Toquerville City
PRELIMINARY PLAT APPLICATION
Fee: $1,000.00

Name: DESERT SANDS DEVELOPMENT II, LLC   **Telephone:** ███████████

JERRY EVES, MANAGER

Address: ████████████████████████   **Fax No.** _____

Email: jerryeves@gmail.com

Agent (If Applicable): BRANT TUTTLE, NORTHERN ENGINEERING /**Telephone:** 801-380-2114

btuttle@nei-utah.com

Address/Location of Subject Property: NORTHWEST INTERSECTION I-15 & SR-17

Tax ID of Subject Property: T-3-0-22-3212   **Zone District:** BMP

Proposed Use: (Describe, use extra sheet if necessary) BUSINESS FACILITIES AS ALLOWED

PER THE BMP ZONE.

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Submittal Requirements: The preliminary plat application shall provide the following:

1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
   - ✓a. The proposed name of the subdivision.
   - ✓b. The location of the subdivision, including the address and section, township and range.
   - ✓c. The names and addresses of the owner or subdivider, if other than the owner.
   - ✓d. Date of preparation, and north point.
   - ✓e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Title 10, City Subdivision regulations.

2. Existing Conditions: The preliminary plat shall show:
   - ✓a. The location of the nearest monument.
   - ✓b. The boundary of the proposed subdivision and the acreage included.
   - ✓c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
   - ✓d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
   - ✓e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
   - ✓f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.
   - gN/A Existing Toquerville Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.
   - ✓h. Contours at vertical intervals not greater than five (5) feet.

212 N Toquer Boulevard | P O Box 27 | Toquerville, UT 84774 | Ph: (435) 635-1094 | Fx: (435) 635-5761 | www.toquerville.org

Page 1 of 5   Updated: 08/16/2023

SEE ATTACHED SOILS REPORT

_√_ i.   Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.

_√_ j.   Information on whether property is located in desert tortoise take-area. _Not in Tortoise Area_

3. **Proposed Plan:** The subdivision plans shall show:

_√_ a.   The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys and easements.

_√_ b.   The layout, numbers and typical dimensions of lots.

_√_ c.   Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.

_√_ d.   Easements for water, sewers, drainage, utilities, lines and other purposes.

_√_ e.   Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat.)

_√_ f.   A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision. - _SEE ATTACHED PRELIMINARY STORM DRAIN REPORT_

_√_ g.   Approximate radius of all center line curves on highways or streets.

_√_ h.   Each lot shall abut a street shown on the subdivision plat or on an existing publicly-dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable.)

_√_ i.   In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.

_√_ j.   Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.

_____ k.   A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.

_√_ l.   Will this subdivision be phased? If yes, show possible phasing lines. _NOT KNOWN AT THIS POINT_

_√_ m.   A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

4. **Required copies of plans:**

_√_ a.   Three copies of all full scale drawings.

_√_ b.   One copy of each drawing on a 11 x 17 inch sheets. (8 ½ x 11 is acceptable if the project is small and the plans are readable at that size).

5. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property.

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the third Wednesday of each month at 6:30 p.m. The deadline to submit an application to be placed on an agenda is no later than <u>12:00 noon</u> 10 full business days before the Planning Commission meeting at which you plan for your application to be heard.

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FORM 22

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH   )

                                  :ss
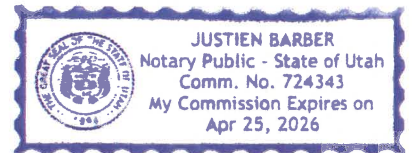
COUNTY OF _Washington_)

I (we), _DESERT SANDS DEVELOPMENT II, LLC_, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Toquerville City Planning staff have indicated they are available to assist me in making this application.

_____
(Property Owner)

Desert Sands Development
(Property Owner)

Subscribed and sworn to me this _25th_ day of _October_ 20_23_.

_____
(Notary Public)

Residing in: _Washington County, UT_

My Commission Expires: _04/25/2026_

> JUSTIEN BARBER
> Notary Public - State of Utah
> Comm. No. 724343
> My Commission Expires on
> Apr 25, 2026

Agent Authorization

I (we), _DESERT SANDS DEVELOPMENT II, LLC_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _BRANT TUTTLE, NORTHERN ENG._ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.
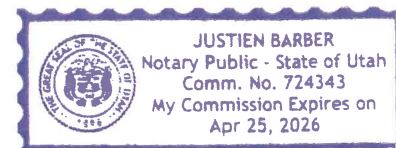
_____
(Property Owner)

Desert Sands Development
(Property Owner)

Subscribed and sworn to me this _25th_ day of _October_ 20_23_

_____
(Notary Public)

Residing in: _Washington County, UT_

My Commission Expires: _04/24/2026_

> JUSTIEN BARBER
> Notary Public - State of Utah
> Comm. No. 724343
> My Commission Expires on
> Apr 25, 2026

Page 4 of 5

PROFESSIONAL SERVICES AGREEMENT
WITH TOQUERVILLE CITY

This agreement is entered into this ~~25~~ day of ~~Oct~~ , 20~~23~~ between

___DESERT SANDS DEVELOPMENT II, LLC___
(Applicant's Name)

___683 So. 900 W., HURRICANE, UTAH 84737___
(Applicant's Address)

(hereinafter referred to as "Professional Services Agreement"), and the City of Toquerville, a municipal corporation of the State of Utah, located in Washington County (hereinafter referred to as the "City"). Applicant(s), on behalf of it/himself, its/his heirs, successors and assigns, hereby acknowledges covenants and agrees that:

1) Applicant(s) has received and read a copy of the Toquerville City Code, ___Desert Sands/Jerry Eves___ and shall in all respects comply with the provisions contained therein and pay for all additional professional fees.

2) In the event that legal action is required to be taken by Toquerville to enforce the terms of this agreement, Applicant(s) agrees that it/he shall be liable to pay all such legal costs and expenses incurred by Toquerville, including, court costs, and a reasonable attorney's fee.

3) Applicant(s) agrees to pay all fees associated with this application as outlined in the current Land Use Fee Schedule.

DATED this ~~25~~ day of ~~Oct~~ , ~~2023~~.

_____
Applicant

___Desert Sands Development___
Applicant

_____
City Representative,   Title

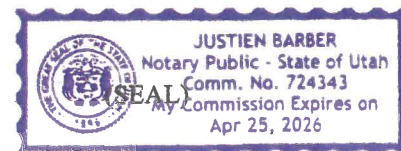STATE OF UTAH   )
                                 : ss.
COUNTY OF WASHINGTON   )

On the ~~25th~~ day of ~~October, 2023~~ , ~~Jerry G. Eves~~ , personally appeared before me , the signer(s) of the above instrument, who duly acknowledged to me that he/she executed the same on behalf of the applicant.

_____
NOTARY PUBLIC

JUSTIEN BARBER
Notary Public - State of Utah
Comm. No. 724343
(SEAL) My Commission Expires on
Apr 25, 2026

(Office Use:)
Received by: _____