

# DEPOT POND SURVEY

LOCATED IN THE NW 1/4 OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN  
 PARCEL 19-060-0024

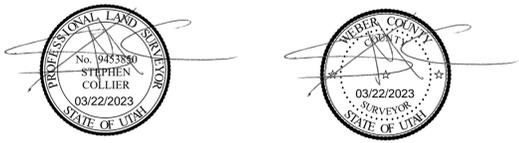
N 89°18'54" E 2712.34' (BASIS OF BEARINGS)

N 1/4 CORNER SECTION 36, T7N, R2W, SLB&M FOUND 2019 WEBER COUNTY 3" BRASS CAP MONUMENT IN CONCRETE 6" BELOW ASPHALT IN RING & LID IN GOOD CONDITION

NW CORNER SECTION 36, T7N, R2W, SLB&M FOUND 2019 WEBER COUNTY 3" BRASS CAP MONUMENT IN CONCRETE 6" BELOW ASPHALT IN RING & LID IN GOOD CONDITION



**SURVEYOR'S CERTIFICATE:**  
 I, STEPHEN COLLIER, A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 9453850, IN ACCORDANCE WITH THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, AND HAVING BEEN APPOINTED AND DEPUTIZED TO ACT ON BEHALF OF THE WEBER COUNTY SURVEYOR'S OFFICE, HAVE COMPLETED A SURVEY OF THE TRACT OF LAND DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND PLACED MONUMENTS ON THE GROUND AS REPRESENTED HEREON.



**AS-SURVEYED DESCRIPTION:**

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 OF WEBER INDUSTRIAL PARK PLAT D FIRST AMENDMENT (53, 053), SAID POINT BEING 2018.82 FEET NORTH 89°18'54" EAST ALONG THE NORTH LINE OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, AND 1841.72 FEET SOUTH FROM THE NORTHWEST CORNER OF SAID SECTION 36; AND RUNNING THENCE PARALLEL TO AND 15 FEET PERPENDICULARLY DISTANT FROM THE POND FENCE THE FOLLOWING THREE (3) COURSES, BEING CONTIGUOUS WITH THE BOUNDARIES OF WEBER INDUSTRIAL PARK PLAT D FIRST AMENDMENT (53-053), WEBER INDUSTRIAL PARK PLAT D LOT 3A - A CONDOMINIUM DEVELOPMENT (57, 046), AND WEBER INDUSTRIAL PARK - PLAT D LOT 3B (57, 048): (1) NORTH 74°22'07" EAST 424.19 FEET, (2) SOUTH 7°02'01" EAST 417.93 FEET, AND (3) SOUTH 75°55'32" WEST 293.30 FEET; THENCE ALONG THE WEST LINE OF SAID LOT 3B THE FOLLOWING TWO (2) COURSES: (1) SOUTH 9°57'10" EAST 183.17 FEET, AND (2) SOUTH 18°27'28" EAST 1.84 FEET; THENCE SOUTH 85°21'38" WEST 37.01 FEET TO THE EAST RIGHT OF WAY LINE OF THE ABANDONED PROMONTORY RAILROAD LINE \*AS HAS BEEN HELD ON COUNTY RECORDS FROM AT LEAST 1894 TO CURRENT AS A 100' RIGHT OF WAY; THENCE NORTH 18°11'02" WEST 734.57 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTH 85°22'42" EAST 12.17 FEET TO THE WEST LINE OF LOT 2 OF SAID WEBER INDUSTRIAL PARK PLAT D FIRST AMENDMENT (53, 053); THENCE SOUTH 18°10'06" EAST 149.34 FEET ALONG SAID LOT 2 TO THE POINT OF BEGINNING.

CONTAINS 172,460 SQUARE FEET OR 3.959 ACRES.

**SURVEYOR'S NARRATIVE:**

THIS SURVEY WAS COMMISSIONED BY WEBER COUNTY TO SURVEY THE BOUNDARY OF THE DEPOT POND, WEBER COUNTY PARCEL 19-060-0024. SEE MAP FOR BASIS OF BEARINGS.

THIS PROPERTY IS A REMAINDER OF THE 1977 CONVEYANCE BY QUIT CLAIM DEED (1217, 588), LESS THE PORTION CONVEYED TO OTHERS IN 1995 BY SPECIAL WARRANTY DEED, ENTRY #1365309, WHICH ALSO RESERVED A 20' RIGHT OF WAY FOR INGRESS AND EGRESS TO THE POND TO BE LOCATED AT A FUTURE DATE. NO FURTHER CLARIFICATION ON THE LOCATION OF THAT RIGHT OF WAY HAS BEEN FOUND EXCEPT THAT THE PROPERTY APPEARS TO BE ACCESSED THROUGH PART OF THE COMMON AREA OF THE WEBER INDUSTRIAL PARK - PLAT "D" LOT 3A - A CONDOMINIUM DEVELOPMENT AS SHOWN HEREON.

THE SOUTH, EAST, AND NORTH BOUNDARIES ARE, AS DEFINED BY THE 1995 SPECIAL WARRANTY DEED, ENTRY #1365309, PARALLEL TO AND 15 FEET OUTSIDE OF THE FENCE AROUND THE POND. THIS SAME DEFINITION HAS BEEN HELD BY THE WEBER INDUSTRIAL PARK - PLAT D SUBDIVISION, ENTRY #1365643, ALONG WITH SUBSEQUENT AMENDMENTS TO THAT SUBDIVISION; WEBER INDUSTRIAL PARK - PLAT "D" - FIRST AMENDMENT RECORDED, ENTRY # 1752368, WEBER INDUSTRIAL PARK PLAT D LOT 3A A CONDOMINIUM DEVELOPMENT, & WEBER INDUSTRIAL PARK PLAT D LOT 38.

THE FAR NORTH AND SOUTH LINES ARE DEFINED BY THE 1977 QUIT CLAIM DEED (1217, 588) DESCRIPTION FOR 19-060-0024.

THE WEST LINE IS DEFINED BY THE EAST RIGHT OF WAY LINE OF THE ABANDONED PROMONTORY RAILROAD LINE \*AS HAS BEEN HELD ON COUNTY RECORDS FROM AT LEAST 1894 TO CURRENT AS A 100' RIGHT OF WAY, HOLDING REMAINS OF THE RAILROAD FENCE LINE AND OFFSET FROM CENTER OF BALLAST WHICH MATCHES WITH ROS 2059 AND BEING OFFSET EASTERLY 100' FROM THE WESTERLY RAILROAD RIGHT OF WAY LINE AS DEFINED BY WEBER INDUSTRIAL PARK, WEST ADDITION - PLAT A (34, 037) & ROS 2058, 4378, 7121, 7324, ETC.

\*WEBER COUNTY RECORDS HAVE CONSISTENTLY SHOWN THE PROMONTORY LINE RAILROAD RIGHT OF WAY IN THIS AREA TO BE 100' WIDE SINCE AT LEAST 1894. THE WEBER COUNTY SURVEYOR MAPPED THE SECTION IN 1894 SHOWING OCCUPATION UP TO THE RAILROAD FENCES PROVIDING FOR A 100' RIGHT OF WAY (WASHINGTON JENKINS PLATS PAGES 89, 127, 140, JENKINS FIELD BOOKS D PAGE 62, 1 PAGES 48-49, 63, 90, J PAGES 45, 65, 71, M PAGES 30-34, 39-40, 42-45, 65-66, 73, 76-77), AND PRODUCED THE 1898 PLAT MAP OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN (06, 068) WHICH DEFINE ADJOINING LOTS ALONG THE 100' WIDE RAILROAD RIGHT OF WAY. THIS MAP HAS BEEN RELIED UPON FROM 1898 TO CURRENT FOR DEVELOPMENT OF ALL PROPERTIES ALONG THIS RIGHT OF WAY IN THE AREA.

HOWEVER, THE PROMONTORY LINE RAILROAD RIGHT OF WAY WAS PART OF THE TRANSCONTINENTAL RAILROAD PROVIDED FOR UNDER ACT OF CONGRESS IN 1862 WHICH DEFINED THE RAILROAD RIGHT OF WAY TO BE 400' WIDE (12 STAT 489). THE RAILROAD RIGHT OF WAY AND TRACK MAP FOR THIS PORTION OF THE PROMONTORY LINE ALSO SHOWS THE RIGHT OF WAY WIDTH TO BE 400', WHICH IN THIS AREA IS ALSO SHOWN TO BE VACATED AND CONVEYED BY QUITCLAIM DEED TO WEBER COUNTY INDUSTRIAL DEVELOPMENT CORP. (1449, 735) AND THEN TO WEBER COUNTY IN 1984 (1449, 739). COURTS HAVE REPEATEDLY RULED IN FAVOR OF THE 400' WIDE RIGHT OF WAY AS ENACTED BY CONGRESS AGAINST VARIOUS CLAIMS OF ADVERSE POSSESSION (NORTHERN PACIFIC RAILWAY COMPANY V. TOWNSEND, NORTHERN PACIFIC RAILROAD CO. V. SMITH, ETC).

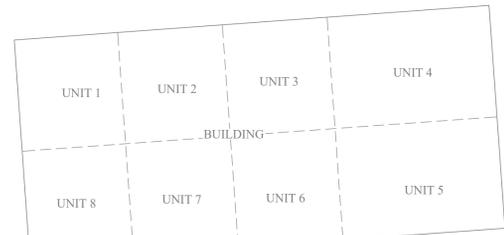
THE LUCIN CUTOFF OPENED IN 1903-1904 AND THE PROMONTORY LINE EVENTUALLY FELL INTO DISUSE. THE INTERSTATE COMMERCE COMMISSION APPROVED ABANDONMENT FOR THE PROMONTORY LINE. IN 1942 (252 ICC 805 DOCKET 13655 UTAHRAILS.NET), AND RAILS WERE REMOVED BY THE NAVY FOR WAR EFFORTS. EVENTUALLY, THE RAILROAD CONVEYED THE RIGHT OF WAY IN THIS AREA TO OTHERS, AS DESCRIBED ABOVE, LEADING TO THE RIGHT OF WAY BEING CONVEYED TO WEBER COUNTY.

THIS SURVEY MAKES NO ATTEMPT TO RESOLVE NOR GIVE OPINION ON THE LEGAL QUESTION OF WHETHER THE WIDTH OF THE TRANSCONTINENTAL RAILROAD RIGHT OF WAY IS 400' WIDE AS ENACTED BY CONGRESS OR 100' WIDE AS LOCALLY HONORED FOR 150 YEARS. HOWEVER, FOR THE PROPERTY RETRACED IN THIS SURVEY BEING THAT THE RAILROAD RIGHTS TO THE RIGHT OF WAY HAVE BEEN CONVEYED TO THE COUNTY THE 100' WIDTH WHICH HAS BEEN HONORED FOR DECADES HAS BEEN HELD.

**GENERAL NOTES:**

1. NO EASEMENTS ARE ADDRESSED BY THIS MAP
2. THIS MAP IS NOT PROOF OF OWNERSHIP.
3. COURSES AND DISTANCES SHOWN ON THIS MAP ARE MEASURED DIMENSIONS 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.
4. PROPERTY CORNERS NOT FOUND WERE MARKED WITH A 5/8" X 24" REBAR AND CAP STAMPED "WEBER COUNTY", OR A NAIL AND WASHER BEARING THE SAME INSIGNIA, UNLESS OTHERWISE NOTED ON THE MAP.
5. THIS SURVEY IS THE PROPERTY OF WEBER COUNTY AND IS NOT INTENDED TO BE RELIED UPON FOR ANY PURPOSE OTHER THAN AS STATED IN THE NARRATIVE.

PROPERTY IS ACCESSED THROUGH THIS PARKING LOT. WEBER COUNTY RESERVED A 20' RIGHT OF WAY FOR INGRESS AND EGRESS TO THE POND (TO BE LOCATED AT A FUTURE DATE) IN E# 1365309 WHICH CONVEYED PROPERTY ADJOINING THE SURVEYED BOUNDARY TO THE NORTH, EAST, & SOUTH TO OTHERS



FENCED DUMPSTER ENCLOSURES

FOUND ROADRUNNER REBAR & CAP

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CORNER NOT SET IN DITCH

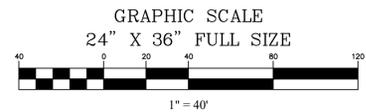
POB

EDGE OF POND

CORNERS NOT SET IN DITCH

**LEGEND**

	SECTION CORNER MONUMENT
	STREET MONUMENT
	SET PROPERTY CORNER (SEE NOTE 4)
	SECTION LINE
	BOUNDARY LINE
	FENCE
	DEED
	PETROLEUM PIPELINE
	BUILDING OR FEATURE AS NOTED
	ABANDONED RAILROAD ROW



<p>2380 Washington Blvd. Suite 370 Ogden, Utah 84401 PHONE: (801) 399-8020</p>	<p><b>DEPOT POND SURVEY</b>                  PARCEL 19-060-0024                  LOCATED IN THE NW 1/4 OF SECTION 36, TOWNSHIP 7N, RANGE 2W, SLB&amp;M</p>		SHEET NO: <p><b>1/1</b></p>
	SURVEYED BY: DQ	DRAWN BY: SC	CHECKED BY: SC

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