

5 (),	Francis No. / Book Borro / File No.		
Refrene No	Document Type	Name/Grantee	Entry No/ Book Page/ File No
R1	Personal Rep Deed	PRD_Joan E Nachand	2139114
R2	Public Utility Easement	William D. Brown	Weber County
R3	Quit Claim Deed	David A Conley	1799589
R4	Quit Claim Deed	HC & Betty P Massey	2777436
R5	Quit Claim Deed	Joshua Jasen Haas	3081929
R6	Quit Claim Deed	Lawrence G Norton	2588852
R7	Quit Claim Deed	William David Brown	1841150
R8	Quit Claim Deed	William Henry Brechbill	3036666
R9	Special Warranty Deed	Edwin Caulford	3162434
R10	Special Warranty Deed	Flying J Inc.	2171137
R11	Special Warranty Deed	Sonrisa Leilani Harvey	3140043
R12	Warranty Deed	Antertain LLC	2808524
R13	Warranty Deed	Antonio Fernandez	2987842
R14	Warranty Deed	Boyd D Westergard	2860641
R15	Warranty Deed	Charles Ray Naylor	936931
R16	Warranty Deed	Colleen M Naylor	819928
R17	Warranty Deed	Darrell K Storey	1317159
R18	Warranty Deed	David Brown Properties LLC	3041536
R19	Warranty Deed	David Brown Properties LLC	3089595
R20	Warranty Deed	Harrisville City	3110755
R21	Warranty Deed	Harrisville City	3110757
R22	Warranty Deed	HC Betty P Massey Trust	2476102
R23	Warranty Deed	HC Massey	2476103
R24	Warranty Deed	Kool Breeze Inc.	1066547
R25	Warranty Deed	Stephen R Love	2097785
R26	Warranty Deed	William H Brechbill	2161372
R27	Bearing Sheet	6N1W	Weber County
R28	Tie Sheet	6N1W7NE	Weber County
R29	Tie Sheet	6N1W8C	Weber County
R30	Tie Sheet	6N1W8N	Weber County
R31	Plat	6447	Ogden City
R32	Plat	6448	Harrisville City
R33	Plat	6449	Harrisville City
R34	Subdivision Plat	Wasatch Meadows Subdivision	Book 45 Page 007
R35	Subdivision Plat	Harrisville Retail Subdivision	Book 51 Page 089
R36	Subdivision Plat	Jennings Subdivision	Book 60 Page 056
R37	Record of Survey	Coates Field Service Inc. (A.T. & T.)	99
R38	Record of Survey	Meadow Subdivision	2127
R39	Record of Survey	Harrisville Retail Subdivision	2549
R40	Record of Survey	Xuan Vuong	4526
R41	Record of Survey	Jennings Subdivision- 1st Amendment	6624
R42	Record of Survey	Warren Hollow	6849
R43	Subdivision Plat	Jennings Sub 1ST AMD	Book 88 Page 050
R44	Subdivision Plat	Warren Hollow On Larsen Lane	Book 92 Page 035
R45	Record of Survey	Ivory Development	5667
R46	Right Of Way Maps	11993-F-LC57(26)-RW1-6	Utah Department Of Transportation
R47	Record of Survey	Ridge View Apartments	2675
R48	Subdivision Plat	Thoroughbred Crossing Subdivision	Book 81 Page 052
R49	Quit Claim Deed	Lawrence G. Norton	2588852

SURVEY IMAGES

Boulevard & North Street

"See Image 6"



SURVEYOR'S NARRATIVE

- A. JLM Development Apricot LLC requested this survey to retrace property boundaries of the following Weber County Parcels 11-027-0104, 11-027-0118, 11-027-0061, 11-027-0022, 11-027-0023,11-027-0004, and 11-027-0024 in preparation for development.
- B. Line segments, as labeled, contain quotations with a letter such as "A." The lettering corresponds to this narrative. This designation is intended to aid in expounding on the retracement principles and facts, that the Surveyor used to retrace the corresponding property line. Data contained within parentheses denotes data found of record. For instance, (100.0' R45) references the record measurement as 100.0 feet according to the corresponding document in the Data Reference Table. If no record data is given, this indicates that the surveyor is of the opinion that the measurement is not the same line as the deed or it is a new boundary. The Data Reference Table has naming conventions that refer to the Grantee in a conveying document, the client of the Record of Survey, the document's name, and the sources from which the data has been obtained.
- C. The bearing basis for this survey is South 1°09'38" West, measured between two found Center Line Monuments within Washington Boulevard at the intersections of 1100 North and Lockwood Drive. Additionally, a Center Line monument was located within the intersection of North Street and Washington Boulevard. This survey also located Section Corners at the Northeast, North, and Center quarter Corners of Section 8 Township 6 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey. However, The East quarter corner was not located and was re-established using (R31-R33, R47, R41, and R35) at which a Great Basin Rebar and Cap was found near the calculated position.
- D. Retraced according to Right of Way maps furnished by the Utah Department of Transportation to the surveyor (R46.) These maps were rotated from the record based on the coordinates published on sheet 11993_F-LC57(26)_SC-01 to common points found in this survey.
- E. It appears that the Northeast corner of said Section 8 may have been monumented in a different position. A large iron pin was found near the Southwest corner of (R13), as shown in image 11. Holding a rotation of Washington Boulevard, the Surveyor found said Iron pin to agree with the mathematical placement of the deeds. Due to this evidence, the Surveyor considered the possibility of it being an original point between (R13 and R16.) Due to the lack of additional evidence that supported this theory. The iron pin was not held as an original point in a greater analysis of occupational evidence around the boundary of (R9, R12, R3, R13, R4, R10, and R49.) In continuing analysis of the spatial data collected from the site investigation, the Surveyor was able to determine that the alignment of Larsen Lane before being redone created harmony between the occupation and deed lines, and as such, the old alignment of Larsen Lane was used for a rotation between all of the mentioned deeds. Referencing (R4), however, was instrumental in determining the relationship between the Northeast Corner of Section 8 and Washington Boulevard concerning the East Quarter Corner of Section 8 and its cardinal calls.
- E.a. Holding the deed line as explained above.
- E.b. After establishing the most probable location of the original line, an encroachment was found along the South line of (R9), as shown in detail 2. Based on the evidence found in the field and historical photographs, it appears that the Doctrine of Boundary by Acquiescence may have its claim. For boundary lines to be altered from the record by means of unwritten rights, the following elements of Boundary by Acquiescence must be met as outlined in the Utah Court of Appeals Q-2, LLC V. Hughes.
- E.b.1. Acquiescence must be between adjoining landowners.E.b.2. Acquiescence must be up to a clearly defined line.
- E.b.3. Acquiescence must be up to a clearly defined line.

 E.b.3. Acquiescence must be mutually treated as a boundary.
- .4. Acquiescence must occur for a long period of time, "Defined as at least 20 years."
- E.c. Within said court case, Judge Michele M Christiansen ruled that title lines transfer instantly to the acquiescence position once these elements have been met. The Surveyor finds it necessary to highlight this fact because two fences are found along this line. One is a vinyl fence, and the other is a 4-foot barbed wire fence. The issue is how can there be a clearly defined line if there is more than one line of occupation. According to Google Street View, the Surveyor believes that acquiescence had formed before the vinyl fence construction, with the construction of said fence being sometime after 2012 but before 2015. This fact supports this theory and shows that its construction further proves the implied agreement. Based on the said facts and the mentioned law applications, the Surveyor has held the old barbed wire fence as the
- E.d. Along the retraced deed line extended to the acquiesced position as explained.
- E.e. Along the retraced deed line as explained.
- Agreeing with the retraced deed line and following along the less and accepting call giving heed to (R10.) The Surveyor notes that additionally, (R4) overlaps in (R10.) Due to this, the Surveyor attempted to verify the validity of said claim through a Junior/Senior rights analysis but was unsuccessful due to the conveyance being older than 1980. Should this be a concern to the parties involved, the Surveyor recommends that research back to patent be performed within the vicinity in conjunction with a proper Junior/Senior analysis. Without this analysis, the Surveyor is of the opinion that the overlap between (R12 and R10) yields to (R10.)
- F. For deeds tied to the Obliterated East Quarter of Section 8, the rotational difference between (West and North) was determined by the alignment of 700 North Street and occupational evidence within the Northeast Quarter of Section 8. This alignment also closely matches the work of other surveys in the area, notably (R34 and R41.) The site investigation located an old, treated two-by-four piece of wood or wood post placed in the center of an old tire and rim near the Southwest corner of (R34) "see image 12." An a old, buried axel was also located near the Northwest corner of (R14) with a barb wire fence separating occupation being built up to and along said axel, "see image 10." The Surveyor used these two points to determine a 2.72-foot shift South and a 0.45-foot shift West from the calculated East Quarter Corner of Section 8 Should be applied.
- F.a. In adding validity to the found axel, the deed measurement between the North line of (R14) is equal to 100 feet, with the measurement heading East from the said axel along the North fence line also equaling 100 feet to the fence corner. Examination of the Northeast corner identified that the fence then altered its course to the deed location as applied from the shift explained in Paragraph "F.a." In looking at the Northwest corner and heading west along the deed line, it was observed that a straight course was between the axle and the calculated position at the Southwest corner of said (R14) parcel. Additional occupations of (R8, R17, and R11) agree with this shift.
- F.b. A descending opinion to this retracement theory is that of (R37), suggesting that this line is 1.1 feet South and 1.8 feet West of the theory explained. The Surveyor addresses this patent ambiguity with the following two points of boundary law. One, a grantor, can only convey up to what they own. Two, it may be possible that the shift further West is a legitimate claim to a long-standing line, independent from all other lines examined within this survey. Elaborating on point one, this boundary principle suggests that (R37) is only controlling between lots one and two of said subdivision, with other lines determined by the surveyor of (R37) becoming the boundary by principles of equitable estoppel to land owners accepting the work done. Though this may be the case for some of the lines of (R37), its analysis is above the scope of this survey. In continuing along point two, acquiescence is likely to be along this line, provided that all of the elements mentioned in Paragraph "E.b.1-4" are met. Inspection of historical photos (R50) displays the fence line could be as old as 1970. This means that the acquiesced line seems to have been long established. If this is the legal doctrine that should be applied, an analysis of each landowner concerning the validity of its claim must be applied.
- F.c. Furthermore, it is noted that the fence has constant bearing between the calculated Southeast corner of (R14) according to the explained retracement theory, and the fence line near the retraced Northeast corner of Parcel 0024. Knowing that the lines near the Northern portion of Parcel 0024 are affected by different controlling elements. It is plausible that points established independently from different surveys and monuments were relied upon in constructing the fence respectively between said North and South positions. Similar to what has been observed with (R14) and the buried axel. It is by this principle that the Surveyor established the boundary between Parcel 0024 and (R4, R34, and R8.) Regardless of which theory is applied, the Surveyor believes the boundary to be along the measured fence and recommends boundary line agreements be furnished to resolve the differences in the deed location as explained in Paragraph, "F, F.a., and F.b." to the location of the fence.
- G. Along the deed line, according to the retracement theory explained in Paragraph, "F, F.a., and F.b."
- H. Line segments labeled H. were retraced to and along (R41), and its extension with a rotation applied between common points found between both surveys. This rotation was confirmed with two rebars and caps being located along this line, agreeing with this rotation.
- Property corners were monumented as shown here on and serve as a point to the research and analysis completed in this survey. Should any data be found that is not mentioned here or that is contrary to the opinion of the Surveyor, it should be presented for consideration.

RECORD BOUNDARY DESCRIPTIONS (R12,18, 25)

PARCEL 0023 (Parcel 1 R12)

Part of the Northeast Quarter of Section 8, Township 6 North, Range 1 West, Salt Lake Base and Meridian, U S. Survey: Beginning at a Point 1648.4 feet West and 630 feet North of the Southeast comer of said Quarter Section, and Runing thence North 314.21 feet: thence North 29°30 West 210.14 feet to the South line of Larsen Lane, thence North 60°30' East 106 feet: thence South 24°21' East 153.26 feet, thence North 61°27' East 244.17 feet; thence South 2°06' West 526.74 feet, thence West 247.15 feet to the place of beginning. Excepting there from a 20 foot parcel of land designated as Parcel No. 11-027-0066 as deeded to Flying J Inc.. Entry No. 2171137.

PARCEL 0024 (Parcel 2 R12)

Part of the Northeast Quarter of Section 8, Township 6 North, Range 1 West, Salt Lake Base and Menden. U.S Survey; Beginning at a point 1348.4 feet West and 630 feet North from the Southeast corner of said Quarter Section, and running thence West 52.85 feet to the Lindsay property: thence North 2°06' East 526.74 feet; thence North 61°27' East 42.61 feet to the West line of land owned by Lillian W. Johnson; thence South 0°24'20" West along the West line of said land of Lillian W. Johnson 546.42 feet, more or less, to beginning. Excepting there from a 20 foot Parcel of land designated as Parcel No 11-027-0066 as deeded to Flying J Inc, Entry No 2171127

PARCEL 0022 (Parcel 3 R12)

Pat of the Northeast Quarter of Section 8. Township 6 North, Range 1 West. Salt Lake Base and Meridian. U S. Survey; Beginning 1848.4 feet West and 630 feet North and 200 feet East and 140 feet North. more or less, from the Southeast corner of said Quarter Section, and running thence North 174.21 feet; thence North 29°30' West 210.14 feet. more or less, to the South line of Larsen Lane; thence South 60°30' West along said South line 21 feet, more or less, to the Northeast corner of Parcel No 11-027-0104; thence South 16°16'32" East 127.79 foot; thence North 81°04'18" East 26.38 feet, thence South 07°11'02" East 220.18 feet, thence South 89°13'09" East 32.42 feet, more or less, to beginning.

PARCEL 0004 (Parcel 4 R12)

Part of the Northeast Quarter of Section 8, Township 6 North, Range 1 West. Salt Lake Base and Meridian, U.S. Survey: Beginning on the West Right-of-Way line of Washington Boulevard at a pant which is North 89°57' West 656.7 feet, and South 0°50'15" West 1590.60 feet, (to a point which is North 0°50'15" East 1068.00 feet from the South line of said Northeast Quarter), and North 66°45' West 71.39 feel to the West Right-of-Way line of Washington Bothrverd, and North 0°50'15" East 122.90 feet, and North 87°47'42" West 235.80 feet along en existing fence, and South 1°12' East 31.85 feet, and North 66°45' West 36.06 feet, and West 302.28 feet, and South 61°27' West 73.17 feet from the Northeast corner of the Northeast Quarter of said Section 8 to the true point of beginning and running thence South 61°27' West 235.71 feet to Grantors Southwest Corner; thence North 24°21' West 162.01 feet to an existing fence on the Southerly line of Larsen Lane; thence North 60°30' East 56.03 feet along said fence; thence South 24°21' East 150.0 feet; thence North 61°27' East 90.0 feet; thence North 24°21' West 30 feet; thence North 61°27' East 90 feet; thence South 24°21' East 45.93 feet to the point of beginning 11-027-0023

PARCEL 0104 (Parcel 1 R18)

Being Part Of The Northeast Quarter Of Section 8, Township 6 North, Range 1 West, Salt Lake Base & Meridian, Described As Follows: Beginning At a Point in an Old Fence Line, Said Point Being North 89D13'09" West (Formerly Called West) 1848.40 Feet and North 0D50'15 East (Formerly Called North) 780.00 Feet From the Southeast Corner of the Said Northeast Quarter, (Basis of Bearing Being the Monument Line of Washington Blvd North 0D50'15" East) Running thence North 0D50'15" East Along an Old Fence Line 290.17 Feet to the Southerly Right of Way Line of Larsen Lane, thence North 60D20' East Along Said Southerly Right of Way Line 90.00 Feet, thence South 16D16'32" East 127.79 feet, thence North 81D04'18" East 26.38 Feet, thence South 07D11'02" East 220.18 Feet, thence North 89D13'09" West 171.87 feet to the Point Of Beginning.

Tax ID No: 11-027-0104

PARCEL 0118 (Parcel 2 R18)

Part of The Northeast Quarter of Section 8, Township 6 North, Range 1 West, Salt Lake Base And Meridian, U.S. Survey: Beginning 1848.4 Feet West 630 Feet North From The Southeast Corner Said Quarter Section, Thence East 200 Feet, thence North 140 Feet, More or Less, Thence North 89D13'09" West 211.87 Feet, More or Less, To Parcel #11-027-0025, Thence South OD50'15" West 139.83 Feet, More or Less, to Beginning.

PARCEL 0061 (Parcel 3 R25)

A Part of The Northeast Quarter of Section 8, Township 6 North, Range 1 West, Salt Lake Meridian, U.S. Survey: Beginning At A Point 1748.4 Feet West and 30 Feet North From the Southeast Corner of Said Quarter Section, and Running Thence East 100 Feet; Thence North 600 Feet; Thence West 200 Feet; Thence South 340 Feet; Thence East 100 Feet; Thence South 260 Feet to The Point of Beginning.

COMPOSITE BOUNDARY DESCRIPTION

A parcel of ground being a part of the Northeast Quarter of Section 8, Township 6 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey being more particularly described as follows.

Beginning at a point on the South Right-of-Way Line of Larsen Lane, said point being at 13+85.20 according to the official Right-of-Way maps completed by Utah Department of Transportation in 2018, known, as project number F-LC57(26), said point also being 660.63 feet North 88°47'41" West along the Section Line and 163.36 feet South 1°09'38" West along the Center Line of Washington Boulevard to a Center Line monument found at the intersection of Washington Boulevard and 1100 North Street and 779.66 feet South 01°09'49" West along the Center Line of Washington Boulevard to the control line of said UDOT project and continuing along the control line 70.64 feet North 88°50'23" West to a point of curvature to the left having a radius of 135.00 feet and a central angle of 30°12'47" and Westerly along said arc a distance of 71.19 feet note (Chord equals South 76°03'13" West 70.37 feet) and 579.11 feet South 60°56'50" West and 368.00 feet South 62°37'11" West and 242.42 feet South 60°37'11" West and leaving the control line 40.00 feet South 29°22'49" East from the Northeast Corner of said Section 8 (Basis of bearing being North 1°09'38" West along the Center Line Washington boulevard between found monument within the intersections of 1100 North and Lockwood Drive) and running thence along the South Right-of-Way of Larsen Lane North 60°37'11" East 241.72 feet to Station 16+28.32; thence continuing along said South Right-of-Way North 62°37'11" East 22.44 feet to station 16+50.76; thence South 24°32'24" East 145.39 feet to an old barb wire fence; thence along said fence North 65°43'06" East 89.76 feet; thence North 24°32'24" West 37.00 feet; thence North 61°15'36" East 90.00 feet; thence South 24°32'24" East 62.94 feet to the Southwest corner of land conveyed to Flying J Inc found at Entry No. 2171137; thence along said conveyance North 61°15'36" East 38.31 feet to a long standing barbed wire fence; thence South 00°54'49" West along said fence 524.61 feet; thence North 88°48'10" West 297.03 feet; thence South 01°11'50" West 600.00 feet to a point on the North Right-of-Way of 700 North Street; thence North 88°48'10" West 100.00 feet along said North Right-of-Way Line; thence North 01°11'50" East 260.00 feet; thence North 88°48'10" West 99.31 feet to a point at the extension of Jennings Subdivision 1st Amendment; thence North 01°19'30" East 147.50 feet along said Subdivision and its extension; thence continuing along said Subdivision North 01°06'19" East 635.08 feet to the Point of Beginning. Containing 346,021.60 square feet or 7.9436 acres, more or less.

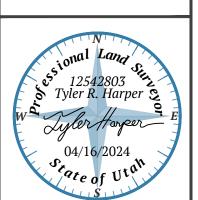
Record of Survey
JLM Development Apricot, LLC

Project Participants

Research by:THarper
Site Investigation:THarper
Plat Report Draft:TRocker

Reviewed by:JGore
February 2024
23002.SL6N1WS8

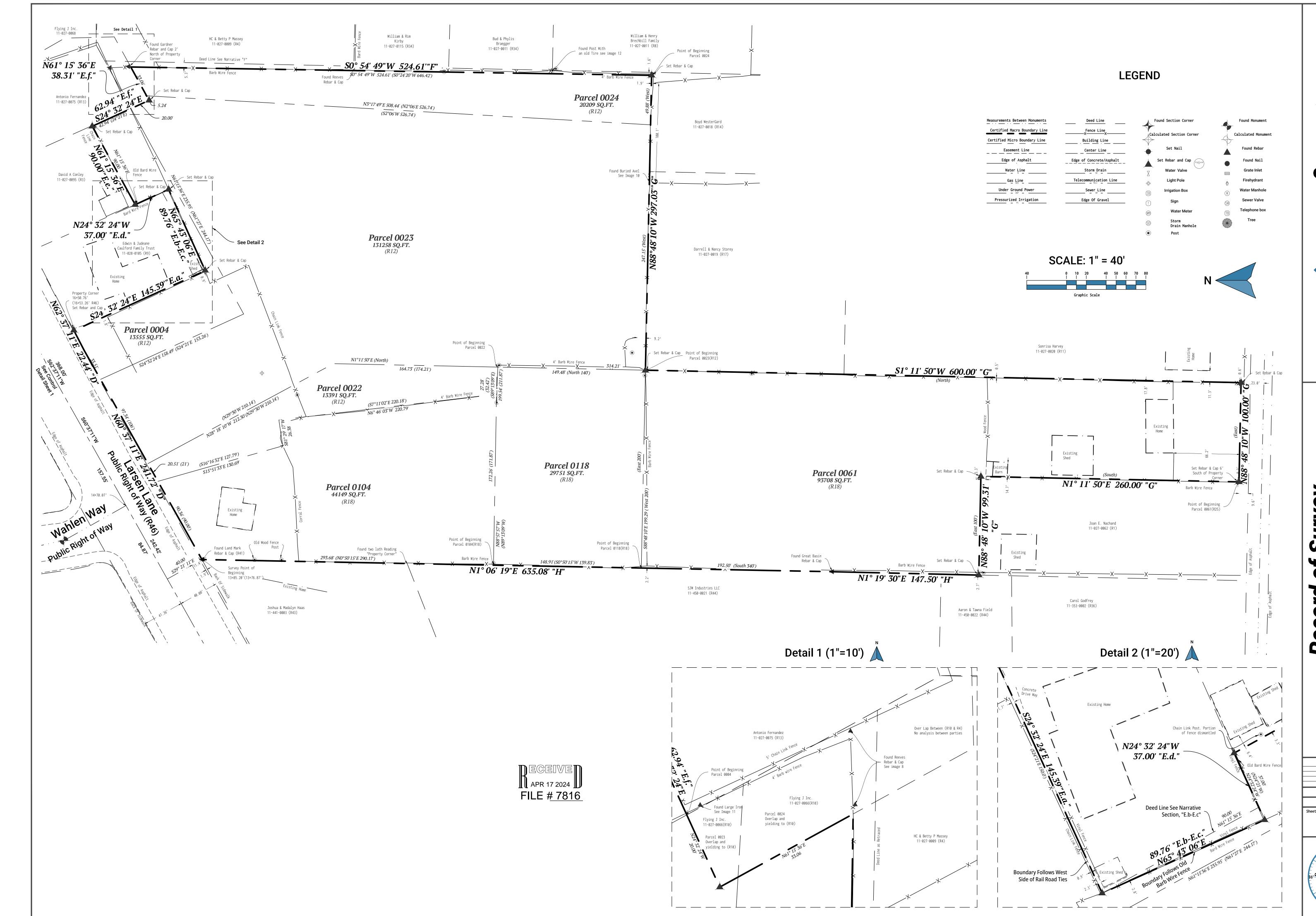
Sheet Number: 1/2





SURVEYOR CERTIFICATE

I, Tyler R. Harper do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 12542803, in accordance with Title 58, Chapter 22, of the Professional Engineers and Professional Surveyors Licensing Act, and I have made a survey of the above described property according to Section 17-23-17 and that the above plat correctly shows the true dimensions of the property surveyed.



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Record of Survey
JLM Development Apricot, LLC

Project Participants

Research by:THarper
Site Investigation:THarper
Plat Report Draft:TBorkar
Reviewed by:JGore

Site Investigation:THarper
Plat Report Draft:TBorkar
Reviewed by:JGore
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