



W3110464

EH 3110464 PG 1 OF 7
LEANN H KILTS, WEBER COUNTY RECORDER
16-DEC-20 103 PH FEE \$.00 DEP PV
REC FOR: WEBER COUNTY PLANNING

Weber County

December 16, 2020

Notice of Non-Buildable Parcel

Legal Description

#15-028-0054

PARCEL OF LAND, BEING PART OF AN ENTIRE TRACT OF PROPERTY, PART OF THE EAST HALF OF SECTION 9, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF THE HIPWELL SUBDIVISION BEING 1756.48 FEET NORTH 89D26'19" WEST ALONG THE SOUTH LINE OF SAID SECTION 9 AND 362.31 FEET NORTH FROM THE SOUTHWEST CORNER OF SAID SECTION 9, THENCE RUNNING NORTH 89D26'19" WEST 209.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, THENCE NORTH 0D56'30" EAST 398.00 FEET, THENCE SOUTH 89D26'19" EAST 197.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF 3600 WEST STREET, THENCE ALONG THE SAID WESTERLY RIGHT OF WAY LINE OF 3600 WEST STREET THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTH 0D56'30" WEST 86.640 FEET (2) ALONG AN ARC 150.80 FEET OF A 1894.06 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARS SOUTH 1D20'21" EAST 150.760 FEET (3) ALONG AN ARC 150.80 FEET OF A 1894.06 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARS SOUTH 1D20'21" EAST 150.76 FEET (4) SOUTH 0D56'33" WEST 10.00 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 1.84 CHACRES OR 80332 SQUARE FEET IN AREA. E# 2980232

RE: Land Serial # 15-028-0054 Notice of Non-Buildable Parcel

The land with Parcel Number 15-028-0054 is currently zoned Agricultural (A-2) which allows for a variety of uses, including a single-family dwelling, when located on a "Lot of Record" as defined in Title 101 of the Weber County Land Use Code (LUC). The subject parcel is not a "Lot of Record" because it does not meet any of the circumstances listed in LUC§101-2-13 as listed below:

Lot of record. A lot of record is defined as any one of the following circumstances:

- (1) A parcel of real property identified as a building lot on an unrecorded subdivision plat that has been approved by Weber County and is on file in the Weber County Planning Office; or*
- (2) A parcel of real property identified as a building lot on a subdivision plat that has been approved by Weber County and recorded in the office of the Weber County Recorder; or*
- (3) A parcel or lot described in a deed, sales contract or survey that was recorded in the office of the Weber County Recorder before January 1, 1966; or*
- (4) A parcel or lot described in a deed, sales contract or survey that was recorded in the office of the Weber County Recorder in between January 1, 1966, and June 30, 1992, which complied with the zoning requirements in effect at the time of its creation and was shown to be the first or second division of a larger parent parcel; or*
- (5) A parcel or lot that was created in its current size and configuration and contained a lawfully permitted single family dwelling prior to July 1, 1992; or*
- (6) A parcel/lot that does not fall within any one of the previously listed circumstances but has received a variance from the Weber County Board of Adjustment which has otherwise deemed a particular parcel/lot as a lot of record.*

Based on this information, the Weber County Planning Division has found this to be a non-buildable parcel. The Weber County Planning Division cannot issue a Land Use Permit to develop this parcel until the parcel meets one of the above-described circumstances.

This letter addresses the legal status of the parcel based on whether it could be grandfathered in as legal lot. The area and width of this parcel do comply with current zoning requirements and therefore could be subdivided to create a buildable lot (option #2 above). Research into historical plats has been conducted to ensure that the decision to label this parcel as Non-Buildable is backed by recorded historical plats, zoning maps, and zoning ordinances (see attached exhibits).

Dated this 16 day of December, 2020

Scott Perkes, AICP
Planner - Weber County Planning Division



Weber County

STATE OF UTAH)
 :SS
COUNTY OF WEBER)

On the 16 day of December, 2020 personally appeared before me SCOTT PERKES the
signer(s) of the foregoing instrument, who duly acknowledged to me that he/she/they executed the same.

Notary Public

Residing at: _____

[Handwritten signature]



Recorders Plat November

SECTION 9, T.6N., R.2W., S.L.B. & M.

TAXING UNIT: 53,361,511,516

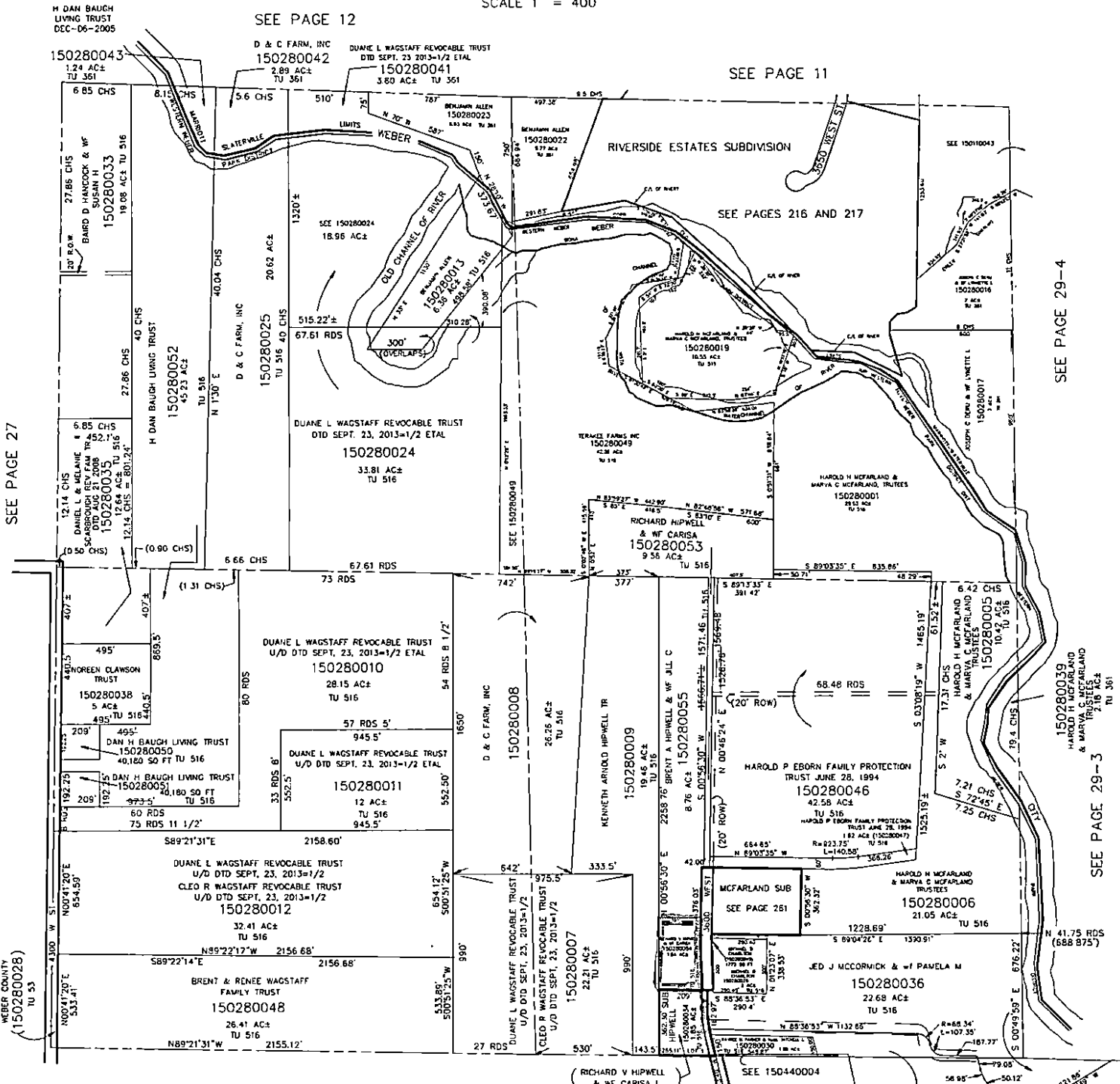
2nd, 2020

IN MARIOTT-SLATERVILLE CITY & WEBER COUNTY

SCALE 1" = 400'

SEE PAGE 12

SEE PAGE 11



SEE PAGE 27

SEE PAGE 29-4

SEE PAGE 29-3

SEE PAGE 47

*NOTE: APPROXIMATE LOCATION OF WEBER RIVER FROM AERIAL PHOTO (1986)

SEE PAGE 44

SEE 150440005

1992 Ownership Plat

SECTION 9, T. 01N., R. 2W., S. 1B., 6M.

WEST WEBER & SLATERVILLE DISTRICTS

TAKING UNITS 16, 23

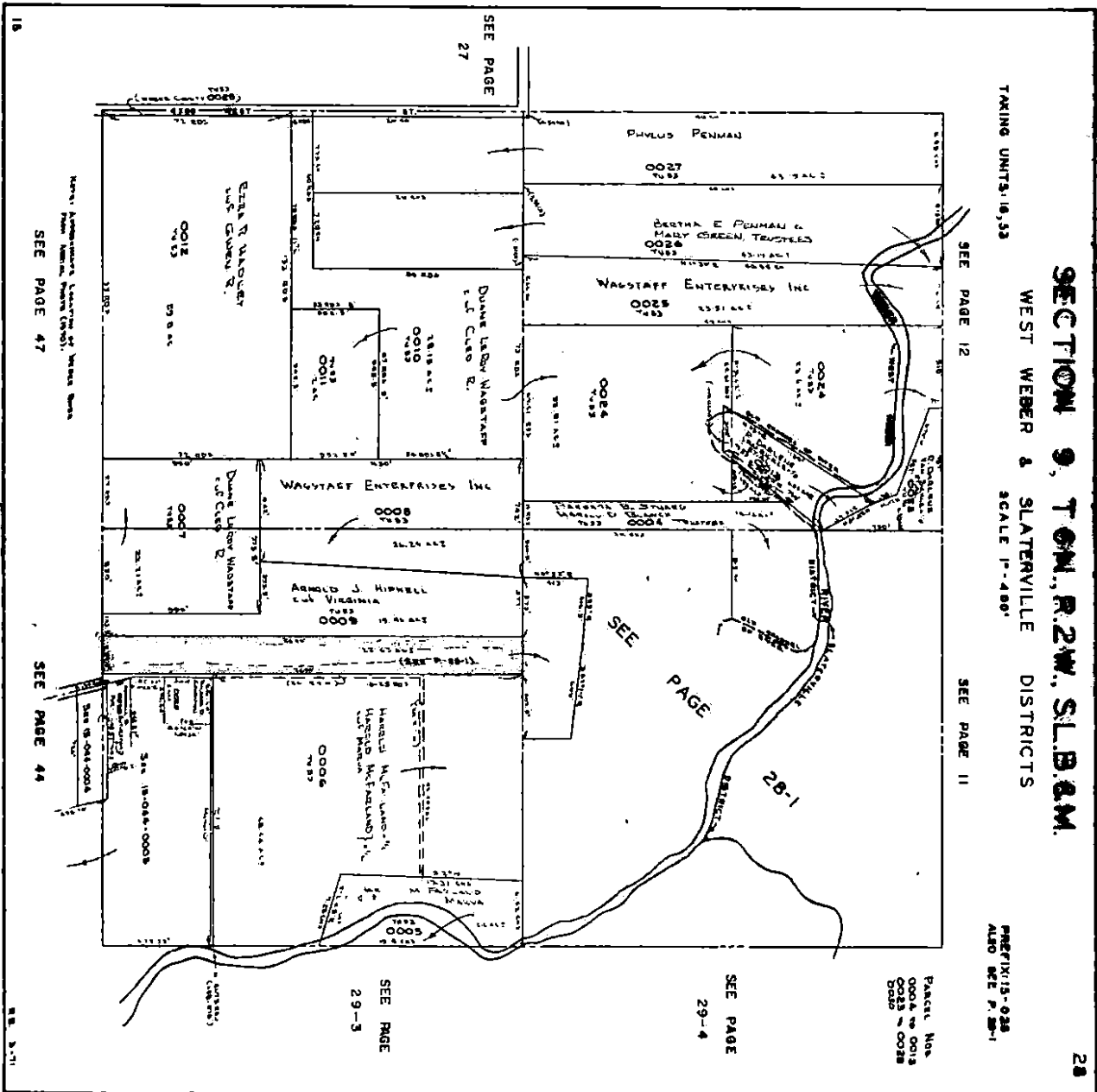
SCALE 1"=400'

SEE PAGE 12

SEE PAGE 11

PREFIX 13-028
ALSO SEE P. 28-1

28

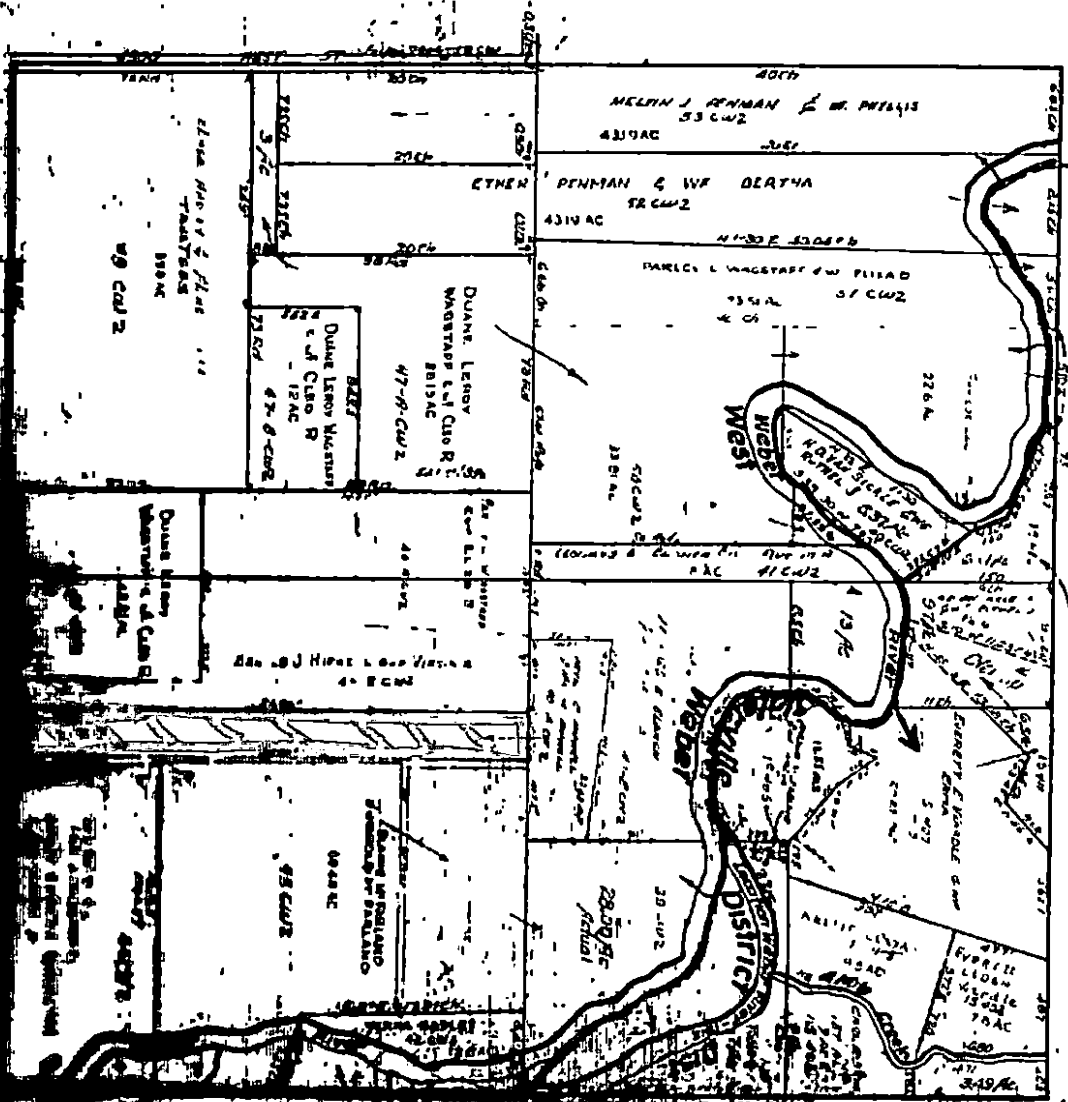


1960 Ownership Plot

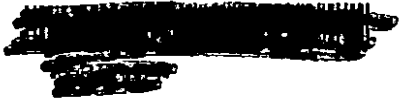
SECTION 9 T. 6 N. R. 2 W. S. 1 B. & M.
Slaterville & West Weber District

Scale 1"=400 feet

From West Weber Dist. - 2 1/2 Sec. 37 (Thomas D. Van Sledright)
WEST WEBER DIST
GEN. HARRIS DIST



CHERRY E. HARRIS & SONS



WHEN RECORDED, MAIL TO:
Brent and Jill Hipwell
585 S 3600 W
Ogden, UT

ER 2980232 PG 1 OF 2
LEANN H KILTS, WEBER COUNTY RECORDER
15-MAY-19 1204 PM FEE \$40.00 DEP JKC
REC FOR: CARISA HIPWELL

15-028-0054 (15-028-0002) NP
15-028-0055 A RP

Warranty Deed

BST

Weber County

Affecting Tax ID. No. ^{DD}~~15-028-0002~~

Brent A. and Jill C. Hipwell, Grantor(s), of Ogden, County of Weber, State of Utah, hereby CONVEYS AND WARRANTS to Richard V. Hipwell and wife Carisa Hipwell, Grantee, of Ogden, County of Weber, State of Utah, for the sum of TEN (\$10.00) dollars, and other good and valuable considerations, the following described parcel of land in Weber County, State of Utah, to-wit:

A parcel of land, being part of an entire tract of property, part of the East 1/2 of Section 9, T. 6 N., R. 2 W., S.L.B&M. The boundaries of said parcel of land are described as follows:

Beginning at the northeast corner of Lot 1 of the Hipwell Subdivision being 1756.48 feet N 89°26'19" W along the south line of said Section 9 and 362.31 feet North from the Southwest Corner of said Section 9, thence running N 89°26'19" W 209.00 feet to the northwest corner of said Lot 1, thence N 0°56'30 " E 398.00 feet, thence S 89°26'19" E 197.00 feet to the westerly right of way line of 3600 West Street, thence along the said westerly right of way line of 3600 West Street the following four (4) courses and distances: (1) S 0°56'30" W 86.640 feet (2) along an arc 150.80 feet of a 1894.06 foot radius curve to the left, chord bears S 1°20'21" E 150.760 feet (3) along an arc 150.80 feet of a 1894.06 foot radius curve to the right, chord bears S 1°20'21" E 150.76 feet (4) S 0°56'33" W 10.00 feet to the point of beginning.

The above described parcel of land contains ~~1.8~~ ^{1.84} acres or 80,332 sq. ft. in area.
1.84 C.H.

Continued on Page 2

WITNESS, the hand of said Grantor, this 14 day of MAY, A.D. 20 19.

STATE OF)
) ss.
COUNTY OF)

Brent A. Hipwell
Grantee, Brent A. Hipwell
Jill C. Hipwell
Grantee, Jill C. Hipwell

On the date first above written personally appeared before me, Brent A. and Jill C. Hipwell, who, being by me duly sworn, acknowledged to me that he signed the within and foregoing instrument in accordance with the authority as Trustee given under the instrument creating said Trust, and that as Trustee he executed the same.

[Signature]
Notary Public

