

AGENDA
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
June 9, 2014
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH

The items listed under Consent Agenda will be considered as a group and acted upon by one motion with no separate discussion of said items, unless the Commission so requests. In that event, the item will be removed from the Consent Agenda for separate discussion. The Commission meeting will begin at **10:00 am.**

CALL MEETING TO ORDER

PRAYER

PLEDGE OF ALLEGIANCE

WELCOME

CITIZEN PUBLIC INPUT

CONSENT AGENDA:

Check Edit Reports:

Approval of March 24, 2014 Commission Meeting Minutes

Land Use: None

REGULAR AGENDA:

1. Ordinance 2014-10, Amending lots 56 & 57, Vermillion Cliff Estates Subdivision Township 43 South, Range 5 West, Section 32, Salt Lake Base and Meridian, Kane County, Utah with 50% of road easement going to each of two bordering land owners.
2. Lot 380, Kanab Creek Ranchos-Discussion Regarding Quit claim Deed to Kanab Creek Ranchos, Inc./Attorney's Office
3. Adopt the 2014 Kane County Tax Sale and Approve the Tax Sale Minutes / Clerk/Auditor Karla Johnson
4. Zion's Bank Investments/ Treasurer Georgia Baca
5. Court Contract 2014/2015 Fiscal Year/ Clerk/Auditor Karla Johnson
6. Kane County General Plan/Resource Management Plan-Proposed Revisions for Public Lands in Kane County pertaining to the Grand Staircase Escalante National Monument/ LUA Shannon McBride
7. Title V Road Renewals - Johnson Canyon and Church Wells / GIS Lou Pratt
8. Resolution 2014-9 'Waters of the United States / Commissioner Jim Matson & Byard Kershaw
9. Big Water Fire Department /Up-Grade of Station /CIB Grant
10. Proclamation Request: 2014 "Independents Week" campaign, taking place June 30-July 6, 2014/ Commissioner Clayson
11. Lunch 11:30 AM to 1:00 PM Commissioners will attend the Utah's Own & SWATC Successful Agriculture & Food Entrepreneurship activity at 733 South Cowboy Way Kanab, Utah

12. 2:00 PM Western Rock / Commissioner Clayson

Other Business:

- Report
- Schedules
- Assignments

CLOSED SESSION:

- Discussing an individual's character, professional competence, or physical or mental health;
- Strategy sessions to discuss collective bargaining, pending or reasonably imminent litigation, or the purchase, exchange lease or sale of real property;
- Discussions regarding security personnel, devices or systems;
- Investigative proceedings regarding allegations of criminal misconduct.

MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
May 19, 2014
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH

Work Meeting:

Present: Commissioner Douglas K Heaton, Commissioner Dirk Clayson, Commissioner Jim Matson, Clerk/Auditor Karla Johnson, Attorney Rob VanDyke, and Deputy Clerk Linda Millett

Kanab StageCoach Shuttle Service between Kanab and St. George

John Rhinehart reviewed the new StageCoach shuttle service running 3 times a week from Kanab to St. George. It provides transportation to doctor & dialysis appointments, shopping, and also connects with the St. George shuttle which runs to Las Vegas. Kane County has donated the use of a van, until the shuttle can purchase its own vehicle.

Financial Advisory for the Kane County Redevelopment Agency

Jon Bronson from Zion's Bank reviewed Utah 17C Urban Renewal Projects with a Power Point Presentation, explaining the three Project Areas: Urban Renewal (URA), Economic Development (EDA), and Community Development (CDA). A discussion ensued. He explained that Tax Increment does Not mean an increase in tax rates.

Commission Chairman Douglas K Heaton called to enter into Regular Commission meeting.

Regular Commission Meeting:

Present: Commissioner Douglas K Heaton, Commissioner Dirk Clayson, Commissioner Jim Matson, Clerk/Auditor Karla Johnson, Attorney Rob VanDyke, and Deputy Clerk Linda Millett

Also Present: Chief Deputy Sheriff Tracy Glover, LUA Shannon McBride, Care & Share Craig Hansen, Treasurer Georgia Baca, HR Rhonda Gant, and Byard Kershaw

CALL MEETING TO ORDER: Commissioner Douglas K Heaton

PRAYER: Commissioner Douglas K Heaton

PLEDGE OF ALLEGIANCE: Commissioner Dirk Clayson

WELCOME: Commission Chairman Douglas K Heaton

CITIZEN PUBLIC INPUT: None

CONSENT AGENDA:

Check Edit Reports:

Approval of May 12, 2014 Commission Meeting Minutes

Land Use: None

Motion to adopt the Consent Agenda was made by Commissioner Jim Matson, and the motion carries with all Commissioners present voting in favor.

REGULAR AGENDA:

Adoption of Chapter 21 and the Kane County Zoning Map

LUA Shannon McBride asked to separate the Chapter 21 (Ordinance 2014-9) and the Kane County Zoning Map items. Chapter 21 has had considerable discussion, and has been revised and updated by Deputy Attorney Kent Burggraaf. These changes were reviewed briefly.

Motion to Adopt Ordinance 2014-9 approving Chapter 21 was made by Commissioner Heaton and the motion carries with a Roll Call vote as follows:

Commissioner Matson.....Aye
Commissioner Heaton.....Aye
Commissioner Clayson....Aye

Travel Re-Imbursements for Employee Out-of-State travel, for addition to the Employee Handbook

HR Rhonda Gant requested the need for a uniform policy on travel expense re-imburement for out-of-state travels, and a standard of clarification for the employee handbook. . A discussion ensued. State of Utah guide lines will be used for Out-of-State meals. In-state meal reimbursement rates will remain the same as present. Motel rooms should be requested at a Govt. rate as a preferred, and employees should attempt to stay at a conference hotel if possible. Parking and incidentals will continue as present.

A **Motion** to use the Out-of-State Per Diem Rate of the Utah State Rate for Meals as our Kane County Standard Meal Per Diem was made by Commissioner Clayson, and the motion carries with all commissioners present voting in favor.

Tax Sale Update on the 2014 Kane County Tax Sale

Clerk/Auditor Karla Johnson & Treasurer Georgia Baca reviewed the upcoming tax sale this Thursday. There are 27 parcels up for sale at this time. Some county owned properties were taken off of the sale list for liens, and further research into fair market value. The sale parcels were reviewed, and a discussion ensued.

Adopt an Ordinance for the Kane County Re- Development Agency

A discussion ensued to clarify the Ordinance and it's purpose of creating the re-development agency.

Motion to Adopt Ordinance 2014-7, for the Creation of the Kane County Redevelopment Agency was made by Commissioner Matson and the motion carries with a Roll Call Vote as Follows:

Commissioner Clayson....Aye
Commissioner Matson.....Aye
Commissioner Heaton.....Aye

Kane County Zoning Map

LUA Shannon McBride and GIS Lou Pratt addressed the changes and revisions that were made at the last meeting, which has been updated. Some additional changes, corrections, and color coordination in the map were given approval, and instruction was given to GIS Lou Pratt to make these changes.

Motion to Adopt Kane County Ordinance 2014-8, an Ordinance Amending the Kane County Zoning Map, with instructions to make color changes as discussed in this meeting, was made by Commissioner Clayson and the motion carries with a Roll Call vote as follows:

Commissioner Clayson...Aye
Commissioner Matson...Aye
Commissioner Heaton.....Aye

Other Business:

- Byard Kershaw presented the rough draft of a Kane County resolution to be used for input to the Federal Register regarding “Waters of the United States”. This Resolution will be presented on the agenda on June 9.
- Commissioner Clayson attended a ‘timber bid’ last week. Randall Walker was praised by Commissioner Clayson for his management of the Kaibab National Forest, and a letter will be drafted to Mr. Walker and his supervisor by Commissioner Clayson.

Closed Session:

Motion to recess Regular Meeting for lunch and to re-convene for a closed session, for Strategy Sessions to discuss collective bargaining, pending or reasonably imminent litigation, or the purchase, exchange lease or sale of real property, at 1:30 pm was made by Commissioner Clayson and the motion carries with all commissioners present voting in favor.

Regular Session Resumed:

Motion to authorize Attorney VanDyke to draft a letter to Jones & DeMille, to be executed and signed by Commissioner Clayson was made by Commissioner Clayson and the motion carries with all commissioners present voting in favor.

Whereupon Meeting was Adjourned

KANE COUNTY COMMISSION AGENDA REQUEST:

Date of Regular/Work Meeting Requested: JUNE 9

Dept. /Business Name: ATTORNEY'S OFFICE

Topic/Re: LOT 380, KANAB CREEK RANCHOS - DISCUSSION
REGARDING QUIT CLAIM DEED TO KANAB CREEK RANCHOS, INC.

Dept. Head/Owner: ROB VAN DYKE

Meeting Requested by: KENT A. BURGGRAF

Contact name & #: 435-644-5278

WHEN RECORDED MAIL DEED & TAX NOTICES TO:

Kanab Creek Ranchos, Inc.
397 W. 1060 South
Orem, Utah 84058

Tax I.D./Parcel No.: 72-380

*Comm. Mtg. 6-9
work items
Scan to Comm.
packet mtg.*

WHEREAS, a certain parcel of real p
**Citizens Improvement Association
Ranchos, Inc.** (on file with the Kane

to the **Kane County Senior
Owners of Kanab Creek
k 0157, Page 364-367);**

WHEREAS, Kane County is uncertai
was deeded to the Kane County Senior

at deed, since the property

WHEREAS, the documents filed with

“...Should The Senior Citizens fail to build a facility on this site within fifteen (15) years the property will be returned to The KCR Property Owners or their successor organization...”

...That should this property be returned to the Property Owners, they will use the property only for community purposes...”

WHEREAS, no facility has been built on Lot # 380 of the Kanab Creek Ranchos and fifteen years has passed;

WHEREAS, the President of the Kanab Creek Ranchos, Inc., Philip R. Snelgrove, has requested that Lot # 380 of the Kanab Creek Ranchos be deeded to the Kanab Creek Ranchos, Inc., being the “Property Owners” or successor organization of the Property Owners of Kanab Creek Ranchos, Inc. referred to in the recorded documents, by implication;

THEREFORE, the undersigned grantor, **KANE COUNTY**, a political subdivision of the State of Utah, hereby

CONVEYS BY QUIT-CLAIM DEED to

Kanab Creek Ranchos, Inc., a Utah Corporation, with its principal office located at 397 W. 1060 South, Orem, Utah 84058, grantee(s), for the sum of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION,

The certain tract of land located in Kane County, State of Utah, described as follows:

ALL OF LOT 380, KANAB CREEK RANCHOS, UNIT NO. 4, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF KANE COUNTY, STATE OF UTAH.

TOGETHER WITH all rights, privileges, easements, rights of way, improvements and appurtenances thereunto belonging or in any way appertaining thereto;

SUBJECT TO easements, rights of way, restrictions, conditions, covenants, and reservations of record and those enforceable in law and equity.

LIMITED solely to that property interest vested in the Grantor, if any.

WITNESS the hand of said grantor this _____ day of _____, 201__.

Douglas Heaton, Chair
Kane County Board of Commissioners

STATE OF UTAH)
 :ss.
COUNTY OF KANE)

The foregoing instrument was acknowledged before me this _____ day of _____, 201__, by Douglas Heaton, Chair, Kane County Board of Commissioners, who personal appeared before me, being personal known or identity satisfactorily established by me.

Notary Public/County Clerk

Bob:

RECEIVED

MAY 05 2014

F V I,

March 4, 2014

Jim Matson
Kane County Commission
78 North Main Street
Kanab, Utah 84741

Commissioner Matson:

A year and a half ago I wrote the attached letter inquiring if KCR lot 380 should be returned to Kanab Creek Ranchos.

In a recent phone conversation, Dale Clarkson mentioned that you now have responsibility over this matter, and that you and he had talked about it. Dale's impression was that you and the commission favor the idea of deeding the lot back to KCR. If that is the case, the deed could be prepared by either a title company or the County Attorney.

The deed would convey,

"All of Lot 380, Kanab Creek Ranchos Unit No. 4, according to the Official Plat thereof, on file in the Office of the Recorder of Kane County, State of Utah",

to Kanab Creek Ranchos Inc., a Utah Corporation, with it's principal office at 397 W 1060 South in Orem, Utah 84058.

If this is what should be done, we will appreciate your moving ahead with the preparation and recoring of the deed.

Please let me know if there are any questions or if any action is needed on our part.

Thank you for your assistance.

Respectfully,

KANAB CREEK RANCHOS, Inc.
Philip R. Snelgrove, President
397 W 1060 South
Orem, Utah 84058
(801) 360-3506

psnelgrove@gmail.com

5/2/14

Jim:

Has this been resolved?

Please let me know.

Phil

KANE COUNTY COMMISSION AGENDA REQUEST:

Date of Regular/Work Meeting Requested: 6-9-14

Dept. /Business Name: Clerk/Auditor
DM

Topic/Re: Approve Tax Sale Minutes
Kane County 2014 Tax Sale

Dept. Head/Owner: Karle Johnson

Meeting Requested by: " "

Contact name & #: _____

MINUTES OF THE 2014 MAY TAX SALE

Present: Clerk/Auditor Karla Johnson, Deputy Clerk/Auditors-Holly Ramsay, Cami Macias, Carol Lee Hunt and Linda Millett, Treasurer Georgia Baca, Deputy Treasurer Patty Salter, Assessor Linda Little, Deputy County Attorney Kent Burggraaf.

The 2014 May Tax Sale was called to order at 10:00 a.m. on Thursday, May 22nd, in the Commission Chambers.

The County Auditor began by welcoming the bidders and reading Ordinance 2014-2, Public Notice, Method of Sale and Kane County May Tax Sale Rules.

Each parcel was presented by number, owner, account number, and serial number. Total taxes, penalties, interest and administrative costs of each parcel were also announced.

Bidding began with Parcel #29: Account #0171323, Serial #K-205-OL. Amount owed for taxes and fees \$747.89. The beginning bid was \$747.89. The ending bid was \$1,300.00. Purchaser: Logan Brown and Sindi Brown, husband and wife, as joint tenants.

Parcel #57: Account #0168433, Serial #K-192-36. Amount owed for taxes and fees \$2,991.44. The beginning bid was \$2,991.44. It was stricken off to the County upon no bids tendered.

Parcel #75: Account #032725, Serial #Z-59. Amount owed for taxes and fees \$2,521.25. The beginning bid was \$2,521.25. The ending bid was \$5,300.00. Purchaser: Logan Brown and Sindi Brown, husband and wife, as joint tenants.

Parcel #76: Account #032741, Serial #Z-60. Amount owed for taxes and fees \$2,281.40. The beginning bid was \$2,281.40. The ending bid was \$4,500.00. Purchaser: Logan Brown and Sindi Brown, husband and wife, as joint tenants.

Parcel #96: Bidding called by Deputy Clerk/Auditor Carol Lee Hunt. Account #0088685, Serial #6-85. Amount owed for taxes and fees \$13,140.22. The beginning bid was \$13,140.22. The ending bid was \$13,140.22. Purchaser: A Que Johnson and Karla Johnson, husband and wife, as joint tenants.

Parcel #100: Bidding called by Deputy Clerk/Auditor Carol Lee Hunt. Account #0007172, Serial #B-J-B-8. Amount owed for taxes and fees \$4,099.26. The beginning bid was \$4,099.26. The ending bid was \$6,100.00. Purchaser: Richard Hensman.

Parcel #107: Account #0027436, Serial #P-A-8. Amount owed for taxes and fees \$853.71. The beginning bid was \$853.71. It was stricken off to the County upon no bids tendered.

Parcel #116: Account #0058159, Serial #27-8-27. Amount owed for taxes and fees \$719.17. The beginning bid was \$719.17. The ending bid was \$4,400.00. Purchaser: Bumbleberry Gifts LLC.

Parcel #123: Account #0164924, Serial #O-181-7. Amount owed for taxes and fees \$5,657.44. The beginning bid was \$5,657.44. The ending bid was \$6,000.00. Purchaser: Jarod J Brinkerhoff and Kristy A Brinkerhoff, husband and wife, as joint tenants.

Parcel #125: Account #0047947, Serial #19-F-13. Amount owed for taxes and fees \$810.95. The beginning bid was \$810.95. The ending bid was \$1,100.00. Purchaser: Logan Brown and Sindi Brown, husband and wife, as joint tenants.

Parcel #158: Bidding called by Deputy Clerk/Auditor Carol Lee Hunt. Account #0088446, Serial #6-63. Amount owed for taxes and fees \$10,757.01. The beginning bid was \$10,757.01. The ending bid was \$10,757.01. Purchaser: A Que Johnson and Karla Johnson, husband and wife, as joint tenants.

Parcel #161: Bidding called by Deputy Clerk/Auditor Carol Lee Hunt. Account #0087588, Serial #6-202. Amount owed for taxes and fees \$13,891.28. The beginning bid was \$13,891.28. The ending bid was \$15,400.00. Purchaser: Ken H Hardison and Ken G Hardison of the Hardison Family Trust, Tenants in Common.

Parcel #162: Account #0088156, Serial #6-37. Amount owed for taxes and fees \$12,810.24. The beginning bid was \$12,810.24. It was stricken off to the County upon no bids tendered.

Parcel #170: Account #0123540, Serial #9-8-10-3B. Amount owed for taxes and fees \$774.95. The beginning bid was \$774.95. The ending bid was \$774.95. Purchaser: Logan Brown and Sindi Brown, husband and wife, as joint tenants.

WHERE UPON MEETING ADJOURNED AT 10:30 A.M.

Doug Heaton
Commission Chair

Karla Johnson
Clerk/Auditor

KANE COUNTY COMMISSION AGENDA REQUEST:

Date of Regular/Work Meeting Requested: 6-9-14

Dept. /Business Name: Treasurer

Topic/Re: Zion's Bank Investments

Dept. Head/Owner: Georgia Baca

Meeting Requested by: _____

Contact name & #: _____

KANE COUNTY COMMISSION AGENDA REQUEST:

Date of Regular/Work Meeting Requested: 6-9-14

Dept. /Business Name: Clerk/Auditor Johnson

Topic/Re: Court Contract 2014-2015 Fiscal Year

Dept. Head/Owner: Karla Johnson

Meeting Requested by: " "

Contact name & #: _____

**APPENDIX A- RENEWAL #32
STATE COURT CONTRACTUAL AGREEMENT***

Fiscal Year 2014-2015

COURT LOCATION KANE COUNTY, 76 N. MAIN, KANAB, UTAH 84741

Secondary Loc. X

Municipal Dept. _____

I. Materials and Supplies

Office Expenses and Supplies
(Including Printing) \$ 512.62

Equipment Supplies & Maintenance \$ 0.00

Telephone \$ 1,000.00

Postage \$ 749.36

Photocopy & Fax Expenses \$ 1,200.00

Credit Card:
Monthly Charge (incl. transaction fees) \$ 1,891.32

Other Miscellaneous \$ 0.00

Total Materials & Supplies \$ 5,353.30

II. Clerical Support FTE: 1.25

Salaries & Benefits \$ 52,800.00

Sub-Total of Items I & II \$ 58,153.30

III. Lease of Court Space

Square Footage 3,846.0

Rate \$ 10.34 \$ 39,767.64

IV. TOTAL AGREEMENT \$ 97,920.94

*Pursuant to 78A-5-111

Pursuant to the provisions of Paragraph B of Contract # 84-0211, Paragraph E is amended to reflect the above contract amount of \$ 97,920.94 for fiscal year 2014-2015 and shall be allocated in accordance with the above schedule.

The City/County shall maintain and make available to the A.O.C. auditing staff the supporting documentation for all Materials, Supplies, Salaries, Benefits, Credit card processing charges and other expenditures incurred by the County in conjunction with this agreement. The total amount listed above represents the maximum that will be reimbursed under this Agreement. The City/County shall not use these funds for any purpose other than to support the costs of the courts as herein above listed.

Employees or officials of the City/County shall not be considered employees of the State of Utah, A.O.C., or the District Court. The City/County shall assume full responsibility for its own defense and shall indemnify, save harmless and defend the State, A.O.C., and the District Court and their employees, officers and authorized agents from and against any and all claims, damages, actions, costs and charges including attorney's fees, arising out of or by reason of the City/County or City/County's employees acts or failures to act.

UCA Section 17-20-1, County Clerk - District Court Clerk duties, states, "The County Clerk is the clerk of the governing body of the County. The clerk shall act as Clerk of the District Court in secondary counties of the State District Court Administrative system and those counties not in the system, and shall perform the duties listed in UCA Section 78A-5-108." During the period covered by this Contractual Agreement, the Clerk of Court and clerical staff of all District Court locations are required to attend twenty (20) hours of professional development training provided by the State Court System. Court operations shall be subject to periodic audits by the Internal Audit Department of the AOC, as more fully described in rule 3-415, Utah Code of Judicial Administration. These audits are independent of any other audit that may be required under state law.

The Clerk is responsible to separate critical money-handling functions so that accountability is clear and any irregularities can be identified, and to ensure that the money receipting process provides no opportunity for misuse of funds. In situations where it is not possible to separate duties, compensating controls must be implemented. The court must comply with the "Utah State Courts Accounting Manual - Accounting Model Section - Separation of Critical Duties Topic" and UCA 17-36-45 "Internal Control Structure".

Funds received from the contract sites for photo copies and/or fax services provided will continue to be deposited into the General Fund. These funds will continue to be used to assist in the cost of upgrading and expanding courts technology and equipment for the contract court site through the A.O.C.

Effective Date: 07-01-14

City/County Official

Approved as to availability of funds:

Approved as to form:

Budget Manager, AOC

General Counsel, AOC

Facilities Manager, AOC

KANE COUNTY COMMISSION AGENDA REQUEST:

Date of Regular/Work Meeting Requested: June 9

Dept. /Business Name: LUA

Topic/Re: Kane County General Plan / Resource
Management Plan - Proposed Revisions for Public Lands
in Kane County, pertaining to the GSENM

Dept. Head/Owner: Shannon McBride

Meeting Requested by: " "

Contact name & #: _____

Approve Changes Comm. Agenda 5-19-14

KANE COUNTY

Planning Commission/Land Use Authority

May 14, 2014

5:30 p.m./Work Meeting

6:00 p.m. Regular Meeting/Public Hearings-Commission Chambers

Kane County Courthouse

76 North Main Street, Kanab, Utah

Agenda

Facilitator:

Chairman, Tony Chelewski

Attendees:

Planning Commission, County Staff, Interested Citizens

5:30 PM

Work Meeting

6:00 PM

Pledge of Allegiance

Approval of Minutes

Announcements

Chairman, Tony Chelewski

Chairman, Tony Chelewski

Administrative/6:00pm
Public Hearing

Rural Unimproved Subdivision- Arthur N. Manteris, Property Owner; Bryce View Estates Subdivision; 7 Lots, 10 Acre minimum; Submitted by TC Engineering, Tom Avant.

Administrative/6:01pm
Public Hearing

Rural Unimproved Subdivision- Sylvan W. Johnson, Trustee of the Sylvan & Farris Johnson Family Living Trust (1/18/94); Johnson Family Subdivision; 3 Lots; Submitted by TC Engineering, Tom Avant.

Administrative/6:02pm
Public Hearing

Rural Unimproved Subdivision- John & Mary Kathleen Rhinehart, Property Owners; Lit'l Bit Ranch Subdivision; *next month* 2 Lots, consisting of 23.3 acres; Submitted by TC Engineering, Tom Avant.

Legislative/6:03pm
Public Hearing

Chapter 21 Amending Subdivision Regulations- Kane County Land Use Ordinance proposed revisions.

Legislative/6:05pm
Public Hearing

Kane County Zoning Map- (Chapter 27) Establishing the Escalante Grazing Zone as a Multiple Uses/Multiple Functions Livestock Grazing Zone for Public Lands.

Legislative/6:10pm
Public Hearing

Kane County General Plan/Resource Management Plan- Proposed Revisions for Public Lands in Kane County, Pertaining to the Grand Staircase- Escalante National Monument, Utah.

*DeFavz
to
June*

June 9, 2014

KANE COUNTY COMMISSION AGENDA REQUEST:

Date of Regular/Work Meeting Requested: 6-9-14

Dept. /Business Name: GIS

Topic/Re: Title V Renewals

Dept. Head/Owner: Lou Pratt

Meeting Requested by: " "

Contact name & #: _____

APPLICATION FOR TRANSPORTATION AND
UTILITY SYSTEMS AND FACILITIES
ON FEDERAL LANDS

FORM APPROVED
OMB Control Number: 0596-0082
Expiration Date: 10/31/2012

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

Application Number

Date Filed

1. Name and address of applicant (*include zip code*)

2. Name, title, and address of authorized agent if different from item 1 (*include zip code*)

3. Telephone (area code)

Applicant

Authorized Agent

4. As applicant are you? (*check one*)

- a. Individual
- b. Corporation*
- c. Partnership/Association*
- d. State Government/State Agency
- e. Local Government
- f. Federal Agency

* If checked, complete supplemental page

5. Specify what application is for: (*check one*)

- a. New authorization
- b. Renewing existing authorization No.
- c. Amend existing authorization No.
- d. Assign existing authorization No.
- e. Existing use for which no authorization has been received *
- f. Other*

* If checked, provide details under item 7

6. If an individual, or partnership are you a citizen(s) of the United States? Yes No

7. Project description (describe in detail): (a) Type of system or facility, (*e.g., canal, pipeline, road*); (b) related structures and facilities; (c) physical specifications (*Length, width, grading, etc.*); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (*Attach additional sheets, if additional space is needed.*)

8. Attach a map covering area and show location of project proposal

9. State or Local government approval: Attached Applied for Not Required

10. Nonreturnable application fee: Attached Not required

11. Does project cross international boundary or affect international waterways? Yes No (*if "yes," indicate on map*)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

13a. Describe other reasonable alternative routes and modes considered.

b. Why were these alternatives not selected?

c. Give explanation as to why it is necessary to cross Federal Lands.

14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. (Specify number, date, code, or name)

15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

20. Name all the Department(s)/Agency(ies) where this application is being filed.

I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

Signature of Applicant

Date

Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

GENERAL INFORMATION
ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved right-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture
Regional Forester, Forest Service (USFS)
Federal Office Building,
P.O. Box 21628
Juneau, Alaska 99802-1628
Telephone: (907) 586-7847 (or a local Forest Service Office)

Department of the Interior
Bureau of Indian Affairs (BIA)
Juneau Area Office
Federal Building Annex
9109 Mendenhall Mall Road, Suite 5
Juneau, Alaska 99802
Telephone: (907) 586-7177

Department of the Interior
Bureau of Land Management
222 West 7th Avenue
P.O. Box 13
Anchorage, Alaska 99513-7599
Telephone: (907) 271-5477 (or a local BLM Office)

U.S. Fish & Wildlife Service (FWS)
Office of the Regional Director
1011 East Tudor Road
Anchorage, Alaska 99503
Telephone: (907) 786-3440

National Park Service (NPA)
Alaska Regional Office, 2225
Gambell St., Rm. 107
Anchorage, Alaska 99502-2892
Telephone: (907) 786-3440

Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional Environmental Office, P.O. Box 120, 1675 C Street, Anchorage, Alaska 99513.

Department of Transportation
Federal Aviation Administration
Alaska Region AAL-4, 222 West 7th Ave., Box 14
Anchorage, Alaska 99513-7587
Telephone: (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

SPECIFIC INSTRUCTIONS
(Items not listed are self-explanatory)

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information is as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

DATA COLLECTION STATEMENT

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certification for the use of Federal lands. The Federal agencies use this information to evaluate the applicant's proposal. The public is obligated to submit this form if they wish to obtain permission to use Federal lands.

SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide instructions	CHECK APPROPRIATE BLOCK	
	ATTACHED	FILED*
I - PRIVATE CORPORATIONS		
a. Articles of Incorporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Corporation Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.	<input type="checkbox"/>	<input type="checkbox"/>
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications.	<input type="checkbox"/>	<input type="checkbox"/>
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.	<input type="checkbox"/>	<input type="checkbox"/>
II - PUBLIC CORPORATIONS		
a. Copy of law forming corporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Proof of organization	<input type="checkbox"/>	<input type="checkbox"/>
c. Copy of Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.	<input type="checkbox"/>	<input type="checkbox"/>
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY		
a. Articles of association, if any	<input type="checkbox"/>	<input type="checkbox"/>
b. If one partner is authorized to sign, resolution authorizing action is	<input type="checkbox"/>	<input type="checkbox"/>
c. Name and address of each participant, partner, association, or other	<input type="checkbox"/>	<input type="checkbox"/>
d. If application is for an oil or gas pipeline, provide information required by item "I - f" and "I - g" above.	<input type="checkbox"/>	<input type="checkbox"/>

*If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

NOTICES

Note: This applies to the Department of Agriculture/Forest Service (FS)

This information is needed by the Forest Service to evaluate the requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations or the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

BURDEN AND NONDISCRIMINATION STATEMENTS

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 8 hours hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720- 2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Church

Wells

Church Wells

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CASE RECORDATION
(MASS) Serial Register Page

Run Time: 10:44 AM
Page 1 of 1

Run Date: 04/04/2014

01 10-21-1976;090STAT2776;43USC1761

Total Acres 21.818
Serial Number UTU--- - 052890

Case Type 281001: ROW-ROADS
Commodity 971: NON-ENERGY FACILITIES
Case Disposition: AUTHORIZED

Name & Address		Serial Number: UTU--- - 052890	Int Rel	% Interest
KANE COUNTY OF	76 N MAIN	KANAB UT 84741	HOLDER	100.000000000

Mer Twp	Rng	Sec	S Typ	SNr Suff	Subdivision	District/Field Office	County	Mgmt Agency
26	0420S	0010E	025	ALIQ	NW,N2SW,NWSE;	GRAND STAIRCASE ESCALANTE	KANE	BUREAU OF LAND MGMT
26	0420S	0010E	025	LOTS	1,2;	GRAND STAIRCASE ESCALANTE	KANE	BUREAU OF LAND MGMT
26	0420S	0010E	035	ALIQ	S2S2S2SE;	GRAND STAIRCASE ESCALANTE	KANE	BUREAU OF LAND MGMT
26	0420S	0010E	036	ALIQ	W2;	GRAND STAIRCASE ESCALANTE	KANE	BUREAU OF LAND MGMT

Act Date	Code	Action	Action Remark	Pending Office
04/26/1984	124	APLN RECD		
04/26/1984	500	GEOGRAPHIC NAME	CHURCH WELLS RD	
07/01/1984	307	ROW GRANTED-ISSUED		
07/01/1984	503	LENGTH IN MILES	3;	
07/01/1984	504	WIDTH IN FEET (TOTAL)	60;	
09/18/1984	950	COMPLIANCE APPROVED		
07/28/1989	974	AUTOMATED RECORD VERIF		
07/16/1996	950	COMPLIANCE APPROVED		
06/22/2004	950	COMPLIANCE APPROVED		
08/09/2012	042	CASE SENT TO	GSENM	
04/16/2013	950	COMPLIANCE APPROVED		
05/01/2014	247	FUTURE ACTION SUSPENSE	RENEWAL?;	
06/30/2014	763	EXPIRES		
05/14/2024	853	COMPL/REVIEW DUE DATE		

Line Nr	Remarks
0001	RENEWAL QUERY SENT TO KANE COUNTY MARCH 2014;

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

KANAB RESOURCE AREA
320 North First East
P.O. Box 459, Kanab, UT 84741

RIGHT-OF-WAY

Section A

- (1) There is hereby granted, pursuant to Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 176), a nonexclusive, nonpossessory right-of-way to:

Kane County
c/o Kane County Courthouse
Kanab, Utah 84741

In case of change of address the holder shall immediately notify the authorized officer.

- (2) To use, subject to terms and conditions set out below, the described public land.

T. 42 S., R. 1 E., Section 35, S $\frac{1}{2}$ S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$,
36 E $\frac{1}{2}$ N $\frac{1}{2}$, 25 SW $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Salt Lake Base and Meridian

- (3) Description of the right-of-way and purpose:

The right-of-way is for a county road. The width of the right-of-way will be limited to 60'. The total length of the right-of-way is 3 miles and contains 9.4 acres, more or less.

A map showing the location of the right-of-way over the above-described public land is attached as Exhibit "A."

Section B

- (1) The right-of-way holder agrees to comply with all the applicable regulations contained in 43 CFR 2800.
- (2) If the right-of-way holder violates any of the terms and conditions to this grant, the authorized officer, after giving written notice, may declare the grant terminated.
- (3) This grant is subject to all valid rights existing on the effective date of this grant.
- (4) There is reserved to the authorized officer, the right to grant additional rights-of-way or permits for compatible use on, over, under, or adjacent to the land involved in this grant.

- (5) The right-of-way shall be relinquished to the United States if the authorized uses are no longer needed.
- (6) All other terms and conditions. Compliance will be in accordance with the stipulations as specified herein and on exhibit "B."
- (7) Rental - Exempt, County Government.
- (8) This right-of-way grant shall terminate 30 years from the effective date of this grant unless prior thereto it is relinquished, abandoned, terminated, or otherwise modified pursuant to the terms and conditions of this grant or of any applicable Federal Law or regulation.

(a) This right-of-way grant may be renewed. If renewed, the right-of-way will be subject to regulations existing at the time of renewal, and such other terms and conditions necessary to protect the public interest.

Section C

The effective date of this right-of-way grant is the date of execution by the authorized officer.

The undersigned agrees to the terms and conditions of this right-of-way grant:

The right-of-way grant is executed this 1st day of July, 1984.

Edwin E. Hanson
 (Name) Kane County Officer

Rex Rowley
 (BLM Authorized Officer - Rex Rowley)

7/2/84
 (Date)

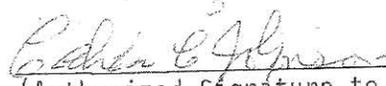
(Title) Kanab Area Manager - BLM

EXHIBIT "B"

Stipulations to the Grant

1. Clearing of vegetation from within the right-of-way will be limited to that area necessary to construct the road.
2. Historic and Archeological Values. The grantee (county) will be alert in construction operations to take all reasonable and necessary precautions to protect and preserve historic and prehistoric ruins and artifacts discovered during construction. The grantee (county) shall immediately bring to the attention of the authorized officer any objects or resources of cultural or scientific value discovered as a result of operations under this grant, and shall leave such discoveries intact until permitted to proceed. Appropriate mitigation, approved by the authorized officer, shall be undertaken prior to proceeding with any operations that might be destructive to a significant discovery. The responsibility for, and cost of, investigation and mitigation of adverse effects on cultural resources discovered during operations will be that of the grantee. All objects of antiquity salvaged from public lands are the property of the United States Government and will be turned over to the BLM.
3. Within 30 days after conclusion of construction operations all construction materials and related litter and debris, including vegetative cover accumulated through land clearing, will be disposed of in accordance with instructions of the Authorized Officer.
4. When all development and rehabilitation have been completed a joint compliance check of the right-of-way will be made by the Grantee and the Authorized Officer or his designated representative to determine compliance with the terms and conditions of this grant. Grantee will perform at his own expense any required modifications or additional reclamation work needed to comply with the terms of the grant.
5. The grantee (county) shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of BLM administered lands under this right-of-way.
6. The grantee (county) will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. Grantee will take affirmative action to ensure that applicants are employed, and that employees are equally treated during employment, without regard to their race, color, religion, sex, or national origin, such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
7. Disturbance of improvements such as fences, roads, and watering facilities, etc., encountered during construction and maintenance of the right-of-way must be kept to an absolute minimum. The Grantee is required to immediately restore any damaged improvements to at least their former state. Functional use of these improvements must be maintained at all times.

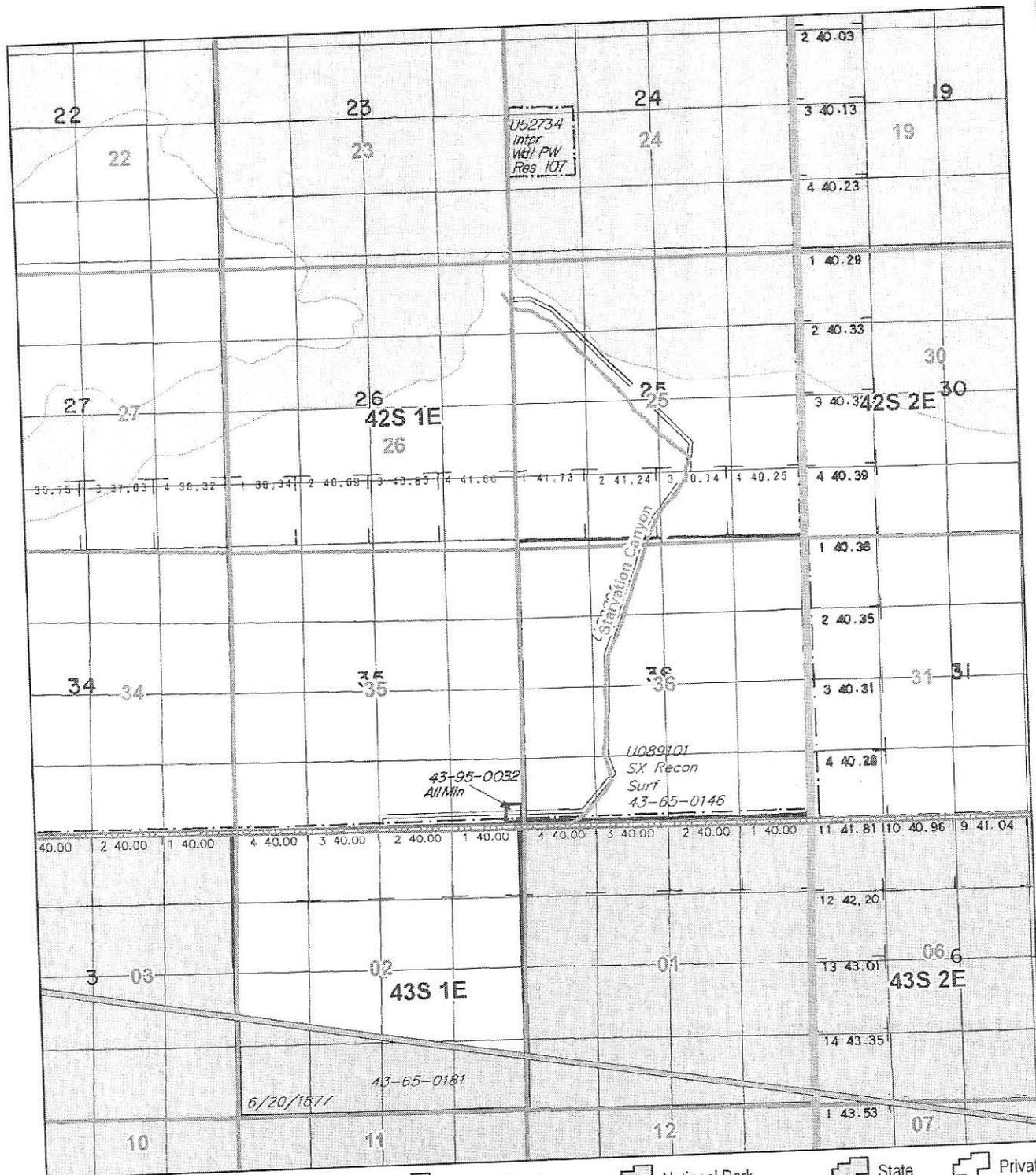
7/2/84
Date


(Authorized Signature to accept Stipulations)

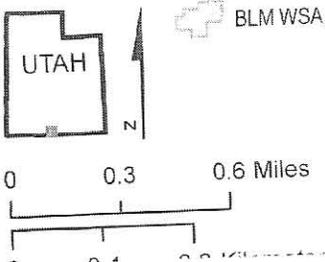
UTU-52890 Kane County ROW

March 2014

BLM



-  BLM
-  BLM Wilderness
-  National Forest
-  National Park
-  State
-  Private



Projection: Transverse Mercator
 Coordinate System: UTM
 Datum: North American Datum of 1983 (NAD 83)

No warranty is made by the BLM for use of the data for purposes not intended by the BLM.

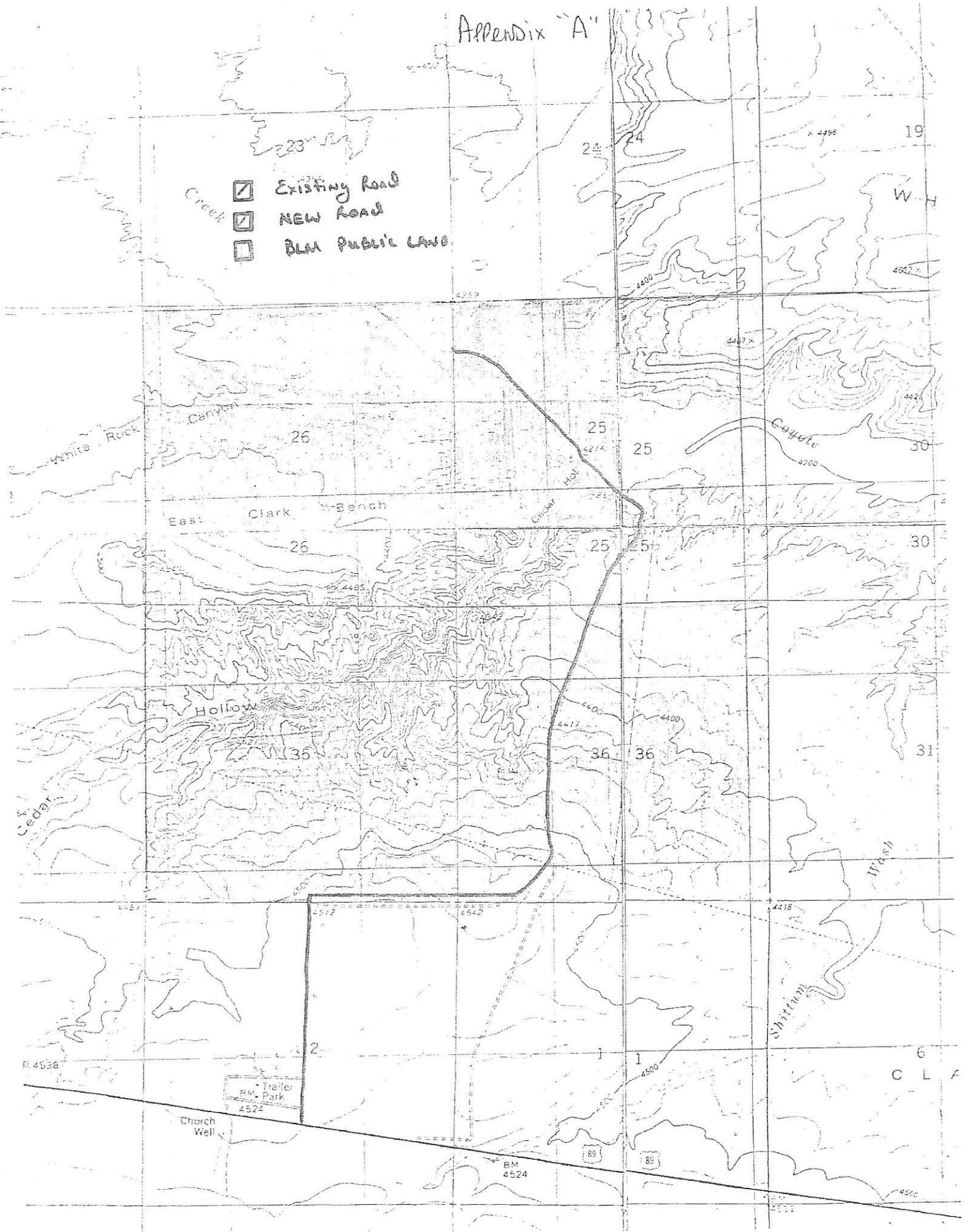
This product may not meet BLM standards for accuracy and content. Different data sources and input scales may cause some misalignment of data layers.



KANE FIELD OFFICE

Appendix "A"

-  Existing Road
-  NEW ROAD
-  BLM PUBLIC LAND



Johnson Canyon

Johnson Canyon

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CASE RECORDATION
(MASS) Serial Register Page

Run Time: 10:43 AM
Page 1 of 1

Run Date: 04/04/2014

01 10-21-1976;090STAT2776;43USC1761

Total Acres 0.800
Serial Number UTU--- - 052882

Case Type 281001: ROW-ROADS
Commodity 971: NON-ENERGY FACILITIES
Case Disposition: AUTHORIZED

Serial Number: UTU--- - 052882
Int Rel % Interest

Name & Address		KANAB UT 84741	HOLDER	100.000000000
KANE CO ROAD DEPT	76 N MAIN			

Serial Number: UTU--- - 052882

Mer Twp	Rng	Sec	STyp	SNr Suff	Subdivision	District/Field Office	County	Mgmt Agency
26	0420S	0050W	011	ALIQ	NWNE;	GRAND STAIRCASE ESCALANTE	KANE	BUREAU OF LAND MGMT

Serial Number: UTU--- - 052882

Act Date	Code	Action	Action Remark	Pending Office
03/16/1984	124	APLN RECD		
03/16/1984	500	GEOGRAPHIC NAME	JOHNSON CYN	
07/01/1984	307	ROW GRANTED-ISSUED		
07/01/1984	502	LENGTH IN FEET	600;	
07/01/1984	504	WIDTH IN FEET (TOTAL)	60;	
09/20/1984	041	COMPL EXAM/RPT COMPLETED		
01/21/1986	950	COMPLIANCE APPROVED		
07/26/1989	974	AUTOMATED RECORD VERIF		
08/28/1996	950	COMPLIANCE APPROVED		
12/05/2001	950	COMPLIANCE APPROVED		
06/29/2009	042	CASE SENT TO	KPO UTC040;	
08/26/2009	950	COMPLIANCE APPROVED		
01/01/2014	853	COMPL/REVIEW DUE DATE		
05/01/2014	247	FUTURE ACTION SUSPENSE	RENEWAL?;	
06/30/2014	763	EXPIRES		

Serial Number: UTU--- - 052882

Line Nr	Remarks
0001	RENEWAL QUERY SENT TO KANE COUNTY MARCH 2014;

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

KANAB RESOURCE AREA
320 North First East
P.O. Box 459, Kanab, UT 84741

RIGHT-OF-WAY

Section A

- (1) There is hereby granted, pursuant to Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 176), a nonexclusive, nonpossessory right-of-way to:

Kane County
c/o Kane County Courthouse
Kanab, Utah 84741

In case of change of address the holder shall immediately notify the authorized officer.

- (2) To use, subject to terms and conditions set out below, the described public land.

T. 42 S., R. 5 W., Section 11 NW $\frac{1}{4}$ NE $\frac{1}{4}$
Salt Lake Base and Meridian

- (3) Description of the right-of-way and purpose:

The right-of-way is for a county road in Johnson Canyon. The width of the right-of-way is 60 feet and contains 8/10 of an acre, more or less.

A map showing the location of the right-of-way over the above-described public land is attached as Exhibit "A."

Section B

- (1) The right-of-way holder agrees to comply with all the applicable regulations contained in 43 CFR 2800.
- (2) If the right-of-way holder violates any of the terms and conditions to this grant, the authorized officer, after giving written notice, may declare the grant terminated.
- (3) This grant is subject to all valid rights existing on the effective date of this grant.
- (4) There is reserved to the authorized officer, the right to grant additional rights-of-way or permits for compatible use on, over, under, or adjacent to the land involved in this grant.

EXHIBIT "B"

Stipulations to the Grant

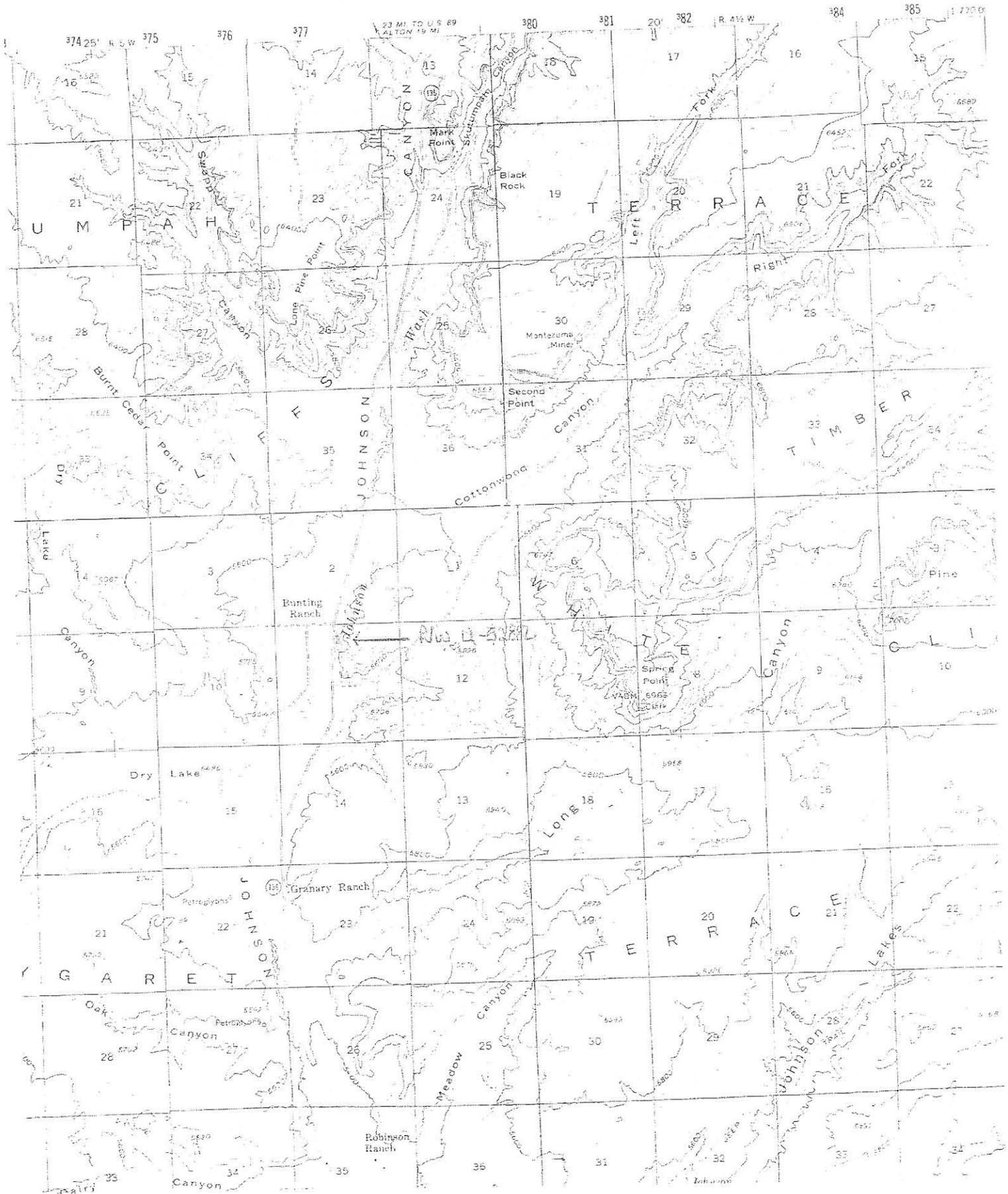
1. Clearing of vegetation from within the right-of-way will be limited to that area necessary to construct the road.
2. Historic and Archeological Values. The grantee (county) will be alert in construction operations to take all reasonable and necessary precautions to protect and preserve historic and prehistoric ruins and artifacts discovered during construction. The grantee (county) shall immediately bring to the attention of the authorized officer any objects or resources of cultural or scientific value discovered as a result of operations under this grant, and shall leave such discoveries intact until permitted to proceed. Appropriate mitigation, approved by the authorized officer, shall be undertaken prior to proceeding with any operations that might be destructive to a significant discovery. The responsibility for, and cost of, investigation and mitigation of adverse effects on cultural resources discovered during operations will be that of the grantee. All objects of antiquity salvaged from public lands are the property of the United States Government and will be turned over to the BLM.
3. Within 30 days after conclusion of construction operations all construction materials and related litter and debris, including vegetative cover accumulated through land clearing, will be disposed of in accordance with instructions of the Authorized Officer.
4. When all development and rehabilitation have been completed a joint compliance check of the right-of-way will be made by the Grantee and the Authorized Officer or his designated representative to determine compliance with the terms and conditions of this grant. Grantee will perform at his own expense any required modifications or additional reclamation work needed to comply with the terms of the grant.
5. The grantee (county) shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of BLM administered lands under this right-of-way.
6. The grantee (county) will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. Grantee will take affirmative action to ensure that applicants are employed, and that employees are equally treated during employment, without regard to their race, color, religion, sex, or national origin, such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
7. Disturbance of improvements such as fences, roads, and watering facilities, etc., encountered during construction and maintenance of the right-of-way must be kept to an absolute minimum. The Grantee is required to immediately restore any damaged improvements to at least their former state. Functional use of these improvements must be maintained at all times.

8. The grantee (county) will comply with all existing Federal, State, County and local laws and regulations pertaining to the protection and preservation of game and nongame wildlife species, water quality, public health, and public safety.
9. The grantee (county) will provide for a preconstruction conference with the county representative, the contractor, subcontractor and the BLM authorized officer or his representative.
10. No construction or use shall occur until the grantee receives the "Notice to Proceed" which will only be issued at the satisfactory conclusion of the preconstruction conference (Item 9).

7/21/84
Date

Calvin E. Johnson
Authorized Representative to Accept Stipulations

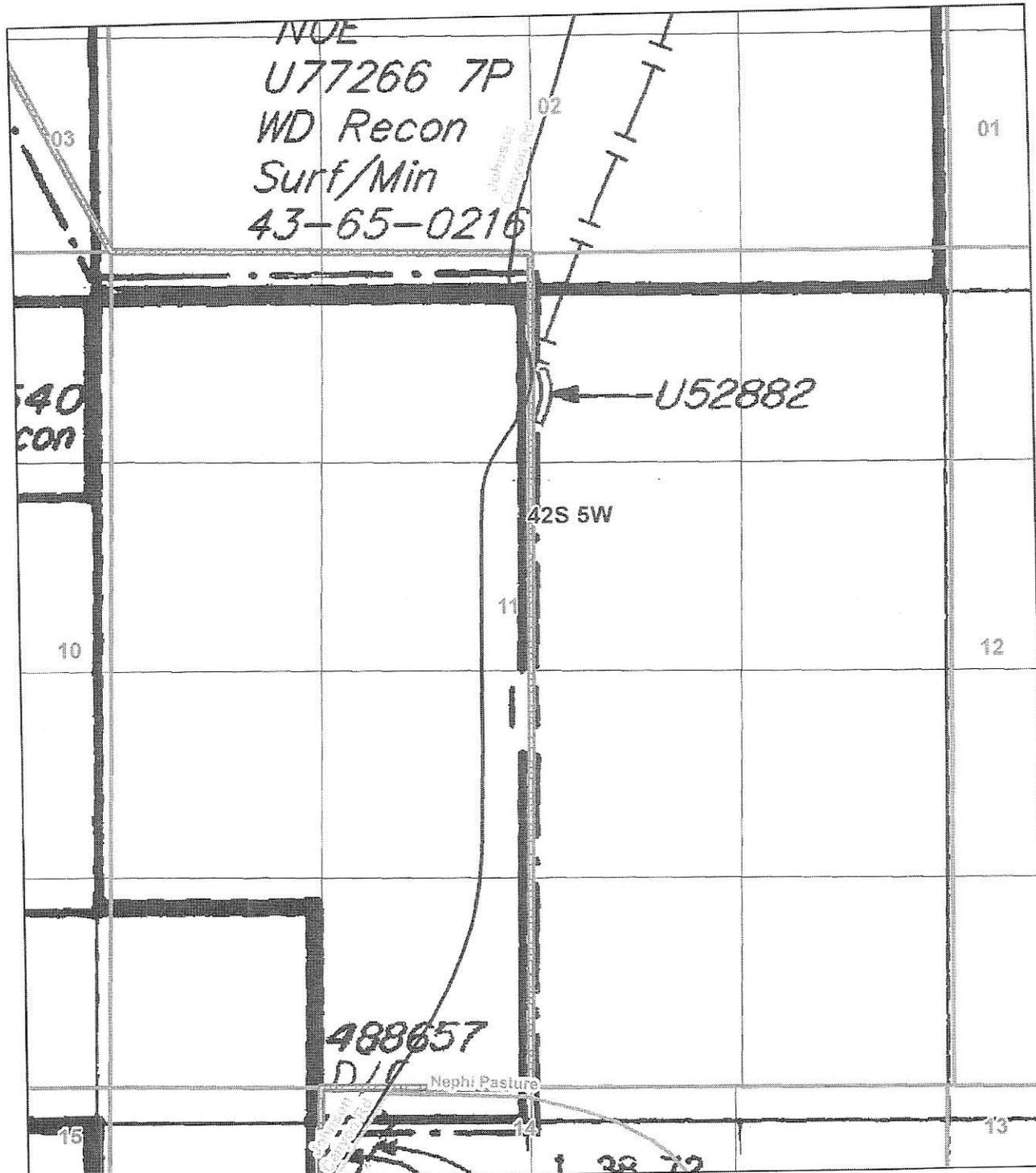
EXHIBIT "A"



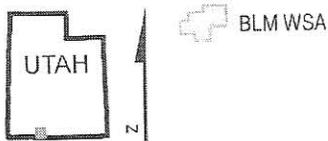
UTU-52882 Kane County ROW

March 2014

BLM



- BLM
- BLM Wilderness
- National Forest
- National Park
- State
- Private



0 0.1 0.2 Miles

0 0.125 0.25 Kilometers

Projection: Transverse Mercator
Coordinate System: UTM
Datum: North American Datum of 1983 (NAD 83)

No warranty is made by the BLM for use of the data for purposes not intended by the BLM.

This product may not meet BLM standards for accuracy and content. Different data sources and input scales may cause some misalignment of data layers.



KANAB FIELD OFFICE

KANE COUNTY COMMISSION AGENDA REQUEST:

Date of Regular/Work Meeting Requested: June 9

Dept. /Business Name: Commission

Topic/Re: Resolution to be used for input
to the Federal Register regarding
"Waters of the United States"

Dept. Head/Owner: Commissioner Nelson

Meeting Requested by: Byard Kershaw

Contact name & #: _____

KANE COUNTY COMMISSION AGENDA REQUEST:

Date of Regular/Work Meeting Requested: 6-9-14

Dept. /Business Name: ?

Topic/Re: Big Water Fire Dept./Up-grade
of Station/CIB Grant

Dept. Head/Owner: _____

Meeting Requested by: _____

Contact name & #: _____

KANE COUNTY COMMISSION AGENDA REQUEST:

Date of Regular/Work Meeting Requested: 6-9-14

Dept. /Business Name: Commission

Topic/Re: Proclamation Request: 2014 "Independents Week" campaign, taking place June 30 - July 6, 2014

Dept. Head/Owner: Commissioner Clayson

Meeting Requested by: Katherine Westmoreland

Contact name & #: _____

Linda Millett

From: Katherine Westmoreland [katherine@localfirst.org]
Sent: Wednesday, June 04, 2014 1:21 PM
To: ldmillett@kane.utah.gov
Subject: County Commission Agenda Item Request: Local First Utah's Independents Week
Attachments: Kane County.pdf

Dear County Commissioners,

As you may be aware, when citizens shop locally, four times more money stays in Utah's economy than when shopping at a national retailer. Local spending strengthens neighborhoods as it creates local jobs and a sense of community. To help encourage and celebrate local businesses in your county, Local First Utah is excited to announce the 2014 "Independents Week" campaign, taking place from June 30-July 6, 2014. As our nation celebrates its independence, communities across the country will also celebrate the vital contributions of locally owned independent businesses.

To show your support and honor to local business owners' remarkable contribution to the places we call home, we ask you to issue the attached proclamation at a county commission meeting, officially declaring June 30-July 6, 2014 as "Independents Week" in Kane County. Please reply to Katherine Westmoreland at Katherine@localfirst.org or 503-789-2989 regarding your plans so that we may alert the press about your proclamation. Thank you for considering our request.

Sincerely,

Kristen Lavelett, Executive Director
Katherine Westmoreland, Community Relations Coordinator

Katherine Westmoreland

Community Relations Coordinator, Local First Utah

katherine@localfirst.org

Cell: 503-789-2989

Office: 801-598-8611

Imagine this: If we all shift just 10% of our spending to local businesses, on a yearly basis, \$1.3 billion will stay in our Utah economy! Check out the Utah Study Series at www.localfirst.org for more info.

In Support of Local First Utah's Independents Week

Whereas, Independents Week provides a time to celebrate the independence of the members of the community of Kane County and the entrepreneurial spirit represented by our core of local independent businesses; and

Whereas, the individual decisions every community member makes today affect the future of Kane County; and

Whereas, Kane County's local independent businesses help preserve the uniqueness of the community and give us a sense of place; and

Whereas, Kane County's core of independently-owned businesses give back to this community in goods, services, time and talent; and

Whereas, the health of Kane County's economy depends on our support of businesses owned by our friends and neighbors; and

Whereas, Kane County's independent business owners and employees enrich community members' shopping experiences with their knowledge & passion;

Therefore, as we celebrate Independents Week 2014, we acknowledge that the ability to choose the direction of Kane County lies within each of us.

NOW, THEREFORE, we, the Kane County Commissioners do hereby proclaim the week of June 30-July 6, 2014, as: "Independents Week" and salute our community members and locally owned independent businesses who are integral to the unique flavor of Kane County and honor their efforts to make Kane County the place we want to live and work.

IN WITNESS WHEREOF, we hereunto set our hands and cause the seal of Kane County to be affixed this ____ day of _____, 2014.



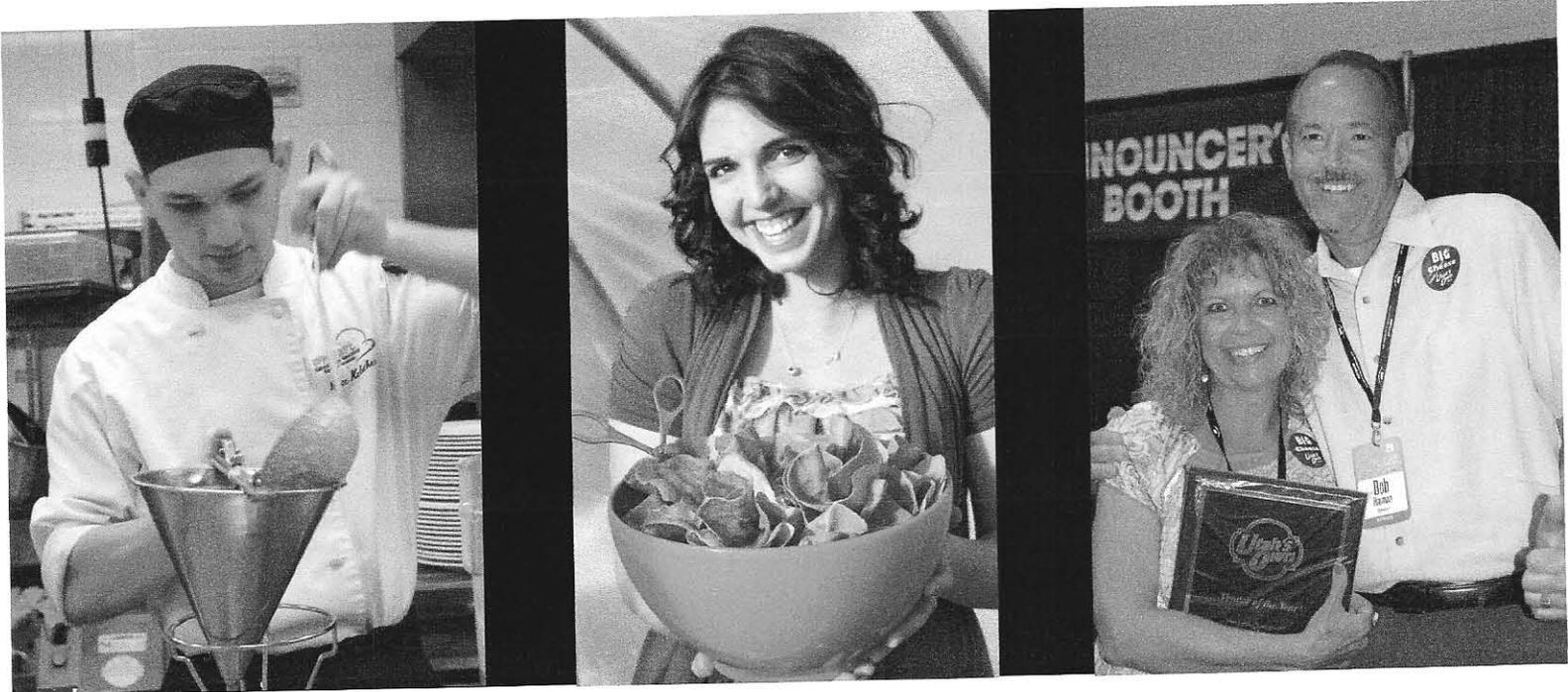
are partnering for a business resource training:

Successful Agriculture & Food Entrepreneurship

Monday, June 23 • 11:30 am - 1 pm

Lunch will be served

Southwest Applied Technology Center • 733 South Cowboy Way • Kanab, Utah



Please come mix and mingle with successful Utah food entrepreneurs from our community as they share their stories and sample their products. In addition, come and learn about the business resources available in your area, via representatives from Goldman Sach's 10,000 Small Business Centers, the Washington/Kane County Small Business Development Center, and Utah's Own.

Contact Kelly Stowell to reserve your spot: stowell@dixie.edu or 435-899-0443

