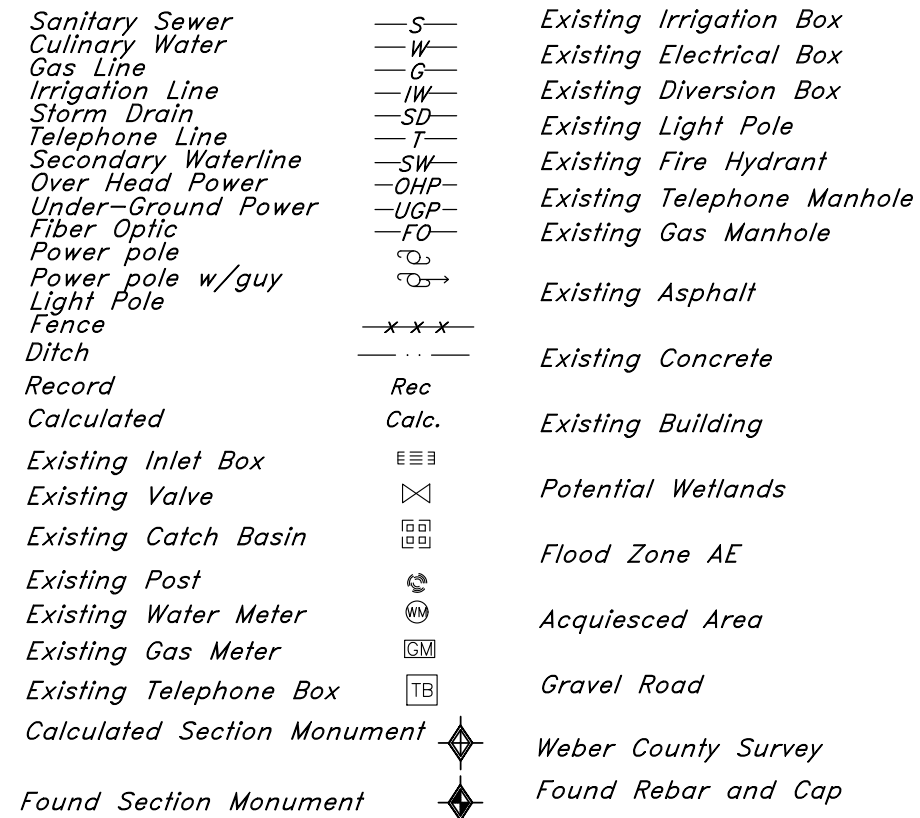
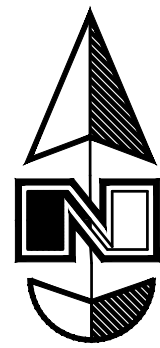
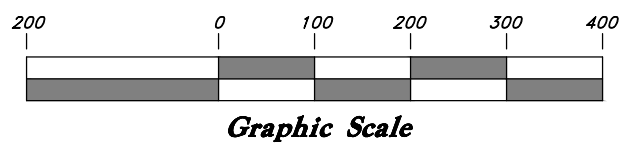


# Legend

(Note: All Items may not appear on drawing)



Scale: 1" = 200'



## EXCEPTIONS TO COVERAGE CONTINUED

**EXCEPTION NO. 25 (NOT PLOTTED BLANKETS PARCELS SECTIONS 5 TO 8, 18, T6N, R 2W; 9, 10, 12 TO 15, 22, 23, 24, 27, T6N, R3W; 1 TO 4, 19, 30, 31, T7N, R2W; 24, 25, 35, 36, T7N, R3W, SLB&M. GRANTED TO PROMOTE A WATER CONSERVATION PROJECT IN SECTIONS 4, 5, 9, 10, AND 15, T6N, R2W, SLB&M.)** Any easement(s) and rights of the WARREN IRRIGATION COMPANY, relating to the Weber River, creeks, ditches and irrigation distributing system, found to interest the land, as disclosed in that certain Agreement with the State of Utah, acting through the UTAH WATER AND POWER BOARD, recorded December 29, 1961 as Entry No. 371452 in Book 699 at Page 304 of Official Records.

**EXCEPTION NO. 26 (NOT PLOTTED BLANKETS SECTIONS 4, 5, 9, 10, AND 15 T6N, R2W, SLB&M "ENTRY NO. 371456" NOT PLOTTED BLANKET SECTIONS 5, 6, 7, 8, AND 18 T6N, R2W; 9, 10M 12M 13M 14M 15M 22M 23M 24M AND 27, T6N, R3W; 24, 25,35, AND 36 T7N, R3W, SLB&M "ENTRY NO. 634445")** Deed of Easement, executed by WARREN IRRIGATION COMPANY, a corporation, as Grantor, in favor of the State of Utah, acting through the WATER AND POWER BOARD, to construct works and impound a certain amount of water in the Weber River Channel, recorded December 29, 1961 as Entry No. 371456 in Book 699 at Page 311 of Official Records.

The effect of a Transfer and Conveyance of Easement from the State of Utah, acting through the BOARD OF WATER RESOURCE to WARREN IRRIGATION COMPANY, relating to an easement of an irrigation system and an easement for the impounding of water in the channel of the Weber River, recorded March 28, 1975 as Entry No. 634445 in Book 1081 at Page 1 of Official Records.

**EXCEPTION NO. 27 (BLANKETS SECTION 16)** Rights and reservations contained in that certain Patent, recorded February 17, 1965 as Entry No. 444627 in Book 798 at Page 19 of Official Records.

**EXCEPTION NO. 28 (PLOTS OFF SITE. THERE ARE NO WELLS ON PARCEL 2 TO THE KNOWLEDGE OF THE SURVEYOR)** Any easement and rights associated with an underground water well, as disclosed by that certain Certificate of Appropriation of Water, recorded May 26, 1965 as Entry No. 451536 in Book 806 at Page 473 of Official Records.

**EXCEPTION NO. 19 (THE LOCATION OF WEBER RIVER AND WEBER RIVER CHANNEL HAS BEEN LOCATED AS SHOWN ON THE PLAT)** Any easements, rights and/or claims of Warren Irrigation Company, a corporation and others, which may be associated with the Weber River, also known as the Weber River Channel, including but not limited to, maintenance, use of water and any other interest(s) affecting portions of the subject property, as disclosed by various instruments of record and its location as depicted on the Weber County Parcel Maps.

Notwithstanding the above, the land is also subject to any rights of the public to use or pass through the land for recreational purposes and/or access to the waterway known as the Weber River, provided that such public rights have been or may be established by documented or otherwise proven use for a period of time.

**EXCEPTION NO. 20 (PLOTTED AND RETRACTED. EFFECTS THE BOUNDARY BETWEEN PARCELS)** Rights of way, subdivided lots, as located, and such state of facts, as shown on the recorded survey plat of Section 16, Township 6 North Range 2 West, April 1898, prepared and signed by Washington Jenkins, a Surveyor, on June 14, 1899 and recorded November 20, 1899, as File No. 1774 in Book 6 at Page 72.

**EXCEPTION NO. 21 (BLANKETS ALL OF SECTION 15, T6N, R2W CALLING ROAD WAYS WITH SAID SECTION)** Any easements over, across or through the Land for telephone and telegraph lines and appurtenances and incidental purposes (exact location not disclosed), as granted to American Telephone and Telegraph Company Wyoming by Instrument, recorded June 28, 1929 in Book 3-P at Pages 504 of Official Records.

**EXCEPTION NO. 22 (BLANKETS ALL OF SECTION 16, T6N, R2W CALLING ROAD WAYS WITH SAID SECTION)** An easement over, across or through the Land for telephone and telegraph lines and appurtenances and incidental purposes (exact location not disclosed), as granted to American Telephone and Telegraph Company Wyoming by Instrument recorded June 28, 1929 in Book 3-P at Page 505 of Official Records.

**EXCEPTION NO. 23 (BLANKETS ALL OF SECTION 21, T6N, R2W CALLING ROAD WAYS WITH SAID SECTION)** An easement over, across or through the Land for telephone and telegraph lines and appurtenances and incidental purposes (exact location not disclosed), as granted to American Telephone and Telegraph Company Wyoming by Instrument recorded June 28, 1929 in Book 3-P at Page 505 of Official Records.

**EXCEPTION NO. 24 (EFFECTS PARCELS 7, 9, 2, AND 3-4 EAST OF THE SECTION LINE AND A PORTION OF THE SOUTHEAST CORNER OF PARCEL 4)** A right of way, as disclosed in various deeds of record, including, but not limited to, that certain Warranty Deed, recorded November 16, 1949 as Entry No. 158579 in Book 324 at Page 305 of Official Records.

Calculated Southeast corner of Section 16, T6N, R2W, SLB&M, U.S. Survey (Calculated using the Found Reference Monument)

Found Reference monument to the Southeast corner of Section 16, T6N, R2W, SLB&M, U.S. Survey (Found Brass Cap Monument in good condition dated 1963. Monument held as true in Calibration for the Basis of Bearing.)

Historical Southeast corner of Section 16, T6N, R2W, SLB&M, U.S. Survey (Re-established using prior Surveys and the 1898 Subdivision of Section 16 Signed June 14, 1899)

Southeast corner of Section 15, T6N, R2W, SLB&M, U.S. Survey (Calculated position from the found Reference monument #3)

Reference Monument to the Southeast corner of Section 15, T6N, R2W, SLB&M, U.S. Survey (Found Brass Cap Reference Monument, Monument used as Basis of Bearing)

## EXCEPTIONS TO COVERAGE CONTINUED

**EXCEPTION NO. 34 (PLOTTED CONTROLS THE BOUNDARIES BETWEEN PARCELS)** The effect of a Boundary Line Agreement, between Warren S. Powell and Lella L. Powell and Almyra Hansen, recorded March 25, 1996 as Entry No. 1395262 in Book 1797 at Page 1989 of Official Records.

**EXCEPTION NO. 35 (PLOTTED BOUNDARY IS EAST OF THE CENTER OF THE WEBER RIVER)** Boundary line re-location or conflicts, if any, resulting from variances in the legal description(s) of the actual physical location of Weber River from record description(s) of the city boundary of Marriott/Slaterville City, recorded July 29, 1999, as Entry No. 1852953, Map Book 50 Page 10, of Official Records, relating to said river or center thereof and being the adjoining boundary of the Land.

**EXCEPTION NO. 36 (NOT PLOTTED BLANKETS THIS AND OTHER PARCELS)** Resolution No. 23-2005, establishing the "Weber Area Dispatch 911 and Emergency Services District", recorded January 24, 2006 as Entry No. 2156401 of Official Records.

**EXCEPTION NO. 37 (PLOTTED SEE NARRATIVE FOR RESOLUTION)** The legal description contained in that certain Warranty Deed executed by DALE N. HANSEN and ALMYRA D. HANSEN, in favor of DALE N. HANSEN and ALMYRA D. HANSEN and DANA B. SURRAGE, as joint tenants, recorded December 17, 2007 as Entry No. 2311002 of Official Records, overlaps and conflicts with the Land described herein.

**EXCEPTION NO. 38 (PLOT IS CONSTRUCTIVE NOTICE TO A PRESCRIPTIVE EASEMENT FOLLOWING ALONG THE CANAL AS MEASURED ON THIS PLAT)** An easement or rights in favor of Hooper Irrigation Company for a water distribution system of canals, ditches, pipelines and appurtenances thereto which may affect the Land as disclosed by mesne documents of record, including that certain Declaration of Prescriptive Easement Map 4, wherein the Hooper Canal is shown as located, but does not show and describe all of the Hooper Irrigation Company irrigation systems as located on the land which a prescription easement is claimed. Said instrument, recorded April 6, 2010 as Entry No.2466175 in Book 71 at Page 18 of Official Records.

## EXCEPTIONS TO COVERAGE CONTINUED

**EXCEPTION NO. 29 (PLOTTED AS THE DEED READS HOWEVER NO PHYSICAL EVIDENCE OF SUCH RIGHT OF WAY EXIST ON THE GROUND EXCEPT FOR THAT ROAD WAY THAT TO THE WEST WHICH IS LIKELY INTENT OF THE RIGHT OF WAY BEING ADJUSTED IN POSITIONS TO THE PHYSICAL LOCATION OF THE RIGHT OF WAY BY THE DOCTRINE OF PRESCRIPTIVE RIGHTS)** The legal description contained in that certain Warranty Deed executed by ORSON W. HERRICK, husband and wife executed by JAMES WESLEY GROSE and GAY GROSE, husband and wife, as joint tenants, in favor of Warranty Deed, recorded July 8, 1980 as Entry No. 814407 in Book 1360 at Page 1611 of Official Records, overlaps and conflicts with the Land described herein to the extent of approximately 25 feet, together with a right of way for ingress and egress over the West 2 roads thereof.

**EXCEPTION NO. 30 (NOT PLOTTED BLANKETS THESE AND OTHER PARCELS)** Ordinance 12-81, creating the Weber County Fire Protection Service Area No. 4 Fire Protection, recorded December 22, 1981 as Entry No. 849262 in Book 1394 at Page 1772 of Official Records.

**EXCEPTION NO. 31 (NOT PLOTTED BLANKET THESE AND OTHER PARCELS)** Ordinance 12-81, creating the Weber County Fire Protection Service Area No. 4 Fire Protection, recorded December 22, 1981 as Entry No. 849262 in Book 1394 at Page 1772 of Official Records.

## EXCEPTIONS TO COVERAGE

**EXCEPTION NO. 39 (NOT PLOTTED BLANKETS AREA NOT INCORPORATED INTO MUNICIPALITIES WITHIN WEBER COUNTY)** Resolution No. 27-201 for Municipal Services of Weber County, recorded December 13, 2012 as Entry No. 2610456 of Official Records.

**EXCEPTION NO. 40 (NOT PLOTTED BLANKETS THIS AND OTHER PARCELS)** Certificate of Creation of the Northern Utah Environmental Resource Agency ("NUERA"), recorded January 20, 2015 as Entry No. 2718461 of Official Records.

**EXCEPTION NO. 41 (PLOTTED SEE RESOLUTION IN NARRATIVE)** The legal description contained in that certain Warranty Deed executed by ORSON WRIGHT HERRICK FAMILY TRUST, with Rodney J. Herrick, Kristy H. Morgan, Gay H. Grose and Jodie H. Butters, Trustees and LORETTA FAY ANDERSON HERRICK FAMILY TRUST, with Rodney J. Herrick, Kristy H. Morgan, Gay H. Grose and Jodie H. Butters, as Trustees., in favor of Jodie H. Butters, recorded March 30, 2015 as Entry No. 2728183 of Official Records, overlaps and conflicts with the Land described herein, to the extent of approximately 65 feet.

The interest of Jodie H. Butters was subsequently convey to Jodie H. Butters living Trust dated April 7, 2005 by Quit Claim Deed, recorded February 14, 2018 as Entry No.2905075 of Official Records.

**EXCEPTION NO. 42 (PLOTTED SEE RESOLUTION IN NARRATIVE)** The legal description contained in that certain Warranty Deed executed by ORSON WRIGHT HERRICK FAMILY TRUST, with Rodney J. Herrick, Kristy H. Morgan, Gay H. Grose and Jodie H. Butters, Trustees and LORETTA FAY ANDERSON HERRICK FAMILY TRUST, with Rodney J. Herrick, Kristy H. Morgan, Gay H. Grose and Jodie H. Butters, as Trustees., in favor of Kristy H. Morgan, recorded March 30, 2015 as Entry No. 2728409 of Official Records, overlaps and conflicts with the Land described herein, to the extent of approximately 65 feet.

**EXCEPTION NO. 43 (NOT PLOTTED AFFECTS THIS AND OTHER PROPERTIES)** Marriott-Slaterville City Ordinance 2015-02, adopting the Community Development and Renewal Agency, recorded April 16, 2015 as Entry No. 2731074 of Official Records. Certificate of Creation of the Marriott-Slaterville City Community Development and Renewal Agency, recorded April 16, 2015 as Entry No.2731075 of Official Records. A joint resolution of Marriott-Slaterville City, changing the name to the "Marriott-Slaterville City Community Reinvestment Agency", as disclosed by Resolution 2018-L, recorded January 29, 2019 as Entry No.2963079 of Official Records.

**EXCEPTION NO. 44 (NOT PLOTTED AFFECTS THIS AND OTHER PROPERTIES)** Marriott-Slaterville City Ordinance 2015-02, adopting the Community Development and Renewal Agency, recorded April 16, 2015 as Entry No. 2731074 of Official Records. Certificate of Creation of the Marriott-Slaterville City Community Development and Renewal Agency, recorded April 16, 2015 as Entry No.2731075 of Official Records. A joint resolution of Marriott-Slaterville City, changing the name to the "Marriott-Slaterville City Community Reinvestment Agency", as disclosed by Resolution 2018-L, recorded January 29, 2019 as Entry No.2963079 of Official Records.

**EXCEPTION NO. 45 (NOT PLOTTED BLANKETS THIS AND OTHER PARCELS)** Certificate of Creation of the Western Weber Park District, recorded August 1, 2017 as Entry No. 2870841 of Official Records. Notice of an Impending Boundary Action for the Western Weber Park District, recorded August 1, 2017 as Entry No.2870842 of Official Records.

**EXCEPTION NO. 46 (NOT PLOTTED BLANKETS THIS AND OTHER PROPERTIES)** Annexation to Weber Park District, recorded August 1, 2017 as Entry No. 2870843 of Official Records. (NOTE: Annexation plat was prepared by Great Basin Engineering)

**EXCEPTION NO. 47 (PLOTTED SEE NARRATIVE FOR RESOLUTION)** The legal description contained in that certain Special Warranty Deed executed by Sharon Skeen, in favor of Sharon P. Skeen, or her successor, as Trustee of "The Sharon P. Skeen Trust" u/l/d June 20, 2018, recorded June 21, 2018 as Entry No. 2926956 of Official Records, overlaps and conflicts with the Land described herein, to the extent of approximately 65 feet.

**EXCEPTION NO. 48 (PLOTTED SEE NARRATIVE FOR RESOLUTION)** The legal description contained in that certain Quitclaim Deed executed by Sharon Skeen, in favor of Sharon P. Skeen, or her successor, as Trustee of "The Sharon P. Skeen Trust" u/l/d June 20, 2018, recorded June 21, 2018 as Entry No. 2926957 of Official Records, overlaps and conflicts with the Land described herein, and as shown on the Weber County Parcel Maps filed in the Weber County Recorder's Office, affecting Tax Parcels 140530061 and 150430089.

**EXCEPTION NO. 49 (PLOTTED SEE NARRATIVE FOR RESOLUTION)** The legal description contained in that certain Warranty Deed executed by Shad D. Hansen and Scott Hansen and Vernessa T. Hansen, as joint tenants, in favor of Erik E. Garcia and Ofelia Sandoval and Jose L. Sandoval and Ezequiel Garcia, Joint Tenants, recorded August 16, 2019 as Entry No. 2997554 of Official Records, overlaps and conflicts with the Land described herein, to the extent of approximately 18 feet.

**EXCEPTION NO. 50 (PLOTTED BLANKETS PARCEL 9)** The effect of a NOTE by the Weber County Recorder as disclosed on the County Abstract Index, reciting as follows: [NOTE: A DIVISION OF PROPERTY TOOK PLACE ON THIS PARCEL WITHOUT WRITTEN AUTHORIZATION AS REQUIRED BY UCA TITLE 17, CHAPTER 27a, PART 6.]

RECEIVED  
MAY 19 2022  
FILE # 7248

## NARRATIVE

This survey was requested by Ed Gramp for the purpose performing an ALTA/NSPS Land Title Survey to aid in resolutions to title issues that may exist within the property shown. Basis of bearing for this survey is S 89°23'10" E measured between the found Reference Monument to the Southeast corner of Section 16 and the found Reference monument to the Southeast corner of Section 15.

A. Lines designated as A are established by holding the record position from the Historical lots of the 1898 Subdivision of Section 16 Signed June 14, 1899. Said Subdivision has been rotated from the record to match the measured Section line Bearing.

B. Lines designated as B were established by holding the Warranty Deed found at Entry No. 3005744. I believe this to be the controlling document over the description provided by the title report having been conveyed, adding Dana B. Surrage to the deed in 2007. Said Warranty Deed was written with the basis of bearing matching the Historic 1898 Subdivision of Section 16. The record bearings of said parcel was rotated to match the basis of bearing of this survey.

C. Line C was found to have latent ambiguity between the measured fence line and the call North as described in the descriptions contained in the title report. The adjoining parcel currently owned by Mark Harper (Entry No. 1882052) contains more detail in resolving said ambiguity when it calls "to the southerly extension of the existing fence line... thence North along said fence 682.8 feet more or less, to the North line of said lot 23." Further research in the grantor's land was unable to locate the origination of the call to the fence. It is my belief that there may have been an oral agreement or an implied agreement that the fence was the property line between the landowners. Evidence supporting this is based on the intent of Claud W. Harsha (Grantor) in calling to the fence exhibiting her belief that the fence was in fact the property line and the length of time that the line has existed and maintained up to said fence. Due to the explained evidence, a best fit line along said fence was used as the boundary between said landowners.

D. Record of Survey prepared by Great Basin Engineering filed with the Weber County under filing #004804 was held and record of survey Map #000213 being in harmony with the record of that contained in the title report.

E. Established by holding the record of Warranty Deed recorded Entry No. 2997554.

F. Established by holding the record of Parcel 2 contained in the Title report.

G. Holding the record of Herrick Heritage Subdivision.

G.a. Boundary by Acquisition may exist along this line being the fence line on the outlined following four requirements may have been met as set forth in Utah Common Law.

G.a.1. Visible line marked by monuments, fences, buildings, or natural features treated as a boundary.

G.a.2. The occupation of his or her property up to the visible line such that it would give a reasonable landowner notice that the claimant is using the line as a boundary.

G.a.3. Mutual acquiescence in the line as a boundary by adjoining landowners

G.a.4. For a period of at least 20 years.

G.a. If the four requirements are not met legally, the recorded deed lines would be the controlling boundary. However if the four elements are met then title to the acquired line transfers instantly as set forth in the Utah Court of Appeals. Q-2, LLC V. Hughes, Judge Michele M. Christiansen, January 24, 2014. In determining boundary by Acquiescence along this line, more evidence would need to be collected by the surveyor to support said claim.

H. Holding the boundary line agreement recorded Entry No. 1395262 Book 1797 Page 1989 Weber County Recorder's Office. Said Boundary Line Agreement generated from Record of survey done by Great Basin Engineering as filing #001044 filed Aug 29, 1994.

I. The conveying deeds describing these lines required many resolutions to patent and latent ambiguities. Some of the patent ambiguities being that of the record deed does not mathematically close and deeds over-lapping. Reconstruction of this deed took into account that the deed can only be as precise as which it was measured with having the record using units of rods and chains. With little evidence of occupation data, the record was held to the greatest extent possible while following the rules of deed reconstruction of calls to the Quarter Section line.

J. Lines designated as J had many of the same patent and latent ambiguities (L) Resolution to said ambiguities Relied on Record of Survey filed under Map No. 004939 Filed Dec 12, 2013 and Record of Survey filed under Map No. 005241 Filed Jun 09, 2015 along with following the rules of deed reconstruction.

J.a. Boundary by Acquiescence may exist as explained in Line J.a. however it is my opinion that this fence has been used as a fence of convenience, rather than one that has been relied as being the property line.

K. This line originally had been established from the principles of Boundary by Acquiescence. evidence that led to this conclusion came from the following facts: 1) Parole evidence gathered by the surveyor at the time of collections of field data. In asking Scott Hansen, a long time property owner who "inherited the land from his father," and current seller of the property, where he believed the boundary to be he stated that his belief came from when he was a kid. Relaying that his father believed that the fence line to be the boundary and that up to this day he had relied on the long-standing fence as the boundary. 2) Historic evidence that the fence has been where it has been for well over the required 20 years. This evidence is derived from record of survey filed by Cynthia L. Robinett in 1989 clearly showing that the fence is not in harmony with the deed lines. This evidence is in harmony from historic aerial photos of the property showing that the road and the fence has not moved from the earliest photos available. 3) The line has been mutually acquiescence by both landowners in that both landowners have done nothing to move the fence to the "deed lines" and have continued to maintain the line as monumented said long standing fence. 4) An historic agreement may have been made depending on the origination of the deed "Warranty Deed conveyed to Scott Hansen under Entry No. 3005477 with Parcel 10 calling to and along a fence being interpreted as the fence in question. Title to land can transfer with out constructive notice.

K.a. Per previously mentioned court cases, I believe the area between the deed line and the fence to meet this criteria. As such we have shown the boundary to following the long standing fence.

L. Holding the record Boundary K Hollow Subdivision Recorded 1991 Book 33 Page 62 of Plats.

M. Holding the Record of Karen Acres Recorded 1997 in Book 45 Page 19 of Plats.

## Notes

- Gross land area for Parcel 1, is 9,654 Acres, For Parcel 2 is 24,038, Parcel 3 and 4 is 14,508 acres, Parcel 5 and 6 14,745 acres, Parcel 7 6,005 acres, Parcel 8 3,236, and Parcel 9 containing 4,469 acres.
- 1.1. Net acreage being calculated as 77,645 acres.
2. The parcels shown here on have not been assigned address according to data available to the surveyor at the time of survey.
3. Vertical bench mark being the Reference Monument to the Southeast corner of Section 16, T6N, R2W SLB&M held at an elevation of 4237.72'.
4. No Zoning report was provided to the surveyor at the time of survey.
5. There is no evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the field work.

## CERTIFICATION

To First American Title Insurance Company, and Blue Highland Group, LLC. This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA/NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 7(a), 8, 11(a), 11(b), 13, 15, 16, 18 and 19 of Table A thereof.

The field work was completed on 05/25/2021.



Date

Andy Hubbard  
Utah PLS No. 624920

ALTA/NSPS LAND TITLE SURVEY

Rivers Bend

Approximately 606 South 3600 West  
Ogden, Weber County, Utah  
A part of Section 16, 15, T6N, R2W, SLB&M, U.S. Survey

Aug, 2021

SHEET NO. 1

21N724

GREAT BASIN ENGINEERING

5746 SOUTH 1475 EAST OGDEN, UTAH 84403  
MAIN (801)394-4415, FAX (801)392-7544  
WWW.GREATBASINENGINEERING.COM

DESCRIPTION

DATE

REV







