 feet, more or less, to the center line of the South Fork of the Ogden River;

Thence in a Southwesterly direction along the center of the South Fork of the Ogden River being approximately described by survey with the following Nine (9) courses as it exists April 1, 2015, 1) North 55°53'36" West 70.76 feet, 2) South 40°22'23" East 116.02 feet, 3) South 22°06'19" West 154.36 feet, 4) South 41°14'43" West 84.75 feet, 5) South 42°33'11" West 110.66 feet, 6) South 49°24'44" West 43.70 feet, 7) South 36°48'17" West 61.10 feet, 8) South 47°02'11" West 70.10 feet, 9) South 60°57'53" West 72.88 feet;

Thence leaving said river North 30°49'55" West 32.94 feet; Thence North 01°11'08" West 207.45 feet along an old existing fence line and extension of said fence to an old existing fence corner;

Thence the following Eight (8) courses along and/or near an existing fence line, 1) North 58°17'20" East 261.02 feet, 2) North 63°48'57" East 162.76 feet, 3) Thence North 47°40'30" East 73.09 feet, 4) Thence North 48°31'42" East 186.22 feet, 5) Thence North 66°48'03" East 110.63 feet, 6) Thence North 79°41'42" East 132.97 feet, 7) Thence North 77°10'16" East 93.21 feet, 8) Thence North 52°49'29" East 10.02 feet;

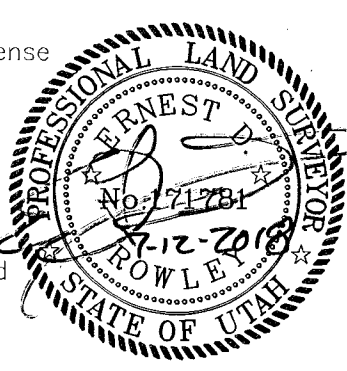
Thence North 00°34'07" East 299.95 feet parallel to and 20 feet perpendicularly distant westerly of the east boundary of the subdivision being an existing fence line. Thence South 89°25'53" East 20.00 feet to the point of beginning.

Containing 2.1778 acres, more or less.

Subject to any and all easements or encumbrances of record or which may be valid in equity and law.

SURVEYOR'S CERTIFICATE

I, Ernest D. Rowley, do hereby certify that I am a professional land surveyor in the State of Utah and hold license no. 171781-2201 in accordance with Title 58, Chapter 2 known as the Professional Engineers and Professional Land Surveyor's Licensing Act, have made a survey of the property(s) shown hereon in accordance with UCA 17-23-17, verifying measurements, and placing monuments as represented. That this plat was prepared from the field notes of this survey and from documents and records as noted hereon. I further certify that, to the best of my knowledge and belief, all lots meet the current requirements of the Land Use Ordinance of Weber county.



Landmark Surveying, Inc.
A Complete Land Surveying Service
www.LandmarkSurveyUtah.com

4646 South 3500 West - #A-3
West Haven, UT 84401
801-731-4075

Weber County Surveyor

DEVELOPER: Fraternal Order of the Eagles

Address: P.O. Box 13567, Ogden, UT 84412

NW 1/4 of Section 14,
Township 6 North, Range 2 East, Salt Lake Base and Meridian.

Revisions	DRAWN BY: EDR
	CHECKED BY: ...
	DATE: July 12, 2018
	FILE: 3414

LINE TABLE			
LINE NO.	BEARING & DISTANCE	LINE NO.	BEARING & DISTANCE
1	N 30°49'55" W 26'	22	N 21°20' E 40'
2	N 79°24' E 21'	23	N 18°51' E 35'
3	N 68°32' E 20'	24	N 33°29' E 95'
4	N 52°31' E 30'	25	N 47°10' E 192'
5	N 53°19' E 25'	26	N 63°02' E 45'
6	N 64°23' E 9'	27	N 74°27' E 83'
7	N 44°45' E 21'	28	N 89°41' E
8	N 00°43' E 9'	29	South 185'
9	N 25°22' E 27'	30	East 80'
10	N 38°42' E 10'	31	South 387.54'
11	N 50°20' E 22'	32	S 79°40' W 223.55'
12	N 31°49' E 12'	33	S 50°00' W 250.15'
13	N 80°31' E 24'	34	S 59°10' W 400'
14	N 54°02' E 16.5'		
15	N 60°53' E 17'		
16	N 63°03' E 65'		
17	N 67°10' E 25'		
18	N 52°16' E 21'		
19	N 48°03' E 15'		
20	N 38°46' E 16'		
21	N 23°29' E 58'		