



W2946581

When Recorded, Please Return To:
Roy Water Conservancy District
5440 Freeway Park Drive
Riverdale, Utah 84405
Attn: District Manager

EH 2946581 PG 1 OF 4
LEANN H KILTS, WEBER COUNTY RECORDER
12-OCT-18 839 AM FEE \$1.00 DEP JKC
REC FOR: ROY WATER CONSERV SUBDISTRICT

NOTICE OF PRESCRIPTIVE EASEMENT

ROY WATER CONSERVANCY DISTRICT, a political subdivision of the State of Utah, (the "District"), whose mailing address is 5440 Freeway Park Drive, Riverdale, Utah 84405, pursuant to and in conformance with the provisions of §57-13a-103, Utah Code Annotated, 1953, as amended (the "Statute"), hereby gives notice that it, as a water user as defined in the Statute, has duly established a prescriptive easement and right of way, including rights of ingress and egress, over, under, across and through the land described, by virtue of the District's continuous, open, notorious and adverse use thereof since March of 1979, a period long exceeding the prescriptive period of 20 years as provided in the Statute. The land burdened by the prescriptive easement is located solely in Weber County, State of Utah, and is more particularly described in EXHIBIT "A" attached hereto and by this reference incorporated herein.

The described land has been utilized by the District for the placement, ownership, operation, maintenance, repair and replacement of underground secondary irrigation water pipelines, and related equipment and facilities, utilized by the District for the transportation, distribution and delivery of water under duly established rights to the use of water authorized under State law.

DATED this 10th day of October, 2018.

ROY WATER CONSERVANCY DISTRICT

By: Tommy D. Smith
Chair, Board of Trustees

ATTEST:

Linda Soupin
District Clerk

(seal)



{01416042-1}

STATE OF UTAH)

§

County of Weber)

On the 10th day of October, 2018, personally appeared before me Tommy J. Smith, and Linda A. Toupin, known to me, or proved to me on the basis of satisfactory evidence, to be the persons who executed the within instrument as Chair of the Board of Trustees and Clerk, respectively, on behalf of the Roy Water Conservancy District therein named, who duly acknowledged to me that said district executed the same.



NOTARY PUBLIC

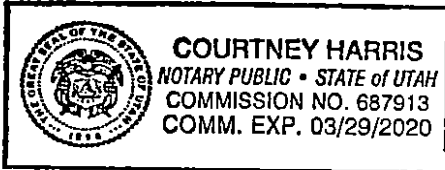


EXHIBIT "A"
To Notice of Prescriptive Easement

PRESCRIPTIVE EASEMENT LEGAL DESCRIPTION

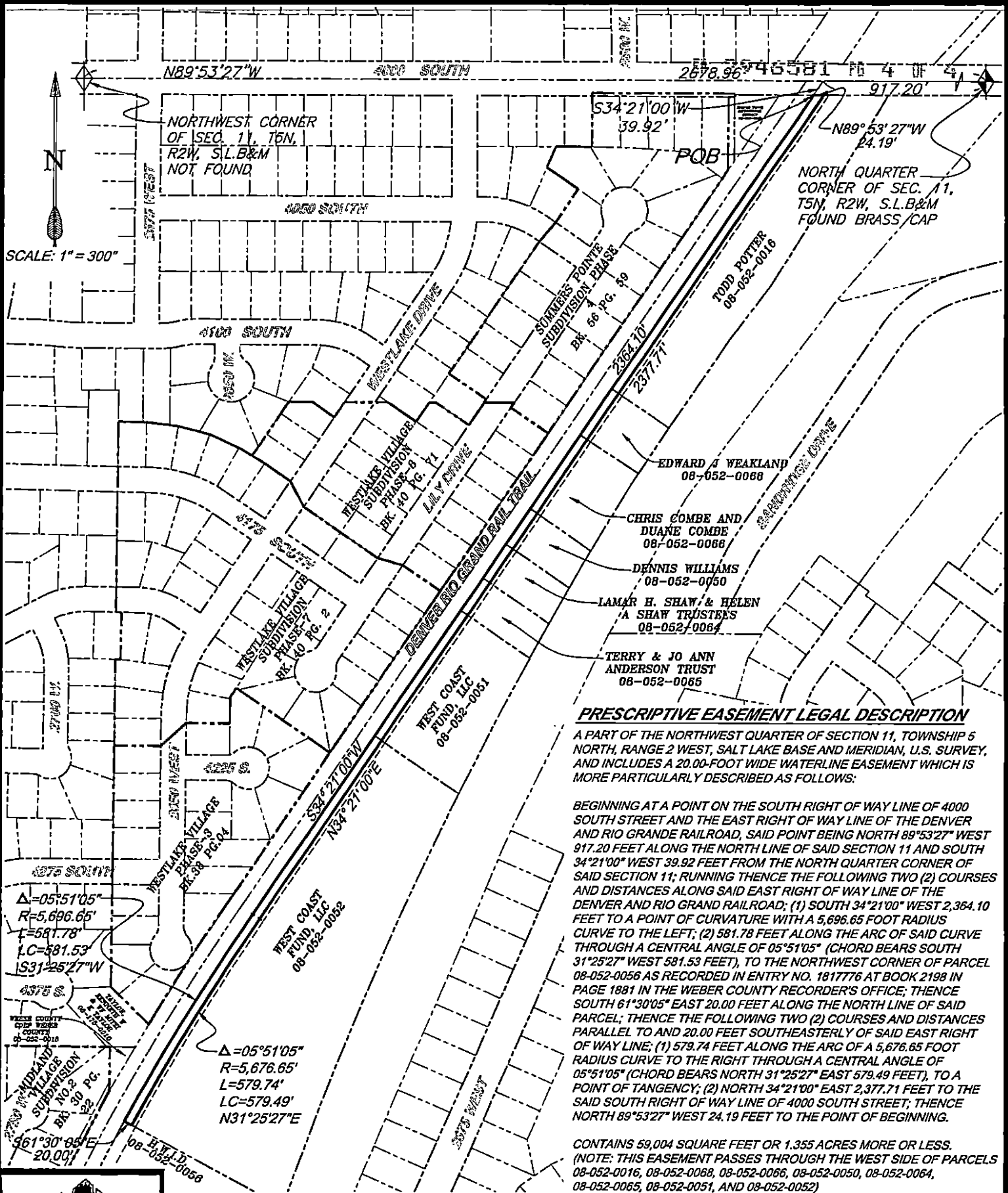
A PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, AND INCLUDES A 20.00-FOOT WIDE WATERLINE EASEMENT WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 4000 SOUTH STREET AND THE EAST RIGHT OF WAY LINE OF THE DENVER AND RIO GRANDE RAILROAD, SAID POINT BEING NORTH 89°53'27" WEST 917.20 FEET ALONG THE NORTH LINE OF SAID SECTION 11 AND SOUTH 34°21'00" WEST 39.92 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 11; RUNNING THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID EAST RIGHT OF WAY LINE OF THE DENVER AND RIO GRAND RAILROAD; (1) SOUTH 34°21'00" WEST 2,364.10 FEET TO A POINT OF CURVATURE WITH A 5,696.65 FOOT RADIUS CURVE TO THE LEFT; (2) 581.78 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°51'05" (CHORD BEARS SOUTH 31°25'27" WEST 581.53 FEET), TO THE NORTHWEST CORNER OF PARCEL 08-052-0056 AS RECORDED IN ENTRY NO. 1817776 AT BOOK 2198 IN PAGE 1881 IN THE WEBER COUNTY RECORDER'S OFFICE; THENCE SOUTH 61°30'05" EAST 20.00 FEET ALONG THE NORTH LINE OF SAID PARCEL; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES PARALLEL TO AND 20.00 FEET SOUTHEASTERLY OF SAID EAST RIGHT OF WAY LINE; (1) 579.74 FEET ALONG THE ARC OF A 5,676.65 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 05°51'05" (CHORD BEARS NORTH 31°25'27" EAST 579.49 FEET), TO A POINT OF TANGENCY; (2) NORTH 34°21'00" EAST 2,377.71 FEET TO THE SAID SOUTH RIGHT OF WAY LINE OF 4000 SOUTH STREET; THENCE NORTH 89°53'27" WEST 24.19 FEET TO THE POINT OF BEGINNING.

CONTAINS 59,004 SQUARE FEET OR 1.355 ACRES MORE OR LESS.

(NOTE: THIS EASEMENT PASSES THROUGH THE WEST SIDE OF PARCELS 08-052-0016, 08-052-0068, 08-052-0066, 08-052-0050, 08-052-0064, 08-052-0065, 08-052-0051, AND 08-052-0052)

The above legal description is depicted on the drawing attached hereto.



N
SCALE: 1" = 300"

NORTHWEST CORNER OF SEC. 11, T5N, R2W, S.L.B&M NOT FOUND

NORTH QUARTER CORNER OF SEC. 11, T5N, R2W, S.L.B&M FOUND BRASS/CAP

PRESCRIPTIVE EASEMENT LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, AND INCLUDES A 20.00-FOOT WIDE WATERLINE EASEMENT WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF 4000 SOUTH STREET AND THE EAST RIGHT OF WAY LINE OF THE DENVER AND RIO GRANDE RAILROAD, SAID POINT BEING NORTH 89°53'27" WEST 917.20 FEET ALONG THE NORTH LINE OF SAID SECTION 11 AND SOUTH 34°21'00" WEST 39.92 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 11; RUNNING THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID EAST RIGHT OF WAY LINE OF THE DENVER AND RIO GRANDE RAILROAD; (1) SOUTH 34°21'00" WEST 2,364.10 FEET TO A POINT OF CURVATURE WITH A 5,696.65 FOOT RADIUS CURVE TO THE LEFT; (2) 581.78 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°51'05" (CHORD BEARS SOUTH 31°25'27" WEST 581.53 FEET), TO THE NORTHWEST CORNER OF PARCEL 08-052-0056 AS RECORDED IN ENTRY NO. 1817776 AT BOOK 2198 IN PAGE 1881 IN THE WEBER COUNTY RECORDER'S OFFICE; THENCE SOUTH 61°30'05" EAST 20.00 FEET ALONG THE NORTH LINE OF SAID PARCEL; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES PARALLEL TO AND 20.00 FEET SOUTHEASTERLY OF SAID EAST RIGHT OF WAY LINE; (1) 579.74 FEET ALONG THE ARC OF A 5,676.65 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 05°51'05" (CHORD BEARS NORTH 31°25'27" EAST 579.49 FEET), TO A POINT OF TANGENCY; (2) NORTH 34°21'00" EAST 2,377.71 FEET TO THE SAID SOUTH RIGHT OF WAY LINE OF 4000 SOUTH STREET; THENCE NORTH 89°53'27" WEST 24.19 FEET TO THE POINT OF BEGINNING.

CONTAINS 59,004 SQUARE FEET OR 1.355 ACRES MORE OR LESS. (NOTE: THIS EASEMENT PASSES THROUGH THE WEST SIDE OF PARCELS 08-052-0016, 08-052-0068, 08-052-0066, 08-052-0050, 08-052-0064, 08-052-0065, 08-052-0051, AND 08-052-0052)



ROY WATER
CONSERVANCY
DISTRICT

EXHIBIT "A"
PRESCRIPTIVE EASEMENT

SHEET:
1
OF 1 SHEETS