

William & Jill York  
2329 W. Spring Hollow Rd.  
Morgan, UT 84050

### **NOTICE OF CONDITION OF PRIVATE WELL**

**The Jill York Family Protection Trust dated 5-31-1995, Jill York and William M. York, Trustees and William M. York and Jill York, as individuals herein after referred to as "York", are the owners of certain property situated in Morgan County, State of Utah and described as follows:**

**See Exhibit "A" attached hereto.**

**It is the desire of York to create a small subdivision on the property at 2329 West Spring Hollow Road Morgan, Utah, as set forth in Exhibit "A".**

**The Weber-Morgan District Health Department has approved the proposed subdivision, subject to York recording a notification of disclosure to any buyer in the proposed subdivision, based on certain criteria relating to the well, contained in the Health Departments letter to the York's dated November 30, 2017.**

**The letter from the Weber-Morgan District Health Department, paragraph 5, states as follows:**

**The water samples for the partial inorganic analyses were collected by staff of this department and submitted to Chem Tech Ford Laboratory for analyses on October 2, 2017 and again on November 6, 2017. The water analyses were found to exceed the Maximum Contaminate Level (MCL) as established in the Weber-Morgan District Health Department Regulations for total Arsenic. The initial sample was reported as having a Total Arsenic level of 0.0135 mg/L, the second sample was reported as having a Total Arsenic level of 0.0157 mg/L. The MCL for arsenic has been established as 0.01 mg/L. It is recommended that any residence serviced currently by the well, utilization, a treatment system adequate to reduce the Arsenic level below the MCL. It is required that any new**

structure attached to the well provides our office with technical specification of a treatment system adequate to reduce the Arsenic to below the MCL in place at the time, an operation and maintenance manual for that product, and that the water is tested and shown to be below the MCL before final approval of that connection is given by this office. It is required as part of the subdivision that recorded on title of both lots is a discloser that the Arsenic levels exceeded the Maximum Contaminate Level.

This instrument is given by the signors herein, to meet the Weber-Morgan Health Departments full disclosure set forth in the above paragraph to any purchaser of any lot in the York Subdivision based on high levels of Arsenic in the water from the well situated on the property set forth in Exhibit "A". The Notice is considered to be a covenant to run with the land in Exhibit "A" and a full disclosure to any prospective buyer.

Dated this 30 day of January, 2018

The Jill York Family Protection Trust dated 5-31-1995

Jill York  
Jill York, Trustee

William M. York  
William M. York, Trustee

Jill York  
Jill York, Individually

William M. York  
William M. York, Individually

State of Utah  
County of Morgan

On the 30 day of January personally appeared before me William M. York and Jill York individually and as Trustees of the Jill York Family Protection Trust dated 5-31-1995 who duly acknowledged to me that they executed the same both individually and as Trustees for said trust.

Cheri Mathews  
Notary Public



**EXHIBIT "A"**

**A Tract of Land situated in the Southwest Quarter and the Southeast Quarter of Section 4 and The Northwest Quarter of Section 9, Township 4 North, Range 2 East, Salt Lake Base and Meridian, U.S. Survey, Morgan County, Utah, Being more particularly described as follows:**

**Commencing at the Southwest corner of Section 4, as monumented by a rebar and cap;  
thence North 89 deg 48 min 58 sec East 1454.76 feet;  
thence South 00 deg 12 27 sec East 20.55 feet to a rebar and cap, true point of beginning;  
thence North 00 deg 12 min 27 sec West 232.67 feet to the South line of the Spring Hollow Road;  
thence 84.08 feet along said South line, a curve to the left having a radius of 2190.34 feet and a chord bearing North 74 deg 47 min sec East 84.08 feet;  
thence North 73 deg 41 min 16 sec East 478.82 feet along said South line of Spring Hollow Road;  
thence South 16 deg 18 min 44 sec East 408.37 feet to a rebar and cap;  
thence North 89 deg 41 min 53 sec West 486.79 feet to a rebar and cap;  
thence North 89 deg 56 min 51 sec West 167.75 feet to the point of beginning.**

**The above combined Tract of land contains 2 lots and 4.37 acres.**

**The basis of bearing is the south line of the Southwest Quarter of Section 4 called South 89 deg 48 min 58 sec West.**

**Being the York Family Subdivision Proposed.**

**PARCEL # 00-0001-2706**