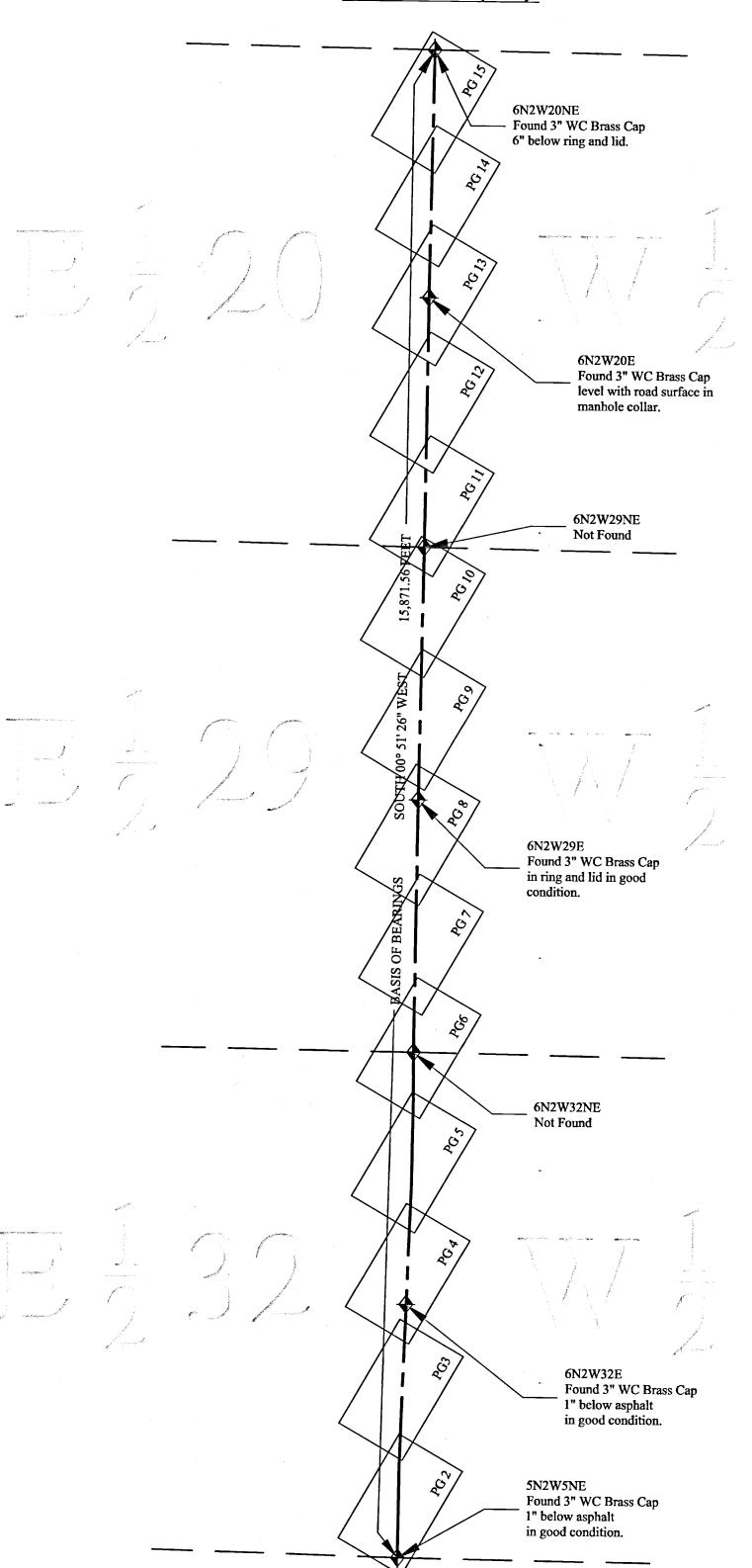


4300 WEST STREET CENTERLINE SURVEY

LOCATED IN THE EAST HALF OF SECTIONS 20, 29 & 32 AND IN THE WEST HALF OF SECTIONS 21, 28, AND 33 TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN. WEBER COUNTY UTAH. SEPTEMBER 2019

QUICK INDEX (NTS)



SURVEYOR'S NARRATIVE:

THE PURPOSE OF THIS SURVEY WAS TO DETERMINE THE TRUE LOCATION OF THE EXISTING HIGHWAY CENTERLINE OF 4300 WEST STREET. THE BASIS OF BEARING FOR THIS SURVEY IS SOUTH 00° 51' 26" WEST (STATE PLANE GRID BEARINGS) 15,871.56 FEET, AS MEASURED BETWEEN WEBER COUNTY BRASS CAP MONUMENTS 6N2W20NE AND 5N2W5NE AS SHOWN HEREON. EXISTING FENCES, EXISTING ASPHALT ROAD, ADJOINING DEEDS, THE MONUMENTED SECTION LINES, AND FOUND REBAR WITHIN ADJOINING SUBDIVISIONS AND FILED RECORDS OF SURVEY WERE USED AS THE BEST EVIDENCE FOR ESTABLISHING THE

WHERE 4300 WEST TRAVERSES BETWEEN 3300 SOUTH AND 2550 SOUTH, THE PHYSICAL CENTERLINE OF THE ROAD DEVIATES IN MANY PLACES FROM THE SECTION LINE. IN SOME AREAS, LANDOWNERS HAVE ALREADY DEDICATED HALF-WIDTH PORTIONS OF THE ROAD USING THE SECTION LINE AS A COMMON CENTERLINE (SUCH AS IN THE DEE SCHENCK SUBDIVISION, FRANK LAND ESTATES PHASE 3 SUBDIVISION, FRANK LAND ESTATES PHASE 2 SUBDIVISION, LINDEMAN ESTATES SUBDIVISION, TRACEY SUBDIVISION, PETERSON MEADOWS SUBDIVISION, PETERSON ESTATES SUBDIVISION, D.M. HADLEY SUBDIVISON). IN SOME OF THESE AREAS, THE ASPHALT SURFACE EXISTS ENTIRELY WITHIN THAT HALF-WIDTH (SUCH AS WITHIN THE AREA DESCRIBED BY DEED BOOK 970 PAGE 321). IN OTHER AREAS SUCH AS TELEMARK ESTATES SUBDIVISION, ELIAS ESTATES SUBDIVISION, AND ELIAS ESTATES PHASE 3 SUBDIVISION, DEDICATION WAS INSTEAD MADE FROM THE PHYSICAL CENTERLINE (WHICH DEVIATES CONSIDERABLY IN THOSE AREAS

FROM 2550 SOUTH TO 900 SOUTH THE CENTERLINE OF THE ROAD FOLLOWS THE SECTION LINES VERY WELL AND ALSO FITS BETWEEN THE PHYSICAL OCCUPATION OF THE ROAD. PAROLE TESTIMONY FROM NEILA HADLY (PARCEL #15-089-0004), MAX STAKER (PARCEL #15-078-0026), MICHAEL JUSKO (PARCEL #15-079-0048) AND FROM PAUL VANDERKOOI (PARCEL #15-079-0006) INDICATE THAT THE FENCE LINES THAT EXIST TODAY HAVE BEEN IN THE SAME PLACE AS FAR BACK AS ANY OF THEM COULD REMEMBER, WITH SOME ACCOUNTS AS OLD AS 60 YEARS.

THAT IS 16.5 FEET WIDE ON THE NORTH SIDE OF 2200 SOUTH, AND THE SECOND IS FOR 25 FEET ON THE SOUTH SIDE OF 2200 SOUTH FROM A 1954 DEED (BOOK 453 PAGE 209). THE 1954 DEED CONTAINS A LIKELY GRANTORS OF THE 1954 DEED WERE ANDERSON, CLARKE, COLOGNA, NEILSEN, AND GIBSON ALL OF WHICH WERE LANDOWNERS FRONTING 2200 SOUTH. AN ADJOINER WHO DIDN'T SIGN OUT ON THE 1954 DEED WAS THE TAYLOR CORP. CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS WHICH BY THEN HAD ALREADY DEEDED OUT THEIR PORTION OF THE ROAD IN THE 1936 DEED. IN ADDITION, ALONG THE ACTUAL 2550 SOUTH, GEORGE AND ALBERTA HADLEY HELD WARRANTY DEEDS IN 1957 WHOSE BOUNDARY INCLUDED WHAT WOULD HAVE BEEN THE ROADWAY IN THE DESCRIPTION - SOMETHING THEY COULD NOT HAVE DONE

BARRICADES WHICH HAVE BEEN PLACED TO BLOCK ACCESS. PAROLE TESTIMONY FROM STEVEN K. JONES (PARCEL #15-055-0063) DESCRIBED A TIME WHEN THE ROAD WAS OPEN AND ACCESSIBLE, STUDENTS FROM THE SCHOOL TO THE NORTH WOULD CROSS THE RAILROAD TRACKS AT THIS POINT IN THEIR DAILY COMMUTE. THE ROAD WAS EVENTUALLY DEEMED UNSAFE AFTER A FATAL TRAFFIC ACCIDENT AND WAS BLOCKED OFF FOR PUBLIC SAFETY. BECAUSE NO DOCUMENTATION WAS FOUND WHICH OFFICIALLY VACATES THIS PORTION OF THE ROAD, IT HAS BEEN INCLUDED IN THE CENTERLINE DESCRIPTION OF 4300 WEST. IT IS ALSO POSSIBLE THAT THE RAILROAD MIGHT HAVE SOME CROSS-ACCESS AGREEMENT WHICH GRANTED LICENSE TO THE PUBLIC TO CROSS THE TRACKS, IF THE LICENSE IS IN PLACE THE PATH CROSSING THE TRACKS MIGHT BE REVOKABLE WITHOUT NEEDING TO BE VACATED.

THE FOLLOWING IS A LIST OF RESOURCES USED IN PREPARING THIS SURVEY:

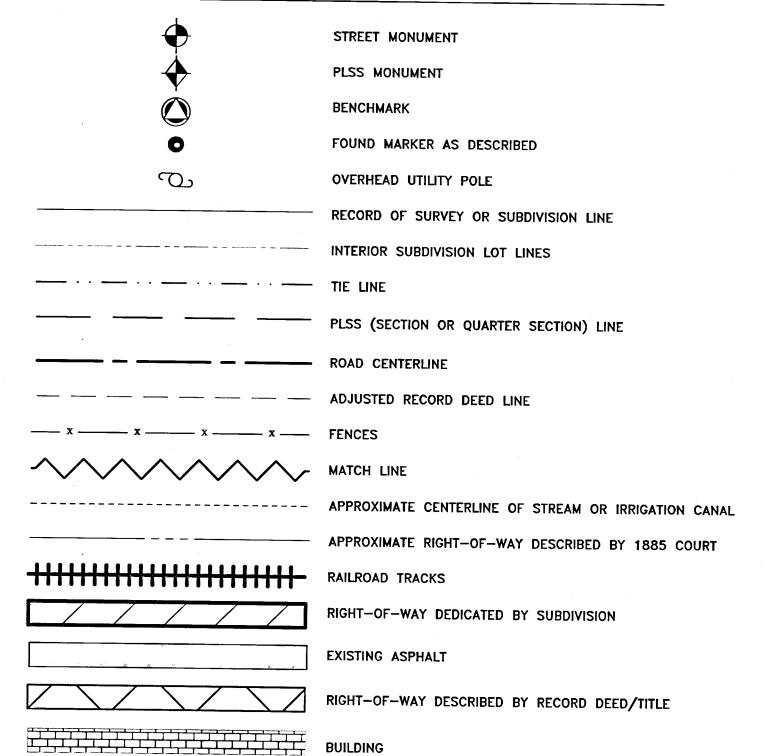
- SUBDIVISION PLATS AND RECORDS OF SURVEY ON FILE IN THE WEBER COUNTY RECORDER/SURVEYOR'S OFFICE
- AERIAL IMAGERY OF ROAD ON FILE IN THE WEBER COUNTY SURVEYOR'S OFFICE 1885 TERRITORIAL ROAD DESCRIPTIONS FROM COUNTY COMMISSION BOOK C PAGE 370 DESCRIPTION #43 AND FROM BOOK F PAGE 417
- DEEDS FOR ABUTTING PROPERTIES
- PAROL TESTIMONY FROM RESIDENTS ALONG 4300 WEST STREET.

AS SURVEYED EXISTING HIGHWAY CENTERLINE DESCRIPTION:

PART OF THE EAST HALF OF SECTIONS 20, 29, AND 32, AND PART OF THE WEST HALF OF SECTIONS 21, 28, AND 33, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: DESCRIPTION OF A COUNTY ROAD LEADING NORTHERLY FROM THE INTERSECTION OF 3300 SOUTH AND 4300 WEST TO THE INTERSECTION OF 900 SOUTH AND 4300 WEST IN WESTERN WEBER COUNTY.

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 32 OF THE ABOVE MENTIONED TOWNSHIP AND RANGE, SAID POINT IS THE INTERSECTION OF 3300 SOUTH STREET AND 4300 WEST STREET AT STATION 01+00.00; AND RUNNING THENCE NORTH 00°27'50" EAST A DISTANCE OF 737.48 FEET, DEPARTING THE EAST LINE OF SAID SECTION 32, TO A POINT OF CURVATURE AT STATION 08+37.48; THENCE NORTHEASTERLY ALONG THE ARC OF A 10,344.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 240.01 FEET TO STATION 10+77.49 (LONG CHORD BEARS NORTH 01°07'43" EAST A DISTANCE OF 240.01 FEET) THROUGH A CENTRAL ANGLE OF 01°19'46"; THENCE NORTH 01°47'36" EAST A DISTANCE OF 655.75 FEET TO A POINT OF CURVATURE AT STATION 17+33.24; THENCE NORTHEASTERLY ALONG THE ARC OF A 9,397.44 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 155.93 FEET TO A POINT OF REVERSE CURVATURE AT STATION 18+89.17 (LONG CHORD BEARS NORTH 02°44'39" EAST A DISTANCE OF 155.93 FEET) THROUGH A CENTRAL ANGLE OF 00°57'03"; THENCE NORTHEASTERLY ALONG THE ARC OF A 9,396.15 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 155.94 FEET TO STATION 20+45.11 (LONG CHORD BEARS NORTH 02°52'36" EAST A DISTANCE OF 155.93 FEET) THROUGH A CENTRAL ANGLE OF 00°57'03", SAID CURVE TERMINATES ON THE EAST LINE OF SAID SECTION 32; THENCE NORTH 01°22'13" EAST A DISTANCE OF 720.85 FEET ALONG THE EAST LINE OF SAID SECTION 32 TO THE EAST QUARTER CORNER OF SAID SECTION 32 AT STATION 27+65.96; THENCE NORTHEASTERLY, DEPARTING THE EAST LINE OF SAID SECTION 32, ALONG THE ARC OF A 22,250.75 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 167.87 FEET TO A POINT OF REVERSE CURVATURE AT STATION 29+33.83, (LONG CHORD BEARS NORTH 01°48'09" EAST A DISTANCE OF 167.87 FEET) THROUGH A CENTRAL ANGLE OF 00°25'56"; THENCE NORTHEASTERLY ALONG THE ARC OF A 23,119.48 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 167.47 FEET TO STATION 31+01.30 (LONG CHORD BEARS NORTH 01°48'26" EAST A DISTANCE OF 167.44 FEET) THROUGH A CENTRAL ANGLE OF 00°24'54"; THENCE NORTH 01°48'21" EAST A DISTANCE OF 875.32 FEET TO A POINT OF CURVATURE AT STATION 39+76.62; THENCE NORTHEASTERLY ALONG THE ARC OF A 5,322.06 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 128.38 FEET TO STATION 41+05.00 (LONG CHORD BEARS NORTH 01°47'59" EAST A DISTANCE OF 128.38 FEET) THROUGH A CENTRAL ANGLE OF 01°22'55"; THENCE NORTH 00° 25' 30" EAST A DISTANCE OF 1,319.97 FEET TO THE NORTHEAST CORNER OF SAID SECTION 32 AT STATION 54+24.97; THENCE NORTH 00°28'24" EAST A DISTANCE OF 2,651.23 FEET ALONG THE SECTION LINE TO THE EAST QUARTER CORNER OF SAID SECTION 29 AT STATION 80+76.20; THENCE NORTH 00°49'32" EAST A DISTANCE OF 2,659.31 FEET ALONG THE SECTION LINE TO THE NORTHEAST CORNER OF SAID SECTION 29 AT STATION 107+35.51; THENCE NORTH 00°30'30" EAST A DISTANCE OF 2,632.58 FEET ALONG THE SECTION LINE TO THE EAST QUARTER CORNER OF SAID SECTION 20 AT STATION 133+68.09; THENCE NORTH 00°50'21" EAST A DISTANCE OF 2,604.15 FEET ALONG THE SECTION LINE TO THE NORTHEAST CORNER OF SAID SECTION 20 AT STATION 159+72.24 AND TO THE POINT OF TERMINUS. THE BEARING AND DISTANCE FROM THIS POINT TO THE POINT OF BEGINNING BEING SOUTH 00°51'26" WEST A DISTANCE OF 15,871.56 FEET. THE TOTAL LENGTH OF THE ABOVE DESCRIBED ROAD BEING 15,872.24 FEET.

LEGEND:

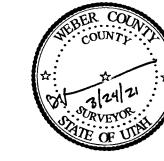


SURVEYOR'S CERTIFICATE:

I, STEPHEN COLLIER, A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 79453850, IN ACCORDANCE WITH THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYOR'S LICENSING ACT, HAVE COMPLETED A SURVEY OF THE HIGHWAY CENTERLINE DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND PLACED MONUMENTS ON THE GROUND



____, PLS, DO HEREBY CERTIFY THAT I AM A DEPUTY SURVEYOR OF THE WEBER COUNTY RECORDER/SURVEYOR'S OFFICE, STATE OF UTAH, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH AND THAT A SURVEY OF THE HIGHWAY CENTERLINE HAS BEEN MADE UNDER



GENERAL NOTES:

- 1. NO EASEMENTS ARE ADDRESSED BY THIS MAP.
- 2. THIS MAP IS NOT PROOF OF OWNERSHIP.
- 3. THIS MAP MAKES NO ASSUMPTIONS AS TO ANY UNWRITTEN RIGHTS THAT MAY EXIST BY AND BETWEEN THE ADJOINING LAND OWNERS.
- 4. COURSES AND DISTANCES SHOWN ON THIS MAP ARE TAKEN FROM ACTUAL FIELD MEASUREMENTS, UNLESS CONTAINED WITHIN PARENTHESIS, INDICATING A RECORD COURSE OR DISTANCE. RECORD INFORMATION IS TAKEN FROM MAPS, PLATS, DEEDS OF RECORD, OR OTHER SOURCES OF RECORD INFORMATION.
- 5. NO ABSTRACT OF TITLE, OR COMMITMENT FOR TITLE INSURANCE WAS OBTAINED OR REVIEWED DURING THE PROCESS OF THIS SURVEY. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THE SUBJECT PROPERTY'S QUALITY OF TITLE.
- 6. ADJOINING DEEDS ARE SHOWN FOR REFERENCE ONLY AND WERE NOT SURVEYED. PREFERENCE WAS GIVEN TO POSITIONING DEEDS AS TO BEST SHOW THEIR RECORD PLATTED POSITION WITH THE CENTERLINE OF THE ROAD BUT NOT NECESSARILY WITH EACH OTHER.
- 7. THIS SURVEY IS MEANT TO BE AN AID TO FUTURE DEVELOPERS OF PROPERTY ALONG THE ROAD SO THAT ANY FUTURE DEDICATIONS CREATE A CONSISTENT AND CONTINUOUS CENTERLINE.
- 8. THE CENTERLINE SHOWN HEREON IS AN EXISTING CENTERLINE BUT MAY NOT REFLECT THE DESIRED FUTURE CENTERLINE, DEVELOPERS SHOULD CONSULT WEBER COUNTY ENGINEERING TO OBTAIN A "FUTURE PROPOSED CENTERLINE" AS A DIRECTION FOR RIGHT-OF-WAY
- 9. THE TERMS "ROAD" & "HIGHWAY" USED HEREON ARE DEFINED BY UCA 68-3-12.5 AND UCA 72-1-102
- 10. ONLY 3 BUILDINGS ARE SHOWN ON THE MAP (PAGES 2, 5 & 6). THESE 3 PARTICULAR BUILDINGS HAVE BEEN IDENTIFIED AS BEING IN CLOSE PROXIMITY TO THE ROAD. THEIR POSITIONS WERE TAKEN FROM AERIAL IMAGERY, LOCATIONS AND DISTANCES ARE APPROXIMATE ONLY.

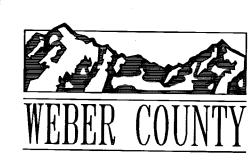
4300 WEST STREET CENTERLINE SURVEY

LOCATED IN THE EAST HALF OF SECTIONS 20, 29 & 32 AND IN THE WEST HALF OF SECTIONS 21, 28, AND 33 TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN

RECORD OF SURVEY NUMBER:

FIELD WORK BY:

DATE OF DRAWING:



2380 Washington Blvd. Suite 370 Ogden, Utah 84401 PHONE: (801) 399-8020 FAX:(801) 399-8316

JEREMY MATHEWS DRAWN BY: **JEREMY MATHEWS** CHECKED BY: BAHRAM RAHIMZADEGAN APPROVED BY: STEPHEN COLLIER

SHEET NUMBER:

DECLIVED

MAR 2 4 2021

BY: 6824

RIGHT-OF-WAY ANALYSIS:

THE FOLLOWING IS A RIGHT-OF-WAY ANALYSIS OF AREAS NOT OTHERWISE DESCRIBED BY SUBDIVISION DEDICATION OR BY A DEED TO THE PUBLIC FOR ROAD

WRITTEN EVIDENCE WHICH SUGGESTS THE WIDTH OF THE ROAD INCLUDE,

- PARCEL #15-084-0047 (ENTRY #2896618) WHICH STATES, "...SUBJECT TO COUNTY ROAD ALONG THE EAST 35 FEET..."
 PARCEL #15-084-0005 (ENTRY #2096670) WHICH STATES, "...BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF 4300 WEST STREET..." AND "...AND 33.00 FEET..." AND "...ALONG SAID RIGHT OF WAY LINE..."
- 3. PARCEL #15-084-0046 (ENTRY #1226832) WHICH TWICE STATES, "...EXCLUDING THE 33 FEET BY 150 FEET DESIGNATED AS STREET TO BE USED AS A PUBLIC
- 4. PARCEL #15-079-0006 (ENTRY #2428208) WHICH STATES, "...TO WEST LINE OF COUNTY ROAD..." AND "...ALONG WEST LINE OF COUNTY ROAD..."
- 5. PARCEL #15-080-0058 (ENTRY #2545667) WHICH STATES, "...AND 33 FEET NORTH 89D11'53" WEST..."
- 6. PARCEL #15-080-0025 (ENTRY #1982708) WHICH STATES, "...BEGINNING AT A POINT 33 FEET WEST..."
- 7. PARCEL #15-080-0035 (ENTRY #2719101) WHICH STATES, "...AND 33 FEET, MORE OR LESS, WEST OF..." AND "...SAID POINT BEING THE INTERSECTION OF THE WEST
- LINE OF 4300 WEST STREET..." 8. PARCEL #15-054-0006 (BOOK 1012 PAGE 399) WHICH STATES , "...EXCEPT THE EASTERLY 33.00 FEET THEREOF WHICH IS BEING USED FOR COUNTY ROAD
- 9. PARCEL #15-054-0038 (ENTRY #2786046) WHICH STATES, "...EXCEPT THE EASTERLY 33.00 FEET THEREOF WHICH IS BEING USED FOR COUNTY ROAD PURPOSES..."
- 10. PARCEL #15-054-0088 (ENTRY #2912558) WHICH STATES, "...TO THE WEST LINE OF 4300 WEST STREET..."
- 11. PARCEL #15-054-0046 (ENTRY #2849793) WHICH STATES, "...AND 33 FEET WEST...
- 12. PARCEL #15-054-0005 (ENTRY #1129871) WHICH STATES, "...SUBJECT TO COUNTY ROAD RIGHT-OF-WAY ACROSS THE EAST 33 FEET THEREOF..." 13. PARCEL #15-054-0055 (ENTRY #1129871) WHICH STATES, "...SUBJECT TO COUNTY ROAD RIGHT-OF-WAY ACROSS THE NORTH 33 FEET AND EAST 33 FEET THEREOF..."
- 14. PARCEL #15-055-0043 (ENTRY #2092351) WHICH STATES, "...EXCEPTING THE SOUTH 7.83 OF THE EAST 33 FEET..."
- 15. PARCEL #15-059-0045 (ENTRY #1297602) WHICH STATES, "...EXCEPT THE WEST 33 FEET THEREOF, WHICH IS IN 4300 WEST STREET..."
- 16. PARCEL #15-059-0015 (ENTRY #2630852) WHICH STATES, "...33 FEET EAST OF THE WEST LINE..."
- 17. PARCEL #15-059-0014 (ENTRY #2789280) WHICH STATES, "...BEGINNING AT A POINT ON THE EAST LINE OF COUNTY ROAD 33 FEET..."
- 18. PARCEL #15-078-0086 (ENTRY #2254824) WHICH STATES, "...SUBJECT TO THE PUBLIC USE OF THE COUNTY ROAD OVER THE WEST 33 FEET THEREOF..."
- 19. PARCEL #15-078-0031 (ENTRY #1327914) WHICH STATES, "...BEGINNING AT A POINT ON THE EAST LINE OF THE COUNTY ROAD, THAT IS 2 RODS EAST OF..." 20. PARCEL #15-078-0030 (BOOK 837 PAGE 516) WHICH STATES, "...BEGINNING AT A POINT ON THE EAST LINE OF COUNTY ROAD 80 RODS NORTH AND 1 1/2 RODS EAST..."
- AND "...ALONG THE EAST LINE OF COUNTY ROAD..."
- 21. PARCEL #15-078-0026 (ENTRY #1201680) WHICH STATES, "...BEGINNING ON THE EAST SIDE OF THE COUNTY ROAD..." AND "...EAST 1 1/2 RODS FROM..." 22. PARCEL #15-078-0049 (ENTRY #1201689) WHICH STATES, "...BEGINNING AT A POINT ON THE EAST SIDE OF COUNTY ROAD..." AND "...EAST 1 1/2 RODS FROM..." AND

"...TO THE EAST LINE OF THE COUNTY ROAD..."

OF THE 22 DEEDS LISTED ABOVE, IT IS INFERRED FROM 19 THAT THE ROAD IS DESCRIBED WITH A FULL-WIDTH OF 66 FEET, TOGETHER THESE ACCOUNT FOR 90% OF

THE FRONTAGE DESCRIBED BY THESE DEEDS.

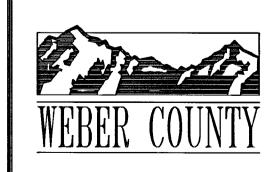
DEMONSTRATIVE EVIDENCE WHICH SUGGESTS THE WIDTH OF THE ROAD INCLUDE,

1. IN AREAS NOT ALREADY COVERED BY DEED OR RIGHT-OF-WAY DEDICATION, 21% OF FENCES ALONG THE ROAD FRONTAGE ARE NEAR 33 FEET FROM THE 'N

CONSIDERING THE ABOVE REFERENCED EVIDENCE AND ANALYSIS, IT IS THE PROFESSIONAL OPINION OF THE SURVEYOR AT THIS TIME THAT 4300 WEST STREET HAS BECOME A DEDICATED PUBLIC HIGHWAY BY VIRTUE OF ITS CONTINUOUS USE AS A PUBLIC THOROUGHFARE OVER A LONG PERIOD OF TIME. RECOGNIZING THAT THE FULL WIDTH OF A DEDICATED PUBLIC HIGHWAY RIGHT OF WAY CAN ONLY BE DETERMINED BY THE COURT, A MAXIMUM RIGHT OF WAY WIDTH THAT WOULD BE BINDING UPON ALL UN-AGREEABLE PARTIES WOULD NEED TO COME FROM A JUDICIAL DECREE. HOWEVER, IT IS THE PROFESSIONAL OPINION OF THE SURVEYOR AT THIS TIME, THAT THE EVIDENCE SUGGESTS WHAT IS REASONABLE AND NECESSARY FOR THE USES WHICH HAVE BEEN MADE OF THIS PUBLIC HIGHWAY IS 66.00 FEET WIDE LYING 33.00 FEET ON EACH SIDE OF THE DESCRIBED CENTERLINE.

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2380 Washington Blvd. Suite 370 Ogden, Utah 84401 PHONE: (801) 399-8020 FAX:(801) 399-8316

RECORD OF SURVEY NUMBER: DECELVE FIELD WORK BY: EREMY MATHEWS MAR 2 4 2021 BY: 6824 RAWN BY: JEREMY MATHEWS CHECKED BY: BAHRAM RAHIMZADEGAN APPROVED BY:

STEPHEN COLLIER DATE OF DRAWING:

