



Weber County Right of Way Contract

Fee Simple Acquisition - Strip

Project: Weber County 3600 West Improvements Parcel No(s): Parcel D
Pin No: NA Job/Proj No: WC-3600 West Project Location: 3600 West 400 South, Weber County UT
County of Property: WEBER Tax ID / Sidwell No: 15-044-0010
Property Address: 313 S 3600 W, West Weber, UT 84404
Owner's Address: 313 S 3600 W, West Weber, UT 84404
Owner's Home Phone: (801) 731-1902 Owner's Work Phone:
Owner / Grantor(s): The Gary and Tahna Hipwell Family Trust
Grantee: Weber County

IN CONSIDERATION of the foregoing and other considerations herein set forth, it is mutually agreed by the parties as follows:

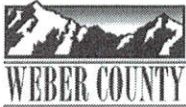
The Grantor hereby agrees to convey and sell by Warranty Deed a parcel(s) of land known as parcel number(s) Parcel D for transportation purposes. This contract is to be returned to: Jason M. Allen (Consultant/Realtor), Right of Way Agent c/o Weber County, 2380 Washington Blvd, Suite 240, Ogden, UT 84401.

1. Grantor will transfer property free of all liens and encumbrances except recorded easements.
2. Grantor agrees to transfer property free of all debris and any hazardous materials (including paint of other household products).
3. Grantor shall leave the property in the same condition, as it was when this contract was signed. No work, improvement, or alteration will be done to the property other than what is provided for in this agreement. Grantor agrees to maintain the property until the County takes possession.
4. Grantor agrees to pay any and all taxes assessed against this property to the date of closing.
5. The County shall pay the Grantor and or other parties of interest for the real property in the deed(s) and/or easement(s) referenced above.
6. "Transportation Purposes" is defined as follows: The public use for which the property or property right is being acquired herein, may include but is not limited to the following possible uses: the construction and improvement of a highway, which may include interchanges, entry and exit ramps, frontage roads, bridges, overpasses, rest areas, buildings, signs and traffic control devices, placement of utilities, clear zones, maintenance facilities, detention or retention ponds, environmental mitigation, maintenance stations, material storage, bio fuel production, slope protections, drainage appurtenance, noise abatement, landscaping, transit, project caused statutory relocations, and other related transportation uses.
7. The Grantor(s) is aware that Utah Code Ann. Sect. 78B-6-520.3 provides that in certain circumstances, the seller of property which is being acquired for a particular public use, is entitled to receive an offer to repurchase the property at the same price that the seller received, before the property can be put to a different use. Grantor(s) waives any right grantor may have to repurchase the property being acquired herein, and waives any rights Grantor(s) may have under Utah Code Ann. Sect. 78B-6-520.3.
8. Grantor shall indemnify and hold harmless Grantee from and against any and all claims, demands and actions, including costs, from lien holders or lessees of the property.
9. Upon execution of this contract by the parties, Grantor grants the County, its contractors, permittees, and assigns, including but not limited to, utilities and their contractors, the right to immediately occupy and commence construction or other necessary activity on the property acquired for the state transportation project.

Additional Terms:

10. Any improvements on the property, outside of those included in the appraisal, that are disturbed or damaged during construction will be repaired or replaced by the County at no cost to the Grantor.
11. County agrees to install 5-strand barbed wire fence with wood posts along the 3600 West frontage of the property.
12. County agrees to extend the culvert for the slough at least 20 additional feet into Grantor's property.
13. County agrees to install a gravel road between the right of way line and the edge of the culvert, similar to the existing gravel road over the slough, to allow access from the barn to the other side of the slough.
location.
15. County agrees to install two sewer laterals onto the property, with the location to be determined by Grantor prior to construction.

Terms continued on page 2 of 2.



Weber County Right of Way Contract

Fee Simple Acquisition - Strip

| | | |
|---|----------------------------------|--|
| Project: Weber County 3600 West Improvements | Parcel No(s): Parcel D | |
| Pin No: NA | Job/Proj No: WC-3600 West | Project Location: 3600 West 400 South, Weber County UT |
| County of Property: WEBER | Tax ID / Sidwell No: 15-044-0010 | |
| Property Address: 313 S 3600 W, West Weber, UT 84404 | | |
| Owner's Address: 313 S 3600 W, West Weber, UT 84404 | | |
| Owner's Home Phone: (801) 731-1902 | Owner's Work Phone: | |
| Owner / Grantor(s): The Gary and Tahna Hipwell Family Trust | | |
| Grantee: Weber County | | |

16. During construction of the roadway, if the contractor rotomills the existing asphalt, the County agrees to make a good faith effort to work with the contractor to place and compact the rotomill tailings at the West Weber cemetery.

17. During construction of the roadway, the County agrees to make a good faith effort to work with the contractor to place excess soil material removed during construction activities on Grantor's property, at a location determined by Grantor.

Total Selling Price: \$33,900.00

Grantor's Initials

Grantor understands this agreement is an option until approved by the County Commission

Grantors acknowledge and accept the percent of ownership listed below and agree that the portion of the total selling price they each receive, will correspond with their respective percent of ownership.

This Contract may be signed in counterparts by use of counterpart signature pages, and each counterpart signature page shall constitute a part of this Contract as if all Grantors signed on the same page.

GA

Percent

Date

100%

The Gary and Tahna Hipwell Family Trust

4-22-2021

Right of Way Agents

Jason M. Allen

Jason M. Allen (Consultant/Realtor) / Acquisition Agent

4/22/2021

Gary Myers
Gary Myers / Weber County Engineer

5/17/2021

Approved by County Commission



Weber County SETTLEMENT INVOICE

Fee Simple - Total Acquisition

| | |
|---|--|
| Project: Weber County 3600 West Improvements | Parcel No(s): Parcel D |
| Pin No: NA | Job/Proj No: WC-3600 West |
| County of Property: WEBER | Project Location: 3600 West 400 South, Weber County UT |
| Property Address: 313 S 3600 W, West Weber, UT 84404 | Tax ID / Sidwell No: 15-044-0010 |
| Owner's Address: 313 S 3600 W, West Weber, UT 84404 | |
| Owner's Home Phone: (801) 731-1902 | Owner's Work Phone: |
| Owner / Grantor(s): The Gary and Tahna Hipwell Family Trust | |
| Grantee: Weber County | |

Contact Address: 313 S 3600 W, West Weber, UT 84404

| | | | |
|---------------------------|-------------|---------------------------------------|-------------|
| | | Total Acquisition Amount: | \$33,900.00 |
| Participating Amount: | \$33,900.00 | Less | \$0.00 |
| Non Participating Amount: | \$0.00 | Net Amount to be released at Closing: | \$33,900.00 |

* Security Deposit to be held as per contract pending inspection by Property Management.

Special Conditions:

FOR Weber County



 Gary Myers / Weber County Engineer

5/17/2021

 Date

 Weber County Commission Chair

 Date

When Recorded Mail to:
Weber County
2380 Washington Blvd., Suite 240
Ogden, UT 84401

WARRANTY DEED
Weber County

Tax ID No. 15-044-0010

Pin No. NA

Parcel No. WC-3600 West_15-044-0010: 001_D

Project No. WC-3600 West

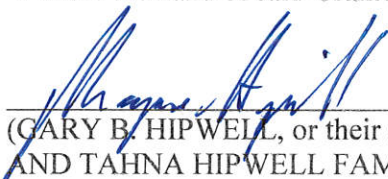
Grantor (GARY B. HIPWELL and TAHNA H. HIPWELL, or their successor or successors in trust, Trustees of the "THE GARY AND TAHNA HIPWELL FAMILY TRUST" dated September 28, 2015), for good and valuable consideration, receipt of which is hereby acknowledged, does hereby remise, release, and forever CONVEYS AND WARRANTS to WEBER COUNTY, a political subdivision of the State of Utah, the following described tract of land in Weber County, Utah:

SEE *EXHIBIT A* AND *EXHIBIT B*

SUBJECT TO EASEMENTS, RESTRICTIONS, ENCUMBRANCES AND RIGHTS OF WAY CURRENTLY OF RECORD.

This warranty deed, when executed as required by law, shall have the effect of a conveyance of all right, title, interest, and estate of the grantor in and to the premises herein described and all rights, privileges, and appurtenances thereunto belonging, at the date of the conveyance.

Witness the hand of said Grantor this 22nd day of April, 2021

 (Shayne G. Hipwell)
(GARY B. HIPWELL, or their successor or successors in trust, Trustees of the "THE GARY AND TAHNA HIPWELL FAMILY TRUST dated September 28, 2015), Grantor

And

(TAHNA H. HIPWELL, or their successor or successors in trust, Trustees of the "THE GARY AND TAHNA HIPWELL FAMILY TRUST dated September 28, 2015), Grantor


STATE OF UTAH

)

:ss

COUNTY OF WEBER)

On this 22nd day of April, 2020, personally appeared before me the above-named Grantor, (GARY B. HIPWELL and TAHNA H. HIPWELL, or their successor or successors in trust, Trustees of the "THE GARY AND TAHNA HIPWELL FAMILY TRUST" dated September 28, 2015) the signer of the foregoing Warranty Deed, who acknowledged before me that she signed the Warranty Deed of her own free will and choice.



Notary Signature

Stamp:



Acceptance by Board of County
Commissioners of Weber County
Chair

Attest:
Ricky Hatch
Weber County Clerk Auditor

EXHIBIT A

PART OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 NORTH RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, US SURVEY. BASIS OF BEARING BEING SOUTH 00° 39' 45" WEST 2,640.01 FEET BETWEEN THE NORTHEAST CORNER (KNOWN AS 6N2W16NE) AND THE EAST QUARTER CORNER (KNOWN AS 6N2W16E) OF SAID SECTION:

BEGINNING AT A POINT WHICH IS NORTH 89° 26' 14" WEST A DISTANCE OF 1,687.83 FEET AND SOUTH 12° 34' 16" EAST A DISTANCE OF 418.98 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 16, SAID POINT IS 2.93 FEET PERPENDICULARLY DISTANT FROM, AND ON THE WESTERLY SIDE OF THE CENTERLINE OF 3600 WEST STREET AT STATION 15+22.39, SAID POINT IS ALSO ON THE GRANTOR'S NORTHERLY PROPERTY LINE; RUNNING THENCE THE FOLLOWING THREE (3) COURSES ALONG THE WESTERLY LINE SHOWN ON THE "3600 WEST ROAD DEDICATION 2017 – 01 CORRECTED" PLAT FOUND IN DEDICATION PLAT BOOK 88 PAGE 12: (1) SOUTH 12° 16' 53" EAST A DISTANCE OF 179.71 FEET: (2) SOUTH 09° 40' 07" EAST A DISTANCE OF 339.07 FEET: (3) SOUTH 32° 25' 15" EAST A DISTANCE OF 22.63 FEET TO A POINT WHICH IS 5.75 FEET PERPENDICULARLY DISTANT FROM, AND ON THE EASTERLY SIDE OF THE CENTERLINE OF 3600 WEST STREET AT STATION 20+62.14; THENCE SOUTH 83° 43' 08" WEST A DISTANCE OF 35.81 FEET TO A POINT WHICH IS 30.00 FEET PERPENDICULARLY DISTANT FROM THE CENTERLINE OF 3600 WEST STREET; THENCE NORTH 09° 40' 07" WEST A DISTANCE OF 278.75 FEET ALONG A LINE PARALLEL TO THE CENTERLINE OF 3600 WEST STREET TO A POINT OF CURVATURE; THENCE TO THE LEFT ALONG A CURVE WHOSE RADIUS IS 3,440.00 FEET, AND WHOSE CENTRAL ANGLE IS 02° 36' 46", A DISTANCE OF 156.87 FEET (CHORD BEARS NORTH 10° 58' 30" WEST A DISTANCE OF 156.86 FEET), SAID CURVE IS EVERYWHERE 30.00 FEET DISTANT FROM THE CENTERLINE OF 3600 WEST STREET; THENCE NORTH 12° 16' 53" WEST A DISTANCE OF 106.55 FEET, MORE OR LESS, ALONG A LINE WHICH IS PARALLEL TO THE CENTERLINE OF 3600 WEST STREET, TO THE GRANTOR'S NORTHERLY PROPERTY LINE; THENCE SOUTH 89° 56' 22" EAST A DISTANCE OF 27.64 FEET ALONG THE GRANTOR'S NORTHERLY PROPERTY LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 14,733.2 SQUARE FEET, OR 0.338 ACRE, MORE OR LESS.

TOGETHER WITH

PART OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 6 NORTH RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, US SURVEY. BASIS OF BEARING BEING SOUTH 00° 39' 45" WEST 2,640.01 FEET BETWEEN THE NORTHEAST CORNER (KNOWN AS 6N2W16NE) AND THE EAST QUARTER CORNER (KNOWN AS 6N2W16E) OF SAID SECTION:

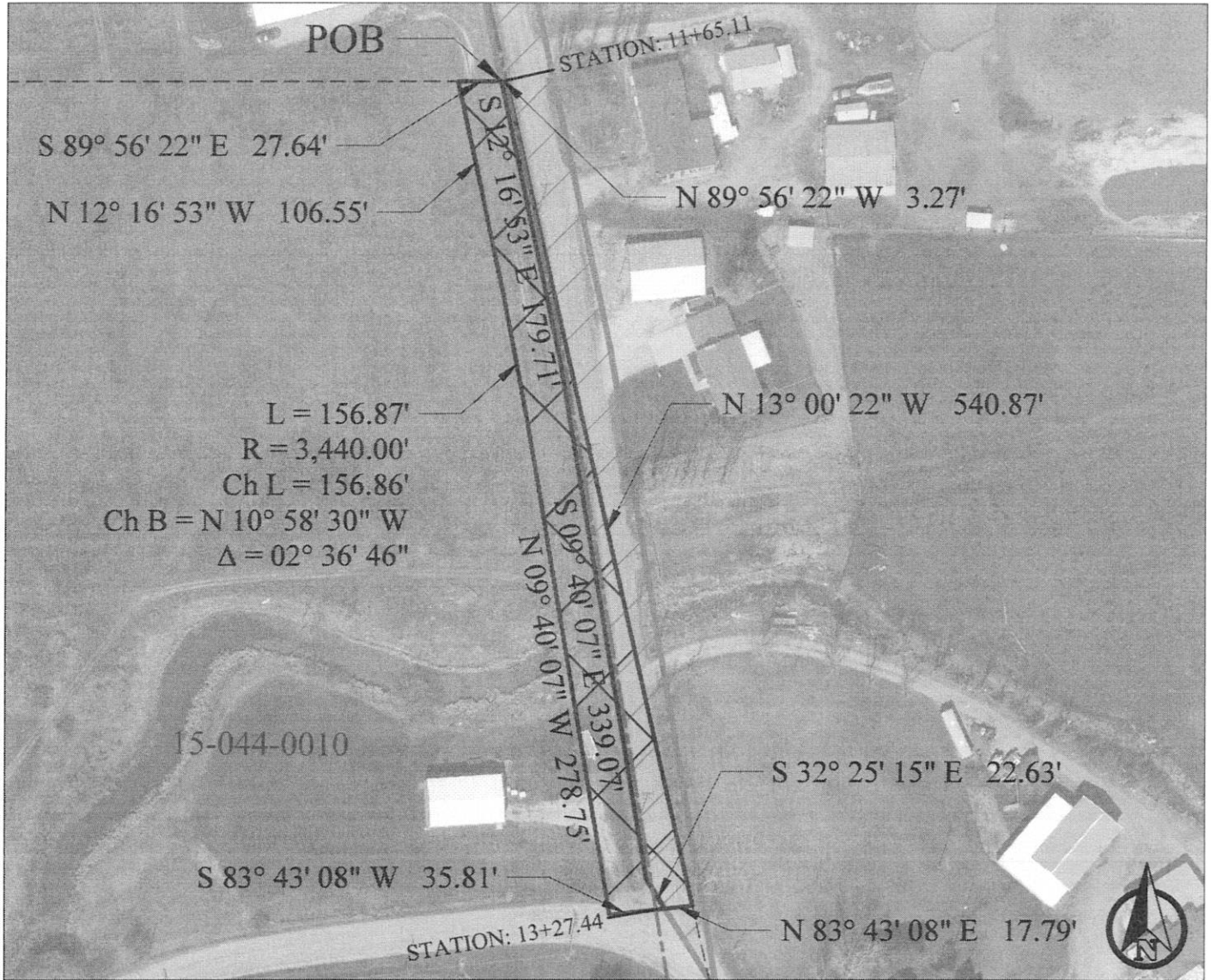
BEGINNING AT A POINT WHICH IS NORTH 89° 26' 14" WEST A DISTANCE OF 1,687.83 FEET AND SOUTH 12° 34' 16" EAST A DISTANCE OF 418.98 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 16, SAID POINT IS 2.93 FEET PERPENDICULARLY DISTANT FROM, AND ON THE WESTERLY SIDE OF THE CENTERLINE OF 3600 WEST STREET AT STATION 15+22.39, SAID POINT IS ALSO ON THE GRANTOR'S NORTHERLY PROPERTY LINE; RUNNING THENCE THE FOLLOWING THREE (3) COURSES ALONG THE WESTERLY LINE SHOWN ON THE "3600 WEST ROAD DEDICATION 2017 – 01 CORRECTED" PLAT FOUND IN DEDICATION PLAT BOOK 88 PAGE 12: (1) SOUTH 12° 16' 53" EAST A DISTANCE OF 179.71 FEET: (2) SOUTH 09° 40' 07" EAST A DISTANCE OF 339.07 FEET: (3) SOUTH 32° 25' 15" EAST A DISTANCE OF 22.63 FEET TO A POINT WHICH IS 5.75 FEET PERPENDICULARLY DISTANT FROM, AND ON THE EASTERLY SIDE OF THE CENTERLINE OF 3600 WEST STREET AT STATION 20+62.14; THENCE DEPARTING SAID WESTERLY

EXHIBIT A



LINE NORTH 83° 43' 08" EAST A DISTANCE OF 17.79 FEET; THENCE NORTH 13° 00' 22" WEST A DISTANCE OF 540.87 FEET, MORE OR LESS, TO THE GRANTOR'S NORTHERLY PROPERTY LINE; THENCE NORTH 89° 56' 22" WEST A DISTANCE OF 3.27 FEET ALONG THE GRANTOR'S NORTHERLY PROPERTY LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 6,437.4 SQUARE FEET, OR 0.148 ACRE, MORE OR LESS, ALL OF WHICH IS NOW OCCUPIED BY THE EXISTING HIGHWAY.

EXHIBIT B



Legend

- Approximate location of deed (Reference: Entry #2758167)
-  Location of Dedicated Highway from Book 88 Page 12
-  Location of Deeded Highway (Reference: Exhibit A)
- Location of Centerline of 3600 West Street