

144
Ent 258757 Bk 1039 Pg 401
Date 8-Feb-2008 9:12AM Fee \$144.00
LuAnn Adams - Filed By am
Box Elder Co., UT
For BRIGHAM CITY CORP

03-249-0001 thru 0134

Acknowledgement Agreement

To Whom It May Concern:

This Acknowledgement Agreement hereby acknowledges that the Kotter Canyon Homeowners' Association will hold Brigham City harmless for any damage, blockage, construction, or modification to the irrigation pipes within the attached as Exhibit "A" legal description. The Homeowner's Association further will be responsible for the maintenance of those irrigation pipes installed within this boundary.

Date January 14, 2008



Kevin M. Parkinson, President
Kotter Canyon Homeowners' Association

PERSONAL ACKNOWLEDGMENT

STATE OF UTAH)
: \$
COUNTY OF _____)

On the _____ day of _____, A.D. 20____ personally appeared before me,
_____, the signer(s) of the within instrument who
duly acknowledged to me that they executed the same.

Notary Public

Residing in _____

My Commission Expires: _____

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
: \$
COUNTY OF weber)

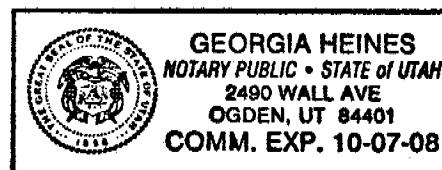
On the 30th day of January, 2008, personally appeared before me
Taylor M. Parkinsen, who being by me duly sworn did say, for
himself/herself, that he/she is the said authorized agent of Kotter Canyon Homeowners Association
and that within and foregoing instrument was signed in behalf of said Kotter Canyon Homeowners Association
and said authorized agent did duly acknowledge to me that said corporation executed the same
and that the seal affixed is the seal of said corporation.

Murphy 14

Notary Public

Residing in Ogden _____

My Commission Expires: 10-7-08



SURVEYOR'S CERTIFICATE

I, K. GREG HANSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 167819 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS HEREAFTER TO BE KNOWN AS: KOTTER CANYON P.U.D. SUBDIVISION AND THE SAME HAS BEEN CORRECTLY SURVEYED AS SHOWN.

BOUNDARY DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 2 WEST AND A PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT ON THE EAST LINE OF AN EXISTING UTAH POWER AND LIGHT EASEMENT LOCATED SOUTH 00°00'00" WEST 1329.86 FEET ALONG THE EAST LINE OF SAID SECTION AND NORTH 90°00'00" WEST 139.11 FEET FROM THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; RUNNING THENCE SOUTH 22°28'13" EAST 1412.32 FEET ALONG THE EAST LINE OF SAID EASEMENT TO AN EXISTING FENCE LINE; THENCE SOUTH 80°26'00" WEST 406.80 FEET TO A POINT 1.00 FEET NORTH OF AN EXISTING FENCE LINE; THENCE 1.00 FEET NORTH OF AND PARALLEL TO SAID FENCE THE FOLLOWING FOUR (4) COURSES; (1) NORTH 72°45'05" WEST 692.68 FEET; (2) SOUTH 88°46'12" WEST 154.94 FEET; (3) SOUTH 35°41'51" WEST 187.12 FEET; (4) NORTH 88°25'53" WEST 1095.91 FEET TO AN EXISTING FENCE CORNER; THENCE NORTH 00°14'30" EAST 264.31 FEET ALONG AN EXISTING FENCE LINE; THENCE NORTH 89°59'33" WEST 385.23 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 38; THENCE NORTH 00°35'29" EAST 401.05 FEET ALONG SAID EAST RIGHT-OF-WAY LINE; THENCE SOUTH 88°14'23" EAST 382.81 FEET; THENCE NORTH 01°03'42" EAST 338.43 FEET TO THE SOUTHWEST CORNER OF THE KOTTER FAMILY SUBDIVISION; THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES; (1) SOUTH 89°17'37" EAST 352.74 FEET; (2) NORTH 01°30'00" EAST 293.01 FEET; (3) NORTH 88°30'00" WEST 354.98 FEET; THENCE NORTH 01°03'42" EAST 39.71 FEET; THENCE SOUTH 89°25'00" EAST 113.52 FEET; THENCE NORTH 00°00'00" EAST 18.48 FEET; THENCE SOUTH 88°30'00" EAST 658.82 FEET; THENCE SOUTH 89°25'09" EAST 164.75 FEET; THENCE SOUTH 00°01'57" EAST 85.74 FEET; THENCE NORTH 90°00'00" EAST 1016.10 FEET TO THE POINT OF BEGINNING.
CONTAINING 66.299 ACRES.

LESS THE FOLLOWING PARCEL OF LAND:

A PART OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT LOCATED SOUTH 00°00'00" WEST 1329.86 FEET ALONG THE EAST LINE OF SAID SECTION AND NORTH 90°00'00" WEST 1155.21 FEET AND SOUTH 50°54'03" WEST 229.30 FEET FROM THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; RUNNING THENCE SOUTH 31°42'12" EAST 127.13 FEET; THENCE SOUTH 03°32'23" EAST 83.25 FEET; THENCE SOUTH 29°51'35" EAST 158.06 FEET; THENCE SOUTH 18°20'56" EAST 81.30 FEET; THENCE SOUTH 73°36'12" WEST 122.81 FEET; THENCE NORTH 26°57'55" WEST 186.78 FEET; THENCE TO THE RIGHT ALONG THE ARC OF A 36.00 FOOT RADIUS CURVE, A DISTANCE OF 68.70 FEET, CHORD BEARS NORTH 61°29'46" WEST 50.32 FEET; THENCE TO THE LEFT ALONG THE ARC OF A 10.00 FOOT RADIUS CURVE, A DISTANCE OF 15.71 FEET, CHORD BEARS NORTH 51°01'38" WEST 14.14 FEET; THENCE SOUTH 83°58'22" WEST 136.23 FEET; THENCE TO THE RIGHT ALONG THE ARC OF A 470.00 FOOT RADIUS CURVE, A DISTANCE OF 26.00 FEET, CHORD BEARS NORTH 00°35'02" WEST 26.00 FEET; THENCE NORTH 03°58'22" EAST 122.15 FEET; THENCE NORTH 02°29'26" EAST 98.27 FEET; THENCE NORTH 24°08'31" WEST 61.96 FEET; THENCE NORTH 89°54'37" EAST 139.01 FEET TO THE POINT OF BEGINNING. CONTAINING 1.56 ACRES.

CONTAINING 64.740 NET ACRES AND 128 LOTS.

