



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, August 28, 2024 at 6:00 PM

AGENDA

Notice is given that a meeting of the Town Council of the Town of Apple Valley will be held on **Wednesday, August 28, 2024**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Mayor | Michael Farrar |

Council Members | Kevin Sair | Janet Prentice | Annie Spendlove | Scott Taylor |

Please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

<https://us02web.zoom.us/j/82661513795>

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 826 6151 3795

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PRAYER

ROLL CALL

DECLARATION OF CONFLICTS OF INTEREST

PUBLIC COMMENTS: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

MAYOR'S TOWN UPDATE

1. AV-1378-N, Lot Split 2 parcels_Cortney Barlow.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

PUBLIC HEARING

2. Ordinance-O-2024-62, Amend Title 8.08.030 Fireworks Restrictions.
3. Ordinance-O-2024-59, Salaries in municipalities -- Notice.

DISCUSSION AND ACTION

- [4.](#) Ordinance-O-2024-62, Amend Title 8.08.030 Fireworks Restrictions.
- [5.](#) Special Event Permit Application_Grand Circle Trailfest - Day #2 - Vacation Races on October 4, 2024.
- [6.](#) Ordinance-O-2024-45, Adopt Title 10.42 Controlled Growth Management Plan.
*Planning Commission recommended approval on August 7, 2024.
- [7.](#) Ordinance-O-2024-46, Repeal Title 10.10.060 SF Single Family Residential Zone.
*Planning Commission recommended approval on August 7, 2024.
- [8.](#) Resolution-R-2024-29, Update Town Design Standards and Specifications, Add Section 3.6.7.5 Storage Tanks.
*Planning Commission recommended approval on August 7, 2024.
- [9.](#) Ordinance-O-2024-40, Adopt Title 10.39 Drones On Private Property.
*Planning Commission recommended approval on August 7, 2024.
- [10.](#) Ordinance-O-2024-41, Zone Change from Open Space Transition to A-X Agricultural Zone for parcel: AV-1368-TR. Applicant: Lyman Family Farm Inc.
*Planning Commission recommended approval on August 7, 2024.

- [11.](#) Ordinance-O-2024-42, Zone Change from Open Space Transition to A-X Agricultural Zone for parcels: AV-1354-D-8, AV-1354-D-7, AV-1354-D-6. Applicant: Hutchings, Shayne E & Julie TRS.

*Planning Commission recommended approval on August 7, 2024.
- [12.](#) Ordinance-O-2024-60, Zone Change from Open Space Transition to A-X Agricultural Zone for parcel: AV-1354-D-10. Applicant: Perry and Judy Keys.

*Planning Commission recommended approval on August 7, 2024.
- [13.](#) Ordinance-O-2024-50, Zone Change on parcel: AV-1327-B (Simply 899 LLC) from Cabins or Tiny Home Parks Zone (CTP) to Rural Estates Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

*Planning Commission recommended approval on August 7, 2024.
- [14.](#) Ordinance-O-2024-51, Zone Change on parcel: AV-1311-A-7-A (Gooseberry Preserve LLC) from Planned Development (PD) to Rural Estates Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

*Planning Commission recommended approval on August 7, 2024.
- [15.](#) Ordinance-O-2024-52, Zone Change on parcel: AV-1-3-5-211 (Heber R Allred) from Single-Family Residential > 20,000 Sq Ft (SF-.5) and Highway Commercial (C-2) to Rural Estates Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

*Planning Commission recommended approval on August 7, 2024.
- [16.](#) Ordinance-O-2024-55, Zone Change on parcel: AV-1319-A (Tru South, LLC) from Rural Estate 1 Acres Zone (RE-1) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

*Planning Commission recommended approval on August 7, 2024.
- [17.](#) Ordinance-O-2024-64, Zone Change on parcel: AV-1327 (Holm House LLC) from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

*Planning Commission recommended approval on August 7, 2024.
- [18.](#) Ordinance-O-2024-65, Zone Change on parcels: AV-1348-A, AV-1345, AV-1346, AV-1326 (Holm House LLC) from Rural Estates 1 Acre Zone (RE-1.0) to Rural Estates 5 Acres Zone (RE-5.0) for the stated purpose of “To lower density to match general plan, to address water issues.”

*Planning Commission recommended approval on August 7, 2024.
- [19.](#) Ordinance-O-2024-53, Zone Change on parcels: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 (Jepson Canyon Resort Development Co., Inc) from Planned Development (PD) to Rural Estates 1 Acres Zone (RE-1.0) and the reason for the request is “Change to RE-1.”

*Scheduled for Planning Commission recommendation on August 27, 2024.
- [20.](#) Ordinance-O-2024-54, Zone Change on parcels: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 (Little Creek Land Company, LLC) from Planned Development (PD) to Rural Estates 1 Acre Zone (RE-1.0) and Highway Commercial Zone (C-2) and the reason for the request is “Change to RE-1 and C-2.”

*Scheduled for Planning Commission recommendation on August 27, 2024.
- [21.](#) Ordinance-O-2024-56, Zone Change on parcels: AV-1317-B, AV-1317-D, AV-1325, AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420, AV-1324-A, AV-1323-A, AV-1322-A (Crimson Peaks Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is “Changing SF-.5 to RE-1.”

*Scheduled for Planning Commission recommendation on August 27, 2024.

[22.](#) Ordinance-O-2024-57, Zone Change on parcels: AV-1313-D-1-A, AV-1313-D-2 (West Temple Subdivision) from Single-Family Residential > 20,000 Sq Ft Zone (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 1 Acre Zone (RE-1.0) and the reason for the request is “Changing SF-.5 and SF-1.0 to RE-1, C-2 and A-40 will remain the same.”

*Scheduled for Planning Commission recommendation on August 27, 2024.

[23.](#) Ordinance-O-2024-59, Salaries in municipalities -- Notice.

[24.](#) Resolution-R-2024-33, Amendment to Personnel Policies and Procedures (QSEHRA Benefits).

[25.](#) Resolution-R-2024-34, Amendment to Personnel Policies and Procedures (Yearly Review Personnel policy with Bereavement updates).

[26.](#) Resolution-R-2024-35, Amendment to Personnel Policies and Procedures (Receipting update).

[27.](#) UpAhead Software Agreement.

CONSENT AGENDA

The Consent Portion of the Agenda is approved by one (1) non-debatable motion. If any Council Member wishes to remove an item from the Consent Portion of the agenda, that item becomes the first order of business on the Regular Agenda.

[28.](#) Disbursement Listing for July 2024.

[29.](#) Budget Report for Fiscal Year 2025 through July 2024.

[30.](#) Approval of Minutes: July 31, 2024, Special Town Council Meeting - Apple Valley Pipeline.

[31.](#) Approval of Minutes: July 31, 2024, Town Council Meeting and Hearing.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

ADJOURNMENT

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Agenda was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.

**APPLE VALLEY
ORDINANCE O-2024-62**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “8.08.030 Fireworks Restrictions” of the Apple Valley Municipal Code is hereby *amended* as follows:

AMENDMENT

8.08.030 Fireworks Restrictions

WHEREAS, the Town Council is concerned about hazardous fire conditions facing this region; and

WHEREAS, the Fire Chief of Apple Valley has determined that hazardous environmental conditions exist; and

WHEREAS, the Town Council is authorized to ban firework use within mountainous, brush-covered, forest-covered or wildland urban interface areas when hazardous environmental conditions exist; and

WHEREAS, the entire Town meets the definition of a mountainous, brush-covered, forest-covered, or wildland urban interface area.

NOW, THEREFORE, IT IS ORDAINED by the Town Council of the Town of Apple Valley that until further notice, the use of fireworks in the Town is prohibited.

Notwithstanding the above, and under direct supervision of the Fire Chief of Apple Valley or a Firefighter of Apple Valley designated by the Fire Chief of Apple Valley, legal safe and sane fireworks may be discharged on July 4th ~~and July 24th~~ of each year, between the hours of 7:00 p.m. to 11:00 p.m., on the Fire Department grounds of Apple Valley, located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Advanced notice of the discharge of fireworks shall be accomplished by contacting the Fire Chief of Apple Valley. The Fire Chief of Apple Valley or his designated representative reserves the right to terminate the discharging of fireworks in whole or to any individual at his/her discretion. If supervision from the Fire Department of Apple Valley is not available, then fireworks shall not be discharged.

Violation of this ordinance shall be punishable as a Class B Misdemeanor and/or Civil Fines.

The public health, safety and welfare requiring the same, this Ordinance shall take effect immediately upon its passage.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

EFFECTIVE DATE This Ordinance shall be in full force and effective immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

Date Received Application: August 12, 2024 Permit No: _____
Insurance Received: August 19, 2024 Date Issued: _____

SPECIAL EVENT PERMIT APPLICATION



Town of Apple Valley
1777 N Meadowlark Dr.
Apple Valley, UT 84737

Phone: 435-877-1190
E-mail: clerk@applevalleyut.gov

APPROVALS:

Mayor: _____
Date: _____
Fire: _____ Date: _____
Conditions of approval: _____
Police: Please see the Security Plan Request Application for approval and conditions.
Other Staff Approval: _____
Date: _____ Rev. 07-01-22

TYPE OF ACTIVITY (check all that apply):

- Film Production
- Parade
- Cycling
- 5K
- Training Event
- Festival
- Outdoors Sales
- Fun Run
- Sporting
- 10K
- Block Party
- Religious
- Dance
- Other: Trail Run

Please print or type

EVENT NAME: Grand Circle Trailfest

1. Location of Event: Ruby Rider Ranch - Main Street, Apple Valley, Utah 84737

2. Name of Organization: Vacation Races

3. Date(s) of Event: 10/4/24

4. EVENT DETAILS:

Set-up	Date: 10/4/24	Start time: 5:00 AM	End time: 7:00 Am
Event	Date: 10/4/24	Start time: 7:30 AM	End time: 11:30 AM
Clean-up	Date: 10/4/24	Start time: 11:30 AM	End time: 2:00 PM

Is this a Recurring Event? Yes **If yes; daily, weekly or other?** Annually
Is this an Annual Event? Yes **If yes; same date and place?** First weekend in October

5. PARTICIPANTS

of Participants & Attendees expected: 750 # of Volunteers/Event Staff: 25

Open to the Public Private Group/Party

If event is open to the public, is it: Entrance Fee/Ticketed Event; Fee for Participants/Racers/Runners Only; Free.

6. APPLICANT INFORMATION

Name of Applicant: Josh Oliveri

Address: 842 E Apach Dr., Washington, UT 84780

Day Phone: _____ **Cell/Other:** 503-926-2497 **E-mail:** Josh@vacationraces.com

Mailing Address (if different): _____

Event Web Address (if applicable): _____

Alternate Contact For Event: Richard Jessup

Day Phone: _____ **Cell/Other:** 480-647-1206 **E-mail:** permitting@vacationraces.com

7. VENDORS/FOOD/ALCOHOL (check all that apply)

Yes No **Are Vendors/Merchants selling products or services?**
 If yes, Temporary Sales Tax Numbers are required from the Utah State Special Event Tax Division 801-297-6303

Yes No **Is Food available at the event? Description:** _____
 If yes, Is the food (please check all that apply)
 Given away/pre-packaged Catered by: _____ Prepared on site
 Events which have Food available must contact the SW Utah Health Department for approval 435-986-2580

Yes No **Will Alcoholic Beverages be available at the event?**
 If yes, please check all that apply
 Beer Stands Fenced-in Beer Garden
 Selling, Serving, Giving Away, Alcohol at an event requires Town Council Approval, Town Business License and State Of Utah Department of Alcoholic Beverage Licensing approval 801-977-6800

8. TENTS/STAGES/STRUCTURES (include details on site map)

Yes No **Tents/Pop-up Canopies?**
 How many Tents/Pop-up Canopies will be used for the event? 2
 Dimensions of Tents/Pop-up Canopies: 10'x10'
 All large or enclosed tents/canopies require Inspections from the AV Fire Department 435-877-1194

Yes No **Temporary Stage? Dimensions of Stage:** _____

Description of Tents/Canopies/Stage, etc.:

9. SITE SETUP/SOUND (check all that apply - please include details on site map)

Fencing/Scaffolding

Barricades (must obtain privately)

Portable Sanitary Units (must obtain privately)

Inflatable/Bounce House(s) Generator(s) & Certificate of Liability Insurance are required (must obtain privately)

Music If yes, check all that apply: Acoustic Amplified

PA/Audio System Type/Description:

Fireworks/Fire Performances/Open Flame Requires approval from AV Fire Dept. 435-877-1194

Propane/Gas On-site Requires approval from AV Fire Dept. 435-877-1194

Trash/Recycle Bin coordination On-site WCSW 435-673-2813

10. ROAD & SIDEWALK USE (please include details on site map)

Yes No **Will Roads & Sidewalks Be Used?**

Yes No **Are you requesting Road &/or Sidewalk Closures?**
 An Encroachment Permit is required for Road Closures and Sidewalk Use.
 To obtain the permit, <https://www.applevalleyut.gov/building/page/encroachment-permit-application>

Road Use and Closure Location:

Sidewalk Use Location: Will stay on sidewalks and follow pedestrian laws.

Parade Location: Number of Floats:

11. ~SECURITY/OTHER (please complete and sign the Security Plan Approval Request Form, for approval of Security)

12. Application Fee is based on attendance, and charged per day, as follows:

\$200.00 for attendance under 100 \$800.00 for attendance 401-999 *See Fee Schedule for additional fees (following page)

\$500.00 for attendance 101-400 \$1,200.00 for attendance over 999

Total: \$ 500.00 (payable to: Town of Apple Valley – Attn: Special Events, 1777 N. Meadowlark Dr, Apple Valley, UT 84737)

By submitting a signed application, the applicant certifies that falsifying any information on this application constitutes cause for rejection or revocation of the Permit.

Josh Oliveri
Applicant's Name [PRINT]

Josh Oliveri
Applicant's Signature

8/4/24
Date

Additional fees that may be charged for your event. Please indicate what other fee's pertain to your event.

Drone License Fee.....	\$250.00 per day
Drone Violation Fee.....	\$1,000 per violation
Non-Asphalt Road Access Fee.....	\$250.00 per day
Dust Violation Fee.....	\$1,000 per day
Sub-License Fee (Vendors).....	\$25.00
Fire Personnel/Fire Equipment.....	\$750.00 per day
Encroachment Permit.....	\$200.00

EVENT DESCRIPTION

PLEASE DESCRIBE YOUR EVENT IN DETAIL; ADD ANY ADDITIONAL INFORMATION OR PAGES.

- *Please be sure to include any elements of your event that will help with the approval of the event, including provision of fire and emergency medical services, potable water, dust control, and security plan.*
-

DETAILED SITE PLAN/MAP

PLEASE INCLUDE [OR ATTACH] A DETAILED SITE PLAN AND/OR ROUTE MAP. COMPUTER OR HAND-DRAWN SITE PLANS ARE APPROPRIATE.

Your map should **include**:

- The names of streets, placement of barricades, and/or road/sidewalk closures
- The areas where participants and vendors/merchants will park
- Parade forming and disbanding areas, bleachers, etc.
- Vendor and booth placement, tables, etc.
- Portable toilets, portable hand-washing stations, fencing
- Location of security personnel, information booth, lost and found booth
- Stage, tents and materials, storage, inflatable amusement devices, table placement, etc. used in the event.

North



Date Received Vendor List: _____
Payment Received: _____

Permit No: _____
Date Completed: _____

SUB-LICENSE FEE(S)



Please make check payable to: Town of Apple Valley

Town of Apple Valley
1777 N. Meadowlark Dr
Apple Valley, UT 84737

Phone: 435-877-1190
E-mail: clerk@applevalleyut.gov

EVENT NAME: Grand Circle Trailfest CONTACT PHONE: 503-926-2497

EVENT DATE(S): 10/4/24 EVENT LOCATION: Ruby Rider Ranch - Main Street, Apple Val

VENDOR INFORMATION

Please provide the following information for all vendors. The sub-license fee for each vendor is \$5.00. Special Event Tax Numbers are required for each Vendor, 801-297-6303. Those Vendors selling, giving away, or preparing food on site are required to obtain approval from the Southwest Utah Public Health Department, 435-986-2580.

#	Vendor Name	Vendor Phone #	Product or Service to be offered at Event	Payment \$5.00
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Date Received: _____ Permit No: _____
Police Approved: _____ Date Issued: _____

Approval with Comments:

Rev. 7-01-22

SECURITY PLAN APPROVAL REQUEST FORM



All questions must be answered completely or application will not be considered. Please allow TEN (10) days for approval. Together with this application, please provide a written Security Plan including names of all security personnel.

EVENT NAME: Grand Circle Trailfest

Event Location: Ruby Rider Ranch - Main Street, Apple Valley, Utah 84737

Type of Event: Trail Run

Date of Event: 10/4/24 **Hours of Event:** 7:30 am - 11:30 am

Number of Expected Attendance: 650 **Occupancy Load:** 800

Name of Applicant: Vacation Races

Address: 842 E Apach Dr., Washington, UT 84780

Day Phone: _____ **Cell/Other:** 503-926-2497

E-mail: Josh@vacationraces.com

- Security Personnel must be 21 years old or older;
- A Security Director must be onsite at all times with a cell phone;
- Shirts or Vests must look the same. "SECURITY" must be stated on the shirt or vest so it is visible to the public and the Police Department.

Please check applicable Security:

The following will allow for the calculation of security required. The calculations will change depending on the type of event.

- | | | |
|---|--------------------------------|------------------------|
| <input type="checkbox"/> Police Officers (must coordinate w/Washington County | 2 Police Officers per | 1 to 300 People |
| <input type="checkbox"/> Security Officers in Uniform | 3 Security Officers per | 1 to 300 People |
| <input checked="" type="checkbox"/> Private Citizens in Security Shirts or Vests | 4 Private Citizens per | 1 to 300 People |

Name of On-site Security Director: Josh Oliveri **Cell Number:** 503-926-1497

E-mail: Josh@Vacationraces.com

Comments:

I understand that falsifying any information on this application constitutes sufficient cause for rejection or revocation of the Special Event Permit. I also understand that the Sheriff Department may require additional information as permitted by Ordinance, and also agree to supply the same.

Applicant Signature: Josh Oliveri **Date:** 8/4/24

SECURITY PLAN INFORMATION

1. Please list the names of the security personnel, age, and cell phone number:

First	Last	Age	Cell Phone Number

2. Please indicate the number of security personnel that will be roaming on the premises of the event: _____.

3. Please provide a detailed Security Plan:

4. Please mark on the site plan the locations of each security person:



GRAND CIRCLE TRAILFEST

DAY 2 EVENT OVERVIEW

EVENT PROPOSAL AND SUGGESTED OPERATING PLAN

EVENT OVERVIEW

This race is part of a trail running event that is based out of Kanab, UT. This day's race starts in Apple Valley and ends in BLM managed land. The event will take place on Friday, 10/4/2024.

The event will start at 7:30am and be finished by 11:30am.

Expected number of participants: 650 runners

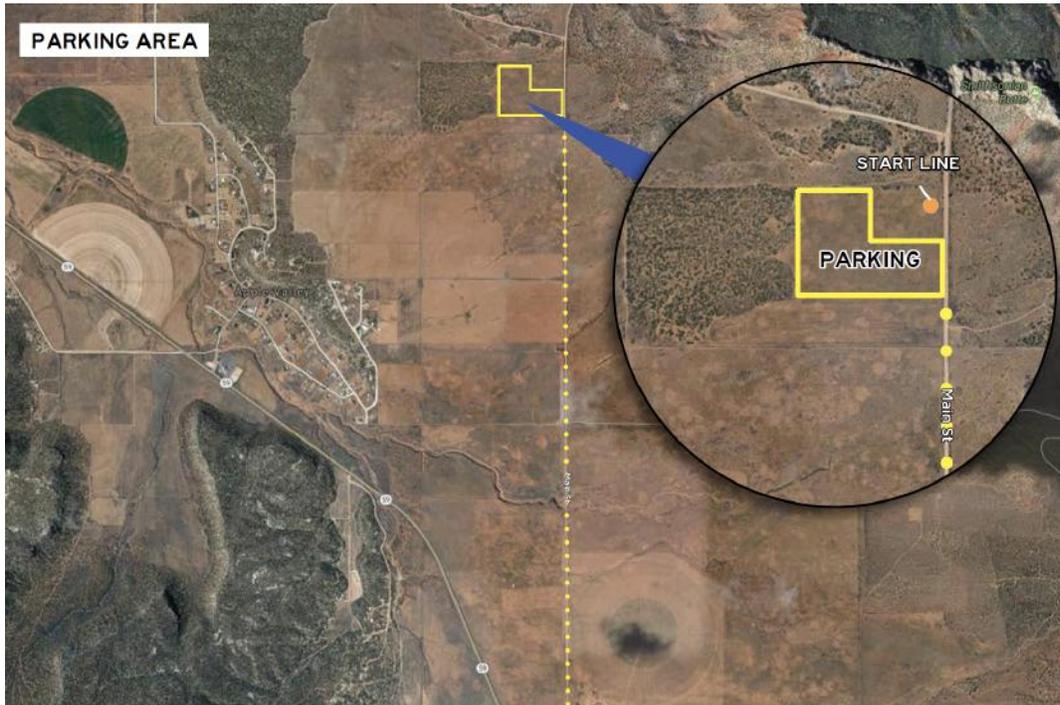
Grand Circle Trailfest is a 3-day running event which showcases some of the best trails of Southern Utah and Arizona. Participants get to run on cherry-picked trails near Bryce Canyon, Zion, and Horseshoe Bend. This is the 7th annual event, hosted in Kanab, Utah. Our "Day 2" of Grand Circle Trailfest will have participants running from Ruby Rider Ranch to the Wire Mesa trail northeast of Smithsonian Butte. The start line being staged at Ruby Rider Ranch.

PARKING

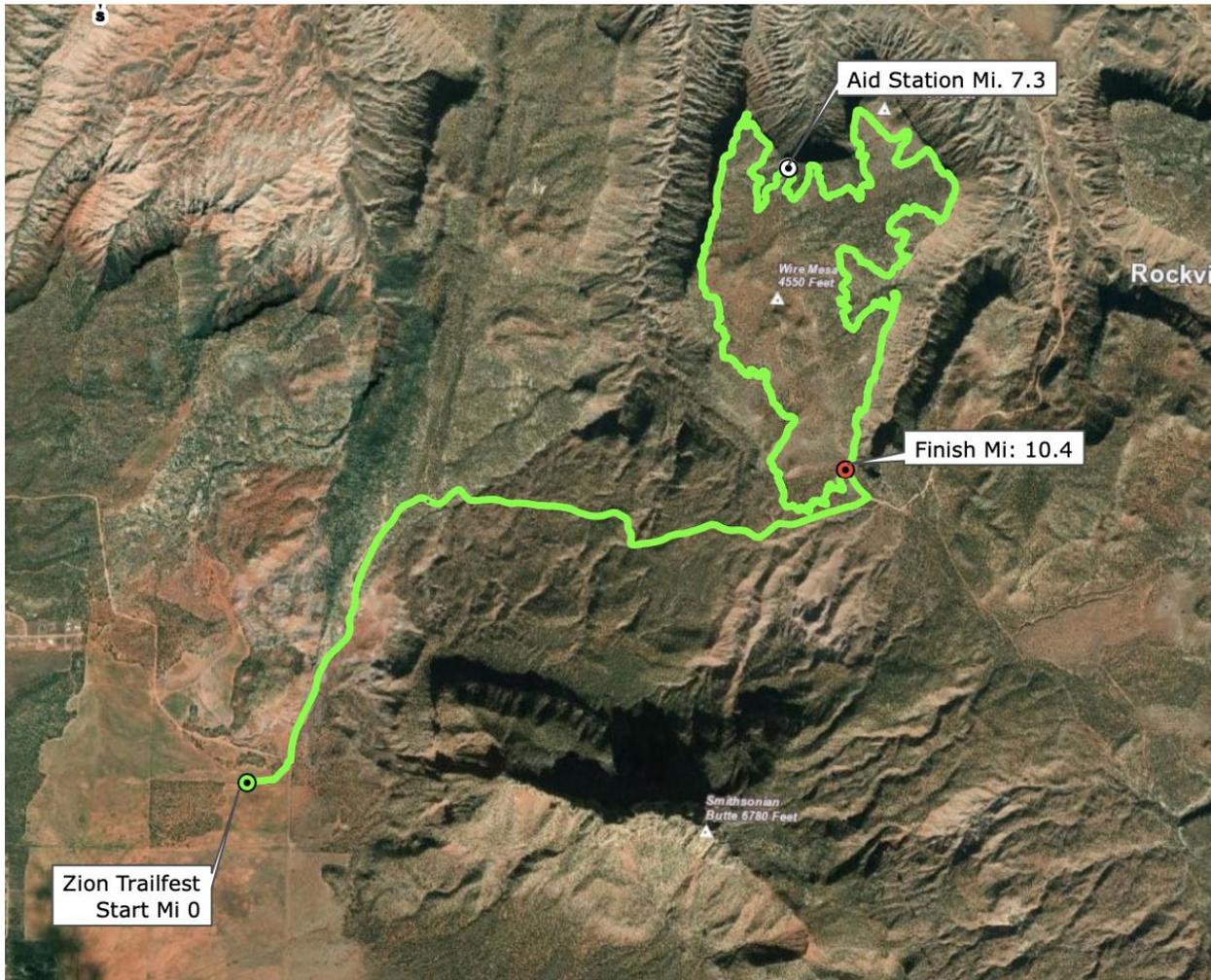
Participants will park at the Ruby Rider Ranch located on Main St., Apple Valley UT. From there, they will gather and start the race from the north corner of the property. Runners will run on the shoulder of the road heading down Bench Rd. until they approach the Wire Mesa trailhead.

They will turn left to the trailhead and run the Wire Mesa loop trail. This is a 10.4 mile race.

Upon completing the race, runners will be shuttled back to their vehicles where they parked.



COURSE MAP



RACE DETAILS

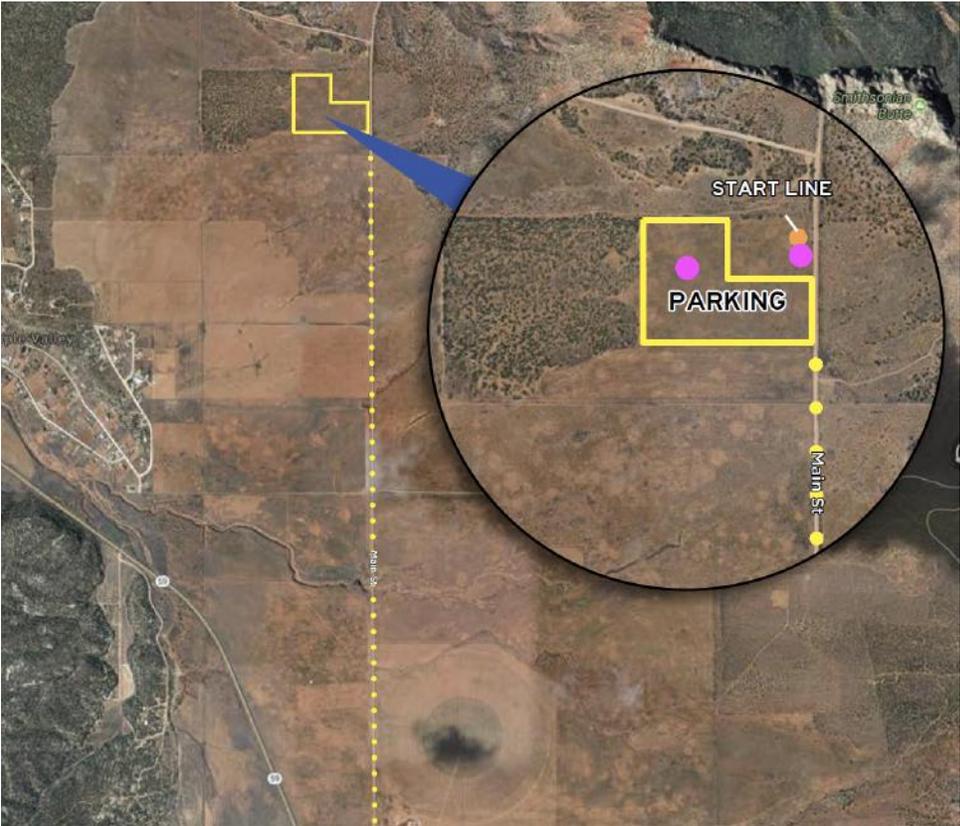
AID STATIONS: We will have one aid station where runners can refuel and replenish. This is located on the north end of the loop at approximately mile 7.3.

ROLLING START: Runners will begin the race with a rolling start. This rolling start helps keep participants moving through the start line corral vs. waiting to start all at once. This also helps spread out any crowds and will limit any congestion along the course route.

COMMUNICATION: Aid stations and race crew will be able to communicate via cell phone and Radios.

SECURITY: Security personnel will be strategically placed to help maintain expected behavior and civility. Security team will be able to communicate via cell phone or radio to one another or

race officials. Please see the map below for security placement. The areas are indicated with the pink dots.



EMERGENCY AND MEDICAL: Vacation Races will contract to have medical professionals at

the start line and then the finish line of the race. The medical director for this event is Chad Oliphant (435) 862-5222

TOILETS: There will be toilets located at the parking area where participants will park, which is the same location as the start line. There will also be toilets placed at the aid station and the finish line. Toilets will be cleaned up and removed upon completion of the event that day. Placement of toilets are indicated below:







CERTIFICATE OF LIABILITY INSURANCE

DATE (M) 08/1
Item 5.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER East Main Street Insurance Services, Inc. Will Maddux PO Box 1298 Grass Valley CA 95945		CONTACT NAME: Will Maddux PHONE (A/C No. Ext): (530) 477-6521 E-MAIL ADDRESS: info@theeventhelper.com FAX (A/C, No):	
INSURED Vacation Races c/o Josh Oliveri 842 E Apache Dr Washington UT 84780		INSURER(S) AFFORDING COVERAGE INSURER A: Evanston Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 35378	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

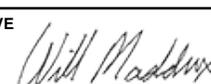
INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	Y	N	3DS5475-M3418324	10/03/2024 12:01 AM	10/06/2024 12:01 AM	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> Host Liquor Liability						DAMAGE TO RENTED PREMISES (other than fire) \$ 1,000,000
	<input type="checkbox"/> Retail Liquor Liability						MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						PERSONAL & ADV INJURY \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder listed below is named as additional insured per attached MEGL 2217 01 19. Attendance: 400, Event Type: Marathon - Walking or Running Event.

CERTIFICATE HOLDER

CANCELLATION

Town of Apple Valley 1777 N Meadowlark Drive Apple Valley UT 84737	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--



EVANSTON INSURANCE COMPANY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE FORM

SCHEDULE

<p>Name Of Additional Insured Person(s) Or Organization(s):</p> <p>Town of Apple Valley 1777 N Meadowlark Drive Apple Valley, UT 84737</p>

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule of this endorsement, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by the acts or omissions of any insured listed under Paragraph 1. or 2. of Section II – Who Is An Insured:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added:

Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations; whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

All other terms and conditions remain unchanged.

**APPLE VALLEY
ORDINANCE O-2024-45**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “10.42 Controlled Growth Management Plan” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42 Controlled Growth Management Plan(*Added*)

SECTION 2: **ADOPTION** “10.42.1 Purpose Of Chapter” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.1 Purpose Of Chapter(*Added*)

The purpose of this Chapter is to control the rate and distribution of residential development on a year-to-year basis in the interest of advancing the public welfare by ensuring that the Town is maintained as a healthy, spacious, clean, well balanced, carefully-controlled community primarily by preserving its small-town atmosphere and character and avoidance of uncontrolled and rapid growth and to accomplish that purpose by:

- A. Maintaining the Town separate and distinct geographically from other communities;
- B. Emphasizing the preservation of existing open spaces and agricultural land;
- C. Maintaining a balance and mix of housing and building types and values and thus providing a range of prices and rents in order to accommodate a variety of housing needs;
- D. Providing and maintaining parks and recreational areas; and
- E. Maintaining and augmenting as needed public utilities and services without detriment to existing dwellings.

SECTION 3: ADOPTION “10.42.2. Definitions” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.2. Definitions(*Added*)

All terms used in this Chapter are intended to have standard definitions, meanings and connotations, and are intended to be consonant with the meanings ascribed to them in other chapters of this Code, but unless otherwise required by the context, the following terms shall have the specific meanings stated in this Section:

ALLOTMENT: The assignment or grant by the Town Council of a share or portion of the aggregate number of dwelling units permitted to be constructed in any designated construction year, pursuant to the provisions of this Chapter.

CONSTRUCTION YEAR: A period of time consisting of one year commencing at the date the Town Council passes this ordinance.

DEVELOP: To construct a dwelling or alter a dwelling so that an increase in the number of dwellings results.

DEVELOPER: The legal or beneficial owners of real property proposed as a development or project in which one or more dwellings are constructed by the same contractor, person or entity for the sale to or use of persons or entities other than the legal or beneficial owner of the real property.

DEVELOPMENT: The act of developing a lot or subdividing a parcel of land for residential development.

DEVELOPMENT CONTROL PLAN: The scheme, program or method provided in this Chapter for construction of a dwelling.

DWELLING OR UNIT: A building, or portion thereof, designed or intended to be used exclusively for residential purposes, including "single-family", "two-family", and "multiple-family dwellings". Each dwelling is a unit.

ENTITY: A distinct unit other than a natural person, such as a partnership, corporation, limited liability company or any other type of organization.

EXCEPTION: Developments not subject to this Chapter.

LEAPFROG DEVELOPMENTS: Development of a tract of land which is separated from

developed land by one or more undeveloped tracts, requiring extension of the Town's utility services and facilities beyond planned augmentation.

LOT: Any lot, parcel, tract of land, or combination thereof, shown on a plot of record or recorded by metes and bounds that is occupied or intended for occupancy by a use permitted in this Title, and having its principle frontage upon a street or upon an officially approved place.

OWNER/BUILDER: A person or entity, who is the owner of record of real property, and proposes to construct or constructs a single-family dwelling on that real property for the occupancy and use of that person or entity.

PARCEL: Any real property improved or unimproved or portions thereof shown on the preceding tax roll as a unit or as continuous units, which is subject to or may be divided for the purpose of sale, lease or transfer of all or any part thereof, whether immediate or future, into two (2) or less lots or parcels.

SECTION 4: ADOPTION “10.42.3. Initial Construction Year” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.3. Initial Construction Year(*Added*)

The initial construction year shall be the fiscal year beginning at the date the Town Council passes this ordinance.

SECTION 5: ADOPTION “10.42.4. Applicability” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.4. Applicability(*Added*)

The provisions of this Chapter shall apply to the development of all lots, and houses within the Town limits.

SECTION 6: **ADOPTION** “10.42.5. Development Allotments Required” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.5. Development Allotments Required(*Added*)

Notwithstanding the provisions of any other ordinance or resolution, no dwelling shall be constructed, and no building permit shall be issued, unless an allotment, if required, has been obtained therefore in accordance with this Chapter.

SECTION 7: **ADOPTION** “10.42.6. Number Of Allotments For Construction Year” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.6. Number Of Allotments For Construction Year(*Added*)

A. The total number of allotments for dwellings for each construction year shall be limited to twenty (20) dwellings.

SECTION 8: **ADOPTION** “10.42.7. Reservation For Future Year Allotments” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.7. Reservation For Future Year Allotments(*Added*)

The commitment of the Town Council to grant future allotments (reservations) for dwellings to developers is limited to a total of fifty percent (50%) of the allotments or ten (10) units for one (1) year beyond the current construction year. Applications for reservations will be reviewed by the Planning Commission at the time of current year allotments and awarded by the Town Council on the basis of the recommendation by the Planning Commission pursuant to Section 10.42.10 of this Chapter. Award of reservations shall be for a specific construction year(s) and constitute allotments only for that construction year(s). Reservations are subject to cancellation by the Town Council for any reason the Town Council sees fit.

SECTION 9: ADOPTION “10.42.8. Development Allotment Applications”
of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.8. Development Allotment Applications(*Added*)

An application for an allotment for dwelling(s) shall be made to the Planning Commission on a Town application form and shall include the following documents:

A. Site utilization map, including:

1. Vicinity map to show the relationship of the surrounding areas and the Town which may consist of a small inset map; and
2. The site use layout map showing the extent, locations and type of proposed dwellings, the nature and extent of open space and any other proposed uses.

B. Site development plan showing:

1. Location of proposed building on lot or parcel;
2. Topography;
3. Lot or parcel size;
4. Existing and proposed building, trees, landscaping areas;
5. Street alignments showing coordination with the City street system; and
6. Open space, bicycle paths, equestrian trails or paths.

C. Preliminary architectural plans showing:

1. Typical architectural elevations;
2. Types and numbers of dwellings structure.

D. Public facilities plans showing:

1. Needed public facilities to be provided, if any, such as critical linkages to the major street system, schools; or
2. Other vital public facilities as identified by the Master Plan, capital improvement program or special facilities plan.

E. Development schedule showing:

1. Proposed calendar schedule of development including phasing, if any:

2. All applicable processes such as tentative and final subdivision maps, rezoning or rezoning, site design review and similar matters.

F. Financial information schedule showing financial information sufficient to enable the Town to determine if the developer is capable of undertaking and completing the development. Financial information may be submitted on a confidential basis to the Mayor.

G. Applications for required rezoning, rezoning or variances for the development must also be filed, and all filing fees shall be returned if allotments are not awarded.

H. Such other information as may be reasonably required by the Planning Commission.

SECTION 10: **ADOPTION** “10.42.9. Planning Commission Evaluation” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.9. Planning Commission Evaluation(*Added*)

The Planning Commission shall determine whether the proposed development conforms to the development control plan and the provisions of this Title.

A. If the Planning Commission determines that a proposed development does not conform to the development control plan, the application shall be rejected. The applicant shall be given a written notice of such rejection within ten (10) days after the Commission's determination of the application.

B. The applicant may appeal the decision of the Planning Commission to the Town Council.

SECTION 11: ADOPTION “10.42.10. Planning Commission Evaluation” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.10. Planning Commission Evaluation(*Added*)

Proposed developments determined by the Planning Commission or the Town Council to conform to the development control plan shall be evaluated and given a recommendation by the Planning Commission.

A. All applicants for allotments or their representatives must appear before the Planning Commission at the meeting at which their application is being evaluated and rated.

B. Each proposed development shall be examined by the Planning Commission to determine its effect upon Town facilities and services. If the development is found to be inadequately served by public facilities or services, the application shall be rejected in writing and the reasons therefor.

C. A review of the applications by the Planning Commission shall consist of the following factors:

1. The capacity of the water system to provide for the requirements of the proposed development, without system extensions beyond those which the developer agrees to provide.

2. The capacity of the sewer system to handle the wastes of the proposed development without system extensions beyond those which the developer agrees to provide.

3. The capacity of the proposed drainage facilities to adequately dispose of the surface runoff of the proposed development without system extensions beyond those which the developer agrees to provide.

4. The ability of the fire and police departments to provide protection according to the response standards of the city without the necessity of establishing additional stations or equipment.

5. The capacity of major street linkages to provide for the traffic needs of the proposed development without substantially altering existing traffic patterns or overloading the existing street system and the availability of other public facilities (such as parks and playgrounds) to meet the additional demands for vital public services, without system extensions beyond those which the developer agrees to provide.

D. The town staff shall review the application with regard to architectural continuity and appropriateness of the area and other existing construction. This review will include, but is not limited to, color usage, landscaping, building placement and all other considerations as are deemed necessary to assure an overall conformance with purposes of this chapter.

E. The Planning Commission shall examine each application for dwellings and give a recommendation to the Town Council, who will make the final decision regarding the applicant's award of allotments.

SECTION 12: ADOPTION “10.42.11. Award Of Allotments” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.11. Award Of Allotments(*Added*)

A. Following the recommendation from the Planning Commission, the Town Council shall review the application for the allotments and the Planning Commission’s recommendation and make a decision.

B. Allotments shall not be awarded for more than five (5) dwellings for a single development in a construction year. A "single development" is defined to include two (2) or more real properties adjacent to each other and owned, legally or beneficially, by a person or entity, or any combination thereof, which has a common ownership interest, legal or beneficial, of more than ten percent (10%) in each such property. In addition, the developer(s) must demonstrate that the developments in question are distinct and separate from each other in terms of density, housing types and design. The developer(s) shall also have the burden of proof of establishing the absence of common owner legal or beneficial interests described herein, and that said proposed developments do not violate the intent of this section.

C. If an applicant desires reservation of future years' dwelling allotments, the applicant may apply to the Planning Commission for such reservations subject to sections 10.42.6 and 10.42.7 of this chapter. The reserved dwellings shall be considered allotments for the construction year for which the reservations are granted and subject to such other conditions as the Town Council may impose. No developer may obtain more than a total of five (5) dwelling units or reservations for dwellings or a combination thereof.

D. If no applicant is eligible for an allotment award, the available allotments shall be rescinded.

E. An application containing misleading, disguised, or erroneous information with an intent to circumvent this chapter shall be rejected.

SECTION 13: **ADOPTION** “10.42.12. Appeals To Town Council” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.12. Appeals To Town Council(*Added*)

The town clerk shall place the appeals to the Town Council on the agenda for the next regular Town Council meeting. The decision of the Town Council shall be final and conclusive. Following an appeal, an applicant may not apply again for a year unless there are substantial changes to the application.

SECTION 14: **ADOPTION** “10.42.13. Review Of Progress” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.13. Review Of Progress(*Added*)

The Planning Commission and Planning Department shall review each proposed development having an allotment award to determine whether satisfactory progress is being made with the implementation of the approved plans. Allotments awarded will be automatically rescinded if the building permit for the proposed development expires, or if no building permit is applied for and issued within six months of the award of the allotments.

SECTION 15: **ADOPTION** “10.42.14. Exceptions” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.14. Exceptions(*Added*)

The following proposed developments are exempt from the provisions of this Chapter:

A. Dwellings proposed to be constructed for or constructed by owner/builders are exempt from the application and allotment process, but each such dwelling upon issuance of a building permit shall be counted as part of the total allotment awarded for the construction year involved. This exception shall be limited to one dwelling by each owner/builder for a three (3)

year period commencing from the issuance of the building permit. Ten (10) allotments for dwellings shall be reserved for owner/builders for the first six (6) months of each construction year. The remainder of these ten (10) allotments, in the second half of the construction year, may be allotted to developers at Town Council’s discretion. Owner/builder applications which exceed the ten (10) units reserved, or which are filed in the second half of the construction year, shall receive an allotment if any are available. If no allotments are available for that construction year, the owner/builder will receive a reservation for the next construction year.

SECTION 16: ADOPTION “10.42.15. Severability” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.42.15. Severability(*Added*)

Should any word, phrase, paragraph or other portion of this Chapter be found by any competent judicial or other authority to be illegal or invalid, that portion shall be severed and the remainder of the Chapter will remain valid and in full force and effect.

SECTION 17: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 18: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 19: EFFECTIVE DATE This Ordinance shall be in full force and effective immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
ORDINANCE O-2024-46**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **REPEAL** “10.10.060 SF Single Family Residential Zone” of the Apple Valley Land Use is hereby *repealed* as follows:

REPEAL

~~10.10.060 SF Single Family Residential Zone~~

~~Purpose: The purpose of this zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations also permits the establishment, with proper controls, of public and semipublic uses such as churches, schools, libraries, parks and playgrounds which serve the requirements of families. The regulations are intended to prohibit uses that would be harmful to a single family residential neighborhood.~~

- ~~A. Permitted Uses: Uses permitted in this zone, following the issuance of a building permit for a permanent dwelling, are as follows:

 - ~~1. Single Family dwelling with a minimum of 1000 sq ft. on the main level.~~
 - ~~2. Accessory use and buildings; permitted simultaneously or after obtaining a building permit and construction and occupancy of a residential dwelling.~~
 - ~~3. Home gardens and trees, keeping of household dogs, cats and chickens (up to six (6) per lot). No roosters allowed.~~
 - ~~4. Residential facility for persons with a disability (see AVLU 10.28 for supplementary information).~~
 - ~~5. Residential facility for the elderly (see AVLU 10.28 for supplementary information), no permanent residence required., no permanent residence required.~~
 - ~~6. Churches~~
 - ~~7. Group homes, no permanent residence required.~~
 - ~~8. Home occupation~~
 - ~~9. Parks and playground~~
 - ~~10. Metal building~~~~
- ~~B. Conditional Uses: Uses requiring a conditional use permit in this zone are as follows:

 - ~~1. Assisted living facility (SF-5, SF-10 only)~~
 - ~~2. Accessory use and buildings before a building permit is issued.~~~~
- ~~C. Any use not shown in this section shall be prohibited unless the planning commission determines the use is substantially the same as a permitted or conditional use as~~

provided in subsection 10-7-180-E4 of this title.

D. Height Regulations: No building shall be erected to a height greater than thirty five (35'). No accessory building shall be erected to a height greater than twenty five (25') feet, unless a conditional permit has been obtained.

E. Area Width and Yard Regulations:

District	Area	Lot Width in Feet	Setbacks for Yards in Feet			Maximum Size of Accessory Building	Square Feet Maximum Size of Shipping Container	Maximum Building Coverage	Maximum Accessory Building Coverage of Lot
			Front	Side	Rear				
SF-1.0	sq. ft.	80	25	10	10	2,500	700	50%	6,000
SF-2.5	2.5 acres	150	25	25	25	3,000	1,000	50%	10,000
SF-5.0	5.0 acres	200	25	25	25	3,500	1,200	50%	16,000
SF-10.0	10.0 acres	300	25	25	25	4,000	1,500	50%	25,000

F. Modifying Regulations:

- ~~1. Shipping containers shall not be stacked unless they are used for an accessory building structure or primary dwelling structure and the exterior is completely covered by an exterior siding that must meet all visual and structural requirements set forth by the building and safety ordinances.~~
- ~~2. Any accessory building must not exceed 25 feet in height.~~
- ~~3. All accessory building permits must be accompanied by a building permit for a primary dwelling or be used in conjunction with an existing primary dwelling. An accessory building permit may be issued without a primary dwelling being on the property with a Conditional Use Permit (CUP).~~
- ~~4. No accessory building shall be occupied or used as any type of living space.~~
- ~~5. Side Yards: The side yard setback on a "street side" yard shall be fifteen (15) feet~~
- ~~6. Private Garages and Accessory Buildings: Private garages and accessory~~

- buildings located at least 10' behind the main dwelling on lots less than ½ acre may have a side yard of three feet (3'), all others must be ten feet (10'), provided that all corner lots shall maintain fifteen feet (15') on the street side.
- ~~7. Prohibited Materials and Storage: No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, debris, or junk cars shall be stored or allowed to remain on any lot in any residential zone.~~
- ~~8. Location of Required Parking: Required parking shall not be located in the front yard setback.~~
- ~~9. All lighting shall comply with AVLU 10.26 Outdoor Lighting Ordinance.~~
- ~~10. For additional restrictions and clarifications in this zone, see AVLU 10.28 Supplementary and Qualifying Regulations for Land Use and Building.~~
- ~~11. Permitted and conditional uses set forth in this section shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.~~
- ~~a. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this title.~~
- ~~b. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.~~
- ~~12. Greater size and height: Notwithstanding the height and size limitations shown in this section, a greater building and accessory height and size may be allowed pursuant to a conditional use permit.~~
- ~~13. On large lots 5 Acre and larger the minimum lot size may be smaller than required, by the amount needed for road dedications.~~
- ~~14. Maximum Building Coverage on a lot is defined as: A building or group of buildings including all accessory buildings may not cover more than 50 percent of the area of the lot.~~
- ~~15. All street, drainage, utility and other public improvements shall be installed as required by the applicable town ordinances, standards and regulations. However, upon recommendation by the Planning Commission and approval of the Town Council based upon good cause shown, the requirements for the installation of dry sewer, curb, gutter and asphalt may be waived or delayed, as the Town Council, in its discretion, may determine.~~

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effective immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

TOWN OF APPLE VALLEY

RESOLUTION R-2024-29

A RESOLUTION ADOPTING SECTION 3.6.7.5 STORAGE TANKS

WHEREAS, the Town of Apple Valley (“Town”) adopted the Town Design Standards and Specifications under Resolution R-2006-13; and

WHEREAS, the Planning Commission has recommended an amendment to the Town Design Standards and Specifications on August 7, 2024, specifically Section 3.6.7.5 Storage Tanks; and

WHEREAS, Town Council acknowledges and approves the amendment.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apple Valley that the amendment to Section 3.6.7.5 Storage Tanks of the Town Design Standards and Specifications is hereby approved as attached hereto.

PASSED this 28th day of August 2024. This resolution shall be in full force and effect from the date of passage and after any required publication.

TOWN OF APPLE VALLEY

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

3.6.7 FIRE FLOW REQUIREMENTS. Under maximum day demand conditions, fire flow shall be at least seven hundred fifty (750) gallons per minute at any one hydrant with a total fire flow of at least one thousand five hundred (1,500) gpm at any combination of two hydrants in the area, and/or must meet the requirements of the Federal Insurance Service Office. The total system design shall be such that fire flows and normal peak instantaneous flow demand (as called out within this sub-section) can be met while still maintaining a minimum pressure of twenty (20) psi at all points in the distribution system.

A maximum water velotown of ten (10) feet per second shall be utilized when designing for fire flows and/or other emergency conditions.

High density residential, commercial or industrial areas shall require special investigation to determine fire flow requirements and hydrant spacing per the Uniform Fire Code (UFC).

Existing and future static pressure and flow information used in the design shall be approved by the Town.

3.6.7.5 STORAGE TANKS. All water storage tanks built by or for the Big Plains Water District must be constructed of concrete and comply with Utah Division of Drinking Water Standards (R309-545). All water tanks will be designed by the Big Plains Water District based upon the required Town of Apple Valley and Big Plains Water Special Service District needs at the time of design.

3.6.8 MISCELLANEOUS WATER SYSTEM DESIGN CRITERIA.

3.6.8.1 All public water mains shall be installed in a public rights-of-way, dedicated roadway, or designated drainage way, with adequate access for maintenance vehicles. Pipelines will not be installed on back lot or side lot lines due to potential flood and other damage.

3.6.8.2 Dead-end mains shall be avoided wherever possible and if installed, shall not exceed six hundred feet. Hydrants shall be located at the end of dead-end mains and cul-de-sac mains for flushing purposes as well as for fire protection. Blow-off valves rather than fire hydrants are not desirable except where warranted by special circumstances as determined by the Town. Blow-off valves shall be installed per the standard drawings.

3.6.8.3 Each building or lot shall be served by a separate line and meter except in PUD's as approved by the Water Department. In some situations a common tap and service line from the main to a manifold with two meter setters and boxes may be installed to serve two adjacent properties. All lots shall have a minimum of three quarter (3/4) inch service line from the main to the meter box. Multiple housing of two units, or more, shall have a minimum of one (1) inch service. When there are more than two multiple housing units the service line shall be sized accordingly.

**APPLE VALLEY
ORDINANCE O-2024-40**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “10.39 Drones On Private Property” of the Apple Valley Land Use is hereby *added* as follows:

ADOPTION

10.39 Drones On Private Property(*Added*)

Utah State Law Section 206 Criminal Trespass 76-6-206 (1)(a)(iii) This law prohibits a person from operating a drone over private property when the private property or any portion of the property is not open to the public and the person operating the unmanned aircraft is not otherwise authorized to fly the unmanned aircraft over the private property or any portion of the property. Any operation of a drone over private property without the property owners permission within the town limits of Apple Valley will also be considered violation of town ordinance and subject to fines per Civil Enforcement ordinance 16.02.010.

SECTION 2: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effective immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**TOWN OF APPLE VALLEY
ORDINANCE O-2024-41**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1368-TR FROM OPEN SPACE TRANSITION ZONE (OST) TO A AGRICULTURAL ZONE (A-X)

WHEREAS, the Town of Apple Valley (“Town”) has been petitioned for a change in the zoning classification of parcel AV-1368-TR from Open Space Transition Zone (OST) to A Agricultural Zone (A-X); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 7, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change request by unanimous vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcel AV-1368-TR is changed from Open Space Transition Zone (OST) to A Agricultural Zone (A-X).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

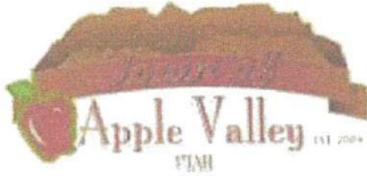
PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

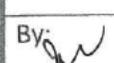
Item 10.

Zone Change Application			
Applications Must Be Submitted By The First Wednesday Of The Month			
Owner: Lyman Family Farm Inc.		Phone: [REDACTED]	
Address: [REDACTED]		Email: [REDACTED]	
City: [REDACTED]	State: [REDACTED]	Zip: [REDACTED]	
Agent: (If Applicable)		Phone:	
Address/Location of Property: South of Highway 59 off of Main Street		Parcel ID: AV-1368-TR	
Existing Zone: OST		Proposed Zone: A-X	
For Planned Development Purposes: Acreage in Parcel _____ Acreage in Application ²⁴⁰ _____			
Reason for the request Switch from OST to Agricultural			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature  Vice President	Date 06/19/2024
--	--------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: RECEIVED JUL 02 2024	Date Application Deemed Complete:	
By: 	By:	



Search...

Sign in



Item 10.

0 300 600ft

semap...

Apple Valley Zoning Districts Viewer



Search Account #, Parcel ID



-113.100162 37.047168 Degrees

**TOWN OF APPLE VALLEY
ORDINANCE O-2024-42**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCELS AV-1354-D-8, AV-1354-D-7, AV-1354-D-6 FROM OPEN SPACE TRANSITION ZONE (OST) TO A AGRICULTURAL ZONE (A-X)

WHEREAS, the Town of Apple Valley (“Town”) has been petitioned for a change in the zoning classification of parcels AV-1354-D-8, AV-1354-D-7, AV-1354-D-6 from Open Space Transition Zone (OST) to A Agricultural Zone (A-X); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 7, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change request by unanimous vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcels AV-1354-D-8, AV-1354-D-7, AV-1354-D-6 is changed from Open Space Transition Zone (OST) to A Agricultural Zone (A-X).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

See Fee Schedule Page 2

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Hutchings Shayne E & Julie TRS
Address: [Redacted]
City: [Redacted] State: [Redacted] Zip: [Redacted]
Agent: (If Applicable)
Address/Location of Property: 450 S Main St, aprox Parcel ID: AV-1354-D-8
Existing Zone: Open Space Transition Proposed Zone: A-X
Reason for the request: Our land is used for Agriculture. We would like our land to be in Agriculture.

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
B. An accurate property map showing the existing and proposed zoning classifications
C. All abutting properties showing present zoning classifications
D. An accurate legal description of the property to be rezoned
E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature: Julie Hutchings Date: June 19, 2024

Official Use Only: RECEIVED JUL 02 2024
Amount Paid: \$ Receipt No:
Date Application Deemed Complete:
By: [Signature]



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

See Fee Schedule Page 2

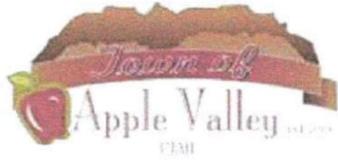
Zone Change Application
Applications Must Be Submitted By The First Wednesday Of The Month
Owner: Hutchings Shayne E & Julie TRS
Address: [Redacted]
City: [Redacted] State: [Redacted] Zip: [Redacted]
Agent: (If Applicable) Phone: [Redacted]
Address/Location of Property: 760 S Coyote Rd, approx Parcel ID: AV-1354-D-7
Existing Zone: Open Space Transition Proposed Zone: A-X
Reason for the request: Our land is used for Agriculture. We would like our land to be in Agriculture.

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
B. An accurate property map showing the existing and proposed zoning classifications
C. All abutting properties showing present zoning classifications
D. An accurate legal description of the property to be rezoned
E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature: [Handwritten Signature] Date: June 19, 2024

Official Use Only
Date Received: RECEIVED JUL 02 2024
Amount Paid: \$ Receipt No:
Date Application Deemed Complete:
By: [Handwritten Initials]



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

See Fee Schedule Page 2

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Hutchings Shayne E & Julie TRS
Address: [Redacted]
City: [Redacted] State: [Redacted] Zip: [Redacted]
Agent: (If Applicable)
Address/Location of Property: 720 S Coyote Rd, aprox Parcel ID: AV-1354-D-6
Existing Zone: Open Space Transition Proposed Zone: A-X
Reason for the request: Our land is used for Agriculture. We would like our land to be in Agriculture.

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
B. An accurate property map showing the existing and proposed zoning classifications
C. All abutting properties showing present zoning classifications
D. An accurate legal description of the property to be rezoned
E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature: Julie Hutchings Date: June 19, 2024

Official Use Only Amount Paid: \$ Receipt No:
Date Received: RECEIVED JUL 02 2024 Date Application Deemed Complete:
By: [Signature] By:



Search...

Sign in

Navigation

Maps & Data Sources

Analysis

Tasks

Search



Tool Labels



Pan



Zoom In



Zoom Out



Initial View



Full Extent



New Extent



Previous Extent

Getting Around



Identify



Show Layers



Show Legend



Bookmarks



Quick Start Guide



Email Us

GIS

Washington Co.
Map Inventory

Info

Location

Help



Navigation Maps & Data Sources Analysis Tasks Search

Tool Labels X

Pan Zoom In Zoom Out Initial View Full Extent Previous Extent

Getting Around

Identify Show Layers Show Legend Bookmarks Quick Start Guide Email Us

GIS
Washington Co.
Map Inventory

Info

Location

Help



Navigation Maps & Data Sources Analysis Tasks Search

Tool Labels X

- Pan
- Zoom In
- Zoom Out
- Initial View
- Full Extent
- Previous Extent

Getting Around

- Identify
- Show Layers
- Show Legend
- Bookmarks
- Quick Start Guide
- Email Us
- GIS Washington Co. Map Inventory

Info

Location

Help



**TOWN OF APPLE VALLEY
ORDINANCE O-2024-60**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1354-D-10 FROM OPEN SPACE TRANSITION ZONE (OST) TO A AGRICULTURAL ZONE (A-X)

WHEREAS, the Town of Apple Valley (“Town”) has been petitioned for a change in the zoning classification of parcel AV-1354-D-10 from Open Space Transition Zone (OST) to A Agricultural Zone (A-X); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 7, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change request by unanimous vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcel AV-1354-D-10 is changed from Open Space Transition Zone (OST) to A Agricultural Zone (A-X).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Item 12.

Zone Change Application			
Applications Must Be Submitted By The First Wednesday Of The Month			
Owner: <i>Perry & Judy Keys</i>	Phone: [REDACTED]		
Address: [REDACTED]	Email: [REDACTED]		
City: [REDACTED]	State: <i>Calif.</i>	[REDACTED]	
Agent: (If Applicable)	Phone:		
Address/Location of Property: <i>750 S. Main St. Apple Valley, UT</i>	Parcel ID: <i>AV-1354-D-10</i>		
Existing Zone: <i>Open space transition</i>	Proposed Zone: <i>Agricultural X</i>		
For Planned Development Purposes: Acreage in Parcel <i>10</i>		Acreage in Application <i>10</i>	
Reason for the request <i>This is currently ag property and we use and intend to continue to use it as such.</i>			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications *Wa. Co. Website*
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature <i>[Signature]</i>	Date <i>10 July '24</i>
---	----------------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: <i>RECEIVED JUL 11 2024</i>	Date Application Deemed Complete:	
By:	By:	



Search...

Sign in

Navigation

Maps & Data Sources

Analysis

Tasks

Search



Tool Labels



GIS



**TOWN OF APPLE VALLEY
ORDINANCE O-2024-50**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1327-B FROM CABINS OR TINY HOME PARKS ZONE (CTP) TO RURAL ESTATES 5 ACRES ZONE (RE-5.0)

WHEREAS, the Town of Apple Valley (“Town”) petitioned for a change in the zoning classification of parcel AV-1327-B from Cabins or Tiny Home Parks Zone (CTP) to Rural Estates 5 Acres Zone (RE-5.0); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 7, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change by unanimous vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcel AV-1327-B is changed from Cabins or Tiny Home Parks Zone (CTP) to Rural Estates 5 Acres Zone (RE-5.0).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

See Fee Schedule Page 2

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: SIMPLY 899 LLC		Phone:	
Address: 899 COYOTE GULCH CT		Email:	
City: IVINS	State: UT	Zip: 84738	
Agent: (If Applicable)		Phone:	
Address/Location of Property: North of 59 On Main Street		Parcel ID: AV-1327-B	
Existing Zone: Cabins or Tiny Homes - CTP		Proposed Zone: RE-5	
For Planned Development Purposes: Acreage in Parcel ⁴⁰		Acreage in Application ⁴⁰	
Reason for the request To lower density to match general plan, to address water issues			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature 	Date
--	------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: ENTERED JUL 10 2024	Date Application Deemed Complete:	
By:	By:	



Sign in

Search...

Tools

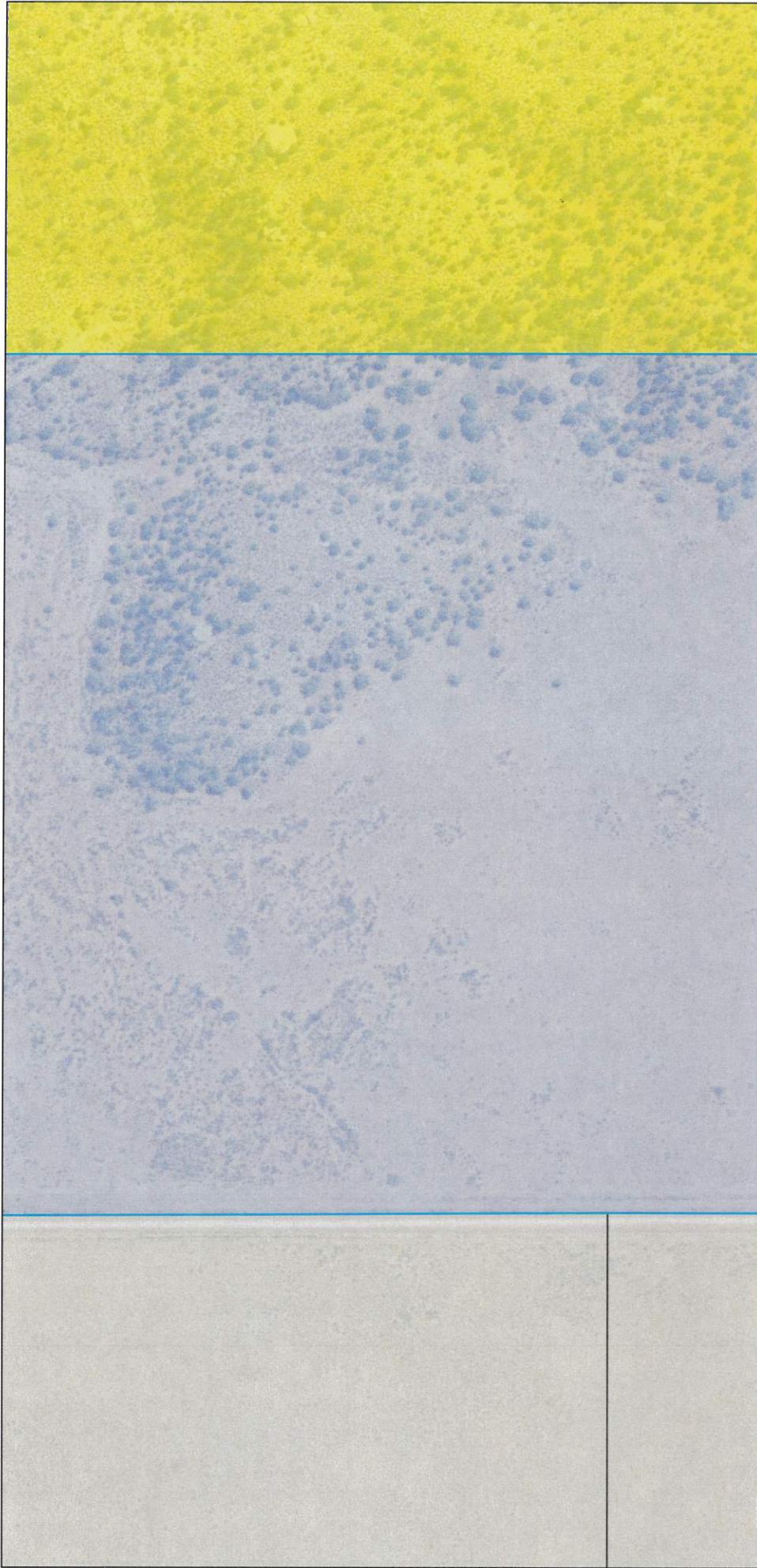


temap...

0 300 600ft

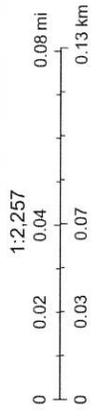
Item 13.

AV-1327-B



7/10/2024, 2:57:06 PM

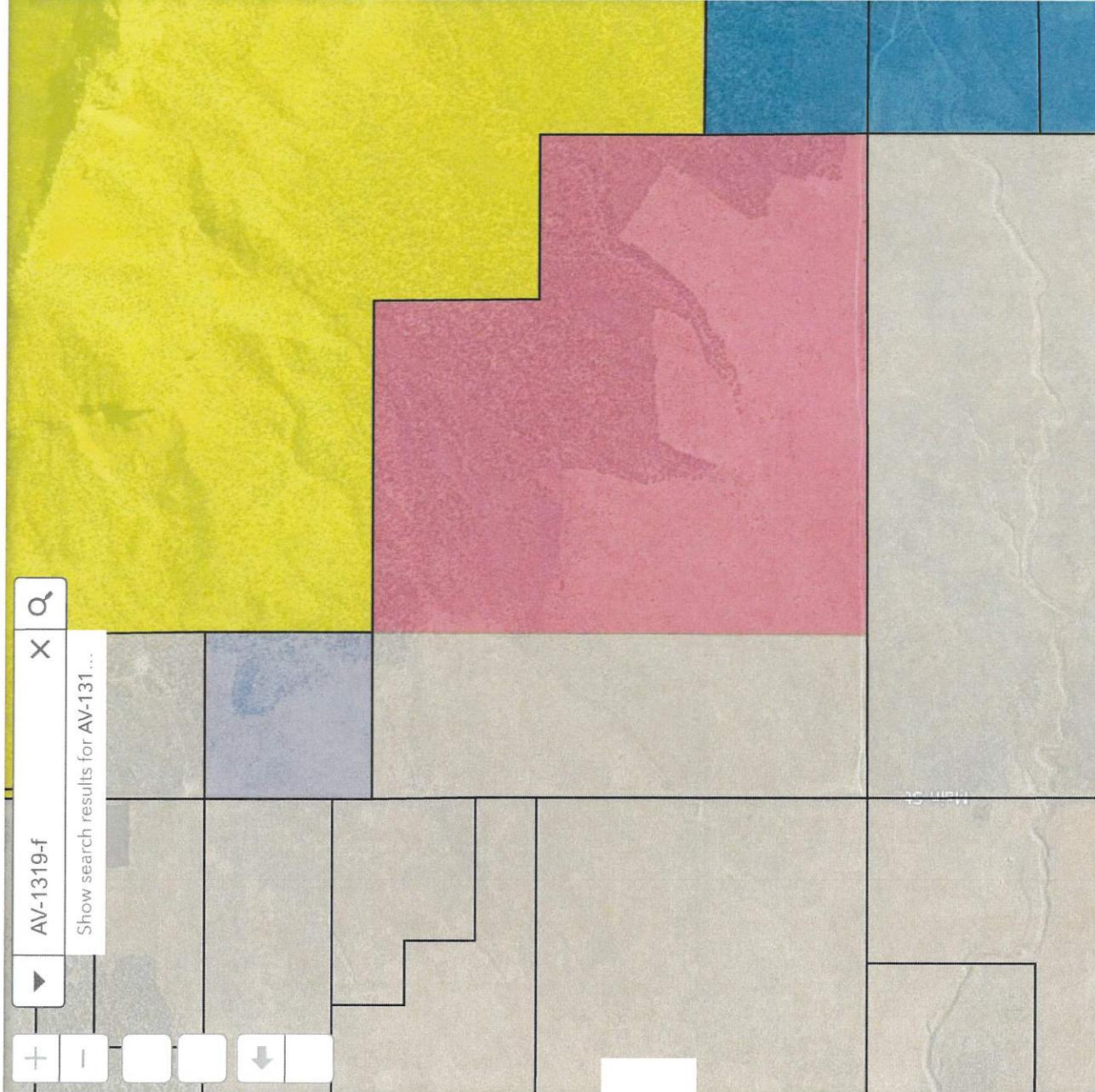
- Washington County Parcels
- Future Annexation Boundary
- Zoning Districts
- CTP - Cabins or Tiny Home Parks Zone
- OSC - Open Space Conservation
- OST - Open Space Transition
- Town Boundary



Apple Valley Zoning Districts Viewer



Show search results for AV-1319-f



Legend

Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > .5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 2.5 Acres
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV-Park - Recreational Vehicle Park

Future Annexation Boundary



113.067356, 37.101355 Degrees

Warranty Deed Page 1 of 3
Russell Shirts Washington County Recorder
12/03/2018 12:04:34 PM Fee \$14.00 By
SOUTHERN UTAH TITLE COMPANY

When recorded mail deed and tax notice to:
Simply 899, L.L.C.
899 Coyota Gulch Ct
Ivins, UT 84738



Order No. 202448 - EFP
Tax I.D. No. AV-1327

Space Above This Line for Recorder's Use

WARRANTY DEED

2000 Main, LLC, a Utah limited liability company, grantor(s), of Cannonville, County of Garfield, State of Utah, hereby CONVEY and WARRANT to

Simply 899 L.L.C., a Utah limited liability company, grantee(s) of Ivins, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of UT:

The North half of the West half of the Northwest Quarter (N2 W2 NW1/4) of Section 28, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

See Water Rights Addendum to Land Deeds attached hereto and made a part hereof

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 30th day of November, 2018.

2000 Main, LLC, a Utah limited liability company

By: Holm Global Properties, LLC
Its: Manager

By: [Signature]
Travis Holm, Manager

STATE OF Utah)
) :ss.
COUNTY OF Washington)

On the 30th day of November, 2018, personally appeared before me, Travis Holm, who being by me duly sworn, did say that he/she is the Manager of Holm Global Properties, LLC, Manager of 2000 Main, LLC, a Utah limited liability company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Travis Holm acknowledged to me that said limited liability company executed the same.

 ELWIN F PRINCE
Notary Public
State Of Utah
My Commission Expires 05-19-2019
COMMISSION NO. 683389

[Signature]
NOTARY PUBLIC
My Commission Expires: 5-19-19

Account 1023986

Location

Account Number 1023986
Parcel Number AV-1327-B
Tax District 45 - Apple Valley Town
Acres 40.00
Situs 0, 0

Legal S: 28 **T:** 42S **R:** 11W NORTH HALF OF THE WEST HALF OF THE NORTHWEST QUARTER (N2 W2 NW1/4) OF SECTION 28, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN.

Parent Accounts 0154925

Parent Parcels AV-1327

Child Accounts

Child Parcels

Sibling Accounts

Sibling Parcels

Transfers

Entry Number

[20180047656](#)

[20190000956](#)

[20220051468](#)

[20220051469](#)

Recording Date

[12/03/2018 12:04:34 PM](#)

[01/09/2019 11:15:43 AM](#)

[11/30/2022 08:24:08 AM](#)

[11/30/2022 08:24:08 AM](#)

Tax

Tax Year

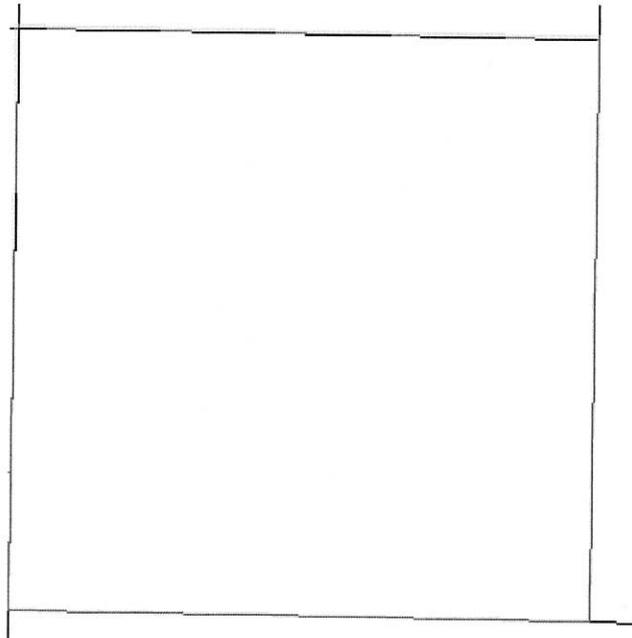
Taxes

*2024	\$3.95
2023	\$3.46

* Estimated

Images

- [GIS](#)



Value

Market (2024)	\$396,000
Taxable	\$576
Tax Area: 45	Tax Rate: 0.006853
Type	Actual Assessed Acres
Farm	
Land	\$396,000 \$576 40.000
FAA	

SIMPLY 899, L.L.C.

[Update this Business](#)

Entity Number: 9485565-0160

Company Type: LLC - Domestic

Address: 899 COYOTE GULCH CT IVINS, UT 84738

State of Origin:

Registered Agent: STACY L CHRISTENSEN

Registered Agent Address:

899 COYOTE GULCH CT

IVINS, UT 84738

[View Management Team](#)

Status: Active

[Purchase Certificate of Existence](#)

Status: Active as of 08/16/2022

Renew By: 07/31/2024

Status Description: Current

The "Current" status represents that a renewal has been filed, within the most recent renewal period, with the Division of Corporations and Commercial Code.

Employment Verification: Not Registered with Verify Utah

[History](#)

[View Filed Documents](#)

Registration Date: 07/22/2015

Last Renewed: 08/11/2023

[Additional Information](#)

NAICS Code: 5311 **NAICS Title:** 5311-Lessors of Real Estate

[Former Business Names](#)

SIMPLY 899 L.L.C.

[<< Back to Search Results](#)

Business Name:



August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1327-B

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

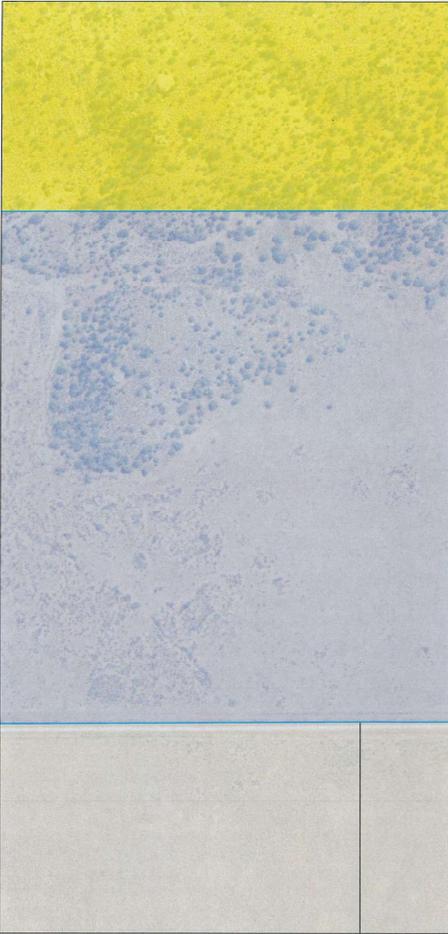
The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

Kind Regards,

Jenna Vizcardo
Town Clerk



AV-1327-B



7/10/2024, 2:57:06 PM

- Washington County/Parcels
- Future Annexation Boundary
- Zoning Districts
- CTP - Chains or Tty Home Parks Zone
- OSC - Open Space Conservation
- OST - Open Space Transition
- Town Boundry

12,227
0 0.02 0.04 0.07 0.09 mi
0 0.03 0.07 0.13 km

Basemap... 1 0 310 610 ft
60404

https://geopacdm.westco.utah.gov/html5/Viewer/index.html?viewer=AssessorReport

**TOWN OF APPLE VALLEY
ORDINANCE O-2024-51**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1311-A-7-A FROM PLANNED DEVELOPMENT (PD) TO RURAL ESTATES 5 ACRES ZONE (RE-5.0)

WHEREAS, the Town of Apple Valley (“Town”) petitioned for a change in the zoning classification of parcel AV-1311-A-7-A from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 7, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change by unanimous vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcel AV-1311-A-7-A is changed from Planned Development (PD) to Rural Estates 5 Acres Zone (RE-5.0).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

See Fee Schedule Page 2

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: GOOSEBERRY PRESERVE LLC		Phone:	
Address: 2419 E SUMMERFIELD LN		Email:	
City: Sandy	State: UT	Zip: 84092	
Agent: (If Applicable)		Phone:	
Address/Location of Property: Above Gooseberry Subdivision		Parcel ID: AV-1311-A-7-A	
Existing Zone: Planned Development		Proposed Zone: RE-5	
For Planned Development Purposes: Acreage in Parcel ^{69.85}		Acreage in Application ^{69.85}	
Reason for the request To lower density to match General Plan, to address water issues			

Submittal Requirements: The zone change application shall provide the following:

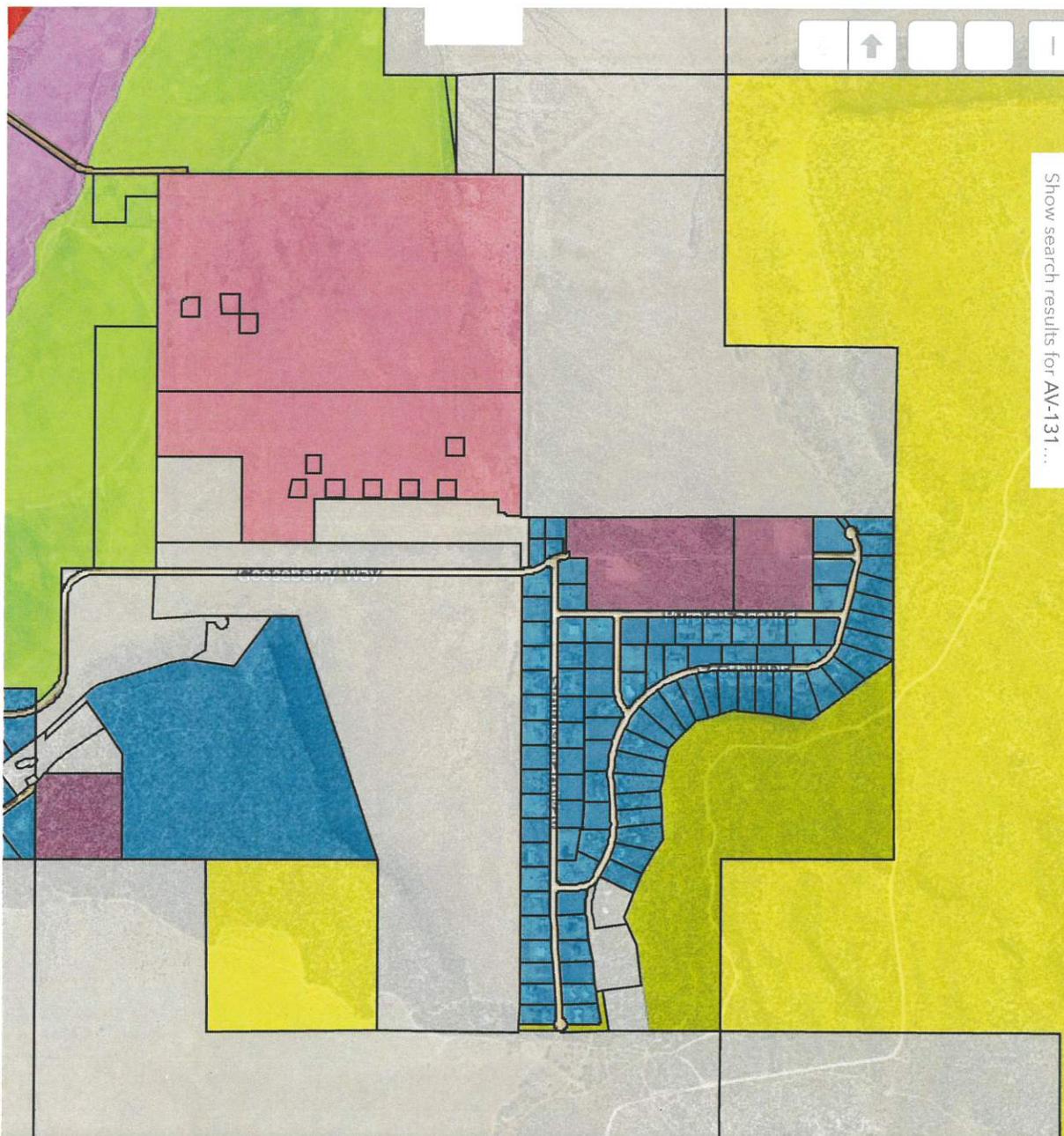
- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature 	Date
---	------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: ENTERED JUL 10 2024	Date Application Deemed Complete:	
By:	By:	

AV-1319-f

Show search results for AV-131...



Legend

Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > .5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 2.5 Acres
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV-Park - Recreational Vehicle Park

Future Annexation Boundary



0.4km
0.2mi

113.118262 37.119904 Degrees

Exhibit A

**GOOSEBERRY PRESERVE
LLC**

Account: 0431893

Parcel: AV-1311-A-7-A

3242 E ALTA HILLS DR
SANDY, UT 84093

Tax Area: 45 - Apple Valley Town
Acres: 69.850

Situs Address:

Legal Description

S: 18 T: 42S R: 11W S: 19 T: 42S R: 11W S: 20 T: 42S R: 11W BEG NW COR SEC 20 T42S R11W TH N 89°59'31" E ALG SECL 1320.18 FT TO NE COR NW1/4 NW1/4 SEC 20; TH S 0°04'22" E ALG 1/16 SECL 555 FT; TH S 81°49'22" W 668.26 FT; TH S 65°40' W 236 FT; TH N 68° W 360 FT; TH N 59°20' W 315 FT; TH S 87° W 375 FT; TH N 80° W 332 FT; TH N 43°50' W 295 FT; TH N 15°10' W 309 FT; TH N 07° E 597 FT; TH N 36°30' W 789 FT TO 1/16 SECL; TH S 89°49'34" E ALG 1/16 LN 1544.47 FT TO NE COR SE1/4 SE1/4 SEC 18; TH S 0°11'04" E 1318.13 FT TO POB

ALSO: BEG NW COR SEC 20 T42S R11W TH E 1322.23 FT; TH S 1562.26 FT; TH W 1320 FT TO ELN SEC 19; TH N 89°54'06" W 2640.62 FT TO C/S/L SEC 19; TH N 0°05'58" W 1564.51 FT TO NW1/4 COR SEC 19; TH N 1320 FT; TH E 2641.08 FT; TH S 1326.76 FT TO POB. LESS: 46.48 AC TO SILVER STATE MGMT CO. LESS: 1.035 AC TO ISOM. LESS: 1.007 AC TO ISOM. LESS: BEG AT NW COR SEC 20 TH N 89°59'31" E ALG SECL 1320.18 FT TO NE COR NW1/4 NW1/4 SEC 20; TH S 0°04'22" E ALG 1/16 SECL 555 FT; TH S 81°49'22" W 668.26 FT; TH S 65°40' W 236 FT; TH N 68° W 360 FT; TH N 59°20' W 315 FT; TH S 87° W 375 FT; TH N 80° W 332 FT; TH N 43°50' W 295 FT; TH N 16°10' W 309 FT; TH N 07° E 597 FT; TH N 36°30' W 789 FT TO 1/16 SECL; TH S 89°49'34" E ALG 1/16 LN 1544.47 FT TO NE COR SE1/4 SE1/4 SEC 18; TH S 0°11'04" E 1318.13 FT TO POB. LESS: LAND IN APPLE VALLEY RANCH GOOSEBERRY UNIT 1 LESS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 89°59'31" EAST 1320.18 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW 1/4 NW 1/4) OF SAID SECTION 20; THENCE SOUTH 0°04'22" EAST 555.0 FEET ALONG THE 1/16TH SECTION LINE; THENCE SOUTH 81°49'22" WEST 358.217 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 81°49'22" WEST 310.043 FEET; THENCE SOUTH 65°40' WEST 178.75 FEET; THENCE SOUTH 8°11'50" EAST 256.52 FEET; THENCE SOUTH 81°48'10" WEST 92.64 FEET TO A POINT OF TANGENCY WITH A 500 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 301.19 FEET, THROUGH A CENTRAL ANGLE OF 34°30'50"; THENCE NORTH 63°41' WEST 17.68 FEET TO A POINT ON A 187.31 FOOT RADIUS CURVE WITH A RADIUS LINE BEARING OF SOUTH 26°19' WEST, (SAID POINT BEING THE SOUTH EAST CORNER OF LOT 124 OF APPLE VALLEY RANCH SUBDIVISION, GOOSE BERRY UNIT NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, STATE OF UTAH) THENCE SOUTH EASTERLY ALONG THE EASTERLY AND NORTHERLY BOUNDARY OF SAID SUBDIVISION THROUGH THE FOLLOWING COURSES AND DISTANCES, TO THE RIGHT, ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 38°37'25" A DISTANCE OF 126.273 FEET TO A POINT OF INTERSECTION WITH A NON TANGENT 550 FOOT RADIUS REVERSE CURVE TO THE LEFT WITH A RADIUS LINE BEARING OF NORTH 15°55'16" EAST; THENCE SOUTH EASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 231.319 FEET THROUGH A CENTRAL ANGLE OF 24°07'06"; THENCE NORTH 81°48'10" EAST 574.392 FEET; THENCE DEPARTING FROM THE BOUNDARY OF SAID APPLE VALLEY RANCH SUBDIVISION, GOOSEBERRY UNIT NO. 1 AND RUNNING NORTH 8°11'50" WEST 356.09 FEET TO THE TRUE POINT OF BEGINNING.

ALSO: COMMENCING AT THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 11 WEST, RUNNING THENCE NORTH 89°59'31" EAST 1320.18 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW1/4NW1/4) OF SAID SECTION 20; THENCE SOUTH 0°04'22" EAST 864.08 FEET ALONG THE 1/16 SECTION LINE TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°04'22" EAST ALONG THE 1/16 SECTION LINE 373.24 FEET TO A POINT WHERE THE EASTERLY PROLONGATION OF THE CENTERLINE OF SMITHSONIAN WAY INTERSECTS WITH THE 1/16TH SECTION LINE; THENCE SOUTH 85°48'31" WEST, ALONG SAID CENTER LINE, 10 FEET TO A POINT OF CURVATURE OF A NON-TANGENT 30.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A RADIUS LINE BEARING SOUTH 85°48'31" WEST, SAID POINT BEING ON THE EASTERLY BOUNDARY OF APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION; THENCE NORTH WESTERLY ALONG THE EASTERLY BOUNDARY OF SAID APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°00'16", A DISTANCE OF 77.671 FEET TO THE SOUTHEASTERLY CORNER OF LOT 106 OF SAID APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION; THENCE CONTINUING ALONG THE EASTERLY AND NORTHERLY BOUNDARY OF SAID APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION THROUGH THE FOLLOWING COURSES AND DISTANCES, NORTH 0°04'22" WEST 236.81 FEET TO BEGINNING OF A 25.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 42.815 FEET, THROUGH A CENTRAL ANGLE OF 98°07'28"; THENCE SOUTH 81°48'10" WEST 802.46 FEET TO THE BEGINNING OF A 550.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°07'06", A DISTANCE OF 229.81 FEET TO POINT OF INTERSECTION WITH A 187.318 RADIUS CURVE TO THE LEFT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 38°37'25", A DISTANCE OF 126.273 FEET TO THE SOUTHEASTERLY CORNER OF LOT 124 OF SAID APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION; THENCE LEAVING THE EASTERLY BOUNDARY OF SAID APPLE VALLEY RANCH GOOSEBERRY UNIT NO. 1 SUBDIVISION, SOUTH 63°41' EAST 17.68 FEET TO A POINT OF TANGENCY WITH A 500 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 301.19 FEET; THENCE NORTH 81°48'10" EAST 888.93 FEET TO THE TRUE POINT OF BEGINNING.

LESS: COMMENCING AT THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 89°59'31" EAST 1320.18 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW 1/4 NW 1/4) OF SAID SECTION 20; THENCE SOUTH 0°04'22" EAST 555.0 FEET ALONG THE 1/16TH SECTION LINE; THENCE SOUTH 81°49'22" WEST 358.217 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 81°49'22" WEST 310.043 FEET; THENCE SOUTH 65°40' WEST 178.75 FEET; THENCE SOUTH 8°11'50" EAST 256.52 FEET; THENCE SOUTH 81°48'10" WEST 92.64 FEET TO A POINT OF TANGENCY WITH A 500 FOOT RADIUS CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 301.19 FEET, THROUGH A CENTRAL ANGLE OF 34°30'50"; THENCE NORTH 63°41' WEST 17.68 FEET TO A POINT ON A 187.31 FOOT RADIUS CURVE WITH A RADIUS LINE BEARING OF SOUTH 26°19' WEST, (SAID POINT BEING THE SOUTH EAST CORNER OF LOT 124 OF APPLE VALLEY RANCH SUBDIVISION, GOOSE BERRY UNIT NO. 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, STATE OF UTAH) THENCE SOUTH EASTERLY ALONG THE EASTERLY AND NORTHERLY BOUNDARY OF SAID SUBDIVISION THROUGH THE FOLLOWING COURSES AND DISTANCES, TO THE RIGHT, ALONG THE ARC OF SAID CURVE THRU A CENTRAL ANGLE OF 38°37'25" A DISTANCE OF 126.273 FEET TO A POINT OF INTERSECTION WITH A NON TANGENT 550 FOOT RADIUS REVERSE CURVE TO THE LEFT WITH A RADIUS LINE BEARING OF NORTH 15°55'16" EAST; THENCE SOUTH EASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 231.319 FEET THROUGH A CENTRAL ANGLE OF 24°07'06"; THENCE NORTH 81°48'10" EAST 574.392 FEET; THENCE DEPARTING FROM THE BOUNDARY OF SAID APPLE VALLEY RANCH SUBDIVISION, GOOSEBERRY UNIT NO. 1 AND RUNNING NORTH 8°11'50" WEST 356.09 FEET TO THE TRUE POINT OF BEGINNING.

Account 0431893

Location

Account Number 0431893
Parcel Number AV-1311-A-7-A
Tax District 45 - Apple Valley Town
Acres 69.85
Situs 0, 0

Owner

Name GOOSEBERRY PRESERVE LLC
 2419 E SUMMERFIELD LN
 SANDY, UT 84092-5632

Value

Market (2024) \$864,400
Taxable \$864,400
Tax Area: 45 **Tax Rate:** 0.006853
Type **Actual** **Assessed** **Acres**
 Non
 Primary \$864,400 \$864,400 69.850
 Land

Legal S: 18 T: 42S R: 11W S: 19 T: 42S R: 11W S:
 20 T: 42S R: 11W BEG NW COR SEC 20 T42S
 R11W TH N 89*59'31 E ALG SEC/L 1320.18 FT TO
 NE COR NW1/4 NW1/4 SEC 20; TH S 0*04'22 E
 ALG 1/16 SEC/L 555 FT; TH S 81*49'22 W 668.26
 FT; TH S 65*40' W 236 FT; TH N 68* W 360FT; TH
 N 59*20' W 315 FT; TH S 87* W 375FT; TH N 80*
 W 332 FT; TH N 43*50' W 295 FT; TH N 15*10' W
 309 FT; TH N 07* E 597 FT; TH N 36*30' W 789 FT
 TO 1/16 SEC/L; TH S 89*49'34 E ALG 1/16 LN
 1544.47 FT TO NE COR SE1/4 SE1/4 SEC 18; TH S
 0*11'04 E 1318.13 FT TO POB

ALSO: BEG NW COR SEC 20 T42S R11W TH E
 1322.23 FT; TH S 1562.26 FT; TH W 1320 FT TO
 ELN SEC 19; TH N 89*54'06 W 2640.62 FT TO
 C/S/L SEC 19; TH N 0*05'58 W 1564.51FT TO N1/4
 COR SEC 19; TH N 1320 FT; THE 2641.08 FT; TH
 S 1326.76 FT TO POB. LESS: 46.48 AC TO SILVER
 STATE MGMT CO. LESS: 1.035 AC TO ISOM.
 LESS: 1.007 AC TO ISOM. LESS: BEG AT NW
 COR SEC 20 TH N 89*59'31 E ALG SEC/L 1320.18
 FT TO NE CORNW1/4 NW1/4 SEC 20; TH S
 0*04'22 E ALG1/16 SEC/L 555 FT; TH S 81*49'22
 W 668..26 FT; TH S 65*40' W 236 FT; TH N 68* W
 360 FT; TH N 59*20' W 315 FT; TH S 87*W 375 FT;
 TH N 80* W 332 FT; TH N 43*50' W 295 FT; TH N
 16*10' W 309 FT; TH N 07* E 597 FT; TH N 36*30'
 W 789 FT TO 1/16 SEC/L; TH S 89*49'34 E ALG
 1/16 LN 1544.47 FT TO NE COR SE1/4 SE1/4 SEC
 18; TH S 0*11'04 E 1318.13 FT TO POB. LESS:
 LAND IN APPLE VALLEY RANCH
 GOOSEBERRY UNIT 1
 LESS: COMMENCING AT THE NORTHWEST
 CORNER OF SECTION 20, TOWNSHIP 42
 SOUTH, RANGE 11 WEST, SALT LAKE BASE
 AND MERIDIAN AND RUNNING THENCE
 NORTH 89*59'31" EAST 1320.18 FEET TO THE
 NORTHEAST CORNER OF THE NORTHWEST
 QUARTER OF THE NORTHWEST QUARTER
 (NW 1/4 NW 1/4) OF SAID SECTION 20; THENCE
 SOUTH 0*04'22" EAST 555.0 FEET ALONG THE
 1/16TH SECTION LINE; THENCE SOUTH
 81*49'22" WEST 358.217 FEET TO THE TRUE
 POINT OF BEGINNING; THENCE SOUTH
 81*49'22" WEST 310.043 FEET; THENCE SOUTH
 65*40' WEST 178.75 FEET; THENCE SOUTH
 8*11'50" EAST 256.52 FEET; THENCE SOUTH
 81*48'10" WEST 92.64 FEET TO A POINT OF
 TANGENCY WITH A 500 FOOT RADIUS CURVE
 TO THE RIGHT; THENCE NORTHWESTERLY
 ALONG THE ARC OF SAID CURVE 301.19 FEET,
 THROUGH A CENTRAL ANGLE OF 34*30'50";

GOOSEBERRY PRESERVE, LLC

[Update this Business](#)

Entity Number: 10787269-0160

Company Type: LLC - Domestic

Address: 2419 SUMMERFIELD LN SANDY, UT 84092

State of Origin:

Registered Agent: RICHARD DESPAIN

Registered Agent Address:

2419 SUMMERFIELD LN

SANDY, UT 84092

[View Management Team](#)

Status: Active

[Purchase Certificate of Existence](#)

Status: Active  as of 04/09/2018

Renew By: 04/30/2024

Status Description: Current

The "Current" status represents that a renewal has been filed, within the most recent renewal period, with the Division of Corporations and Commercial Code.

Employment Verification: Not Registered with Verify Utah

[History](#)

[View Filed Documents](#)

Registration Date: 04/09/2018

Last Renewed: 05/03/2023

[Additional Information](#)

NAICS Code: 5313 **NAICS Title:** 5313-Activities Related to Real Estate

[<< Back to Search Results](#)

Business Name:



August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1311-A-7-A

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

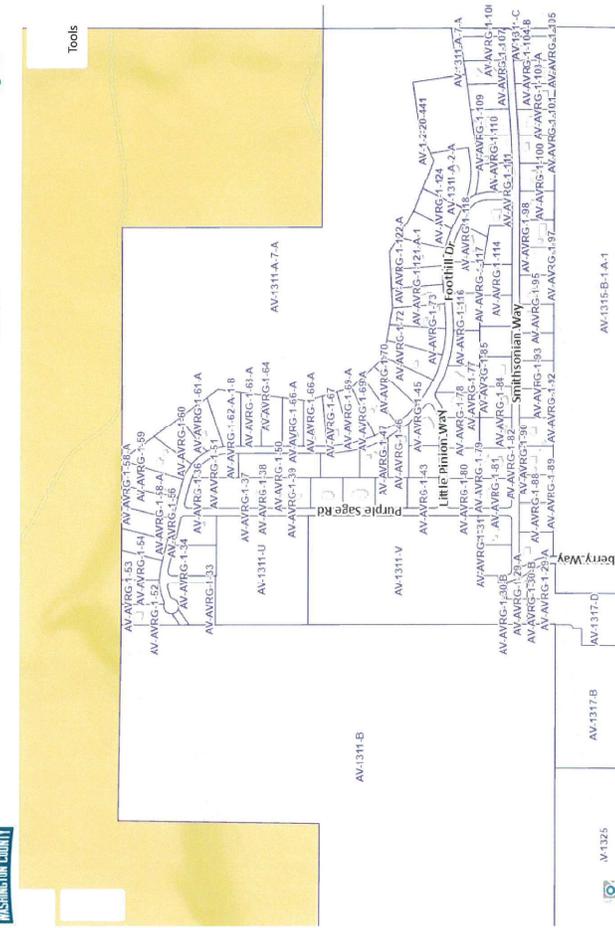
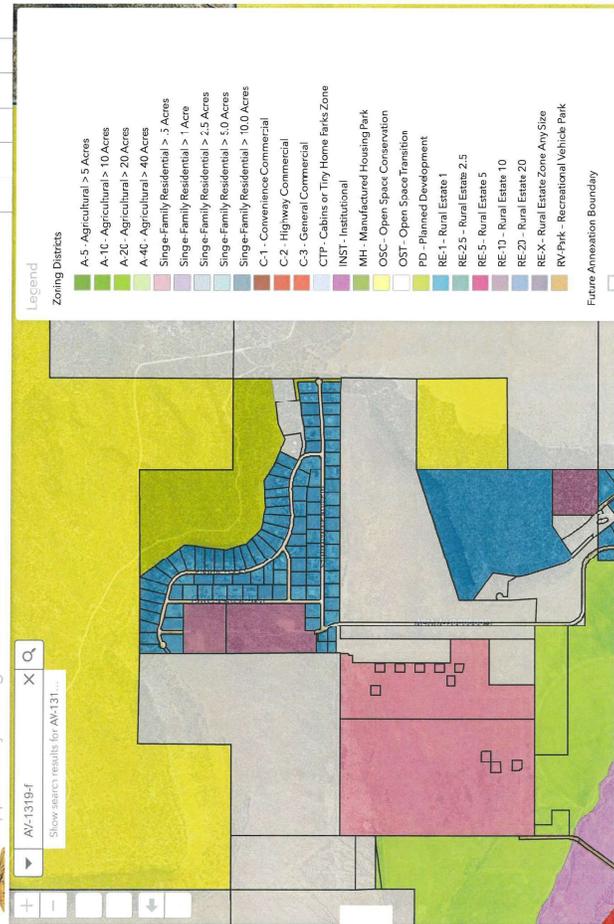
https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

Kind Regards,

Jenna Vizcardo
Town Clerk

Apple Valley Zoning Districts Viewer



**TOWN OF APPLE VALLEY
ORDINANCE O-2024-52**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1-3-5-211 FROM SINGLE-FAMILY RESIDENTIAL > 20,000 SQ FT (SF-.5) AND HIGHWAY COMMERCIAL (C-2) TO RURAL ESTATES 5 ACRES ZONE (RE-5.0)

WHEREAS, the Town of Apple Valley (“Town”) petitioned for a change in the zoning classification of parcel AV-1-3-5-211 from Single-Family Residential > 20,000 Sq Ft (SF-.5) and Highway Commercial (C-2) to Rural Estates 5 Acres Zone (RE-5.0); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 7, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change by unanimous vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcel AV-1-3-5-211 is changed from Single-Family Residential > 20,000 Sq Ft (SF-.5) and Highway Commercial (C-2) to Rural Estates 5 Acres Zone (RE-5.0).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Item 15.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Heber R Allred		Phone:	
Address: 350 S COYOTE RD		Email:	
City: Apple Valley		State: UT	Zip: 84737
Agent: (If Applicable)		Phone:	
Address/Location of Property: South of 59 on Main Street		Parcel ID: AV-1-3-5-211	
Existing Zone: SF-.5 and C-3		Proposed Zone: RE-5	
For Planned Development Purposes: Acreage in Parcel <u>136.62</u>		Acreage in Application <u>136.62</u>	
Reason for the request: To lower density to match General Plan, to address water issues			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature 	Date
---	------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: ENTERED JUL 11 2024	Date Application Deemed Complete:	
By:	By:	



Search...

Sign in



Item 15.



Apple Valley Zoning Districts Viewer



AV-1319-f

Show search results for AV-131...



Legend

Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > .5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 2.5 Acres
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV-Park - Recreational Vehicle Park

Future Annexation Boundary



113.103671, 37.070139 Degrees



**Application for Assessment and
Taxation of Agricultural Land**

Washington County Utah Assessor

**Farmland Assessment Act
UCA 59-2-501 to 515
Form TC-582ED**

Owner
ALLRED HEBER R
474 S COYOTE RD
HURRICANE UT 84737

Date of Application
02/20/2014

Total Acres
159.96

Property identification numbers and complete legal description (additional pages if necessary)

Account Number: 0919398

Parcel Number: AV-1-3-5-211

S: 5 T: 43S R: 11W ALL OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11 WEST OF THE SALT LAKE BASE AND MERIDIAN. LESS THAT PORTION OF LAND LYING EASTERLY OF THE WESTERLY RIGHT OF WAY LINE OF UTAH STATE ROUTE-59 (SR-59), SAID PARCEL BEING MORE COMPLETELY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE NORTH 01 DEG. 15' 03" EAST ALONG THE NORTH-SOUTH CENTER SECTION LINE, 2,642.84 FEET TO THE CENTER QUARTER CORNER; THENCE SOUTH 88 DEG. 42' 08" EAST ALONG THE EAST-WEST CENTER SECTION LINE, 2,500.91 FEET TO A POINT LOCATED ON THE WESTERLY RIGHT OF WAY LINE OF UTAH STATE ROUTE-59 (SR-59); THENCE DEPARTING SAID SECTION LINE AND RUNNING SOUTH 21 DEG. 17' 44" EAST ALONG SAID HIGHWAY LINE, 383.06 FEET TO A POINT LOCATED ON THE EAST LINE OF SAID SECTION 5; THENCE DEPARTING SAID HIGHWAY LINE AND RUNNING SOUTH 01 DEG. 19' 35" WEST ALONG SAID SECTION LINE 2,288.71 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE NORTH 88 DEG. 42' 43" WEST ALONG THE SOUTH LINE OF SAID SECTION 5, 2,644.76 FEET TO THE POINT OF BEGINNING.

Certification

Read the following and sign below.

I certify: (1) THE FACTS SET FORTH IN THIS APPLICATION ARE TRUE. (2) The agricultural land covered by this application constitutes no less than five contiguous acres exclusive of homesite and other non-agricultural acreage (see Utah Code 58-2-503 for waiver). (3) The land is currently devoted to agricultural use and has been so devoted for two successive years immediately preceding the tax year for which valuation under this act is requested. (4) The land produces in excess of 50 percent of the average agricultural production per acre for the given type of land and the given county or area. (5) I am fully aware of the five-year rollback tax provision which becomes effective upon a change in use or other withdrawal of all or part of the eligible land. I understand that the rollback tax is a lien on the property until paid and that the application constitutes consent to audit and review. I understand that I must notify the county assessor of a change in land use to any non-qualifying use, and that a penalty of the greater of \$10 or 2 percent of the computed rollback tax due for the last year will be imposed on failure to notify the assessor within 120 days after change in use.

Corporate Name

Account 0919398

Location	Owner	Value
Account Number 0919398	Name ALLRED HEBER R	Market (2024) \$2,028,807
Parcel Number AV-1-3-5-211	350 S COYOTE RD	Taxable \$1,639
Tax District 45 - Apple Valley Town	APPLE VALLEY, UT 84737	Tax Area: 45 Tax Rate: 0.006853
Acres 136.62		Type Actual Assessed Acres
Situs 0, 0		Farm
Legal S: 5 T: 43S R: 11W ALL OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11 WEST OF THE SALT LAKE BASE AND MERIDIAN.		Land \$2,028,807 \$1,639 136.620 FAA

LESS THAT PORTION OF LAND LYING
EASTERLY OF THE WESTERLY RIGHT OF WAY
LINE OF UTAH STATE ROUTE-59 (SR-59), SAID
PARCEL BEING MORE COMPLETELY
DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER
CORNER OF SECTION 5, TOWNSHIP 43 SOUTH,
RANGE 11 WEST, OF THE SALT LAKE BASE
AND MERIDIAN; THENCE NORTH 01 DEG. 15'
03" EAST ALONG THE NORTH-SOUTH CENTER
SECTION LINE, 2,642.84 FEET TO THE CENTER
QUARTER CORNER; THENCE SOUTH 88 DEG.
42' 08" EAST ALONG THE EAST-WEST CENTER
SECTION LINE, 2,500.91 FEET TO A POINT
LOCATED ON THE WESTERLY RIGHT OF WAY
LINE OF UTAH STATE ROUTE-59 (SR-59);
THENCE DEPARTING SAID SECTION LINE AND
RUNNING SOUTH 21 DEG. 17' 44" EAST ALONG
SAID HIGHWAY LINE, 383.06 FEET TO A POINT
LOCATED ON THE EAST LINE OF SAID
SECTION 5; THENCE DEPARTING SAID
HIGHWAY LINE AND RUNNING SOUTH 01
DEG. 19' 35" WEST ALONG SAID SECTION LINE
2,288.71 FEET TO THE SOUTHEAST CORNER
OF SAID SECTION 5; THENCE NORTH 88 DEG.
42' 43" WEST ALONG THE SOUTH LINE OF
SAID SECTION 5, 2,644.76 FEET TO THE POINT
OF BEGINNING.

LESS: THE NORTH HALF OF THE NORTHWEST
QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 5, TOWNSHIP 43 SOUTH, RANGE 11
WEST OF THE SALT LAKE BASE AND
MERIDIAN; MORE PARTICULARLY
DESCRIBED AS: COMMENCING AT THE SOUTH
QUARTER CORNER OF SECTION 5, TOWNSHIP
43 SOUTH, RANGE 11 WEST, OF THE SALT
LAKE BASE AND MERIDIAN; THENCE
N01*15'03"E ALONG THE SOUTH-NORTH
CENTER SECTION LINE, 1982.13 FEET TO THE
POINT OF BEGINNING; RUNNING THENCE
N1*15'03"E 660.71 FEET; THENCE S88*42'08"E
1324.13 FEET; THENCE S1*17'21"W 660.37 FEET;
THENCE N88*43'01"W 1323.68 FEET TO THE
POINT OF BEGINNING.

SUBJ TO EASEMENT



August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1-3-5-211

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

Kind Regards,

Jenna Vizcardo
Town Clerk

**TOWN OF APPLE VALLEY
ORDINANCE O-2024-55**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1319-A FROM RURAL ESTATE 1 ACRE ZONE (RE-1) TO RURAL ESTATES 5 ACRES ZONE (RE-5.0)

WHEREAS, the Town of Apple Valley (“Town”) petitioned for a change in the zoning classification of parcel AV-1319-A from Rural Estate 1 Acre Zone (RE-1) to Rural Estates 5 Acres Zone (RE-5.0); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 7, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change by unanimous vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcel AV-1319-A is changed from Rural Estate 1 Acre Zone (RE-1) to Rural Estates 5 Acres Zone (RE-5.0).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: TRU SOUTH LLC		Phone:	
Address: 2120 S COTTONWOOD CANYON		Email:	
City: CANNONVILLE	State: UT	Zip: 84718	
Agent: (If Applicable)		Phone:	
Address/Location of Property: AV Proper by the Water Tanks		Parcel ID: AV-1319-A	
Existing Zone: RE-1		Proposed Zone: RE-5	
For Planned Development Purposes: Acreage in Parcel ^{65.58}		Acreage in Application ^{65.58}	
Reason for the request To lower density to match general Plan, to address water issues			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature	Date
---------------------	------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: ENTERED JUL 11 2024	Date Application Deemed Complete:	
By:	By:	

Apple Valley Zoning Districts Viewer



AV-1319-f

Show search results for AV-131...

Legend

Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > .5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 2.5 Acres
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV-Park - Recreational Vehicle Park

Future Annexation Boundary



113.118262, 37.119904 Degrees

Attachment to that certain Warranty Deed executed by K & D Family, L.L.C., a Utah limited liability company and KDLR LLC, a Nevada Limited Liability Company grantor(s), to Tru South LLC, a Utah limited liability company grantee(s).

Order No. 226766

Tax I.D. No. AV-1319-A, AV-1319-B, AV-1319-C, AV-1319-D,
AV-1319-E & AV-1319-F

EXHIBIT "A"

PARCEL 3: (AV-1319-A)

BEGINNING AT A POINT WHICH IS SITUATED N. 0°05'51" W. ALONG THE SECTION LINE 660.00 FEET FROM THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, THENCE N. 89°59'43" W. 660.00 FEET, THENCE S. 89°59'26" W. 153.23 FEET, THENCE S. 55°59'06" W. 483.63 FEET, THENCE S. 42°42'45" E. 430.00 FEET, THENCE S. 89°58'49" W. 69.96 FEET, THENCE N. 42°38'01" W. 483.79 FEET, THENCE N. 30°10'41" W. 70.01 FEET TO A FOUND REBAR, THENCE N. 17°02'24" W. 561.71 FEET TO A FOUND REBAR, THENCE N. 9°55'52" W. 115.11 FEET TO A FOUND REBAR, THENCE N. 7°37'41" E. 381.13 FEET TO A FOUND REBAR, THENCE N. 53°32'10" W. 491.06 FEET TO A FOUND REBAR, THENCE N. 0°03'06" E. 204.20 FEET TO A FOUND REBAR, THENCE N. 71°35'39" E. 1981.88 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 19, THENCE S. 0°05'51" E. ALONG THE SECTION LINE 1979.95 FEET TO THE POINT OF BEGINNING.

PARCEL 12: (AV-1319-E)

Commencing at the South East Corner of Section 19, Township 42 South, Range 11 West, Salt Lake Baseline and Meridian, and running thence South 89°59' 23" West 1540.11 feet; thence North 00°01' 11" West 1139.66 feet; thence North 07°39' 06" East 29.02 feet to the TRUE POINT OF BEGINNING, running thence from the TRUE POINT OF BEGINNING North 07°39' 06" East 351.76 feet; thence North 53°30' 54" West 491.25 feet; thence South 00°06'46" East a distance of 386.62 feet to the cusp of a 50.0 foot radius curve to the right, bearing to the radius of which is North 89°56' 56" East; running thence along the arc of said curve through a central angle of 253°20'13" a distance of 221.08 feet to the point of a 20.0 foot radius reverse curve to the left; thence along the arc of said curve through a central angle of 73°23'54" a distance of 25.62 feet; thence South 00°06'46" East a distance of 46.69 feet; thence South 87°13'11" East 222.92 feet; thence South 28°47'32" East 154.69 feet to the TRUE POINT OF BEGINNING.

PARCEL 13: (AV-1319-A, AV-1319-B, AV-1319-C, AV-1319-D, AV-1319-E & AV-1319-F)

A 50.0 foot wide road way and utility easement being 25.0 feet on either side of the following described centerline, the sidelines of which shall be extended or trimmed back as necessary to eliminate any and all overlaps and/or gaps at the beginning, end, and along its entire outer boundary with itself and/or other identified boundaries; Commencing at the South East corner of Section 19, Township 42 South, Range 11 West, SLB&M and running thence South 89° 59' 23" West 562.67 feet along the section line to the center line of Rome Way a publicly dedicated road way situated in the Apple Valley Ranch Subdivision Phase II according to the official plat thereof, on file in the office of the Washington County Recorder, State of Utah said point is the TRUE POINT OF BEGINNING OF THE CENTERLINE DESCRIPTION, running thence from THE TRUE POINT OF BEGINNING North 37° 00' 54" West 18.84 feet to the point of a 453.647 foot radius curve to the left; thence along the arc of said curve through a central angle of 16° 34' 33" a distance of 128.602 feet to the point of a 550.00 foot radius reverse curve to the right; running thence along the arc of said curve through a central angle of 19° 14' 33" a distance of 184.716 feet; thence North 34° 00' 54" West 392.36 feet to the point of a 150.0 foot radius curve to the right; running thence along the arc of said curve through a central angle of 37° 18' 13" a distance of 97.66 feet; thence North 03°17'19" East 90.76' to the point of a 150.0 foot radius curve to the

left; thence along the arc of said curve through a central angle of 25° 09' 33" a distance of 65.866 to the center of an intersection; thence from the intersection South 68° 07' 46" West 162.75 feet to the point of a 150 foot radius curve to the right; running thence along the arc of said curve through a central angle of 97° 01' 35" a distance of 254.01 feet; thence North 14° 50' 39" West 134.81 feet to the point of a 150.0 foot radius curve to the right; running thence along the arc of said curve through a central angle of 03° 31' 39" a distance of 9.23 feet; thence North 61° 09' 00" West 101.40 feet to the point of a 150 foot radius curve to the left; thence along the arc of said curve through a central angle of 17° 28' 32" a distance of 45.75; thence North 28° 47' 32" West 119.17 feet to the point of a 300.0 foot radius curve to the right; thence along the arc of said curve through a central angle of 33° 53' 35" a distance of 177.46 feet to the point of a 150.0 foot radius reverse curve to the left; thence along the arc of said curve through a central angle of 185° 12' 49" a distance of 484.89 feet thence South 00° 06' 46" East 514.06 feet to the point of a 340.96 foot radius curve to the left; thence along the arc of said curve through a central angle of 36° 29' 08" a distance of 217.12; thence South 36° 35' 54" East 143.62 feet to the point of a 514.21 foot radius curve to the right; running thence along the arc of said curve through a central angle of 36° 35' 17" a distance 328.37 feet; thence South 00° 00' 37" East 48.21 feet more or less to a point where this 50.0 foot wide easement has joined into Cartland drive a road located within APPLE VALLEY RANCH SUBDIVISION, GOOSEBERRY UNIT I a subdivision according to the official plat thereof on file in the office of the Washington County Recorders office, State of Utah.

Also there is a 15.0 foot wide utility easement which is in addition to and which runs along the westerly side of the 50.0 foot easement just described this easement would run from the north end of said Rome Way roadway northerly along the westerly side of the 50.0 foot wide easement and would continue northerly to the intersection above described and then would continue along the left side of the road easement all the way to where the road easement connects into Cart Land drive as above described.

PARCEL 14: (AV-1319-C)

A road way easement over the following described circular plot of land; COMMENCING at the South East Corner of Section 19, Township 42 South, Range 11 West, Salt Lake Base and Meridian; and running thence South 89°59'23" West 1833.75 feet; thence North 00°00'37" West 1422.62 feet to the TRUE POINT OF BEGINNING said point also being the center of 50.0 foot radius circle; Running thence from the TRUE POINT OF BEGINNING 50 feet in all directions.

Initials

Account 0154834

Location

Account Number 0154834
Parcel Number AV-1319-A
Tax District 45 - Apple Valley Town
Acres 65.58
Situs 0, 0

Owner

Name TRU SOUTH LLC
 2120 S COTTONWOOD CANYON # 125
 CANNONVILLE, UT 84718

Value

Market (2024) \$649,200
Taxable \$649,200
Tax Area: 45 **Tax Rate:** 0.006853
Type **Actual** **Assessed** **Acres**
 Non
 Primary \$649,200 \$649,200 65.580
 Land

Legal S: 19 T: 42S R: 11W BEGINNING AT A POINT WHICH IS SITUATED N. 0°05'51" W. ALONG THE SECTION LINE 660.00 FEET FROM THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, THENCE N. 89°59'43" W. 660.00 FEET, THENCE S. 89°59'26" W. 153.23 FEET, THENCE S. 55°59'06" W. 483.63 FEET, THENCE S. 42°42'45" E. 430.00 FEET, THENCE S. 89°58'49" W. 69.96 FEET, THENCE N. 42°38'01" W. 483.79 FEET, THENCE N. 30°10'41" W. 70.01 FEET TO A FOUND REBAR, THENCE N. 17°02'24" W. 561.71 FEET TO A FOUND REBAR, THENCE N. 9°55'52" W. 115.11 FEET TO A FOUND REBAR, THENCE N. 7°37'41" E. 381.13 FEET TO A FOUND REBAR, THENCE N. 53°32'10" W. 491.06 FEET TO A FOUND REBAR, THENCE N. 0°03'06" E. 204.20 FEET TO A FOUND REBAR, THENCE N. 71°35'39" E. 1981.88 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 19, THENCE S. 0°05'51" E. ALONG THE SECTION LINE 1979.95 FEET TO THE POINT OF BEGINNING. (PARCEL 3)

Parent Accounts

Parent Parcels

Child Accounts 0416506
 0425028
 0883721

Child Parcels 1319-C

1313-D
 AV-1319-D

Sibling Accounts

Sibling Parcels

Transfers

Entry Number

Recording Date

<u>00366507</u>	<u>06/07/1990 03:21:00 PM</u>	<u>B: 563 P: 145</u>
<u>00385392</u>	<u>06/12/1991 02:48:00 PM</u>	<u>B: 605 P: 782</u>
<u>00434468</u>	<u>05/26/1993 11:48:00 AM</u>	<u>B: 730 P: 245</u>
<u>00468246</u>	<u>05/24/1994 02:29:00 PM</u>	<u>B: 822 P: 699</u>
<u>00478915</u>	<u>09/16/1994 03:01:00 PM</u>	<u>B: 851 P: 148</u>
<u>00481333</u>	<u>10/14/1994 10:59:00 AM</u>	<u>B: 857 P: 286</u>
<u>00725851</u>	<u>06/25/2001 11:19:00 AM</u>	<u>B: 1414 P: 1930</u>
<u>20090021079</u>	<u>05/29/2009 04:00:08 PM</u>	
<u>20090021081</u>	<u>05/29/2009 04:00:08 PM</u>	
<u>20090021082</u>	<u>05/29/2009 04:00:08 PM</u>	
<u>20100010267</u>	<u>03/31/2010 11:22:52 AM</u>	
<u>20110031703</u>	<u>10/18/2011 02:16:28 PM</u>	

TRU SOUTH, LLC

[Update this Business](#)

Entity Number: 12918567-0160

Company Type: LLC - Domestic

Address: 1780 SKY CANYON RANCH RD (CANNONVILLE UT 84718) PO BOX 185
TROPIC, UT 84776

State of Origin:

Registered Agent: DIXIE COMMERCIAL SERVICES

Registered Agent Address:

1173 SOUTH 250 WEST #206

Saint George, UT 84770

[View Management Team](#)

Status: Active

[Purchase Certificate of Existence](#)

Status: Active ● as of 11/04/2023

Renew By: 06/30/2025

Status Description: Current

The "Current" status represents that a renewal has been filed, within the most recent renewal period, with the Division of Corporations and Commercial Code.

Employment Verification: Not Registered with Verify Utah

[History](#)

[View Filed Documents](#)

Registration Date: 06/28/2022

Last Renewed: 07/10/2024

[Additional Information](#)

NAICS Code: 9999 **NAICS Title:** 9999-Nonclassifiable Establishment

[<< Back to Search Results](#)

Business Name:

Give Feedback



August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1319-A

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

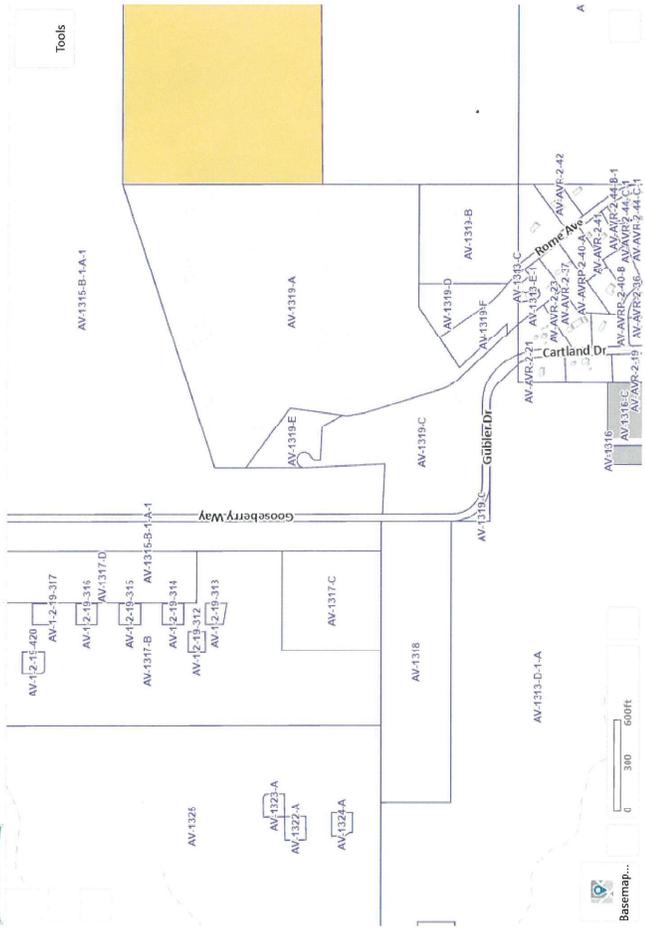
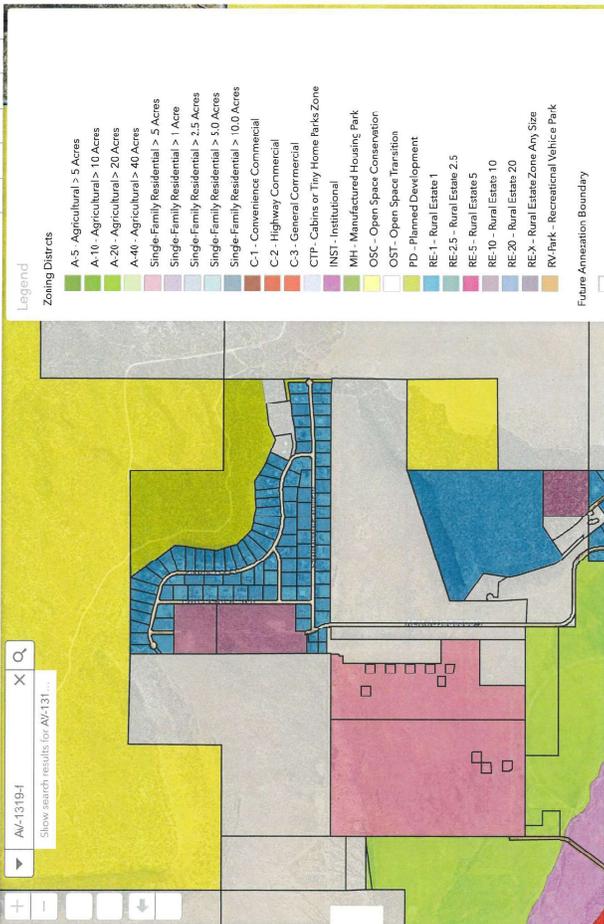
The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

Kind Regards,

Jenna Vizcardo
Town Clerk

Apple Valley Zoning Districts Viewer

Show search results for AV-1319-F



TOWN OF APPLE VALLEY
ORDINANCE O-2024-64

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCEL AV-1355-A FROM OPEN SPACE TRANSITION ZONE (OST) TO A AGRICULTURAL ZONE (A-X)

WHEREAS, the Town of Apple Valley (“Town”) has been petitioned for a change in the zoning classification of parcel AV-1355-A from Open Space Transition Zone (OST) to A Agricultural Zone (A-X); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on September 4, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change request by unanimous vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 25th day of September 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcel AV-1355-A is changed from Open Space Transition Zone (OST) to A Agricultural Zone (A-X).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 25th day of September, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

See Fee Schedule Page 2

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Holm House LLC		Phone:	
Address: 2120 S COTTONWOOD CANYON # 125		Email:	
City: Cannonville	State: UT	Zip: 84718	
Agent: (If Applicable)		Phone:	
Address/Location of Property: North of 59 on Main Street		Parcel ID: AV-1327	
Existing Zone: OST and SF.5		Proposed Zone: OST and RE-5	
For Planned Development Purposes: Acreage in Parcel ⁴⁴⁰		Acreage in Application ⁴⁴⁰	
Reason for the request To lower density to match General Plan, to address water issues. Only changing SF-.5 to RE-5			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

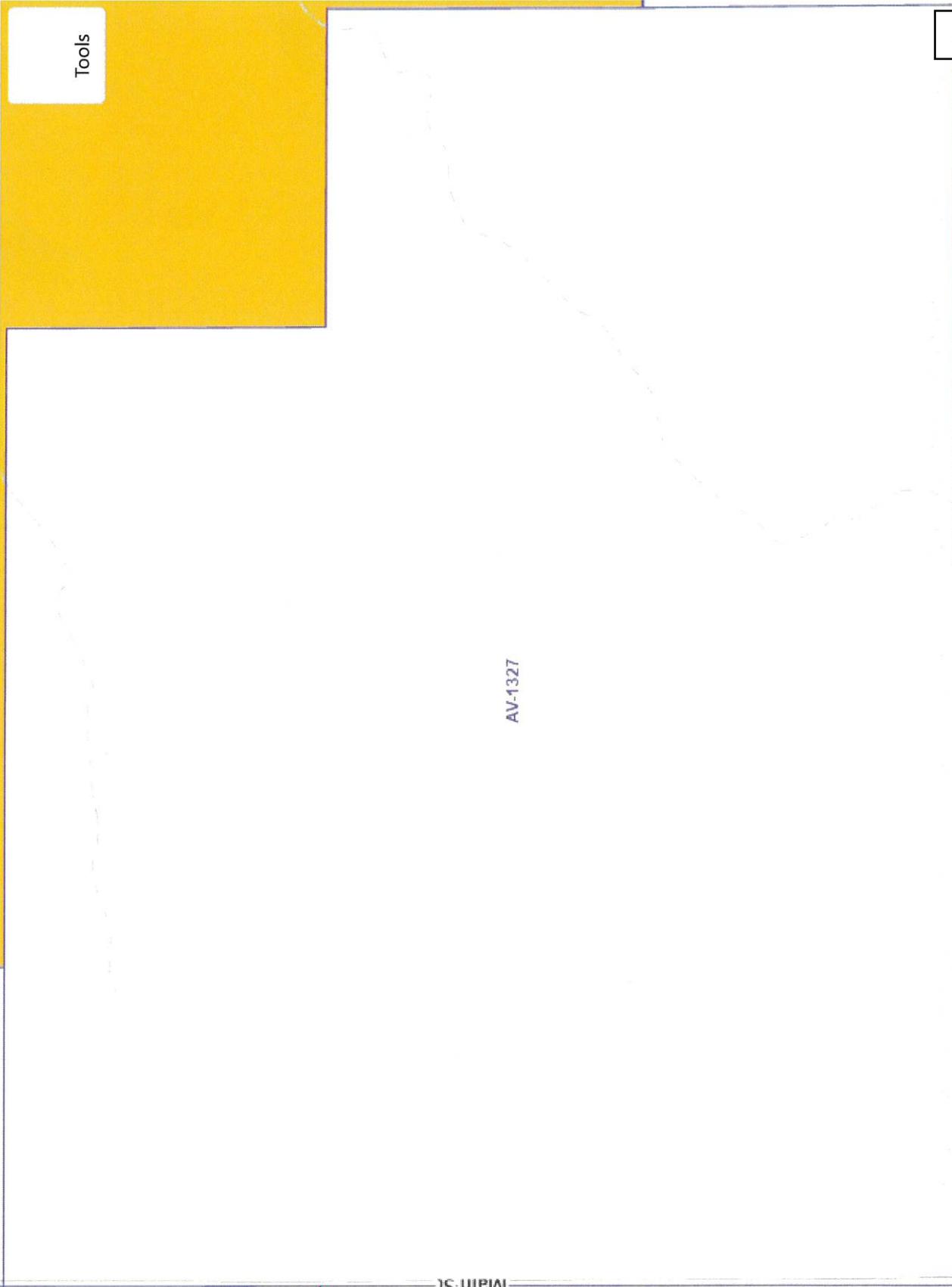
Applicant Signature 	Date
--	------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: ENTERED JUL 12 2024	Date Application Deemed Complete:	
By:	By:	



Search...

Sign in



Tools



semap... 0 300 600ft

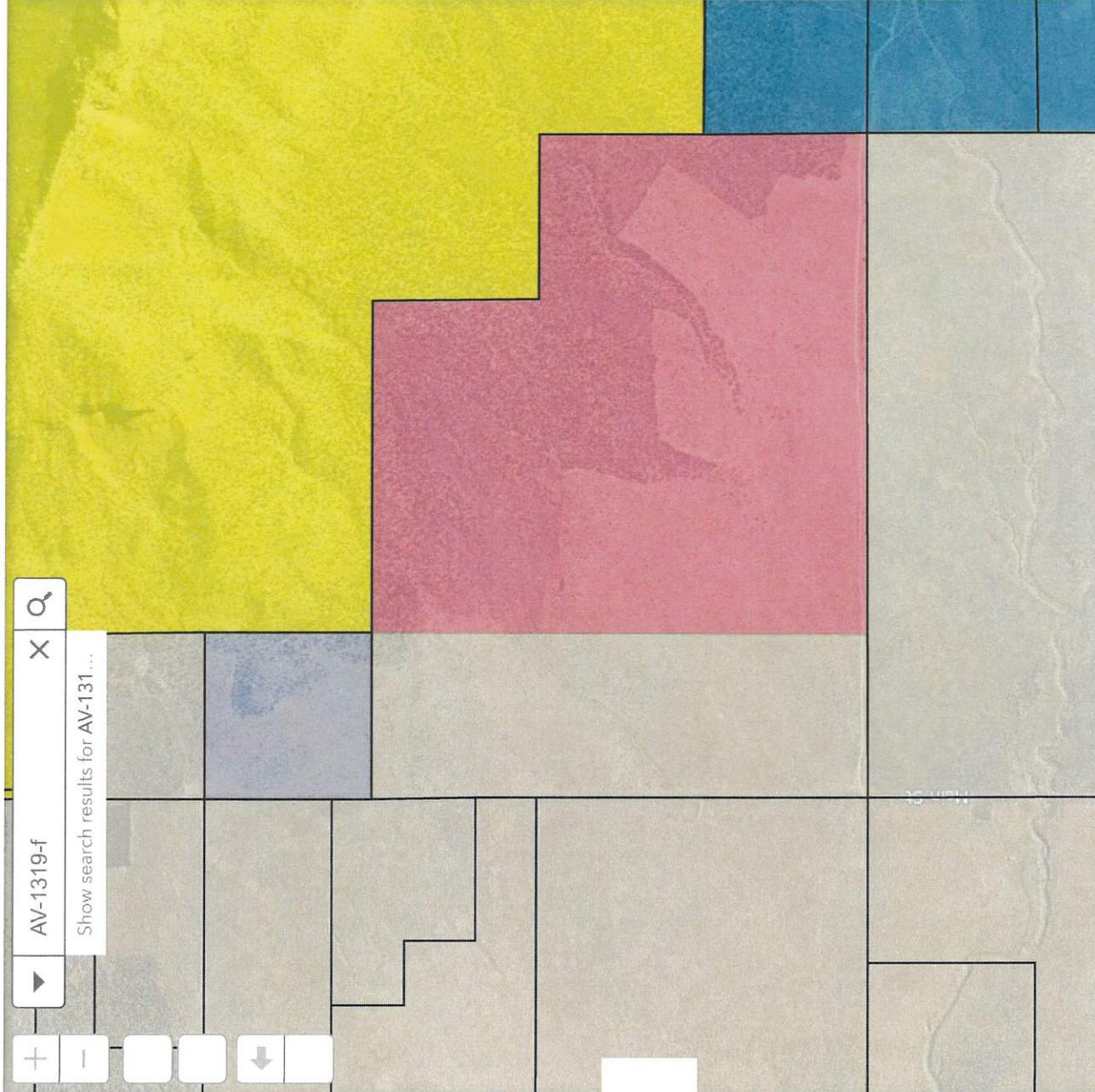
AV-1350-A

Item 17.

Apple Valley Zoning Districts Viewer



Show search results for AV-1319-f



Legend

Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > .5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 2.5 Acres
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV-Park - Recreational Vehicle Park

Future Annexation Boundary



113.067356, 37.101455 Degrees

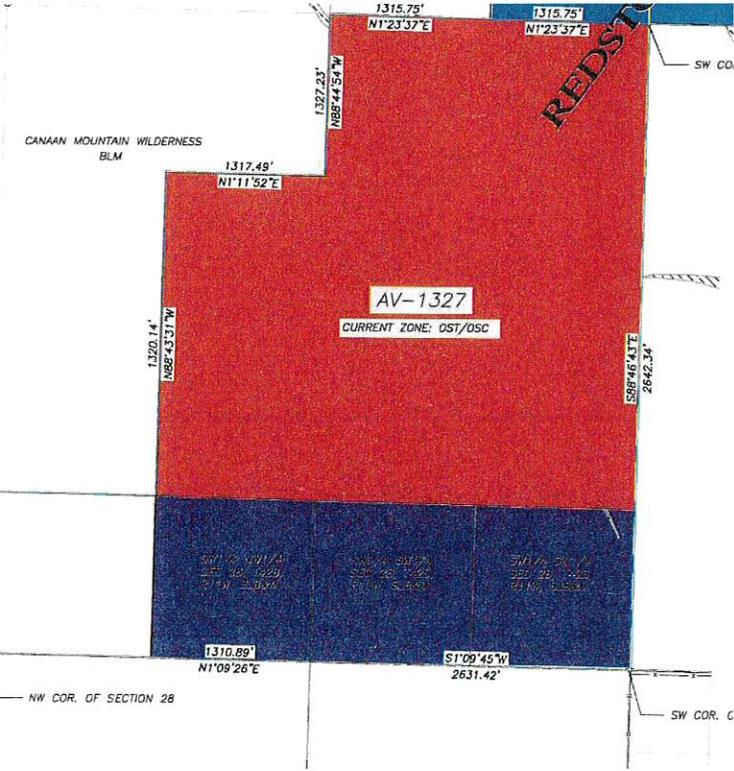
Property Description:

As shown on the map and identified by the owner

LEGAL DESCRIPTION

For portion NOT being rezoned

WEST 120 ACRES OF PARCEL # AV-1327 :
S: 28 T: 42S R: 11W SW1/4 NE1/4; SE1/4 NW1/4; SE1/4; W1/2
NW1/4 & SW1/4 SEC 28 T42S R11W.
CONTAINING 120 ACRES.



Red Section- Requested this be rezoned RE-5

Blue Section- Requesting this portion of lot stay the same as previous zoning (OST/OSC)

Warranty Deed Page 1 of 5

Gary Christensen Washington County Recorder

01/24/2023 02:56:30 PM Fee \$40.00 By

SOUTHERN UTAH TITLE COMPANY

When recorded mail deed and tax notice to:

Holm House LLC
2120 S Cottonwood Canyon, #125
Cannonville, UT 84718



SOUTHERN UTAH
TITLE COMPANY
"Doing good Deeds for over 70 years"
sutc.com

Order No. 226766 - EFP

Space Above This Line for Recorder's Use

Tax I.D. No. AV-1313-D-1, AV-1326, AV-1327, AV-1345, AV-1346, and AV-1348-A

WARRANTY DEED

K & D Family, L.L.C., a Utah limited liability company and KDLR LLC, a Nevada Limited Liability Company, grantor(s), of Enterprise, County of Washington, State of Utah, hereby CONVEY and WARRANT to

Holm House LLC, a Utah limited liability company, grantee(s) of Cannonville, County of Garfield, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

Excepting therefrom all water rights.

WITNESS the hand(s) of said grantor(s), this 19 day of January, ~~2013~~ ²⁰²³

K & D Family, L.L.C., a Utah limited liability company

By: Kerry Holt
Kerry Holt, Manager

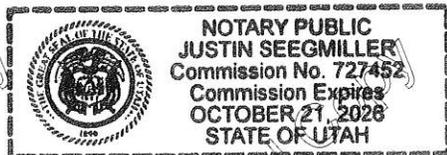
KDLR LLC, a Nevada Limited Liability Company

By: Kerry Holt
Kerry Holt, Manager

STATE OF Utah)

COUNTY OF Washington)
:ss.

On the 19 day of January, ~~2013~~ ²⁰²³ personally appeared before me, Kerry Holt, who being by me duly sworn, did say that he/she is the Manager of K & D Family, L.L.C., a Utah limited liability company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Kerry Holt acknowledged to me that said limited liability company executed the same.



Justin
NOTARY PUBLIC

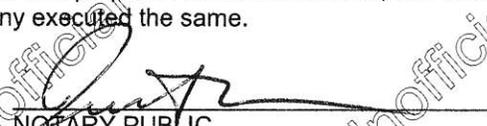
My Commission Expires:

STATE OF Utah)

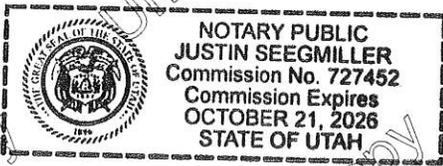
:ss.

COUNTY OF Washington

On the 19 day of January, ~~2013~~ ²⁰²³, personally appeared before me, Kerry Holt, who being by me duly sworn, did say that he/she is the Manager of KDLR LLC, a Nevada Limited Liability Company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Kerry Holt acknowledged to me that said limited liability company executed the same.


NOTARY PUBLIC

My Commission Expires:



Attachment to that certain Warranty Deed executed by K & D Family, L.L.C., a Utah limited liability company and KDLR LLC, a Nevada Limited Liability Company grantor(s), to Holm House LLC, a Utah limited liability company grantee(s).

Order No. 226766

Tax I.D. No. AV-1313-D-1, AV-1326, AV-1327, AV-1345, AV-1346, and AV-1348-A

EXHIBIT "A"

PARCEL 2: (AV-1313-D-1)

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, THENCE N. 0°04'55" W. ALONG THE SECTION LINE 143.51 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U-59, THENCE ALONG SAID RIGHT-OF-WAY LINE N. 54°10'15" W. 77.08 FEET TO A RIGHT-OF-WAY MARKER, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 54°09'33" W. 1959.84 FEET TO THE TRUE POINT OF BEGINNING, THENCE N. 54°10'49" W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 7938.54 FEET TO A FOUND REBAR, THENCE N. 45°00'21" W. 873.58 FEET TO A FOUND REBAR, THENCE N. 70°39'33" W. 513.76 FEET TO A FOUND REBAR ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U-59, THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 2914.79 FEET A DISTANCE OF 911.15 FEET (THE CHORD OF SAID CURVE BEARS N. 67°02'27" W. 887.45 FEET) TO THE WEST LINE OF THE NE1/4SW1/4 OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 12 WEST, SLB&M, THENCE N. 0°02'22" W. ALONG THE 1/16 LINE 796.97 FEET TO THE NORTHWEST CORNER OF SAID NE1/4SW1/4, THENCE S. 89°59'21" E. ALONG THE 1/4 SECTION LINE 3961.60 FEET TO THE EAST 1/4 CORNER OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 12 WEST, SLB&M, THENCE N. 0°01'23" W. ALONG THE SECTION LINE 474.67 FEET TO A FOUND REBAR, THENCE N. 82°38'25" E. 771.67 FEET TO A FOUND REBAR, THENCE S. 0°07'25" E. 2804.18 FEET TO A FOUND 1/2" GALVANIZED PIPE, THENCE N. 89°52'51" E. 370.34 FEET TO A FOUND REBAR, THENCE N. 0°02'39" W. 247.22 FEET TO A FOUND REBAR, THENCE N. 89°59'16" W. 197.73 FEET TO A FOUND REBAR, THENCE N. 0°06'40" W. 248.04 FEET, THENCE S. 89°58'49" E. 998.19 FEET, THENCE S. 0°05'58" E. 466.69 FEET, THENCE S. 89°58'49" E. 1866.76 FEET, THENCE S. 0°08'17" E. 255.62 FEET TO A FOUND REBAR, THENCE S. 89°59'43" E. 794.18 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET A DISTANCE OF 137.89 FEET (THE CHORD OF SAID CURVE BEARS S. 67°25'19" E. 134.35 FEET), THENCE S. 44°50'54" E. 109.00 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 410.00 FEET A DISTANCE OF 74.73 FEET (THE CHORD OF SAID CURVE BEARS S. 39°37'37" E. 74.62 FEET) TO THE NORTH LINE OF SAID SECTION 30, THENCE N. 89°59'57" W. ALONG THE SECTION LINE AND NORTH LINE OF APPLE VALLEY RANCH SUBDIVISION PHASE II AMENDED 120.56 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION AND THE NORTHEAST CORNER OF THE WEST HALF OF THE NE1/4 OF SAID SECTION 30, THENCE S. 0°07'44" E. ALONG THE 1/16 LINE AND SUBDIVISION BOUNDARY 604.07 FEET TO A FOUND REBAR, THENCE S. 89°51'24" W. 541.18 FEET TO A FOUND REBAR, THENCE S. 0°08'20" E. 951.93 FEET TO A FOUND REBAR, THENCE S. 61°36'17" E. 219.25 FEET, THENCE S. 28°39'03" E. 268.82 FEET, THENCE N. 87°41'09" E. 220.17 FEET TO THE WEST LINE OF APPLE VALLEY RANCH SUBDIVISION PHASE II AMENDED AND 1/16 LINE, THENCE S. 0°07'44" E. ALONG THE 1/16 LINE 751.16 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE NE1/4 OF SAID SECTION 30, THENCE S. 0°06'03" E. ALONG THE 1/16 LINE 1301.51 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 235.00 FEET A DISTANCE OF 4.46 FEET (THE CHORD OF SAID CURVE BEARS S. 89°45'20" W. 4.46 FEET), THENCE N. 89°41'59" W. 323.25 FEET TO THE TRUE POINT OF BEGINNING.

LESS AND EXCEPTING FROM PARCEL 2 THE FOLLOWING (50 FOOT WIDE ROADWAY):

BEGINNING AT A POINT S. 0°10'48" W. ALONG THE SECTION LINE 753.97 FEET FROM THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF U-59, THENCE RUNNING N. 54°09'33" W. ALONG THE RIGHT-OF-WAY LINE 81.80 FEET TO THE BEGINNING OF A 25.00 FOOT RADIUS CURVE WITH RADIUS LINE BEARING N. 35°50'27" E. THENCE NORTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'00", THENCE N. 35°50'27" E. 1200.72 FEET TO THE BEGINNING OF A 275.00 FOOT RADIUS CURVE, THENCE NORTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 172.56 FEET THROUGH A CENTRAL ANGLE OF 35°57'07", THENCE N. 0°06'40" W. 707.83 FEET, THENCE S. 89°58'49" E. 50.00 FEET, THENCE S. 0°06'40" E. 707.71 FEET TO THE BEGINNING OF A 325.00 FOOT RADIUS CURVE, THENCE SOUTHWESTERLY TO THE RIGHT ALONG THE ARC OF SAID CURVE 203.93 FEET THROUGH A CENTRAL ANGLE OF 35°57'07", THENCE S. 35°50'27" W. 1200.72 FEET TO THE BEGINNING OF A 25.00 FOOT RADIUS CURVE, THENCE SOUTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U-59, THENCE N. 54°09'33" W. ALONG SAID RIGHT OF WAY LINE 18.20 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING FROM PARCEL 2 THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N00°03'32"W, ALONG THE SECTION LINE, 143.51 FEET TO THE NORTHWESTERLY BOUNDARY LINE OF STATE ROUTE 59; THENCE N54°08'51"W, ALONG SAID BOUNDARY LINE OF STATE ROUTE 59, 77.08 FEET; THENCE N54°08'09"W, ALONG SAID BOUNDARY, 1959.87 FEET TO THE POINT OF BEGINNING; THENCE N54°09'25"W, ALONG SAID BOUNDARY LINE OF STATE ROUTE 59, 742.80 FEET; THENCE N35°50'32"E 379.99 FEET; THENCE N17°32'51"E 185.12 FEET; THENCE N10°52'32"E 150.23 FEET; THENCE N05°11'57"E 135.13 FEET; THENCE N00°35'25"W 155.91 FEET; THENCE N06°00'48"W 116.71 FEET; THENCE N09°50'44"W 62.70 FEET; THENCE N13°11'57"W 125.80 FEET; THENCE N18°17'16"W 123.41 FEET; THENCE N48°43'46"W 148.67 FEET; THENCE N35°50'23"E 150.00 FEET; THENCE N54°09'37"W 137.02 FEET; THENCE N35°50'23"E 226.65 FEET; THENCE N52°01'03"E 201.07 FEET; THENCE S61°34'53"E 219.25 FEET; THENCE S28°37'39"E 268.82 FEET; THENCE N87°42'33"E 220.17 FEET; THENCE S00°05'16"E 2052.67 FEET; THENCE WESTERLY ALONG THE ARC OF A 235.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (LONG CHORD BEARS: S89°46'44"W 4.46 FEET), CENTER POINT LIES N00°45'54"W THROUGH A CENTRAL ANGLE OF 01°05'15" A DISTANCE OF 4.46 FEET; THENCE N89°40'35"W 324.29 FEET TO THE POINT OF BEGINNING.

PARCEL 6: (AV-1348-A)

The North half of the Northwest Quarter (N½NW¼) of Section 3, Township 43 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 7: (AV-1346)

The Northeast Quarter (NE¼) and the North half of the Northwest Quarter (N½NW¼) of Section 34, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 8: (AV-1345)

The South half of the Northwest Quarter (S½NW¼) and the Southwest Quarter (SW¼) of Section 34, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 9: (AV-1327)

The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$); the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$); the Southeast Quarter (SE $\frac{1}{4}$); the West half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

LESS AND EXCEPTING THEREFROM the following described property:

The North half of the West half of the Northwest Quarter (N $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 28, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 10: (AV-1326)

The South half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 27, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

Initials

KH, KH

Account 0154925

Location

Account Number 0154925
 Parcel Number AV-1327
 Tax District 45 - Apple Valley Town
 Acres 440.00
 Situs 0, 0
 Legal S: 28 T: 42S R: 11W SW1/4 NE1/4; SE1/4
 NW1/4; SE1/4; W1/2 NW1/4 & SW1/4 SEC 28 T42S
 R11W

Owner

Name HOLM HOUSE LLC
 2120 S COTTONWOOD CANYON # 125
 CANNONVILLE, UT 84718

Value

Market (2024) \$3,267,000
 Taxable \$7,229
 Tax Area: 45 Tax Rate: 0.006853
 Type Actual Assessed Acres
 Farm
 Land \$3,267,000 \$7,229 440.000
 FAA

LESS: N1/2 W1/2 NW1/4 SEC 28 T42S R11W.

Parent Accounts

Parent Parcels

Child Accounts 1023986

Child Parcels AV-1327-B

Sibling Accounts

Sibling Parcels

Transfers

Entry Number

Recording Date

<u>00328492</u>	<u>03/02/1988 02:39:00 AM</u>	<u>B: 478 P: 779</u>
<u>00421971</u>	<u>12/16/1992 12:50:00 PM</u>	<u>B: 697 P: 733</u>
<u>00472164</u>	<u>07/01/1994 02:18:00 PM</u>	<u>B: 832 P: 858</u>
<u>00478912</u>	<u>09/16/1994 02:59:00 PM</u>	<u>B: 851 P: 142</u>
<u>00738910</u>	<u>10/18/2001 10:50:00 AM</u>	<u>B: 1431 P: 627</u>
<u>20100010268</u>	<u>03/31/2010 11:22:52 AM</u>	
<u>20110031703</u>	<u>10/18/2011 02:16:28 PM</u>	
<u>20110031704</u>	<u>10/18/2011 02:16:28 PM</u>	
<u>20180024711</u>	<u>06/14/2018 03:16:27 PM</u>	
<u>20180047656</u>	<u>12/03/2018 12:04:34 PM</u>	
<u>20190000956</u>	<u>01/09/2019 11:15:43 AM</u>	
<u>20210078754</u>	<u>12/14/2021 01:37:21 PM</u>	
<u>20220051468</u>	<u>11/30/2022 08:24:08 AM</u>	
<u>20220051469</u>	<u>11/30/2022 08:24:08 AM</u>	
<u>20230002011</u>	<u>01/24/2023 02:56:30 PM</u>	

Tax

Images

<u>Tax Year</u>	<u>Taxes</u>	
*2024	\$49.54	• <u>GIS</u>
2023	\$43.66	

* Estimated



August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1327

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

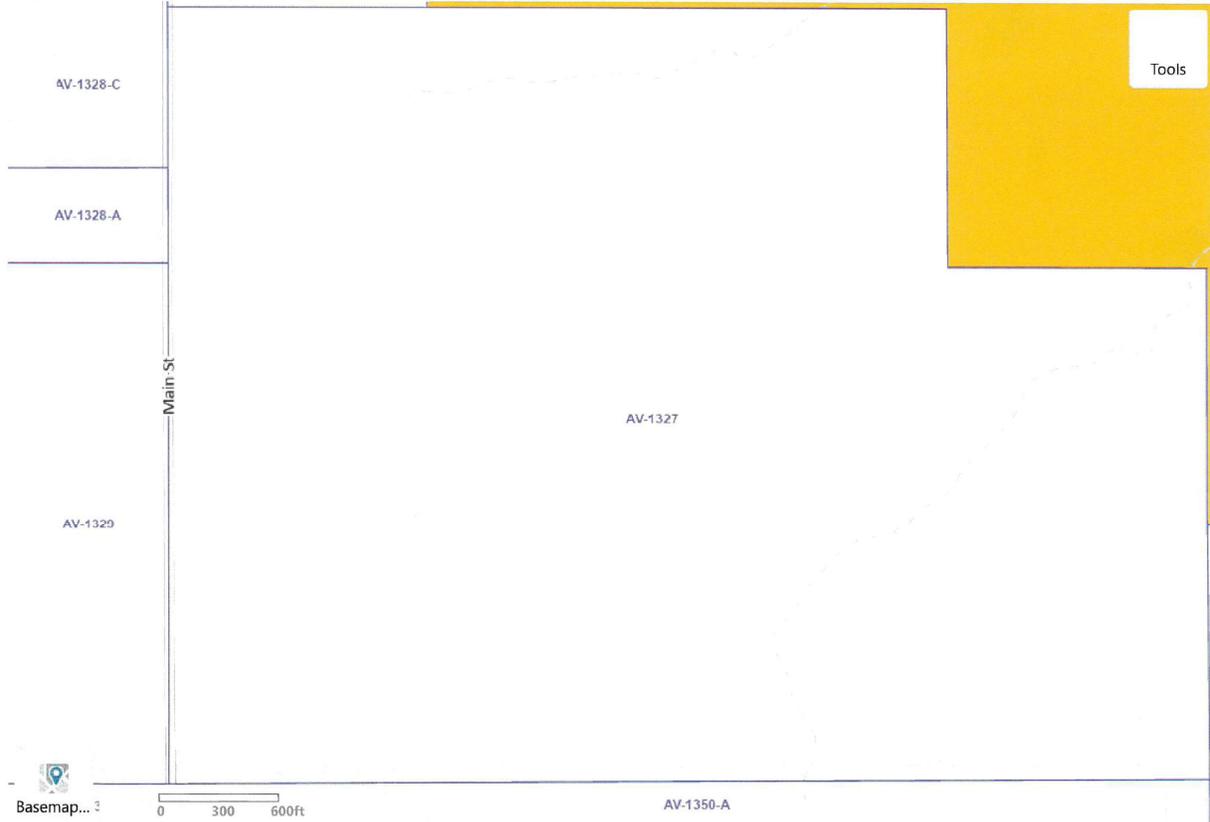
Kind Regards,

Jenna Vizcardo
Town Clerk

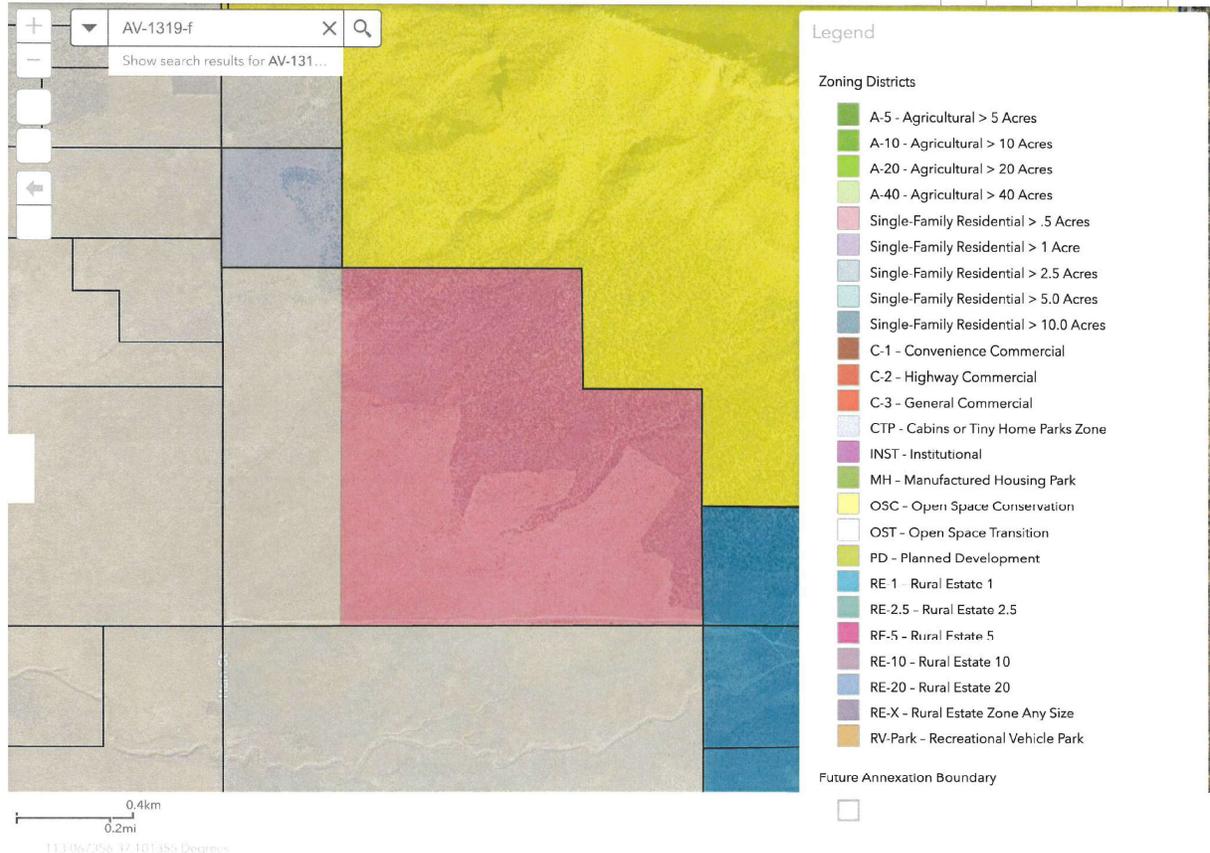


Search...

Sign in



Apple Valley Zoning Districts Viewer



AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCELS AV-1348-A, AV-1345, AV-1346, AV-1326 FROM RURAL ESTATES 1 ACRE ZONE (RE-1.0) TO RURAL ESTATES 5 ACRES ZONE (RE-5.0)

WHEREAS, the Town of Apple Valley (“Town”) petitioned for a change in the zoning classification of parcels AV-1348-A, AV-1345, AV-1346, AV-1326 from Rural Estates 1 Acre Zone (RE-1.0) to Rural Estates 5 Acres Zone (RE-5.0); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 7, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change by majority vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcels AV-1348-A, AV-1345, AV-1346, AV-1326 is changed from Rural Estates 1 Acre Zone (RE-1.0) to Rural Estates 5 Acres Zone (RE-5.0).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Item 18.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Holm House LLC		Phone:	
Address: 2120 S COTTONWOOD CANYON # 125		Email:	
City: Cannonville	State: UT	Zip: 84718	
Agent: (If Applicable)		Phone:	
Address/Location of Property: North of 59 on Main Street		Parcel ID: AV-1348-A, AV-1345, AV-1346, AV-1326	
Existing Zone: RE-1		Proposed Zone: RE-5	
For Planned Development Purposes: Acreage in Parcel ⁶⁴⁰		Acreage in Application ⁶⁴⁰	
Reason for the request To lower density to match General Plan, to address water issues			

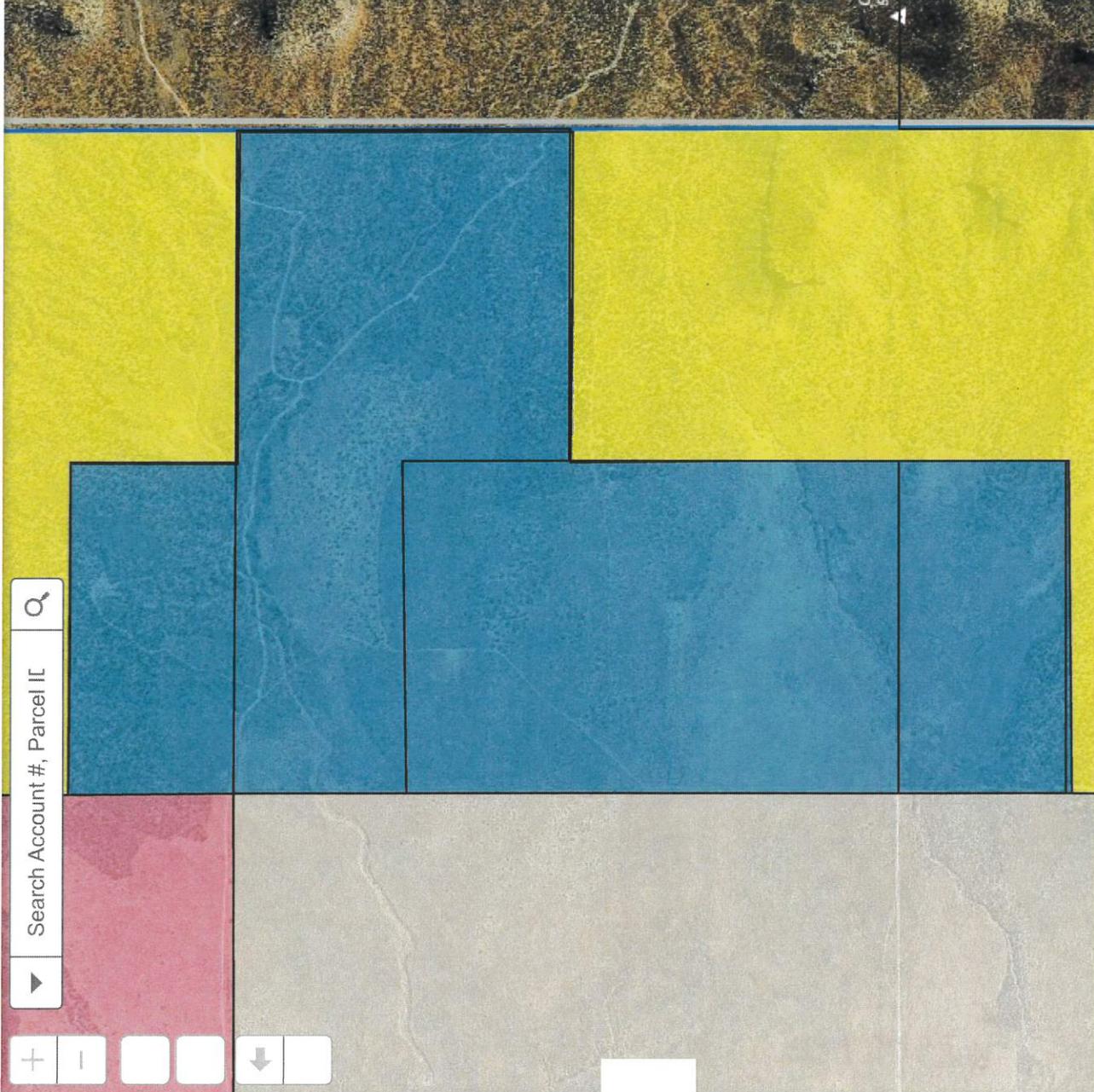
Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature	Date
---------------------	------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: ENTERED JUL 12 2024	Date Application Deemed Complete:	
By:	By:	

Apple Valley Zoning Districts Viewer



Legend

- Zoning Districts
- A-5 - Agricultural > 5 Acres
 - A-10 - Agricultural > 10 Acres
 - A-20 - Agricultural > 20 Acres
 - A-40 - Agricultural > 40 Acres
 - Single-Family Residential > .5 Acres
 - Single-Family Residential > 1 Acre
 - Single-Family Residential > 2.5 Acres
 - Single-Family Residential > 5.0 Acres
 - Single-Family Residential > 10.0 Acres
 - C-1 - Convenience Commercial
 - C-2 - Highway Commercial
 - C-3 - General Commercial
 - CTP - Cabins or Tiny Home Parks Zone
 - INST - Institutional
 - MH - Manufactured Housing Park
 - OSC - Open Space Conservation
 - OST - Open Space Transition
 - PD - Planned Development
 - RE-1 - Rural Estate 1
 - RE-2.5 - Rural Estate 2.5
 - RE-5 - Rural Estate 5
 - RE-10 - Rural Estate 10
 - RE-20 - Rural Estate 20
 - RE-X - Rural Estate Zone Any Size
 - RV-Park - Recreational Vehicle Park

Future Annexation Boundary



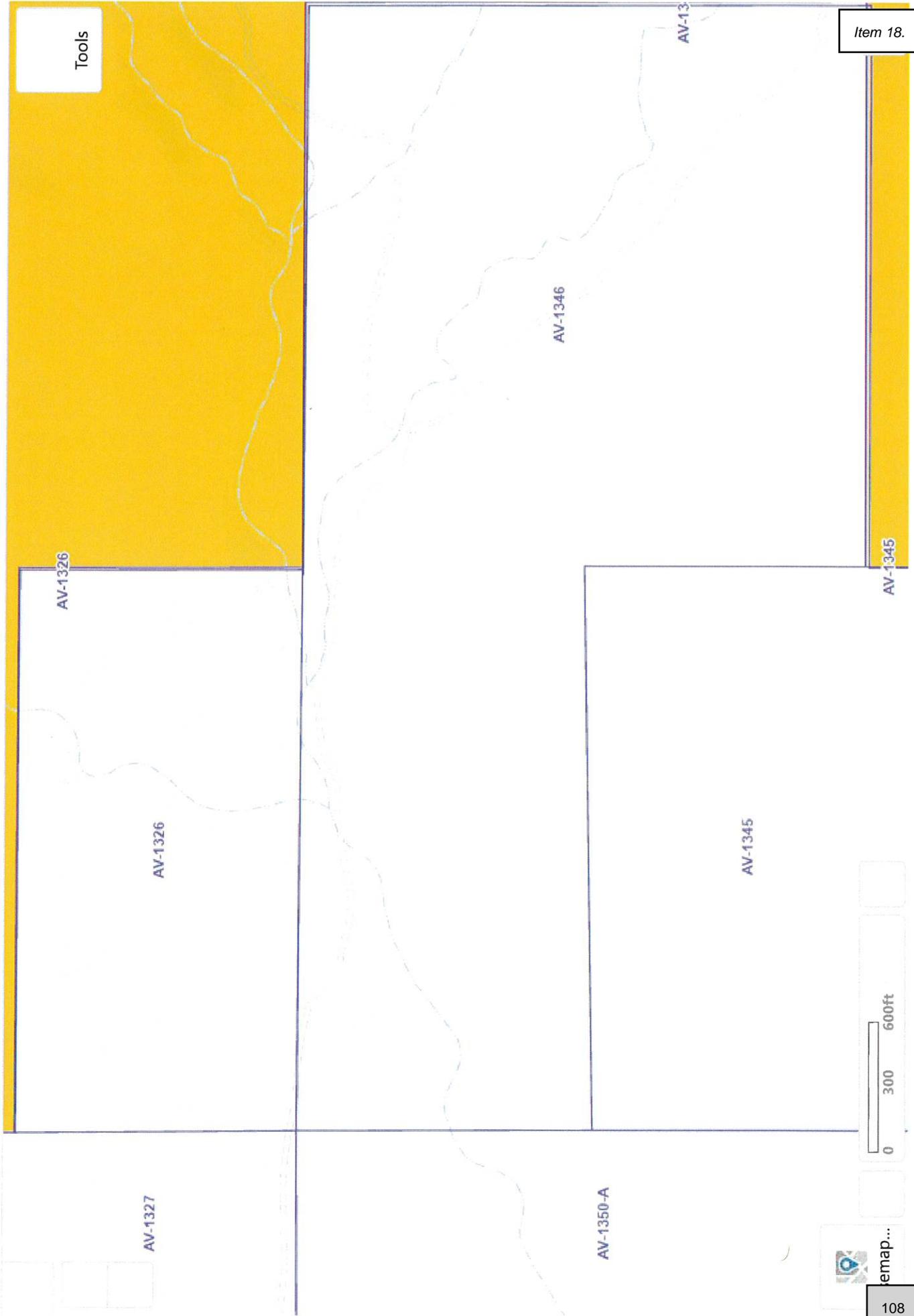
113.074523, 37.086347 Degrees



Sign in

Search...

Tools



Item 18.

AV-1345



emap...

0 300 600ft

108

Warranty Deed Page 1 of 5

Gary Christensen Washington County Recorder

01/24/2023 02:56:30 PM Fee \$40.00 By

SOUTHERN UTAH TITLE COMPANY

When recorded mail deed and tax notice to:

Holm House LLC
2120 S Cottonwood Canyon, #125
Cannonville, UT 84718



SOUTHERN UTAH
TITLE COMPANY
"Doing good Deeds for over 70 years"
sutc.com

Order No. 226766 - EFP

Space Above This Line for Recorder's Use

Tax I.D. No. AV-1313-D-1, AV-1326, AV-1327, AV-1345, AV-1346, and AV-1348-A

WARRANTY DEED

K & D Family, L.L.C., a Utah limited liability company and KDLR LLC, a Nevada Limited Liability Company, grantor(s), of Enterprise, County of Washington, State of Utah, hereby CONVEY and WARRANT to

Holm House LLC, a Utah limited liability company, grantee(s) of Cannonville, County of Garfield, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

Excepting therefrom all water rights.

WITNESS the hand(s) of said grantor(s), this 19 day of January, ~~2013~~ ²⁰²³.

K & D Family, L.L.C., a Utah limited liability company

By: Kerry Holt
Kerry Holt, Manager

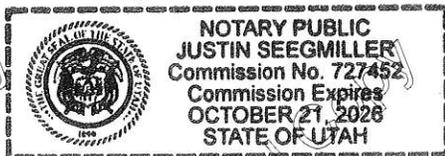
KDLR LLC, a Nevada Limited Liability Company

By: Kerry Holt
Kerry Holt, Manager

STATE OF Utah)

COUNTY OF Washington)
:ss.

On the 19 day of January, ~~2013~~ ²⁰²³, personally appeared before me, Kerry Holt, who being by me duly sworn, did say that he/she is the Manager of K & D Family, L.L.C., a Utah limited liability company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Kerry Holt acknowledged to me that said limited liability company executed the same.



Justin
NOTARY PUBLIC

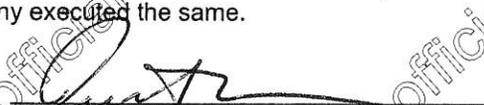
My Commission Expires:

STATE OF Utah)

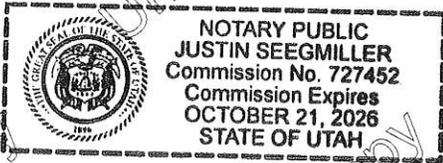
:ss.

COUNTY OF Washington

On the 19 day of January, ~~2013~~ ²⁰²³, personally appeared before me, Kerry Holt, who being by me duly sworn, did say that he/she is the Manager of KDLR LLC, a Nevada Limited Liability Company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Kerry Holt acknowledged to me that said limited liability company executed the same.


NOTARY PUBLIC

My Commission Expires:



Attachment to that certain Warranty Deed executed by K & D Family, L.L.C., a Utah limited liability company and KDLR LLC, a Nevada Limited Liability Company grantor(s), to Holm House LLC, a Utah limited liability company grantee(s).

Order No. 226766

Tax I.D. No. AV-1313-D-1, AV-1326, AV-1327, AV-1345, AV-1346, and AV-1348-A

EXHIBIT "A"

PARCEL 2: (AV-1313-D-1)

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, THENCE N. 0°04'55" W. ALONG THE SECTION LINE 143.51 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U-59, THENCE ALONG SAID RIGHT-OF-WAY LINE N. 54°10'15" W. 77.08 FEET TO A RIGHT-OF-WAY MARKER, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 54°09'33" W. 1959.84 FEET TO THE TRUE POINT OF BEGINNING, THENCE N. 54°10'49" W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 7938.54 FEET TO A FOUND REBAR, THENCE N. 45°00'21" W. 873.58 FEET TO A FOUND REBAR, THENCE N. 70°39'33" W. 513.76 FEET TO A FOUND REBAR ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U-59, THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 2914.79 FEET A DISTANCE OF 911.15 FEET (THE CHORD OF SAID CURVE BEARS N. 67°02'27" W. 807.45 FEET) TO THE WEST LINE OF THE NE1/4SW1/4 OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 12 WEST, SLB&M, THENCE N. 0°02'22" W. ALONG THE 1/16 LINE 796.97 FEET TO THE NORTHWEST CORNER OF SAID NE1/4SW1/4, THENCE S. 89°59'21" E. ALONG THE 1/4 SECTION LINE 3961.60 FEET TO THE EAST 1/4 CORNER OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 12 WEST, SLB&M, THENCE N. 0°01'23" W. ALONG THE SECTION LINE 474.67 FEET TO A FOUND REBAR, THENCE N. 82°38'25" E. 771.67 FEET TO A FOUND REBAR, THENCE S. 0°07'25" E. 2804.18 FEET TO A FOUND 1/2" GALVANIZED PIPE, THENCE N. 89°52'51" E. 370.34 FEET TO A FOUND REBAR, THENCE N. 0°02'39" W. 247.22 FEET TO A FOUND REBAR, THENCE N. 89°59'16" W. 197.73 FEET TO A FOUND REBAR, THENCE N. 0°06'40" W. 248.04 FEET, THENCE S. 89°58'49" E. 998.19 FEET, THENCE S. 0°05'58" E. 466.69 FEET, THENCE S. 89°58'49" E. 1866.76 FEET, THENCE S. 0°08'17" E. 255.62 FEET TO A FOUND REBAR, THENCE S. 89°59'43" E. 794.18 FEET THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET A DISTANCE OF 137.89 FEET (THE CHORD OF SAID CURVE BEARS S. 67°25'19" E. 134.35 FEET), THENCE S. 44°50'54" E. 109.00 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 410.00 FEET A DISTANCE OF 74.73 FEET (THE CHORD OF SAID CURVE BEARS S. 39°37'37" E. 74.62 FEET) TO THE NORTH LINE OF SAID SECTION 30, THENCE N. 89°59'57" W. ALONG THE SECTION LINE AND NORTH LINE OF APPLE VALLEY RANCH SUBDIVISION PHASE II AMENDED 120.56 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION AND THE NORTHEAST CORNER OF THE WEST HALF OF THE NE1/4 OF SAID SECTION 30, THENCE S. 0°07'44" E. ALONG THE 1/16 LINE AND SUBDIVISION BOUNDARY 604.07 FEET TO A FOUND REBAR, THENCE S. 89°51'24" W. 541.18 FEET TO A FOUND REBAR, THENCE S. 0°08'20" E. 951.93 FEET TO A FOUND REBAR, THENCE S. 61°36'17" E. 219.25 FEET, THENCE S. 28°39'03" E. 268.82 FEET, THENCE N. 87°41'09" E. 220.17 FEET TO THE WEST LINE OF APPLE VALLEY RANCH SUBDIVISION PHASE II AMENDED AND 1/16 LINE, THENCE S. 0°07'44" E. ALONG THE 1/16 LINE 751.16 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE NE1/4 OF SAID SECTION 30, THENCE S. 0°06'03" E. ALONG THE 1/16 LINE 1301.51 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 235.00 FEET A DISTANCE OF 4.46 FEET (THE CHORD OF SAID CURVE BEARS S. 89°45'20" W. 4.46 FEET), THENCE N. 89°41'59" W. 323.25 FEET TO THE TRUE POINT OF BEGINNING.

LESS AND EXCEPTING FROM PARCEL 2 THE FOLLOWING (50 FOOT WIDE ROADWAY):

BEGINNING AT A POINT S. 0°10'48" W. ALONG THE SECTION LINE 753.97 FEET FROM THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF U-59, THENCE RUNNING N. 54°09'33" W. ALONG THE RIGHT-OF-WAY LINE 81.80 FEET TO THE BEGINNING OF A 25.00 FOOT RADIUS CURVE WITH RADIUS LINE BEARING N. 35°50'27" E. THENCE NORTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'00", THENCE N. 35°50'27" E. 1200.72 FEET TO THE BEGINNING OF A 275.00 FOOT RADIUS CURVE, THENCE NORTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 172.56 FEET THROUGH A CENTRAL ANGLE OF 35°57'07", THENCE N. 0°06'40" W. 707.83 FEET, THENCE S. 89°58'49" E. 50.00 FEET, THENCE S. 0°06'40" E. 707.71 FEET TO THE BEGINNING OF A 325.00 FOOT RADIUS CURVE, THENCE SOUTHWESTERLY TO THE RIGHT ALONG THE ARC OF SAID CURVE 203.93 FEET THROUGH A CENTRAL ANGLE OF 35°57'07", THENCE S. 35°50'27" W. 1200.72 FEET TO THE BEGINNING OF A 25.00 FOOT RADIUS CURVE, THENCE SOUTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U-59, THENCE N. 54°09'33" W. ALONG SAID RIGHT OF WAY LINE 18.20 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING FROM PARCEL 2 THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N00°03'32"W, ALONG THE SECTION LINE, 143.51 FEET TO THE NORTHWESTERLY BOUNDARY LINE OF STATE ROUTE 59; THENCE N54°08'51"W, ALONG SAID BOUNDARY LINE OF STATE ROUTE 59, 77.08 FEET; THENCE N54°08'09"W, ALONG SAID BOUNDARY, 1959.87 FEET TO THE POINT OF BEGINNING; THENCE N54°09'25"W, ALONG SAID BOUNDARY LINE OF STATE ROUTE 59, 742.80 FEET; THENCE N35°50'32"E 379.99 FEET; THENCE N17°32'51"E 185.12 FEET; THENCE N10°52'32"E 150.23 FEET; THENCE N05°11'57"E 135.13 FEET; THENCE N00°35'25"W 155.91 FEET; THENCE N06°00'48"W 116.71 FEET; THENCE N09°50'44"W 62.70 FEET; THENCE N13°11'57"W 125.80 FEET; THENCE N18°17'16"W 123.41 FEET; THENCE N48°43'46"W 148.67 FEET; THENCE N35°50'23"E 150.00 FEET; THENCE N54°09'37"W 137.02 FEET; THENCE N35°50'23"E 226.65 FEET; THENCE N52°01'03"E 201.07 FEET; THENCE S61°34'53"E 219.25 FEET; THENCE S28°37'39"E 268.82 FEET; THENCE N87°42'33"E 220.17 FEET; THENCE S00°05'16"E 2052.67 FEET; THENCE WESTERLY ALONG THE ARC OF A 235.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (LONG CHORD BEARS: S89°46'44"W 4.46 FEET). CENTER POINT LIES N00°45'54"W THROUGH A CENTRAL ANGLE OF 01°05'15". A DISTANCE OF 4.46 FEET; THENCE N89°40'35"W 321.29 FEET TO THE POINT OF BEGINNING.

PARCEL 6: (AV-1348-A)

The North half of the Northwest Quarter (N½NW¼) of Section 3, Township 43 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 7: (AV-1346)

The Northeast Quarter (NE¼) and the North half of the Northwest Quarter (N½NW¼) of Section 34, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 8: (AV-1345)

The South half of the Northwest Quarter (S½NW¼) and the Southwest Quarter (SW¼) of Section 34, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 9: (AV-1327)

The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$); the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$); the Southeast Quarter (SE $\frac{1}{4}$); the West half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

LESS AND EXCEPTING THEREFROM the following described property:

The North half of the West half of the Northwest Quarter (N $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 28, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 10: (AV-1326)

The South half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 27, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

Initials

KH, KH

Account 0155195

Location

Account Number 0155195
 Parcel Number AV-1348-A
 Tax District 45 - Apple Valley Town
 Acres 80.00
 Situs 0, 0
 Legal S: 3 T: 43S R: 11W N1/2 NW1/4 SEC 3 T43S R11W

Owner

Name HOLM HOUSE LLC
 2120 S COTTONWOOD CANYON # 125
 CANNONVILLE, UT 84718

Value

Market (2024) \$660,000
 Taxable \$780
 Tax Area: 45 Tax Rate: 0.006853
 Type Actual Assessed Acres
 Farm
 Land \$660,000 \$780 80.000
 FAA

Parent Accounts

Parent Parcels

Child Accounts

Child Parcels

Sibling Accounts

Sibling Parcels

Transfers

Entry Number	Recording Date	
00328492	03/02/1988 02:39:00 AM	B: 478 P: 779
00421971	12/16/1992 12:50:00 PM	B: 697 P: 733
00472164	07/01/1994 02:18:00 PM	B: 832 P: 858
00478912	09/16/1994 02:59:00 PM	B: 851 P: 142
00738910	10/18/2001 10:50:00 AM	B: 1431 P: 627
20100010268	03/31/2010 11:22:52 AM	
20110031703	10/18/2011 02:16:28 PM	
20110031704	10/18/2011 02:16:28 PM	
20180024711	06/14/2018 03:16:27 PM	
20190000956	01/09/2019 11:15:43 AM	
20210078754	12/14/2021 01:37:21 PM	
20220051468	11/30/2022 08:24:08 AM	
20220051469	11/30/2022 08:24:08 AM	
20230002011	01/24/2023 02:56:30 PM	

Tax

Images

Tax Year	Taxes	
*2024	\$5.35	• GIS
2023	\$4.73	

* Estimated



August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1348-A, AV-1345, AV-1346, AV-1326

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

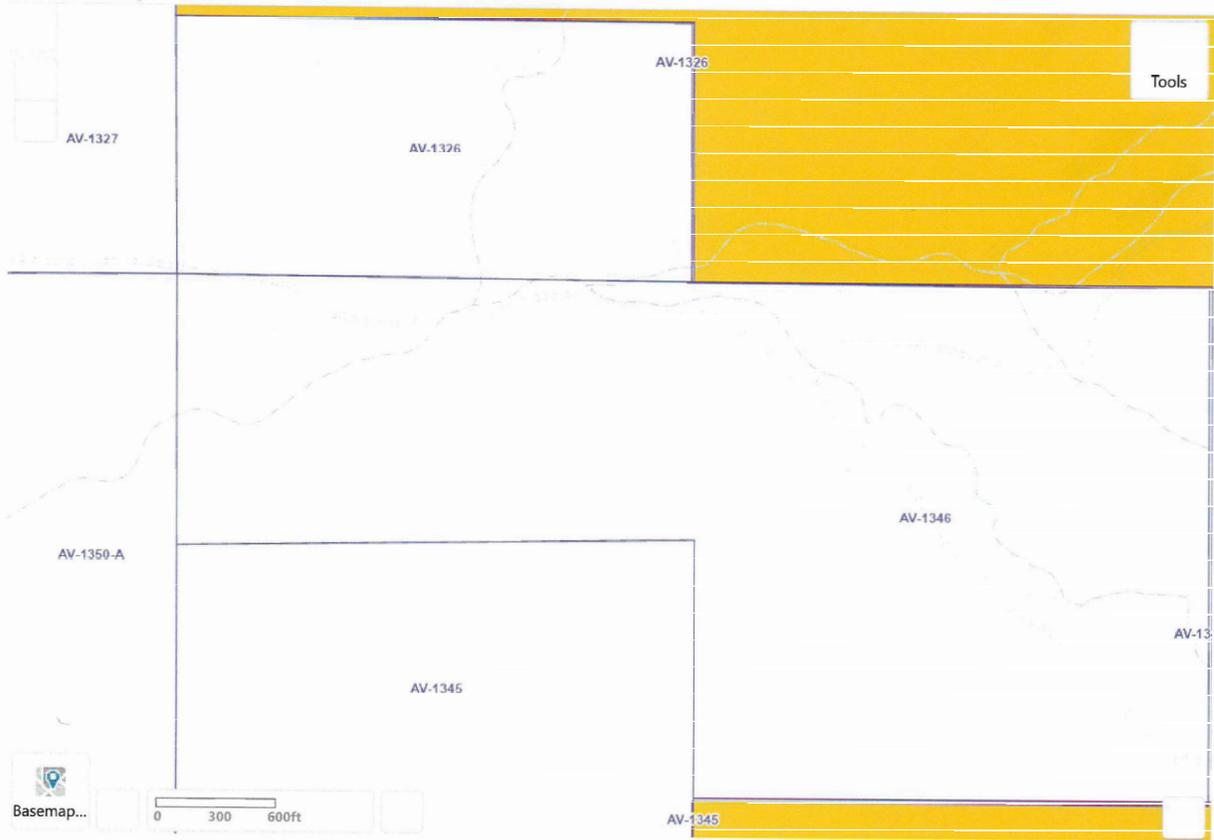
Kind Regards,

Jenna Vizcardo
Town Clerk

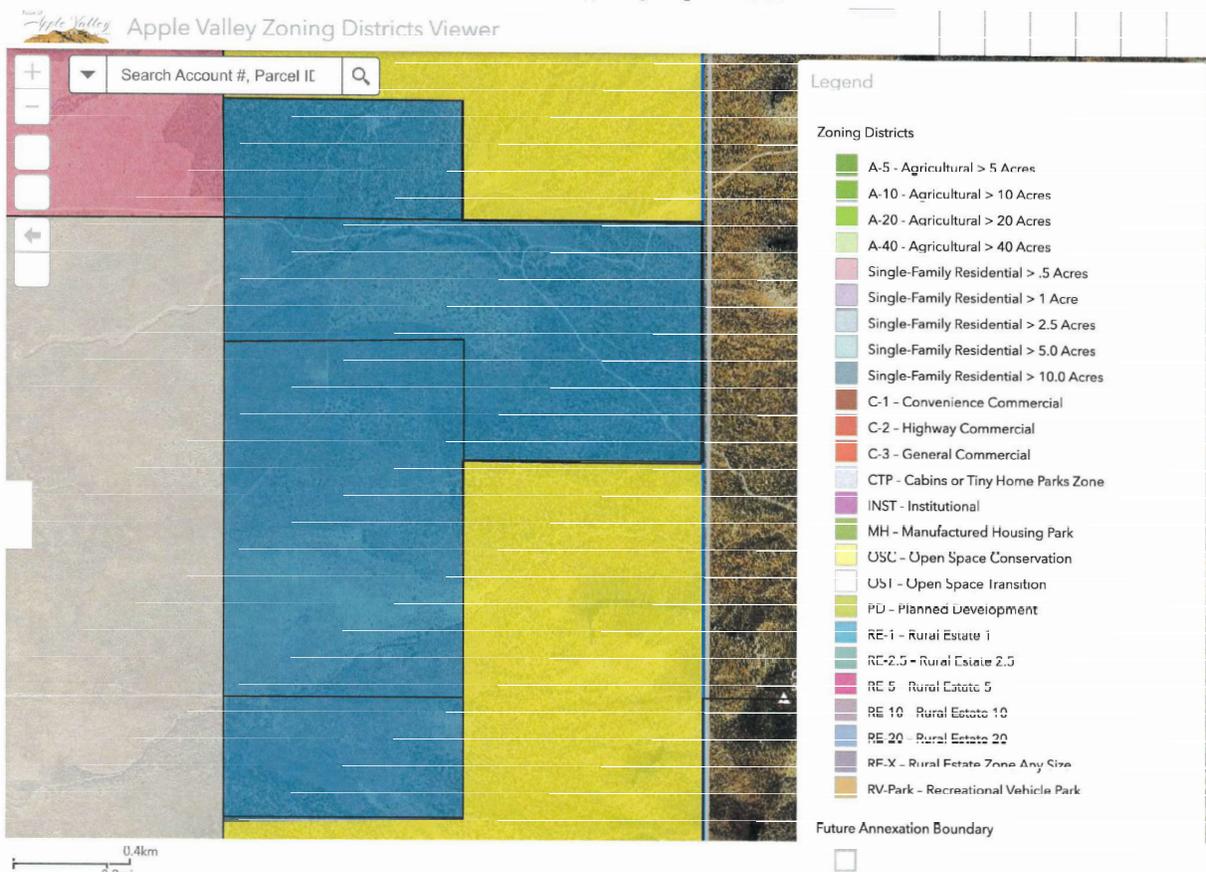


Search...

Sign in



https://geoprodvm.washco.utah.gov/Html5Viewer/index.html?viewer=AssessorReport



https://webapps.cloudsmartgis.com/ClientRelated/Utah/WashingtonCounty/AppleValley/ZoningDistrictsViewer/

**TOWN OF APPLE VALLEY
ORDINANCE O-2024-53**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCELS AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 FROM PLANNED DEVELOPMENT (PD) TO RURAL ESTATES 1 ACRE ZONE (RE-1.0)

WHEREAS, the Town of Apple Valley (“Town”) petitioned for a change in the zoning classification of parcels AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 from Planned Development (PD) to Rural Estates 1 Acre Zone (RE-1.0); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 27, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change by vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcels AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347 is changed from Planned Development (PD) to Rural Estates 1 Acre Zone (RE-1.0).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Item 19.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Jepson Canyon Resort Development Company INC		Phone:	
Address: PO BOX 126		Email:	
City: ST GEORGE		State: UTAH	Zip: 84771
Agent: (If Applicable)		Phone:	
Address/Location of Property: South of 59 Across from Chevron		Parcel ID: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347	
Existing Zone: Planned Development		Proposed Zone: RE-1	
For Planned Development Purposes: Acreage in Parcel <u>44.19</u>		Acreage in Application <u>44.19</u>	
Reason for the request <h1 style="text-align: center;">Change to RE-1</h1>			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature <i>TOWN INITIATED ZONE CHANGE. TOWN IS APPLICANT. MAYOR SIGN FOR TOWN.</i> 	Date <i>8/14/24</i>
--	------------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: RECEIVED AUG 15 2024	Date Application Deemed Complete:	
By:	By:	



Search...

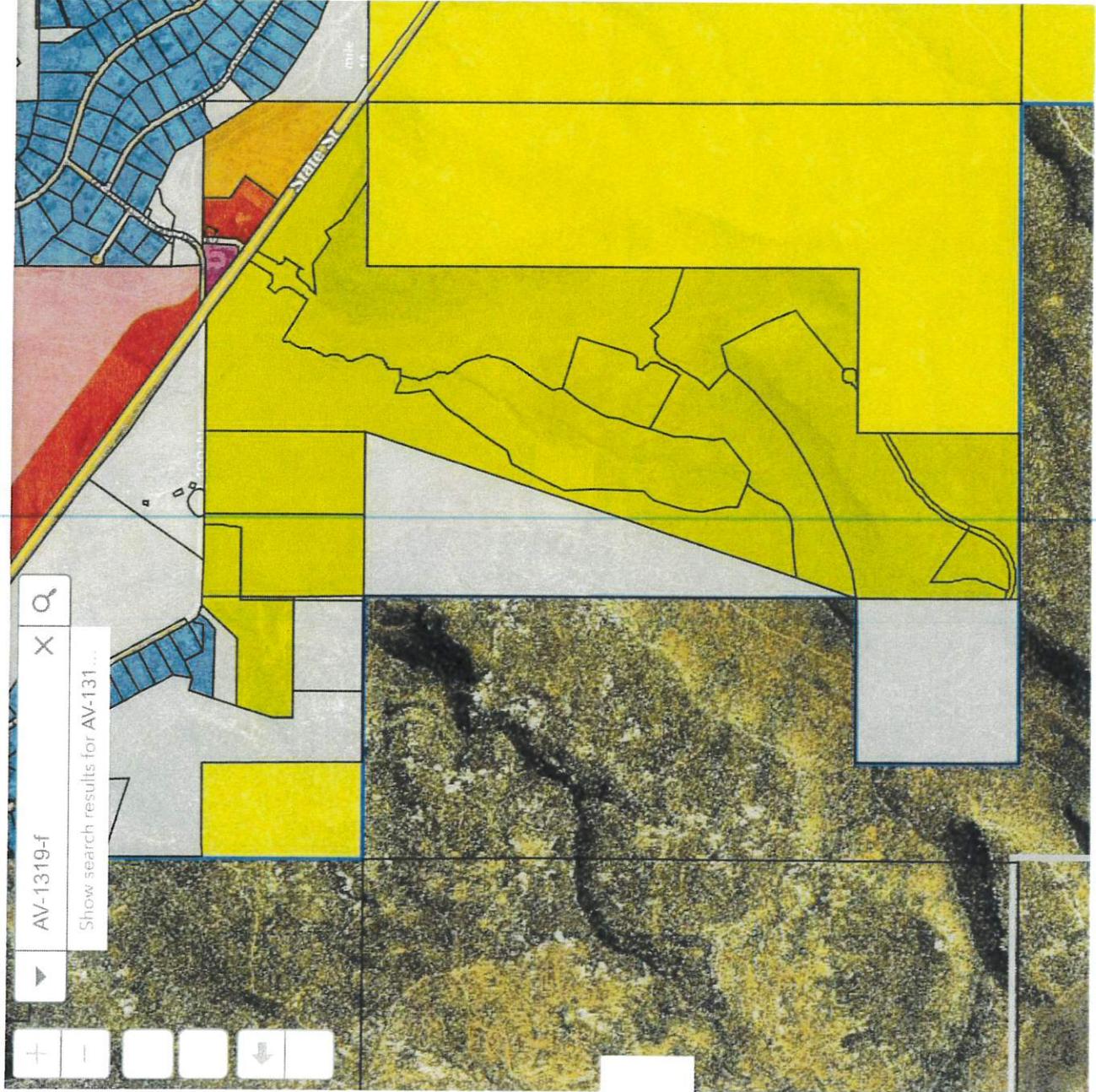


Item 19.



119

Apple Valley Zoning Districts Viewer



Legend

Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > .5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 2.5 Acres
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV-Park - Recreational Vehicle Park

Future Annexation Boundary



Jepson Canyon Legal Descriptions

Legal S: 30 T: 42S R: 11W S: 31 T: 42S R: 11W BEG NE COR SEC 31 T42S R11W, TH S89°54'12" W 1319.41 FT ALG SEC/L TO NE COR NW1/4 NE1/4 OF SD SEC 31; TH S0°03'04" E 2643.83 FT ALG E LN SD NW1/4 NE1/4 & E LN OF SW1/4 NE1/4 TO E-W C/S/L SD SEC 31; TH S0°05'26" E 1319.60 FT TO SE COR NW1/4 SE1/4 SD SEC 31; TH S89°58'58" W 1320.39 FT ALG S LN SD NW1/4 SE1/4 (SE COR SECL LOT 7) TO N-S C/S/L; TH S0°03'00" E 1318.27 FT ALG N-S C/S/L TO S1/4 COR SD SEC 31 (SE COR SECL LOT 12); TH N89°57'09" W 1321.60 FT M/L ALG S LN SEC 31 TO SW COR SECL LOT 12; TH N0°03'36" W 1316.86 FT ALG W LN SECL LOT 12 TO NW COR SECL LOT 12; TH N18°24'20" E 4175.51 FT TO N1/4 COR SEC 31; TH N0°04'12" W 1283.84 FT TO S LN OF EXST FNCD R/W; TH S89°38'41" E 907.65 FT TO SLY R/W/L OF ST HWY U- 59; TH S54°06'46" E 2138.84 FT ALG SD R/W/L TO E LN SEC 30 T42S R11W; TH S0°13'24" W 19.99 FT ALG SD E LN OF SD SEC 30 TO POB.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N00°08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°55'03" AND A CHORD THAT BEARS N69°55'23"E A DISTANCE OF 531.42 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 683.96 FEET; THENCE N59°40'06"E A DISTANCE OF 383.53 FEET; THENCE S00°07'46"E A DISTANCE OF 52.06 FEET; THENCE S59°40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS S40°33'48"W A DISTANCE OF 654.51 FEET; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS S68°11'56"W A DISTANCE OF 582.55 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1319.36 FEET AND EAST A DISTANCE OF 322.45 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N59°40'06"E A DISTANCE OF 71.20 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 32.37 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 61°48'59" AND A CHORD THAT BEARS N28°45'36"E A DISTANCE OF 30.82 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS REVERSE CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 301.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 287°50'22" AND A CHORD THAT BEARS S38°13'43"E A DISTANCE OF 70.67 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS S82°40'47"W A DISTANCE OF 23.45 FEET; THENCE S59°40'06"W A DISTANCE OF 8.52 FEET; THENCE S89°53'32"W A DISTANCE OF 89.40 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°58'14"W A DISTANCE OF 1321.64 FEET; THENCE N00°08'08"W A DISTANCE OF 70.72 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS N68°11'56"E A DISTANCE OF 582.55 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 654.51 FEET; THENCE N59°40'06"E A DISTANCE OF 357.34 FEET; THENCE S00°07'34"E A DISTANCE OF 1077.18 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 415.98 FEET AND WEST A DISTANCE OF 778.32 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 534.93 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 86°20'10" AND A CHORD THAT BEARS S64°37'56"W A DISTANCE OF 485.74 FEET; THENCE N21°10'16"E A DISTANCE OF 124.09 FEET TO A POINT OF CURVATURE OF A 412.94-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 341.08 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 47°19'29" AND A CHORD THAT BEARS N05°35'58"E A DISTANCE OF 331.46 FEET; THENCE N04°01'28"W A DISTANCE OF 99.03 FEET TO A POINT OF CURVATURE OF A 421.22-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.01 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 10°28'28" AND A CHORD THAT BEARS N01°25'01"W A DISTANCE OF 76.90 FEET; THENCE S54°08'24"E A DISTANCE OF 512.16 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1321.23 FEET AND EAST A DISTANCE OF 1317.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°53'32"W A DISTANCE OF 906.05 FEET; THENCE N59°40'06"E A DISTANCE OF 8.52 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS N82°40'47"E A DISTANCE OF 23.45 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 160.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 152°54'45" AND A CHORD THAT BEARS N29°14'05"E A DISTANCE OF 116.66 FEET; THENCE N49°19'45"E A DISTANCE OF 463.06 FEET; THENCE N52°49'00"E A DISTANCE OF 159.31 FEET; THENCE N22°27'27"W A DISTANCE OF 301.90 FEET; THENCE N28°15'35"W A DISTANCE OF 367.09 FEET; THENCE S75°12'54"W A DISTANCE OF 191.17 FEET; THENCE S37°57'24"W A DISTANCE OF 5.31 FEET; THENCE N47°03'06"W A DISTANCE OF 215.95 FEET TO A POINT OF CURVATURE OF A 2246.14-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE

NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 450.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 11°29'30" AND A CHORD THAT BEARS N32°34'57"E A DISTANCE OF 449.75 FEET TO A POINT OF CURVATURE OF A 115.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 204.23 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 101°45'13" AND A CHORD THAT BEARS N77°42'48"E A DISTANCE OF 178.43 FEET; THENCE N43°41'18"E A DISTANCE OF 89.11 FEET; THENCE S42°42'17"E A DISTANCE OF 210.15 FEET; THENCE S72°02'22"E A DISTANCE OF 364.94 FEET; THENCE S00°19'02"E A DISTANCE OF 1416.41 FEET TO THE POINT OF BEGINNING.

LESS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE SOUTH A DISTANCE OF 1706.47 FEET; THENCE WEST A DISTANCE OF 1870.87 FEET TO THE TRUE POINT OF BEGINNING THENCE S.17°45'49"W. A DISTANCE OF 443.70 FEET TO A POINT OF CURVATURE OF A 2,176.64-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 27.71 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 0°43'45" AND A CHORD THAT BEARS S.20°43'20"W. A DISTANCE OF 27.71 FEET TO A POINT OF CURVATURE OF A 114.38-FOOT RADIUS COMPOUND NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 118.46 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 59°20'27" AND A CHORD THAT BEARS S.78°53'59"W. A DISTANCE OF 113.23 FEET; THENCE S.18°49'21"W. A DISTANCE OF 50.07 FEET TO A POINT OF CURVATURE OF A 105.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 176.00 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°02'22" AND A CHORD THAT BEARS S.21°01'49"E. A DISTANCE OF 156.11 FEET TO A POINT OF CURVATURE OF A 2,199.14-FOOT RADIUS COMPOUND TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 176.20 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 4°35'26" AND A CHORD THAT BEARS S.29°17'05"W. A DISTANCE OF 176.15 FEET; THENCE N.61°48'27"W. A DISTANCE OF 491.11 FEET; THENCE N.13°52'22"E. A DISTANCE OF 117.43 FEET; THENCE N.19°26'57"E. A DISTANCE OF 140.90 FEET; THENCE N.10°23'15"E. A DISTANCE OF 107.88 FEET; THENCE N.23°32'16"E. A DISTANCE OF 46.77 FEET; THENCE N.30°01'30"E. A DISTANCE OF 207.22 FEET; THENCE N.37°32'00"E. A DISTANCE OF 78.62 FEET; THENCE N.37°30'45"E. A DISTANCE OF 57.17 FEET; THENCE N.26°37'56"E. A DISTANCE OF 28.67 FEET; THENCE S.73°42'35"E. A DISTANCE OF 440.67 FEET TO THE POINT OF BEGINNING. CONTAINING 408,707 SQ.FT. OR 9.38 ACRES. (JEPSON CANYON PID DISTRICT 1 AMD - WITHDRAWAL AREA - DOCUMENT #20220002367)

Legal S: 30 T: 42S R: 11W W1/2 SE1/4 SW1/4 SEC 30 T42S R11W

LESS: LAND IN TAX DISTRICT 63 - JEPSON CANYON PUBLIC INFRASTRUCTURE DISTRICT NO. 3.

Legal S: 30 T: 42 R: 11 W1/2 SE1/4 SW1/4 SEC 30 T42S R11W

LESS: LAND IN TAX DISTRICT 45 - APPLE VALLEY TOWN

Legal S: 30 T: 42S R: 11W E1/2 SE1/4 SW1/4 SEC 30 T42S R11W

Legal S: 30 T: 42S R: 11W S: 31 T: 42S R: 11W BEG NE COR SEC 31 T42S R11W, TH S89°54'12" W 1319.41 FT ALG SEC/L TO NE COR NW1/4 NE1/4 OF SD SEC 31; TH S0°03'04" E 2643.83 FT ALG E LN SD NW1/4 NE1/4 & E LN OF SW1/4 NE1/4 TO E-W C/S/L SD SEC 31; TH S0°05'26" E 1319.60 FT TO SE COR NW1/4 SE1/4 SD SEC 31; TH S89°58'58" W 1320.39 FT ALG S LN SD NW1/4 SE1/4 (SE COR SECL LOT 7) TO N-S C/S/L; TH S0°03'00" E 1318.27 FT ALG N-S C/S/L TO S1/4 COR SD SEC 31 (SE COR SECL LOT 12); TH N89°57'09" W 1321.60 FT M/L ALG S LN SEC 31 TO SW COR SECL LOT 12; TH N0°03'36" W 1316.86 FT ALG W LN SECL LOT 12 TO NW COR SECL LOT 12; TH N18°24'20" E 4175.51 FT TO N1/4 COR SEC 31; TH N0°04'12" W 1283.84 FT TO S LN OF EXST FNCD R/W; TH S89°38'41" E 907.65 FT TO SLY R/W/L OF ST HWY U- 59; TH S54°06'46" E 2138.84 FT ALG SD R/W/L TO E LN SEC 30 T42S R11W; TH S0°13'24" W 19.99 FT ALG SD E LN OF SD SEC 30 TO POB.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N00°08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°55'03" AND A CHORD THAT BEARS N69°55'23"E A DISTANCE OF 531.42 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 683.96 FEET; THENCE N59°40'06"E A DISTANCE OF 383.53 FEET; THENCE S00°07'46"E A DISTANCE OF 52.06 FEET; THENCE S59°40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS S40°33'48"W A DISTANCE OF 654.51 FEET; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS S68°11'56"W A DISTANCE OF 582.55 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1319.36 FEET AND EAST A DISTANCE OF 322.45 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N59°40'06"E A DISTANCE OF 71.20 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 32.37 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 61°48'59" AND A CHORD THAT BEARS N28°45'36"E A DISTANCE OF 30.82 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS REVERSE CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 301.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 287°50'22" AND A CHORD

THAT BEARS S38°13'43"E A DISTANCE OF 70.67 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS S82°40'47"W A DISTANCE OF 23.45 FEET; THENCE S59°40'06"W A DISTANCE OF 8.52 FEET; THENCE S89°53'32"W A DISTANCE OF 89.40 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°58'14"W A DISTANCE OF 1321.64 FEET; THENCE N00°08'08"W A DISTANCE OF 70.72 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS N68°11'56"E A DISTANCE OF 582.55 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 654.51 FEET; THENCE N59°40'06"E A DISTANCE OF 357.34 FEET; THENCE S00°07'34"E A DISTANCE OF 1077.18 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 415.98 FEET AND WEST A DISTANCE OF 778.32 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 534.93 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 86°20'10" AND A CHORD THAT BEARS S64°37'56"W A DISTANCE OF 485.74 FEET; THENCE N21°10'16"E A DISTANCE OF 124.09 FEET TO A POINT OF CURVATURE OF A 412.94-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 341.08 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 47°19'29" AND A CHORD THAT BEARS N05°35'58"E A DISTANCE OF 331.46 FEET; THENCE N04°01'28"W A DISTANCE OF 99.03 FEET TO A POINT OF CURVATURE OF A 421.22-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.01 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 10°28'28" AND A CHORD THAT BEARS N01°25'01"W A DISTANCE OF 76.90 FEET; THENCE S54°08'24"E A DISTANCE OF 512.16 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1321.23 FEET AND EAST A DISTANCE OF 1317.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°53'32"W A DISTANCE OF 906.05 FEET; THENCE N59°40'06"E A DISTANCE OF 8.52 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS N82°40'47"E A DISTANCE OF 23.45 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 160.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 152°54'45" AND A CHORD THAT BEARS N29°14'05"E A

DISTANCE OF 116.66 FEET; THENCE N49°19'45"E A DISTANCE OF 463.06 FEET; THENCE N52°49'00"E A DISTANCE OF 159.31 FEET; THENCE N22°27'27"W A DISTANCE OF 301.90 FEET; THENCE N28°15'35"W A DISTANCE OF 367.09 FEET; THENCE S75°12'54"W A DISTANCE OF 191.17 FEET; THENCE S37°57'24"W A DISTANCE OF 5.31 FEET; THENCE N47°03'06"W A DISTANCE OF 215.95 FEET TO A POINT OF CURVATURE OF A 2246.14-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 450.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 11°29'30" AND A CHORD THAT BEARS N32°34'57"E A DISTANCE OF 449.75 FEET TO A POINT OF CURVATURE OF A 115.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 204.23 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 101°45'13" AND A CHORD THAT BEARS N77°42'48"E A DISTANCE OF 178.43 FEET; THENCE N43°41'18"E A DISTANCE OF 89.11 FEET; THENCE S42°42'17"E A DISTANCE OF 210.15 FEET; THENCE S72°02'22"E A DISTANCE OF 364.94 FEET; THENCE S00°19'02"E A DISTANCE OF 1416.41 FEET TO THE POINT OF BEGINNING.

LESS: LAND IN TAX DISTRICT 61 - JEPSON CANYON PUBLIC INFRASTRUCTURE DISTRICT 1.
 LESS: LAND IN TAX DISTRICT 62 - JEPSON CANYON PUBLIC INFRASTRUCTURE DISTRICT 2.
 LESS: LAND IN TAX DISTRICT 45 - APPLE VALLEY TOWN

Legal S: 31 T: 42S R: 11W COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE SOUTH A DISTANCE OF 1706.47 FEET; THENCE WEST A DISTANCE OF 1870.87 FEET TO THE TRUE POINT OF BEGINNING THENCE S.17°45'49"W. A DISTANCE OF 443.70 FEET TO A POINT OF CURVATURE OF A 2,176.64-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 27.71 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 0°43'45" AND A CHORD THAT BEARS S.20°43'20"W. A DISTANCE OF 27.71 FEET TO A POINT OF CURVATURE OF A 114.38-FOOT RADIUS COMPOUND NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 118.46 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 59°20'27" AND A CHORD THAT BEARS S.78°53'59"W. A DISTANCE OF 113.23 FEET; THENCE S.18°49'21"W. A DISTANCE OF 50.07 FEET TO A POINT OF CURVATURE OF A 105.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 176.00 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°02'22" AND A CHORD THAT BEARS S.21°01'49"E. A DISTANCE OF 156.11 FEET TO A POINT OF CURVATURE OF A 2,199.14-FOOT RADIUS COMPOUND TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 176.20 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 4°35'26" AND A CHORD THAT BEARS S.29°17'05"W. A DISTANCE OF 176.15 FEET; THENCE N.61°48'27"W. A DISTANCE OF 491.11 FEET; THENCE N.13°52'22"E. A DISTANCE OF 117.43 FEET; THENCE N.19°26'57"E. A DISTANCE OF 140.90 FEET; THENCE N.10°23'15"E. A DISTANCE OF 107.88 FEET; THENCE N.23°32'16"E. A DISTANCE OF 46.77 FEET; THENCE N.30°01'30"E. A DISTANCE OF 207.22 FEET; THENCE N.37°32'00"E. A DISTANCE OF 78.62 FEET; THENCE N.37°30'45"E. A DISTANCE OF 57.17 FEET; THENCE N.26°37'56"E. A DISTANCE OF 28.67 FEET; THENCE S.73°42'35"E. A DISTANCE OF 440.67 FEET TO THE POINT OF BEGINNING. CONTAINING 408,707 SQ.FT. OR 9.38 ACRES. (JEPSON CANYON PID DISTRICT 1 AMD - WITHDRAWAL AREA - DOCUMENT #20220002367)

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1321.23 FEET AND EAST A DISTANCE OF 1317.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°53'32"W A DISTANCE OF 906.05 FEET; THENCE N59°40'06"E A DISTANCE OF 8.52 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS N82°40'47"E A DISTANCE OF 23.45 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 160.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 152°54'45" AND A CHORD THAT BEARS N29°14'05"E A DISTANCE OF 116.66 FEET; THENCE N49°19'45"E A DISTANCE OF 463.06 FEET; THENCE N52°49'00"E A DISTANCE OF 159.31 FEET; THENCE N22°27'27"W A DISTANCE OF 301.90 FEET; THENCE N28°15'35"W A DISTANCE OF 367.09 FEET; THENCE S75°12'54"W A DISTANCE OF 191.17 FEET; THENCE S37°57'24"W A DISTANCE OF 5.31 FEET; THENCE N47°03'06"W A DISTANCE OF 215.95 FEET TO A POINT OF CURVATURE OF A 2246.14-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 450.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 11°29'30" AND A CHORD THAT BEARS N32°34'57"E A DISTANCE OF 449.75 FEET TO A POINT OF CURVATURE OF A 115.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 204.23 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 101°45'13" AND A CHORD THAT BEARS N77°42'48"E A DISTANCE OF 178.43 FEET; THENCE N43°41'18"E A DISTANCE OF 89.11 FEET; THENCE S42°42'17"E A DISTANCE OF 210.15 FEET; THENCE S72°02'22"E A DISTANCE OF 364.94 FEET; THENCE S00°19'02"E A DISTANCE OF 1416.41 FEET TO THE POINT OF BEGINNING.

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°58'14"W A DISTANCE OF 1321.64 FEET; THENCE N00°08'08"W A DISTANCE OF 70.72 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS N68°11'56"E A DISTANCE OF 582.55 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 654.51 FEET; THENCE N59°40'06"E A DISTANCE OF 357.34 FEET; THENCE S00°07'34"E A DISTANCE OF 1077.18 FEET TO THE POINT OF BEGINNING.

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 415.98 FEET AND WEST A DISTANCE OF 778.32 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 534.93 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 86°20'10" AND A CHORD THAT BEARS S64°37'56"W A DISTANCE OF 485.74 FEET; THENCE N21°10'16"E A DISTANCE OF 124.09 FEET TO A POINT OF CURVATURE OF A 412.94-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 341.08 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 47°19'29" AND A CHORD THAT BEARS N05°35'58"E A DISTANCE OF 331.46 FEET; THENCE N04°01'28"W A DISTANCE OF 99.03 FEET TO A POINT OF CURVATURE OF A 421.22-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.01 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 10°28'28" AND A CHORD THAT BEARS N01°25'01"W A DISTANCE OF 76.90 FEET; THENCE S54°08'24"E A DISTANCE OF 512.16 FEET TO THE POINT OF BEGINNING.

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1319.36 FEET AND EAST A DISTANCE OF 322.45 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N59°40'06"E A DISTANCE OF 71.20 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 32.37 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 61°48'59" AND A CHORD THAT BEARS N28°45'36"E A DISTANCE OF 30.82 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS REVERSE CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 301.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 287°50'22" AND A CHORD THAT BEARS S38°13'43"E A DISTANCE OF 70.67 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS S82°40'47"W A DISTANCE OF 23.45 FEET; THENCE S59°40'06"W A DISTANCE OF 8.52 FEET; THENCE S89°53'32"W A DISTANCE OF 89.40 FEET TO THE POINT OF BEGINNING.

Legal S: 31 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE

TRUE POINT OF BEGINNING; THENCE N00°08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°55'03" AND A CHORD THAT BEARS N69°55'23"E A DISTANCE OF 531.42 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 683.96 FEET; THENCE N59°40'06"E A DISTANCE OF 383.53 FEET; THENCE S00°07'46"E A DISTANCE OF 52.06 FEET; THENCE S59°40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS S40°33'48"W A DISTANCE OF 654.51 FEET; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS S68°11'56"W A DISTANCE OF 582.55 FEET TO THE POINT OF BEGINNING

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N00°08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°55'03" AND A CHORD THAT BEARS N69°55'23"E A DISTANCE OF 531.42 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 683.96 FEET; THENCE N59°40'06"E A DISTANCE OF 383.53 FEET; THENCE S00°07'46"E A DISTANCE OF 52.06 FEET; THENCE S59°40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS S40°33'48"W A DISTANCE OF 654.51 FEET; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS S68°11'56"W A DISTANCE OF 582.55 FEET TO THE POINT OF BEGINNING

Account 0946644

Location

Account Number 0946644
Parcel Number AV-1353-JC2
Tax District 62 - Jepson Canyon PID 2
Acres 0.32
Situs 0, 0

Owner

Name JEPSON CANYON RESORT DEVELOPMENT
 COMPANY INC
 PO BOX 1026
 SAINT GEORGE, UT 84771-1026

Value

Market (2024)	\$1,000
Taxable	\$1,000
Tax Area: 62	Tax Rate:
	0.006853
Type	Actual Assessed Acres
Ag Land \$1,000	\$1,000 0.320

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1319.36 FEET AND EAST A DISTANCE OF 322.45 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N59*40'06"E A DISTANCE OF 71.20 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 32.37 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 61*48'59" AND A CHORD THAT BEARS N28*45'36"E A DISTANCE OF 30.82 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS REVERSE CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 301.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 287*50'22" AND A CHORD THAT BEARS S38*13'43"E A DISTANCE OF 70.67 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46*01'22" AND A CHORD THAT BEARS S82*40'47"W A DISTANCE OF 23.45 FEET; THENCE S59*40'06"W A DISTANCE OF 8.52 FEET; THENCE S89*53'32"W A DISTANCE OF 89.40 FEET TO THE POINT OF BEGINNING.

Parent Accounts 0155039

Parent Parcels AV-1337-A-1-A-1-A

Child Accounts

Child Parcels

Sibling Accounts

Sibling Parcels

Transfers

Entry Number

20130026020
20150020964
20190000956
20210047961
20220051468

Recording Date

07/05/2013 02:57:33 PM
06/18/2015 11:20:18 AM
01/09/2019 11:15:43 AM
07/15/2021 04:11:54 PM
11/30/2022 08:24:08 AM



Application for Assessment and Taxation of Agricultural Land

Washington County Assessor

Farmland Assessment Act
UCA 59-2-501 to 515
Form TC-582

Owner
JEPSON CANYON RESORT DEVELOPMENT COMPANY INC
PO BOX 1026
SAINT GEORGE, UT 84771-1026

Date of Application
10/02/2015

Total Acres
44.19

Property identification numbers and complete legal description (additional pages if necessary)

Account Number: 0946536

Parcel Number: AV-1340

S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°58'14"W A DISTANCE OF 1321.64 FEET; THENCE N00°08'08"W A DISTANCE OF 70.72 FEET TO A POINT OF CURVATURE OF A 400.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS N68°17'56"E A DISTANCE OF 582.55 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 654.51 FEET; THENCE N59°40'06"E A DISTANCE OF 357.34 FEET; THENCE S00°07'34"E A DISTANCE OF 1077.18 FEET TO THE POINT OF BEGINNING.

Account Number: 0946543

Parcel Number: AV-1341

S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 415.98 FEET AND WEST A DISTANCE OF 778.32 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 534.93 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 86°20'10" AND A CHORD THAT BEARS S64°37'56"W A DISTANCE OF 485.74 FEET; THENCE N21°10'16"E A DISTANCE OF 124.09 FEET TO A POINT OF CURVATURE OF A 412.94-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 341.08 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 47°19'29" AND A CHORD THAT BEARS N05°35'58"E A DISTANCE OF 331.46 FEET; THENCE N04°01'28"W A DISTANCE OF 99.03 FEET TO A POINT OF CURVATURE OF A 421.22-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.01 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 10°28'28" AND A CHORD THAT BEARS N01°25'01"W A DISTANCE OF 76.90 FEET; THENCE S54°08'24"E A DISTANCE OF 512.16 FEET TO THE POINT OF BEGINNING.

Account Number: 0946550

Parcel Number: AV-1347

S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1321.23 FEET AND EAST A DISTANCE OF 1317.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°53'32"W A DISTANCE OF 906.05 FEET; THENCE N59°40'06"E A DISTANCE OF 8.52 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS N82°40'47"E A DISTANCE OF 23.45 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 160.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 152°54'45" AND A CHORD THAT BEARS N29°14'05"E A DISTANCE OF 116.66 FEET; THENCE N49°19'45"E A DISTANCE OF

463.06 FEET; THENCE N52°49'00"E A DISTANCE OF 159.31 FEET; THENCE N22°27'27"W A DISTANCE OF 301.90 FEET; THENCE N28°15'35"W A DISTANCE OF 367.09 FEET; THENCE S75°12'54"W A DISTANCE OF 191.17 FEET; THENCE S37°57'24"W A DISTANCE OF 5.31 FEET; THENCE N47°03'06"W A DISTANCE OF 215.95 FEET TO A POINT OF CURVATURE OF A 2246.14-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 450.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 11°29'30" AND A CHORD THAT BEARS N32°34'57"E A DISTANCE OF 449.75 FEET TO A POINT OF CURVATURE OF A 115.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 204.23 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 101°45'13" AND A CHORD THAT BEARS N77°42'48"E A DISTANCE OF 178.43 FEET; THENCE N43°41'18"E A DISTANCE OF 89.11 FEET; THENCE S42°42'17"E A DISTANCE OF 210.15 FEET; THENCE S72°02'22"E A DISTANCE OF 364.94 FEET; THENCE S00°19'02"E A DISTANCE OF 1416.41 FEET TO THE POINT OF BEGINNING.

Account Number: 0946620
Parcel Number: AV-1352

S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N00°08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°55'03" AND A CHORD THAT BEARS N69°55'23"E A DISTANCE OF 531.42 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 683.96 FEET; THENCE N59°40'06"E A DISTANCE OF 383.53 FEET; THENCE S00°07'46"E A DISTANCE OF 52.06 FEET; THENCE S59°40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 656.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS S40°33'48"W A DISTANCE OF 654.51 FEET; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS S68°11'56"W A DISTANCE OF 582.55 FEET TO THE POINT OF BEGINNING

Account Number: 0946644
Parcel Number: AV-1353

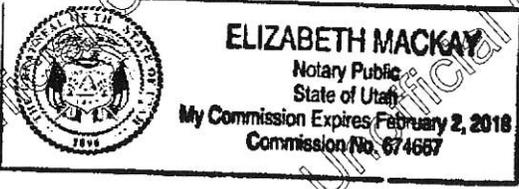
S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1319.36 FEET AND EAST A DISTANCE OF 322.45 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N59°40'06"E A DISTANCE OF 71.20 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 32.37 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 61°48'59" AND A CHORD THAT BEARS N28°45'36"E A DISTANCE OF 30.82 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS REVERSE CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 301.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 287°50'22" AND A CHORD THAT BEARS S38°13'43"E A DISTANCE OF 70.67 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS S82°40'47"W A DISTANCE OF 23.45 FEET; THENCE S59°40'06"W A DISTANCE OF 8.52 FEET; THENCE S89°53'32"W A DISTANCE OF 89.40 FEET TO THE POINT OF BEGINNING

Certification

Read the following and sign below.

I certify (1) THE FACTS SET FORTH IN THIS APPLICATION ARE TRUE. (2) The agricultural land covered by this application constitutes no less than five contiguous acres exclusive of homesite and other non-agricultural acreage (see Utah Code 58-2-503 for waiver). (3) The land is currently devoted to agricultural use and has been so devoted for two successive years immediately preceding the tax year for which valuation under this act is requested. (4) The land produces in excess of 50 percent of the average agricultural production per acre for the given type of land and the given county or area. (5) I am fully aware of the five-year rollback tax provision which becomes effective upon a change in use or other withdrawal of all or part of the eligible land. I understand that the rollback tax is a lien on the property until paid and that the application constitutes consent to audit and review. I understand that I must notify the county assessor of a change in land use to any non-qualifying use, and that a penalty of the greater of \$10 or 2 percent of the computed rollback tax due for the last year will be imposed on failure to notify the assessor within 120 days after change in use.

Corporate Name

Owner Signature (JEPSON CANYON RESORT DEVELOPMENT COMPANY INC)	Date
By: <i>Henry Walker</i> manager	10/20/15
Notary Signature	Date Subscribed and Sworn Before Me
<i>Elizabeth Mackay</i>	10/20/15
Notary Stamp	
	

County Assessor Signature (Subject to review)	Date
<i>Tom Harrant</i>	11-2-15



August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1353-JC2, AV-1383-JC2, AV-1352, AV-1341, AV-1340, AV-1347

Located: see map (on backside of this letter)

To Whom it May Concern:

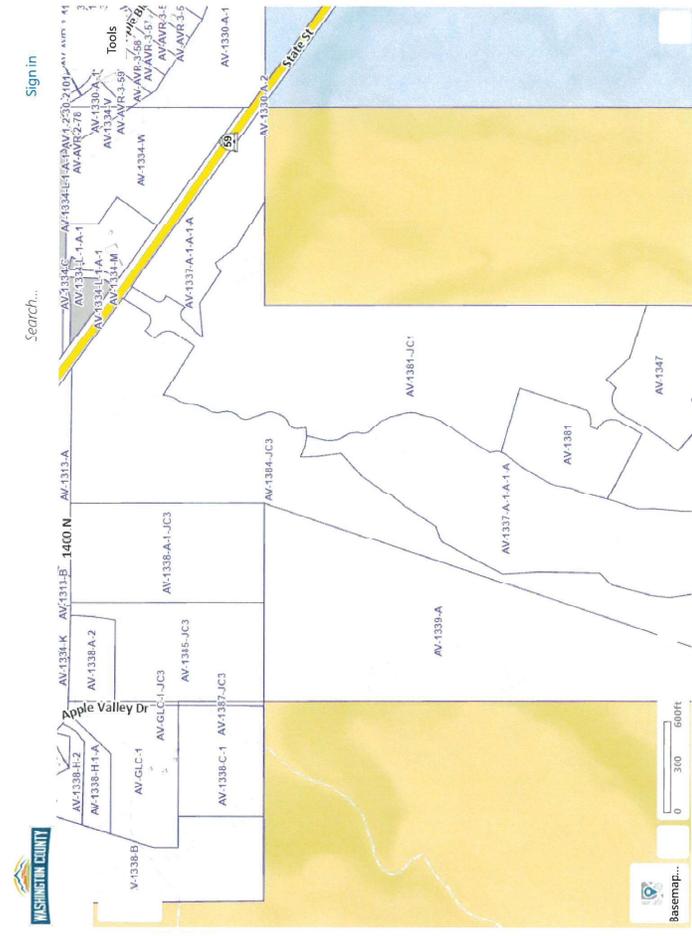
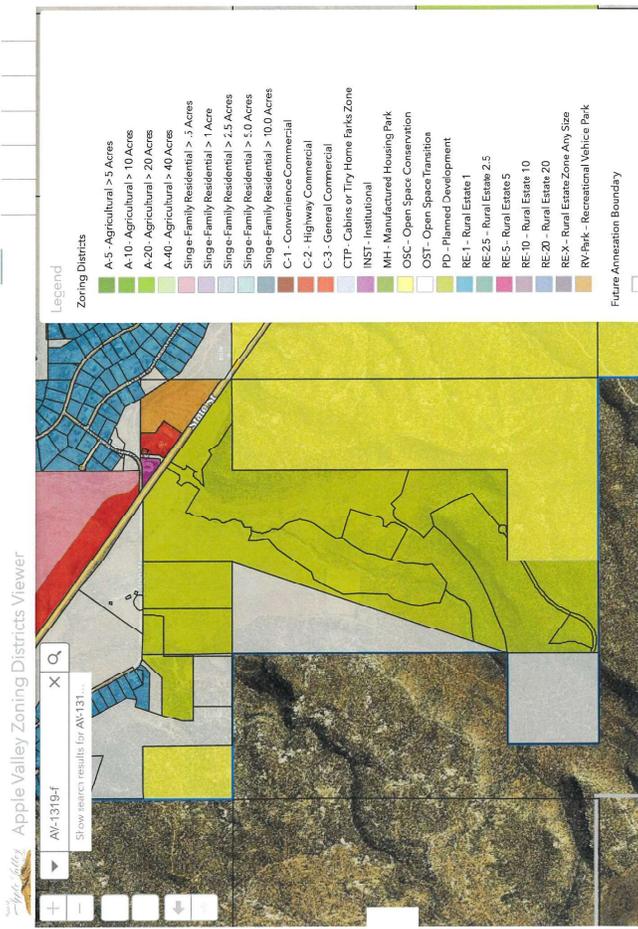
The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

Kind Regards,

Jenna Vizcardo
Town Clerk



AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCELS AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 FROM PLANNED DEVELOPMENT (PD) TO RURAL ESTATES 1 ACRE ZONE (RE-1.0) AND HIGHWAY COMMERCIAL ZONE (C-2)

WHEREAS, the Town of Apple Valley (“Town”) petitioned for a change in the zoning classification of parcels AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 from Planned Development (PD) to Rural Estates 1 Acre Zone (RE-1.0) and Highway Commercial Zone (C-2); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 27, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change by vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcels AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2 is changed from Planned Development (PD) to Rural Estates 1 Acre Zone (RE-1.0) and Highway Commercial Zone (C-2).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Item 20.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: LITTLE CREEK LAND co LLC		Phone:	
Address: PO BOX 126		Email:	
City: ST GEORGE	State: UTAH	Zip: 84771	
Agent: (If Applicable)		Phone:	
Address/Location of Property: South of 59 Across from Chevron		Parcel ID: <small>AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2</small>	
Existing Zone: Planned Development		Proposed Zone: RE-1 and C-2	
For Planned Development Purposes: Acreage in Parcel <u>268.33</u>		Acreage in Application <u>268.33</u>	
Reason for the request Change to RE-1 and C-2			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

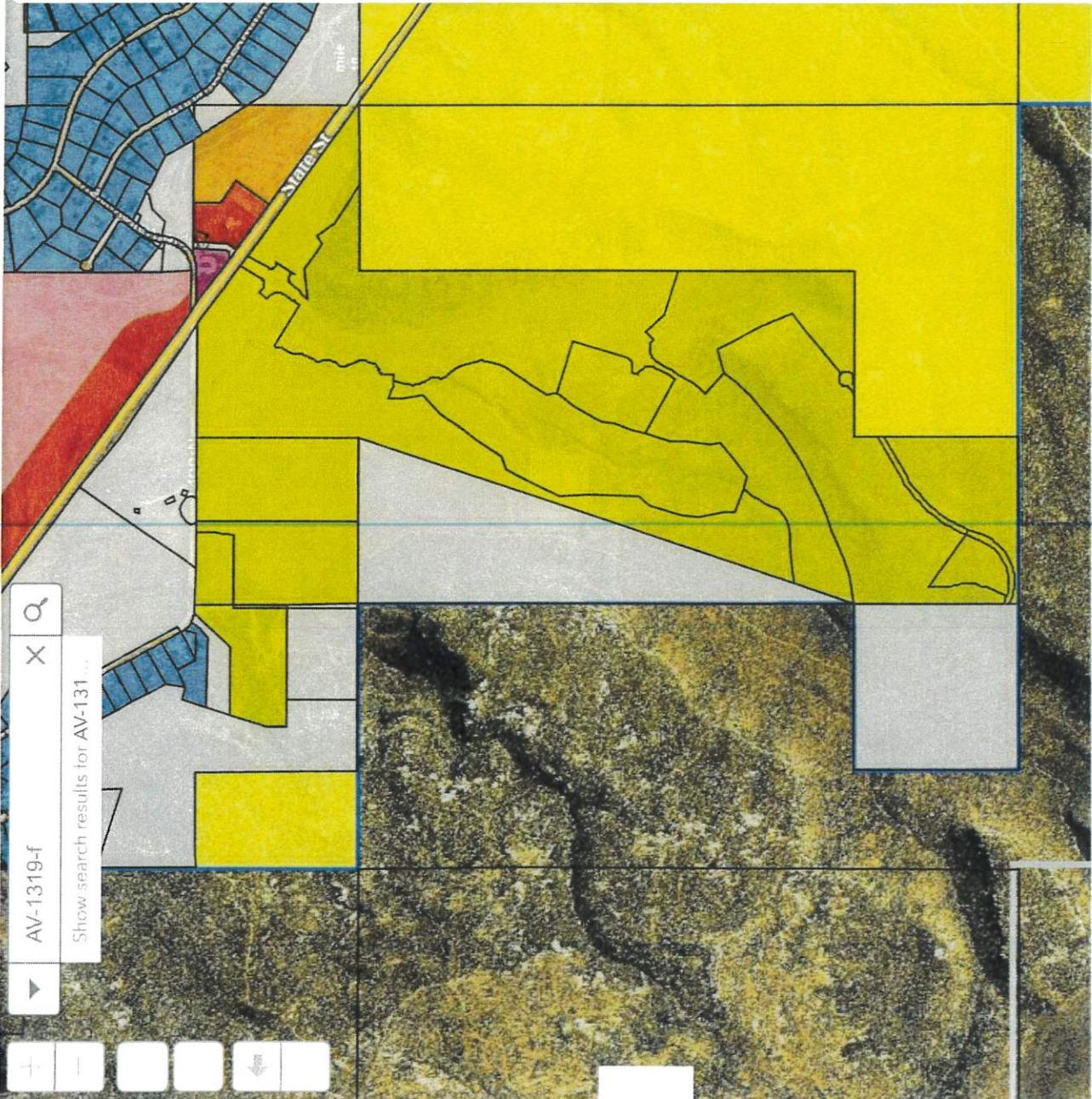
Applicant Signature <i>TOWN INITIATED ZONE CHANGE. TOWN IS APPLICANT. MAYOR SIGN FOR TOWN.</i> 	Date 8/14/24
--	------------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: RECEIVED AUG 15 2024	Date Application Deemed Complete:	
By:	By:	

Apple Valley Zoning Districts Viewer

AV-1319-f

Show search results for AV-1319-f



Legend

Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > .5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 2.5 Acres
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV-Park - Recreational Vehicle Park

Future Annexation Boundary



**BOUNDARY DESCRIPTION
NORTHWEST COMMERCIAL PARCEL
APPLE VALLEY, UTAH
AUGUST 12, 2024**

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 30; THENCE S.89 49°24"W. A DISTANCE OF 1611.65 FEET ALONG THE SECTION LINE; THENCE NORTH A DISTANCE OF 477.36 FEET TO THE REAL POINT OF BEGINNING.

THENCE N.58 10°40"W. A DISTANCE OF 363.59 FEET; THENCE N.20 05°38"E. A DISTANCE OF 337.02 FEET; THENCE N.62 38°04"W. A DISTANCE OF 315.67 FEET; THENCE N.36 01°31"W. A DISTANCE OF 184.75 FEET; THENCE S.89 58°11"E. A DISTANCE OF 438.58 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF STATE HIGHWAY 59; THENCE S.54 26°16"E. A DISTANCE OF 557.66 FEET ALONG SAID RIGHT OF WAY; THENCE S.35 33°44"W. A DISTANCE OF 183.03 FEET TO A POINT OF CURVATURE OF A 62.50-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 108.80 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 99 44°33" AND A CHORD THAT BEARS S.85 26°01"W. A DISTANCE OF 95.57 FEET; THENCE N.44 41°43"W. A DISTANCE OF 35.51 FEET; THENCE S.45 18°17"W. A DISTANCE OF 73.69 FEET TO A POINT OF CURVATURE OF A 155.50-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 202.18 FEET, SAID CURVE HAVING A RADIAL BEARING OF S.46 34°45"W. A CENTRAL ANGLE OF 74 29°46" AND A CHORD THAT BEARS S.06 10°20"E. A DISTANCE OF 188.24 FEET TO A POINT OF CURVATURE OF A 1554.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 49.44 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 01 49°23" AND A CHORD THAT BEARS S.30 09°52"W. A DISTANCE OF 49.44 FEET TO A POINT OF CURVATURE OF A 62.50-FOOT RADIUS COMPOUND CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 20.41 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 18 42°46" AND A CHORD THAT BEARS S.19 53°47"W. A DISTANCE OF 20.32 FEET; THENCE S.10 32°24"W. A DISTANCE OF 6.82 FEET TO A POINT OF CURVATURE OF A 37.50-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 11.06 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 16 53°46" AND A CHORD THAT BEARS S.18 59°17"W. A DISTANCE OF 11.02 FEET TO A POINT OF CURVATURE OF

A 1546.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 32.46 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF $01^{\circ} 12' 11''$ AND A CHORD THAT BEARS $S.26^{\circ} 50' 04'' W.$ A DISTANCE OF 32.46 FEET TO THE POINT OF BEGINNING.
CONTAINING 319,027 SQ. FT. OR 7.32 AC

**BOUNDARY DESCRIPTION
VILLAGE OF MANY NATIONS
APPLE VALLEY, UTAH
AUGUST 8, 2024**

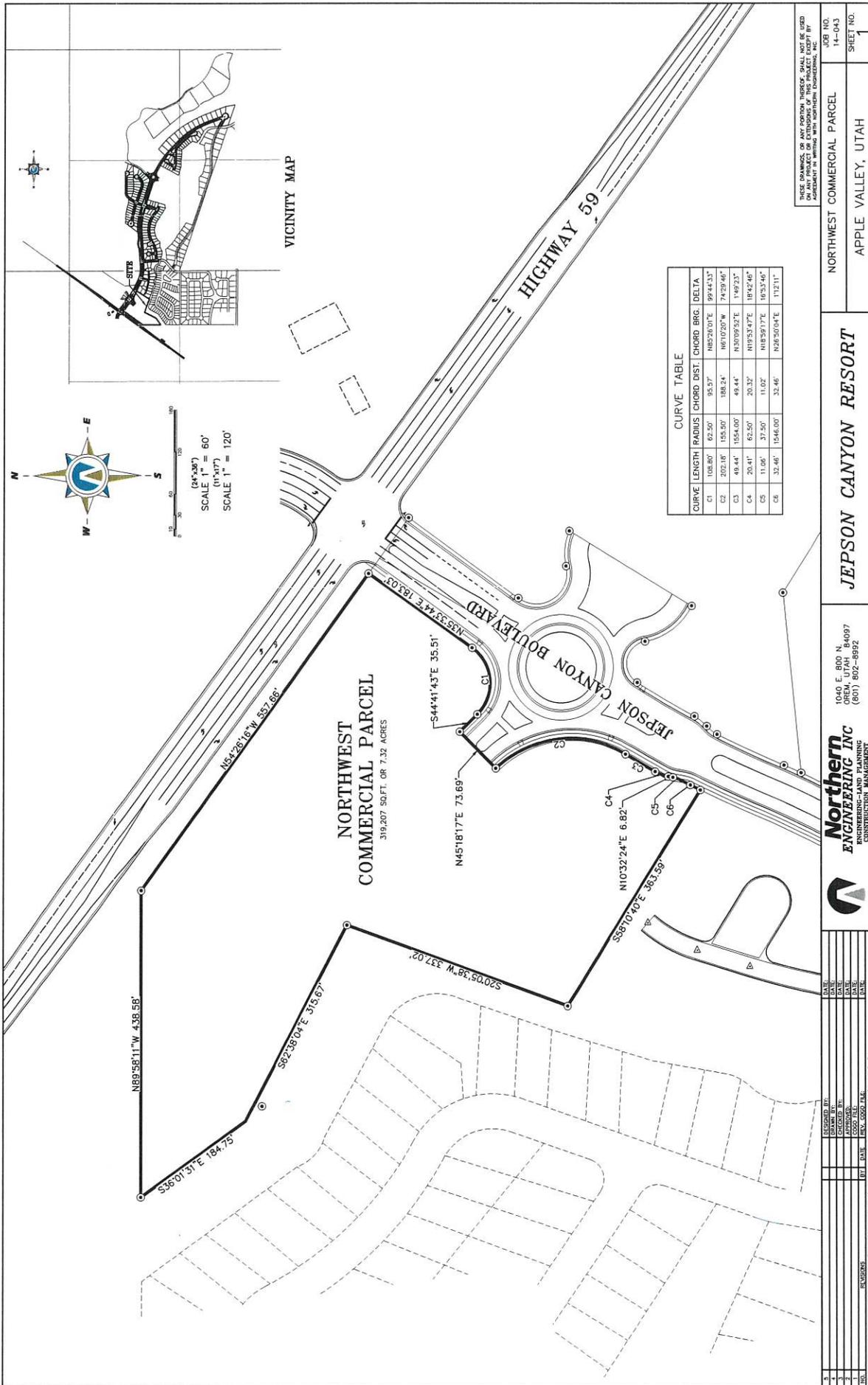
A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 30, SAID POINT BEING THE REAL POINT OF BEGINNING.

THENCE S89°49'26"W A DISTANCE OF 766.79 FEET ALONG THE SECTION LINE; THENCE N57°40'56"W A DISTANCE OF 665.67 FEET; THENCE S84°13'44"W A DISTANCE OF 259.22 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF JEPSON CANYON BOULEVARD, SAID POINT ALSO BEING A POINT OF CURVATURE OF A 636.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE THE FOLLOWING 12(TWELVE) COURSES ALONG SAID RIGHT OF WAY; (1)THENCE NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 26.87 FEET, SAID CURVE HAVING A RADIAL BEARING OF N.64 57'47"W. A CENTRAL ANGLE OF 02 25'14" AND A CHORD THAT BEARS N.23 49'36"E. A DISTANCE OF 26.87 FEET TO A POINT OF CURVATURE OF A 1464.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; (2)THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 106.21 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 04 09'24" AND A CHORD THAT BEARS N.24 41'42"E. A DISTANCE OF 106.19 FEET TO A POINT OF CURVATURE OF A 42.50-FOOT RADIUS TANGENT COMPOUND CURVE TO THE RIGHT; (3)THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 13.77 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 18 33'32" AND A CHORD THAT BEARS N.36 03'10"E. A DISTANCE OF 13.71 FEET; (4)THENCE N.45 19'56"E. A DISTANCE OF 10.62 FEET TO A POINT OF CURVATURE OF A 57.50-FOOT RADIUS TANGENT CURVE TO THE LEFT; (5)THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 17.03 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 16 58'22" AND A CHORD THAT BEARS N.36 50'45"E. A DISTANCE OF 16.97 FEET TO A POINT OF CURVATURE OF A 1456.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; (6)THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 96.24 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 03 47'14" AND A CHORD THAT BEARS N.30 15'11"E. A DISTANCE OF 96.22 FEET TO A POINT OF CURVATURE OF A 32.20-FOOT RADIUS TANGENT COMPOUND CURVE TO THE RIGHT; (7)THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.46 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 137 50'16" AND A CHORD THAT

BEARS S.78 56'04"E. A DISTANCE OF 60.09 FEET TO A POINT OF CURVATURE OF A 92.50-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; (8)THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 87.53 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 54 13'00" AND A CHORD THAT BEARS S.37 07'27"E. A DISTANCE OF 84.30 FEET; (9)THENCE N.31 12'00"E. A DISTANCE OF 207.04 FEET TO A POINT OF CURVATURE OF A 78.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; (10)THENCE NORTHWESTERLY ALONG THAT ARC OF SAID CURVE A DISTANCE OF 51.55 FEET, SAID CURVE HAVING A RADIAL BEARING OF S.24 21'19"W. A CENTRAL ANGLE OF 37 52'01" AND A CHORD THAT BEARS N.84 34'41"W. A DISTANCE OF 50.62 FEET TO A POINT OF CURVATURE OF A 44.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; (11)THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 107.20 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 139 35'38" AND A CHORD THAT BEARS N.33 42'53"W. A DISTANCE OF 82.59 FEET; (12)THENCE N.36 05'27"E. A DISTANCE OF 195.39 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY 59; THENCE S.54 26'16"E. A DISTANCE OF 1501.88 FEET ALONG SAID RIGHT OF WAY; THENCE S.00 06'06"E. A DISTANCE OF 19.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 582,028 SQ. FT. OR 13.36 AC



Northern ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N. 84097
OREM, UTAH 84097
(801) 802-8992

JEPSON CANYON RESORT

NORTHWEST COMMERCIAL PARCEL
APPLE VALLEY, UTAH

JOB NO. 14-043
SHEET NO. 1

THESE DRAWINGS OR ANY PORTION THEREOF SHALL NOT BE USED FOR CONSTRUCTION OF ANY PROJECT WITHOUT THE WRITTEN CONSENT OF NORTHERN ENGINEERING, INC.

Jepson Canyon Legal Descriptions

Legal S: 30 T: 42S R: 11W S: 31 T: 42S R: 11W BEG NE COR SEC 31 T42S R11W, TH S89°54'12" W 1319.41 FT ALG SEC/L TO NE COR NW1/4 NE1/4 OF SD SEC 31; TH S0°03'04" E 2643.83 FT ALG E LN SD NW1/4 NE1/4 & E LN OF SW1/4 NE1/4 TO E-W C/S/L SD SEC 31; TH S0°05'26" E 1319.60 FT TO SE COR NW1/4 SE1/4 SD SEC 31; TH S89°58'58" W 1320.39 FT ALG S LN SD NW1/4 SE1/4 (SE COR SECL LOT 7) TO N-S C/S/L; TH S0°03'00" E 1318.27 FT ALG N-S C/S/L TO S1/4 COR SD SEC 31 (SE COR SECL LOT 12); TH N89°57'09" W 1321.60 FT M/L ALG S LN SEC 31 TO SW COR SECL LOT 12; TH N0°03'36" W 1316.86 FT ALG W LN SECL LOT 12 TO NW COR SECL LOT 12; TH N18°24'20" E 4175.51 FT TO N1/4 COR SEC 31; TH N0°04'12" W 1283.84 FT TO S LN OF EXST FNCD R/W; TH S89°38'41" E 907.65 FT TO SLY R/W/L OF ST HWY U- 59; TH S54°06'46" E 2138.84 FT ALG SD R/W/L TO E LN SEC 30 T42S R11W; TH S0°13'24" W 19.99 FT ALG SD E LN OF SD SEC 30 TO POB.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N00°08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°55'03" AND A CHORD THAT BEARS N69°55'23"E A DISTANCE OF 531.42 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 683.96 FEET; THENCE N59°40'06"E A DISTANCE OF 383.53 FEET; THENCE S00°07'46"E A DISTANCE OF 52.06 FEET; THENCE S59°40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS S40°33'48"W A DISTANCE OF 654.51 FEET; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS S68°11'56"W A DISTANCE OF 582.55 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1319.36 FEET AND EAST A DISTANCE OF 322.45 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N59°40'06"E A DISTANCE OF 71.20 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 32.37 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 61°48'59" AND A CHORD THAT BEARS N28°45'36"E A DISTANCE OF 30.82 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS REVERSE CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 301.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 287°50'22" AND A CHORD THAT BEARS S38°13'43"E A DISTANCE OF 70.67 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS S82°40'47"W A DISTANCE OF 23.45 FEET; THENCE S59°40'06"W A DISTANCE OF 8.52 FEET; THENCE S89°53'32"W A DISTANCE OF 89.40 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°58'14"W A DISTANCE OF 1321.64 FEET; THENCE N00°08'08"W A DISTANCE OF 70.72 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS N68°11'56"E A DISTANCE OF 582.55 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 654.51 FEET; THENCE N59°40'06"E A DISTANCE OF 357.34 FEET; THENCE S00°07'34"E A DISTANCE OF 1077.18 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 415.98 FEET AND WEST A DISTANCE OF 778.32 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 534.93 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 86°20'10" AND A CHORD THAT BEARS S64°37'56"W A DISTANCE OF 485.74 FEET; THENCE N21°10'16"E A DISTANCE OF 124.09 FEET TO A POINT OF CURVATURE OF A 412.94-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 341.08 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 47°19'29" AND A CHORD THAT BEARS N05°35'58"E A DISTANCE OF 331.46 FEET; THENCE N04°01'28"W A DISTANCE OF 99.03 FEET TO A POINT OF CURVATURE OF A 421.22-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.01 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 10°28'28" AND A CHORD THAT BEARS N01°25'01"W A DISTANCE OF 76.90 FEET; THENCE S54°08'24"E A DISTANCE OF 512.16 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1321.23 FEET AND EAST A DISTANCE OF 1317.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°53'32"W A DISTANCE OF 906.05 FEET; THENCE N59°40'06"E A DISTANCE OF 8.52 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS N82°40'47"E A DISTANCE OF 23.45 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 160.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 152°54'45" AND A CHORD THAT BEARS N29°14'05"E A DISTANCE OF 116.66 FEET; THENCE N49°19'45"E A DISTANCE OF 463.06 FEET; THENCE N52°49'00"E A DISTANCE OF 159.31 FEET; THENCE N22°27'27"W A DISTANCE OF 301.90 FEET; THENCE N28°15'35"W A DISTANCE OF 367.09 FEET; THENCE S75°12'54"W A DISTANCE OF 191.17 FEET; THENCE S37°57'24"W A DISTANCE OF 5.31 FEET; THENCE N47°03'06"W A DISTANCE OF 215.95 FEET TO A POINT OF CURVATURE OF A 2246.14-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE

NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 450.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 11°29'30" AND A CHORD THAT BEARS N32°34'57"E A DISTANCE OF 449.75 FEET TO A POINT OF CURVATURE OF A 115.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 204.23 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 101°45'13" AND A CHORD THAT BEARS N77°42'48"E A DISTANCE OF 178.43 FEET; THENCE N43°41'18"E A DISTANCE OF 89.11 FEET; THENCE S42°42'17"E A DISTANCE OF 210.15 FEET; THENCE S72°02'22"E A DISTANCE OF 364.94 FEET; THENCE S00°19'02"E A DISTANCE OF 1416.41 FEET TO THE POINT OF BEGINNING.

LESS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE SOUTH A DISTANCE OF 1706.47 FEET; THENCE WEST A DISTANCE OF 1870.87 FEET TO THE TRUE POINT OF BEGINNING THENCE S.17°45'49"W. A DISTANCE OF 443.70 FEET TO A POINT OF CURVATURE OF A 2,176.64-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 27.71 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 0°43'45" AND A CHORD THAT BEARS S.20°43'20"W. A DISTANCE OF 27.71 FEET TO A POINT OF CURVATURE OF A 114.38-FOOT RADIUS COMPOUND NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 118.46 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 59°20'27" AND A CHORD THAT BEARS S.78°53'59"W. A DISTANCE OF 113.23 FEET; THENCE S.18°49'21"W. A DISTANCE OF 50.07 FEET TO A POINT OF CURVATURE OF A 105.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 176.00 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°02'22" AND A CHORD THAT BEARS S.21°01'49"E. A DISTANCE OF 156.11 FEET TO A POINT OF CURVATURE OF A 2,199.14-FOOT RADIUS COMPOUND TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 176.20 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 4°35'26" AND A CHORD THAT BEARS S.29°17'05"W. A DISTANCE OF 176.15 FEET; THENCE N.61°48'27"W. A DISTANCE OF 491.11 FEET; THENCE N.13°52'22"E. A DISTANCE OF 117.43 FEET; THENCE N.19°26'57"E. A DISTANCE OF 140.90 FEET; THENCE N.10°23'15"E. A DISTANCE OF 107.88 FEET; THENCE N.23°32'16"E. A DISTANCE OF 46.77 FEET; THENCE N.30°01'30"E. A DISTANCE OF 207.22 FEET; THENCE N.37°32'00"E. A DISTANCE OF 78.62 FEET; THENCE N.37°30'45"E. A DISTANCE OF 57.17 FEET; THENCE N.26°37'56"E. A DISTANCE OF 28.67 FEET; THENCE S.73°42'35"E. A DISTANCE OF 440.67 FEET TO THE POINT OF BEGINNING. CONTAINING 408,707 SQ.FT. OR 9.38 ACRES. (JEPSON CANYON PID DISTRICT 1 AMD - WITHDRAWAL AREA - DOCUMENT #20220002367)

Legal S: 30 T: 42S R: 11W W1/2 SE1/4 SW1/4 SEC 30 T42S R11W

LESS: LAND IN TAX DISTRICT 63 - JEPSON CANYON PUBLIC INFRASTRUCTURE DISTRICT NO. 3.

Legal S: 30 T: 42 R: 11 W1/2 SE1/4 SW1/4 SEC 30 T42S R11W

LESS: LAND IN TAX DISTRICT 45 - APPLE VALLEY TOWN

Legal S: 30 T: 42S R: 11W E1/2 SE1/4 SW1/4 SEC 30 T42S R11W

Legal S: 30 T: 42S R: 11W S: 31 T: 42S R: 11W BEG NE COR SEC 31 T42S R11W, TH S89°54'12" W 1319.41 FT ALG SEC/L TO NE COR NW1/4 NE1/4 OF SD SEC 31; TH S0°03'04" E 2643.83 FT ALG E LN SD NW1/4 NE1/4 & E LN OF SW1/4 NE1/4 TO E-W C/S/L SD SEC 31; TH S0°05'26" E 1319.60 FT TO SE COR NW1/4 SE1/4 SD SEC 31; TH S89°58'58" W 1320.39 FT ALG S LN SD NW1/4 SE1/4 (SE COR SECL LOT 7) TO N-S C/S/L; TH S0°03'00" E 1318.27 FT ALG N-S C/S/L TO S1/4 COR SD SEC 31 (SE COR SECL LOT 12); TH N89°57'09" W 1321.60 FT M/L ALG S LN SEC 31 TO SW COR SECL LOT 12; TH N0°03'36" W 1316.86 FT ALG W LN SECL LOT 12 TO NW COR SECL LOT 12; TH N18°24'20" E 4175.51 FT TO N1/4 COR SEC 31; TH N0°04'12" W 1283.84 FT TO S LN OF EXST FNCD R/W; TH S89°38'41" E 907.65 FT TO SLY R/W/L OF ST HWY U- 59; TH S54°06'46" E 2138.84 FT ALG SD R/W/L TO E LN SEC 30 T42S R11W; TH S0°13'24" W 19.99 FT ALG SD E LN OF SD SEC 30 TO POB.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N00°08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°55'03" AND A CHORD THAT BEARS N69°55'23"E A DISTANCE OF 531.42 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 683.96 FEET; THENCE N59°40'06"E A DISTANCE OF 383.53 FEET; THENCE S00°07'46"E A DISTANCE OF 52.06 FEET; THENCE S59°40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS S40°33'48"W A DISTANCE OF 654.51 FEET; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS S68°11'56"W A DISTANCE OF 582.55 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1319.36 FEET AND EAST A DISTANCE OF 322.45 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N59°40'06"E A DISTANCE OF 71.20 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 32.37 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 61°48'59" AND A CHORD THAT BEARS N28°45'36"E A DISTANCE OF 30.82 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS REVERSE CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 301.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 287°50'22" AND A CHORD

THAT BEARS S38°13'43"E A DISTANCE OF 70.67 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS S82°40'47"W A DISTANCE OF 23.45 FEET; THENCE S59°40'06"W A DISTANCE OF 8.52 FEET; THENCE S89°53'32"W A DISTANCE OF 89.40 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°58'14"W A DISTANCE OF 1321.64 FEET; THENCE N00°08'08"W A DISTANCE OF 70.72 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS N68°11'56"E A DISTANCE OF 582.55 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 654.51 FEET; THENCE N59°40'06"E A DISTANCE OF 357.34 FEET; THENCE S00°07'34"E A DISTANCE OF 1077.18 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 415.98 FEET AND WEST A DISTANCE OF 778.32 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 534.93 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 86°20'10" AND A CHORD THAT BEARS S64°37'56"W A DISTANCE OF 485.74 FEET; THENCE N21°10'16"E A DISTANCE OF 124.09 FEET TO A POINT OF CURVATURE OF A 412.94-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 341.08 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 47°19'29" AND A CHORD THAT BEARS N05°35'58"E A DISTANCE OF 331.46 FEET; THENCE N04°01'28"W A DISTANCE OF 99.03 FEET TO A POINT OF CURVATURE OF A 421.22-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.01 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 10°28'28" AND A CHORD THAT BEARS N01°25'01"W A DISTANCE OF 76.90 FEET; THENCE S54°08'24"E A DISTANCE OF 512.16 FEET TO THE POINT OF BEGINNING.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1321.23 FEET AND EAST A DISTANCE OF 1317.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°53'32"W A DISTANCE OF 906.05 FEET; THENCE N59°40'06"E A DISTANCE OF 8.52 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS N82°40'47"E A DISTANCE OF 23.45 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 160.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 152°54'45" AND A CHORD THAT BEARS N29°14'05"E A

DISTANCE OF 116.66 FEET; THENCE N49°19'45"E A DISTANCE OF 463.06 FEET; THENCE N52°49'00"E A DISTANCE OF 159.31 FEET; THENCE N22°27'27"W A DISTANCE OF 301.90 FEET; THENCE N28°15'35"W A DISTANCE OF 367.09 FEET; THENCE S75°12'54"W A DISTANCE OF 191.17 FEET; THENCE S37°57'24"W A DISTANCE OF 5.31 FEET; THENCE N47°03'06"W A DISTANCE OF 215.95 FEET TO A POINT OF CURVATURE OF A 2246.14-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 450.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 11°29'30" AND A CHORD THAT BEARS N32°34'57"E A DISTANCE OF 449.75 FEET TO A POINT OF CURVATURE OF A 115.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 204.23 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 101°45'13" AND A CHORD THAT BEARS N77°42'48"E A DISTANCE OF 178.43 FEET; THENCE N43°41'18"E A DISTANCE OF 89.11 FEET; THENCE S42°42'17"E A DISTANCE OF 210.15 FEET; THENCE S72°02'22"E A DISTANCE OF 364.94 FEET; THENCE S00°19'02"E A DISTANCE OF 1416.41 FEET TO THE POINT OF BEGINNING.

LESS: LAND IN TAX DISTRICT 61 - JEPSON CANYON PUBLIC INFRASTRUCTURE DISTRICT 1.
 LESS: LAND IN TAX DISTRICT 62 - JEPSON CANYON PUBLIC INFRASTRUCTURE DISTRICT 2.
 LESS: LAND IN TAX DISTRICT 45 - APPLE VALLEY TOWN

Legal S: 31 T: 42S R: 11W COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE SOUTH A DISTANCE OF 1706.47 FEET; THENCE WEST A DISTANCE OF 1870.87 FEET TO THE TRUE POINT OF BEGINNING THENCE S.17°45'49"W. A DISTANCE OF 443.70 FEET TO A POINT OF CURVATURE OF A 2,176.64-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 27.71 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 0°43'45" AND A CHORD THAT BEARS S.20°43'20"W. A DISTANCE OF 27.71 FEET TO A POINT OF CURVATURE OF A 114.38-FOOT RADIUS COMPOUND NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 118.46 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 59°20'27" AND A CHORD THAT BEARS S.78°53'59"W. A DISTANCE OF 113.23 FEET; THENCE S.18°49'21"W. A DISTANCE OF 50.07 FEET TO A POINT OF CURVATURE OF A 105.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 176.00 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°02'22" AND A CHORD THAT BEARS S.21°01'49"E. A DISTANCE OF 156.11 FEET TO A POINT OF CURVATURE OF A 2,199.14-FOOT RADIUS COMPOUND TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 176.20 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 4°35'26" AND A CHORD THAT BEARS S.29°17'05"W. A DISTANCE OF 176.15 FEET; THENCE N.61°48'27"W. A DISTANCE OF 491.11 FEET; THENCE N.13°52'22"E. A DISTANCE OF 117.43 FEET; THENCE N.19°26'57"E. A DISTANCE OF 140.90 FEET; THENCE N.10°23'15"E. A DISTANCE OF 107.88 FEET; THENCE N.23°32'16"E. A DISTANCE OF 46.77 FEET; THENCE N.30°01'30"E. A DISTANCE OF 207.22 FEET; THENCE N.37°32'00"E. A DISTANCE OF 78.62 FEET; THENCE N.37°30'45"E. A DISTANCE OF 57.17 FEET; THENCE N.26°37'56"E. A DISTANCE OF 28.67 FEET; THENCE S.73°42'35"E. A DISTANCE OF 440.67 FEET TO THE POINT OF BEGINNING. CONTAINING 408,707 SQ.FT. OR 9.38 ACRES. (JEPSON CANYON PID DISTRICT 1 AMD - WITHDRAWAL AREA - DOCUMENT #20220002367)

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1321.23 FEET AND EAST A DISTANCE OF 1317.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°53'32"W A DISTANCE OF 906.05 FEET; THENCE N59°40'06"E A DISTANCE OF 8.52 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS N82°40'47"E A DISTANCE OF 23.45 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 160.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 152°54'45" AND A CHORD THAT BEARS N29°14'05"E A DISTANCE OF 116.66 FEET; THENCE N49°19'45"E A DISTANCE OF 463.06 FEET; THENCE N52°49'00"E A DISTANCE OF 159.31 FEET; THENCE N22°27'27"W A DISTANCE OF 301.90 FEET; THENCE N28°15'35"W A DISTANCE OF 367.09 FEET; THENCE S75°12'54"W A DISTANCE OF 191.17 FEET; THENCE S37°57'24"W A DISTANCE OF 5.31 FEET; THENCE N47°03'06"W A DISTANCE OF 215.95 FEET TO A POINT OF CURVATURE OF A 2246.14-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 450.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 11°29'30" AND A CHORD THAT BEARS N32°34'57"E A DISTANCE OF 449.75 FEET TO A POINT OF CURVATURE OF A 115.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 204.23 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 101°45'13" AND A CHORD THAT BEARS N77°42'48"E A DISTANCE OF 178.43 FEET; THENCE N43°41'18"E A DISTANCE OF 89.11 FEET; THENCE S42°42'17"E A DISTANCE OF 210.15 FEET; THENCE S72°02'22"E A DISTANCE OF 364.94 FEET; THENCE S00°19'02"E A DISTANCE OF 1416.41 FEET TO THE POINT OF BEGINNING.

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°58'14"W A DISTANCE OF 1321.64 FEET; THENCE N00°08'08"W A DISTANCE OF 70.72 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS N68°11'56"E A DISTANCE OF 582.55 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 654.51 FEET; THENCE N59°40'06"E A DISTANCE OF 357.34 FEET; THENCE S00°07'34"E A DISTANCE OF 1077.18 FEET TO THE POINT OF BEGINNING.

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 415.98 FEET AND WEST A DISTANCE OF 778.32 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 534.93 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 86°20'10" AND A CHORD THAT BEARS S64°37'56"W A DISTANCE OF 485.74 FEET; THENCE N21°10'16"E A DISTANCE OF 124.09 FEET TO A POINT OF CURVATURE OF A 412.94-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 341.08 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 47°19'29" AND A CHORD THAT BEARS N05°35'58"E A DISTANCE OF 331.46 FEET; THENCE N04°01'28"W A DISTANCE OF 99.03 FEET TO A POINT OF CURVATURE OF A 421.22-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.01 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 10°28'28" AND A CHORD THAT BEARS N01°25'01"W A DISTANCE OF 76.90 FEET; THENCE S54°08'24"E A DISTANCE OF 512.16 FEET TO THE POINT OF BEGINNING.

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1319.36 FEET AND EAST A DISTANCE OF 322.45 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N59°40'06"E A DISTANCE OF 71.20 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 32.37 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 61°48'59" AND A CHORD THAT BEARS N28°45'36"E A DISTANCE OF 30.82 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS REVERSE CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 301.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 287°50'22" AND A CHORD THAT BEARS S38°13'43"E A DISTANCE OF 70.67 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS S82°40'47"W A DISTANCE OF 23.45 FEET; THENCE S59°40'06"W A DISTANCE OF 8.52 FEET; THENCE S89°53'32"W A DISTANCE OF 89.40 FEET TO THE POINT OF BEGINNING.

Legal S: 31 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE

TRUE POINT OF BEGINNING; THENCE N00°08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°55'03" AND A CHORD THAT BEARS N69°55'23"E A DISTANCE OF 531.42 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 683.96 FEET; THENCE N59°40'06"E A DISTANCE OF 383.53 FEET; THENCE S00°07'46"E A DISTANCE OF 52.06 FEET; THENCE S59°40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS S40°33'48"W A DISTANCE OF 654.51 FEET; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS S68°11'56"W A DISTANCE OF 582.55 FEET TO THE POINT OF BEGINNING

Legal S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N00°08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°55'03" AND A CHORD THAT BEARS N69°55'23"E A DISTANCE OF 531.42 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 683.96 FEET; THENCE N59°40'06"E A DISTANCE OF 383.53 FEET; THENCE S00°07'46"E A DISTANCE OF 52.06 FEET; THENCE S59°40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS S40°33'48"W A DISTANCE OF 654.51 FEET; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS S68°11'56"W A DISTANCE OF 582.55 FEET TO THE POINT OF BEGINNING

Account 1124621

Location

Account Number 1124621
Parcel Number AV-1382-JC2
Tax District 62 - Jepson Canyon PID 2
Acres 41.39
Situs 0, 0

Legal S: 31 T: 42S R: 11W BEG NE COR SEC 31 T42S R11W, TH S89*54'12" W 1319.41 FT ALG SEC/L TO NE COR NW1/4 NE1/4 OF SD SEC 31; TH S0*03'04" E 2643.83 FT ALG E LN SD NW1/4 NE1/4 & E LN OF SW1/4 NE1/4 TO E-W C/S/L SD SEC 31; TH S0*05'26" E 1319.60 FT TO SE COR NW1/4 SE1/4 SD SEC 31; TH S89*58'58" W 1320.39 FT ALG S LN SD NW1/4 SE1/4 (SE COR SECL LOT 7) TO N-S C/S/L; TH S0*03'00" E 1318.27 FT ALG N-S C/S/L TO S1/4 COR SD SEC 31 (SE COR SECL LOT 12); TH N89*57'09" W 1321.60 FT M/L ALG S LN SEC 31 TO SW COR SECL LOT 12; TH N0*03'36" W 1316.86 FT ALG W LN SECL LOT 12 TO NW COR SECL LOT 12; TH N18*24'20" E 4175.51 FT TO N1/4 COR SEC 31; TH N0*04'12" W 1283.84 FT TO S LN OF EXST FNCD R/W; TH S89*38'41" E 907.65 FT TO SLY R/W/L OF ST HWY U- 59; TH S54*06'46" E 2138.84 FT ALG SD R/W/L TO E LN SEC 30 T42S R11W; TH S0*13'24" W 19.99 FT ALG SD E LN OF SD SEC 30 TO POB.

LESS: A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N00*08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96*55'03" AND A CHORD THAT BEARS N69*55'23"E A DISTANCE OF 531.42 FEET; THENCE N21*27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 696.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38*12'15" AND A CHORD THAT BEARS N40*33'58"E A DISTANCE OF 683.96 FEET; THENCE N59*40'06"E A DISTANCE OF 383.53 FEET; THENCE S00*07'46"E A DISTANCE OF 52.06 FEET; THENCE S59*40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF

Owner

Name LITTLE CREEK LAND CO LLC
Additional Names C/O: HANK ISAKSEN
 PO BOX 1026
 SAINT GEORGE, UT 84771-1026

Value

Market (2024)	\$239,000
Taxable	\$239,000
Tax Area: 62	Tax Rate: 0.006853
Type	Actual Assessed Acres
Ag	\$239,000 \$239,000 41.390
Land	

When recorded mail deed and tax notice to:
Jepson Canyon Resort Development Company, Inc.
P. O. Box 1026
St. George, UT 84771

DOC # 20150020967

Warranty Deed Page 1 of 3
Russell Shirts Washington County Recorder
06/18/2015 11:20:18 AM Fee \$ 14.00
By JEPSON CANYON RESORT DEVELOPMENT CO INC



Space Above This Line for Recorder's Use

WARRANTY DEED

Little Creek Land Company, LLC, grantor(s) of St. George, County of Washington, State of Utah, hereby **CONVEY and WARRANT** to

Jepson Canyon Resort Development Company, Inc., grantee(s) of St. George, County of Washington, State of Utah, for the sum of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** the following described tract of land in WASHINGTON County, State of UTAH:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Tax Serial No. **AV1337-A-1-A-1-A**

TOGETHER WITH all improvements and appurtenances thereunto belonging, and being **SUBJECT TO** easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 18 day of June, A. D. 2015.

Little Creek Land Company, LLC

By: Henry Isaksen, Jr.
Henry Isaksen, Jr., Manager

See attached page for the Notary Acknowledgment.

Notary Attachment for that certain Warranty Deed executed by Little Creek Land Company, LLC, grantor, in favor of Jepson Canyon Resort Development Company, Inc., grantee.

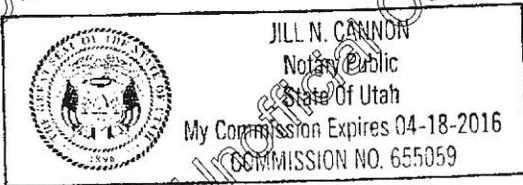
Order No.:
Tax Id Number:

STATE OF UTAH

ss

County of Washington)

On the 18th day of June, A.D. 2015, personally appeared before me Henry Isaksen, Jr., who being by me duly sworn, says that he is the Manager of Little Creek Land Company, LLC, the limited liability company that executed the herein instrument and acknowledged the instrument to be the free and voluntary act and deed of the Limited Liability Company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and on oath stated that they are authorized to execute this instrument on behalf of the limited liability company.



My Commission Expires: 4.18.16

[Signature]

, Notary Public

Notary Public residing at: St. George, Utah

Attachment to that certain Warranty Deed executed by Little Creek Land Company, LLC, grantor, in favor of Jepson Canyon Resort Development Company, Inc., grantee.

Tax Id Number: AV-1337-A-1-A-1-A

EXHIBIT "A" - LEGAL DESCRIPTION

**BOUNDARY DESCRIPTION
JEPSON CANYON RESORT
SOUTHWEST SCIENCE CENTER**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1321.23 FEET AND EAST A DISTANCE OF 1317.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE S89°53'32"W A DISTANCE OF 906.05 FEET; THENCE N59°40'06"E A DISTANCE OF 8.52 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS N82°40'47"E A DISTANCE OF 23.45 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 160.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 152°54'45" AND A CHORD THAT BEARS N29°14'05"E A DISTANCE OF 116.66 FEET; THENCE N49°19'45"E A DISTANCE OF 463.06 FEET; THENCE N52°49'00"E A DISTANCE OF 159.31 FEET; THENCE N22°27'27"W A DISTANCE OF 301.90 FEET; THENCE N28°15'35"W A DISTANCE OF 367.09 FEET; THENCE S75°12'54"W A DISTANCE OF 191.17 FEET; THENCE S37°57'24"W A DISTANCE OF 5.31 FEET; THENCE N47°03'06"W A DISTANCE OF 215.95 FEET TO A POINT OF CURVATURE OF A 2246.14-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 450.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 11°29'30" AND A CHORD THAT BEARS N32°34'57"E A DISTANCE OF 449.75 FEET TO A POINT OF CURVATURE OF A 115.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 204.23 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 101°45'13" AND A CHORD THAT BEARS N77°42'48"E A DISTANCE OF 178.43 FEET; THENCE N43°41'18"E A DISTANCE OF 89.11 FEET; THENCE S42°42'17"E A DISTANCE OF 210.15 FEET; THENCE S72°02'22"E A DISTANCE OF 364.94 FEET; THENCE S00°19'02"E A DISTANCE OF 1416.41 FEET TO THE POINT OF BEGINNING.

**Application for Assessment and
Taxation of Agricultural Land**

Washington County Assessor

Farmland Assessment Act
UCA 59-2-501 to 515
Form TC-582

Owner
JEPSON CANYON RESORT DEVELOPMENT COMPANY INC
PO BOX 1026
SAINT GEORGE, UT 84771-1026

Date of Application
10/02/2015

Total Acres
44.19

Property identification numbers and complete legal description (additional pages if necessary)

Account Number: 0946536

Parcel Number: AV-1340

S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°58'14"W A DISTANCE OF 1321.64 FEET; THENCE N00°08'08"W A DISTANCE OF 70.72 FEET TO A POINT OF CURVATURE OF A 400.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS N68°11'56"E A DISTANCE OF 582.55 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 666.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 654.51 FEET; THENCE N59°40'06"E A DISTANCE OF 357.34 FEET; THENCE S00°07'34"E A DISTANCE OF 1077.18 FEET TO THE POINT OF BEGINNING.

Account Number: 0946543

Parcel Number: AV-1341

S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 415.98 FEET AND WEST A DISTANCE OF 778.32 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 534.93 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 86°20'10" AND A CHORD THAT BEARS S64°37'56"W A DISTANCE OF 485.74 FEET; THENCE N21°10'16"E A DISTANCE OF 124.09 FEET TO A POINT OF CURVATURE OF A 412.94-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 341.08 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 47°19'29" AND A CHORD THAT BEARS N05°35'58"E A DISTANCE OF 331.46 FEET; THENCE N04°01'28"W A DISTANCE OF 99.03 FEET TO A POINT OF CURVATURE OF A 421.22-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 77.01 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 10°28'28" AND A CHORD THAT BEARS N01°25'01"W A DISTANCE OF 76.90 FEET; THENCE S54°08'24"E A DISTANCE OF 512.16 FEET TO THE POINT OF BEGINNING.

Account Number: 0946550

Parcel Number: AV-1347

S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN, WASHINGTON COUNTY, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1321.23 FEET AND EAST A DISTANCE OF 1317.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S89°53'32"W A DISTANCE OF 906.05 FEET; THENCE N59°40'06"E A DISTANCE OF 8.52 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS N82°40'47"E A DISTANCE OF 23.45 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 160.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 152°54'45" AND A CHORD THAT BEARS N29°14'05"E A DISTANCE OF 116.66 FEET; THENCE N49°19'45"E A DISTANCE OF

463.06 FEET; THENCE N52°49'00"E A DISTANCE OF 159.31 FEET; THENCE N22°27'27"W A DISTANCE OF 301.90 FEET; THENCE N28°15'35"W A DISTANCE OF 367.09 FEET; THENCE S75°12'54"W A DISTANCE OF 191.17 FEET; THENCE S37°57'24"W A DISTANCE OF 5.31 FEET; THENCE N47°03'06"W A DISTANCE OF 215.95 FEET TO A POINT OF CURVATURE OF A 2246.14-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 450.51 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 11°29'30" AND A CHORD THAT BEARS N32°34'57"E A DISTANCE OF 449.75 FEET TO A POINT OF CURVATURE OF A 115.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 204.23 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 101°45'13" AND A CHORD THAT BEARS N77°42'48"E A DISTANCE OF 178.43 FEET; THENCE N43°41'18"E A DISTANCE OF 89.11 FEET; THENCE S42°42'17"E A DISTANCE OF 210.15 FEET; THENCE S72°02'22"E A DISTANCE OF 364.94 FEET; THENCE S00°19'02"E A DISTANCE OF 1416.41 FEET TO THE POINT OF BEGINNING.

Account Number: 0946620

Parcel Number: AV-1352

S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 70.03 FEET AND WEST A DISTANCE OF 1321.81 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N00°08'08"W A DISTANCE OF 50.39 FEET TO A POINT OF CURVATURE OF A 355.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 600.49 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 96°55'03" AND A CHORD THAT BEARS N69°55'23"E A DISTANCE OF 531.42 FEET; THENCE N21°27'51"E A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 1045.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 695.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS N40°33'58"E A DISTANCE OF 683.96 FEET; THENCE N59°40'06"E A DISTANCE OF 383.53 FEET; THENCE S00°07'46"E A DISTANCE OF 52.06 FEET; THENCE S59°40'06"W A DISTANCE OF 357.34 FEET TO A POINT OF CURVATURE OF A 1000.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 656.79 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 38°12'15" AND A CHORD THAT BEARS S40°33'48"W A DISTANCE OF 654.51 FEET; THENCE S21°27'51"W A DISTANCE OF 121.56 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 652.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 93°28'10" AND A CHORD THAT BEARS S68°11'56"W A DISTANCE OF 582.55 FEET TO THE POINT OF BEGINNING

Account Number: 0946644

Parcel Number: AV-1353

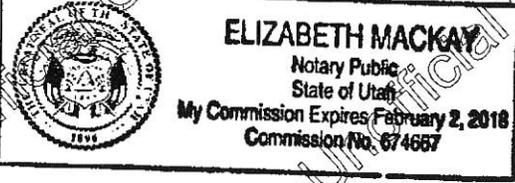
S: 30 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE & MERIDIAN WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT LOCATED NORTH A DISTANCE OF 1319.36 FEET AND EAST A DISTANCE OF 322.45 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N59°40'06"E A DISTANCE OF 71.20 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 32.37 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 61°48'59" AND A CHORD THAT BEARS N28°45'36"E A DISTANCE OF 30.82 FEET TO A POINT OF CURVATURE OF A 60.00-FOOT RADIUS REVERSE CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 301.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 287°50'22" AND A CHORD THAT BEARS S38°13'43"E A DISTANCE OF 70.67 FEET TO A POINT OF CURVATURE OF A 30.00-FOOT RADIUS REVERSE CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.10 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 46°01'22" AND A CHORD THAT BEARS S82°40'47"W A DISTANCE OF 23.45 FEET; THENCE S59°40'06"W A DISTANCE OF 8.52 FEET; THENCE S89°53'32"W A DISTANCE OF 89.40 FEET TO THE POINT OF BEGINNING

Certification

Read the following and sign below.

I certify: (1) THE FACTS SET FORTH IN THIS APPLICATION ARE TRUE. (2) The agricultural land covered by this application constitutes no less than five contiguous acres exclusive of homesite and other non-agricultural acreage (see Utah Code 58-2-503 for waiver). (3) The land is currently devoted to agricultural use and has been so devoted for two successive years immediately preceding the tax year for which valuation under this act is requested. (4) The land produces in excess of 50 percent of the average agricultural production per acre for the given type of land and the given county or area. (5) I am fully aware of the five-year rollback tax provision which becomes effective upon a change in use or other withdrawal of all or part of the eligible land. I understand that the rollback tax is a lien on the property until paid and that the application constitutes consent to audit and review. I understand that I must notify the county assessor of a change in land use to any non-qualifying use, and that a penalty of the greater of \$10 or 2 percent of the computed rollback tax due for the last year will be imposed on failure to notify the assessor within 120 days after change in use.

Corporate Name

Owner Signature (JEPSON CANYON RESORT DEVELOPMENT COMPANY INC) By: <i>Henry Gathen</i> manager	Date 10/20/15
Notary Signature <i>Elizabeth Mackay</i>	Date 10/20/15
Subscribed and Sworn Before Me	
Notary Stamp	
	

County Assessor Signature (Subject to review) <i>Tom Warrant</i>	Date 11-2-15
---	-----------------



August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1382-JC2, AV-1381, AV-1337-A-1-A-1-A, AV-1381-JC1, AV-1384-JC3, AV-1338-A-1-JC3, AV-1385-JC3, AV-1338-A-2

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

Kind Regards,

Jenna Vizcardo
Town Clerk

TOWN OF APPLE VALLEY
ORDINANCE O-2024-56

Item 21.

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCELS AV-1317-B, AV-1317-D, AV-1325, AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420, AV-1324-A, AV-1323-A, AV-1322-A FROM SINGLE-FAMILY RESIDENTIAL > 20,000 SQ FT (SF-.5) TO RURAL ESTATES 1 ACRE ZONE (RE-1.0)

WHEREAS, the Town of Apple Valley (“Town”) petitioned for a change in the zoning classification of parcels AV-1317-B, AV-1317-D, AV-1325, AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420, AV-1324-A, AV-1323-A, AV-1322-A from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 1 Acre Zone (RE-1.0); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 27, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change by vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcels AV-1317-B, AV-1317-D, AV-1325, AV-1-2-19-313, AV-1-2-19-312, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420, AV-1324-A, AV-1323-A, AV-1322-A is changed from Single-Family Residential > 20,000 Sq Ft (SF-.5) to Rural Estates 1 Acre Zone (RE-1.0).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Item 21.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

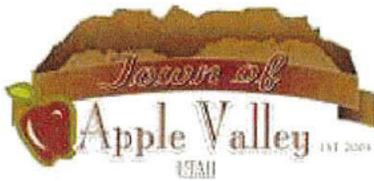
Owner: Mark Byran TR		Phone: [REDACTED]	
Address: PO BOX 240		Email:	
City: Victor	State: CA	Zip: 95253	
Agent: (If Applicable) Travis Holm		Phone: [REDACTED]	
Address/Location of Property: Crimson Peaks Subdivision		Parcel ID: AV-1317-B, AV-1317-D	
Existing Zone: SF-.5		Proposed Zone: RE-1	
For Planned Development Purposes: Acreage in Parcel ^{62.34} _____ Acreage in Application ^{62.34} _____			
Reason for the request Changing SF-.5 to RE-1			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature TOWN INITIATED ZONE CHANGE. TOWN IS APPLICANT. MAYOR SIGN FOR TOWN 	Date 8/14/24
---	------------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: RECEIVED AUG 15 2024	Date Application Deemed Complete:	
By:	By:	



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Item 21.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Fountainhead Consulting Inc		Phone: [REDACTED]	
Address: 1224 S River Rd Ste A106		Email:	
City: St George	State: UT	Zip: 84790	
Agent: (If Applicable) Travis Holm		Phone: [REDACTED]	
Address/Location of Property: Crimson Peaks Subdivision		Parcel ID: AV-1325	
Existing Zone: SF-.5		Proposed Zone: RE-1	
For Planned Development Purposes: Acreage in Parcel <u>106.87</u>		Acreage in Application <u>106.87</u>	
Reason for the request Changing SF-.5 to RE-1			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature <i>TOWN INITIATED ZONE CHANGE</i> <i>TOWN IS APPLICANT. MAYOR SIGN FOR TOWN.</i>	Date <i>8/14/24</i>
---	------------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received:	Date Application Deemed Complete:	
By:	By:	



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Item 21.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Scout Reggie Holm		Phone: [REDACTED]	
Address: PO Box 234		Email:	
City: Tropic	State: UT	Zip: 84776	
Agent: (If Applicable) Travis Holm		Phone: [REDACTED]	
Address/Location of Property: Crimson Peaks Subdivision		Parcel ID: <small>AV-1-2-19-313, AV-1-2-19-312, AV-1-2-129-314, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317, AV-1-2-19-420</small>	
Existing Zone: SF-.5		Proposed Zone: RE-1	
For Planned Development Purposes: Acreage in Parcel <u>3.04</u>		Acreage in Application <u>3.04</u>	
Reason for the request Changing SF-.5 to RE-1			

Submittal Requirements: The zone change application shall provide the following:

- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature <i>TOWN INITIATED ZONE CHANGE. TOWN IS APPLICANT. MAYOR SIGN FOR TOWN.</i>	Date <i>8/14/24</i>
--	---------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received:	Date Application Deemed Complete:	
By:	By:	



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Item 21.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Kravetz Frederick M Tr		Phone: [REDACTED]	
Address: 3431 Ranch View St		Email:	
City: Las Vegas	State: NV	Zip: 8918	
Agent: (If Applicable) Travis Holm		Phone: [REDACTED]	
Address/Location of Property: Crimson Peaks Subdivision		Parcel ID: AV-1324-A, AV-1323-A, AV-1322-A	
Existing Zone: SF-.5		Proposed Zone: RE-1	
For Planned Development Purposes: Acreage in Parcel <u>1.45</u>		Acreage in Application <u>1.45</u>	
Reason for the request Changing SF-.5 to RE-1			

Submittal Requirements: The zone change application shall provide the following:

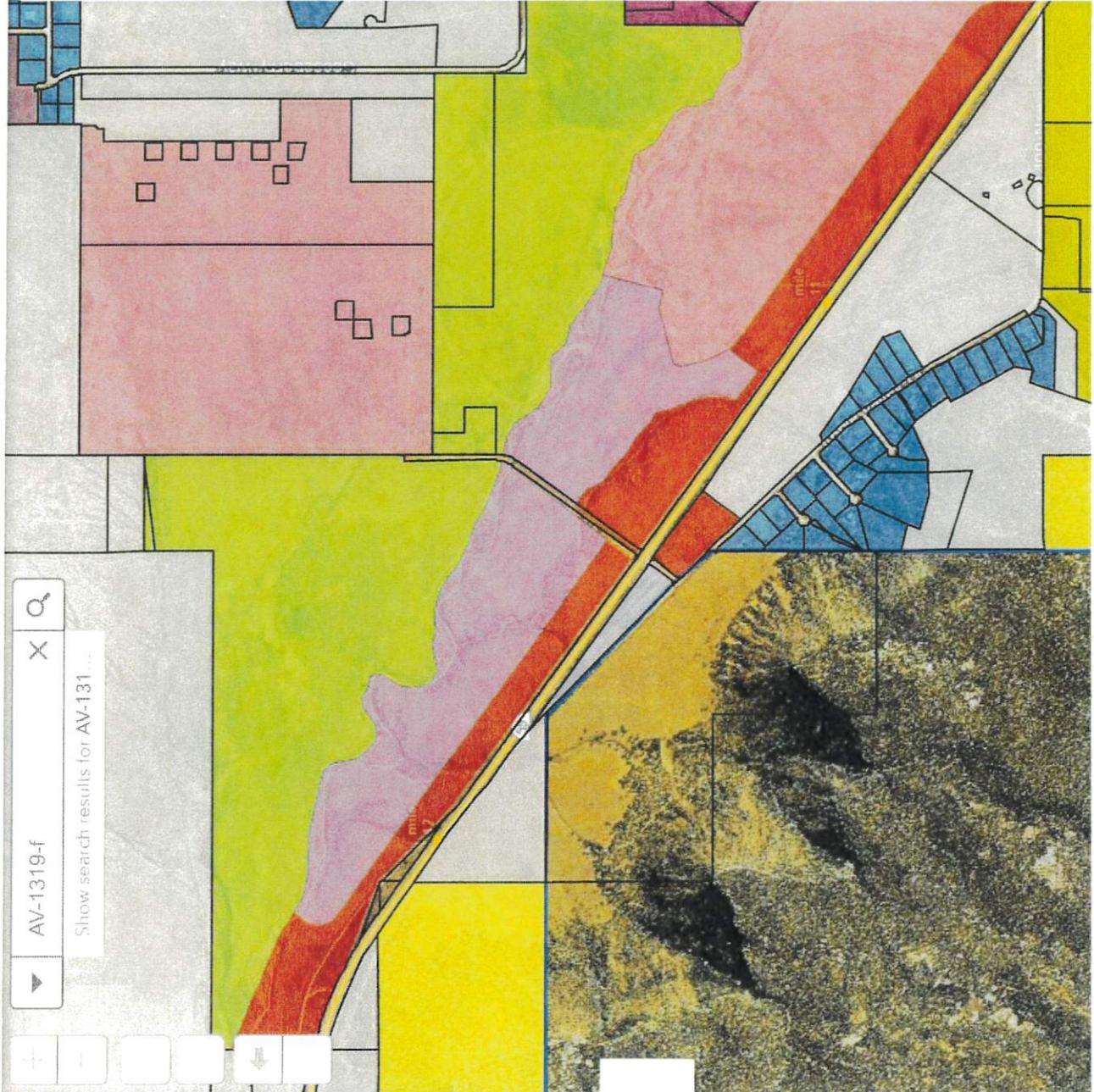
- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature TOWN INITIATED ZONE CHANGE TOWN IS APPLICANT. MAYOR SIGN FOR TOWN. 	Date 8/14/24
---	---------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received:	Date Application Deemed Complete:	
By:	By:	

Apple Valley Zoning Districts Viewer

Show search results for AV-131...



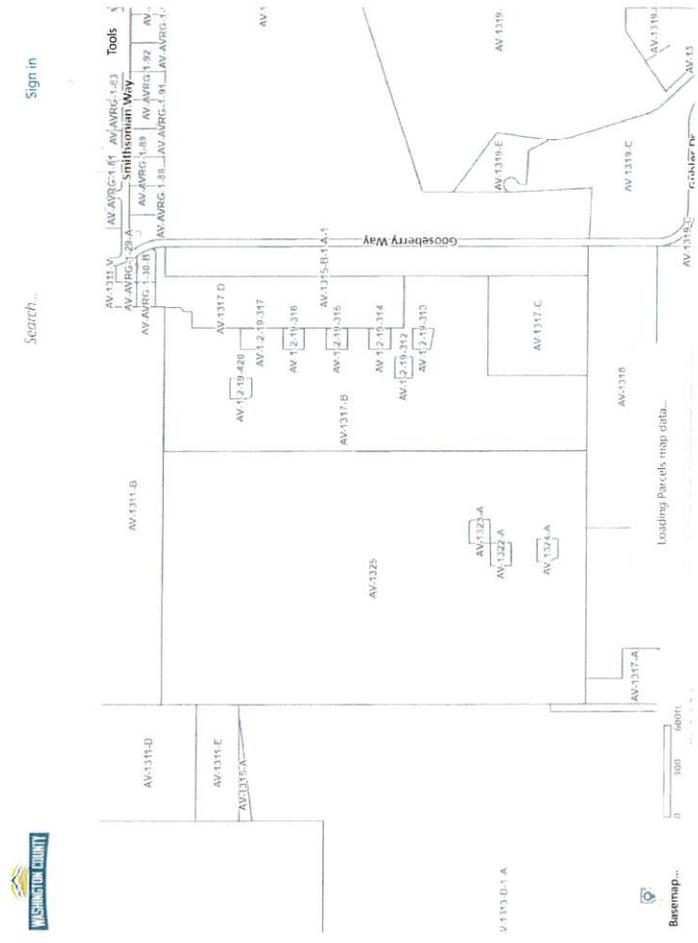
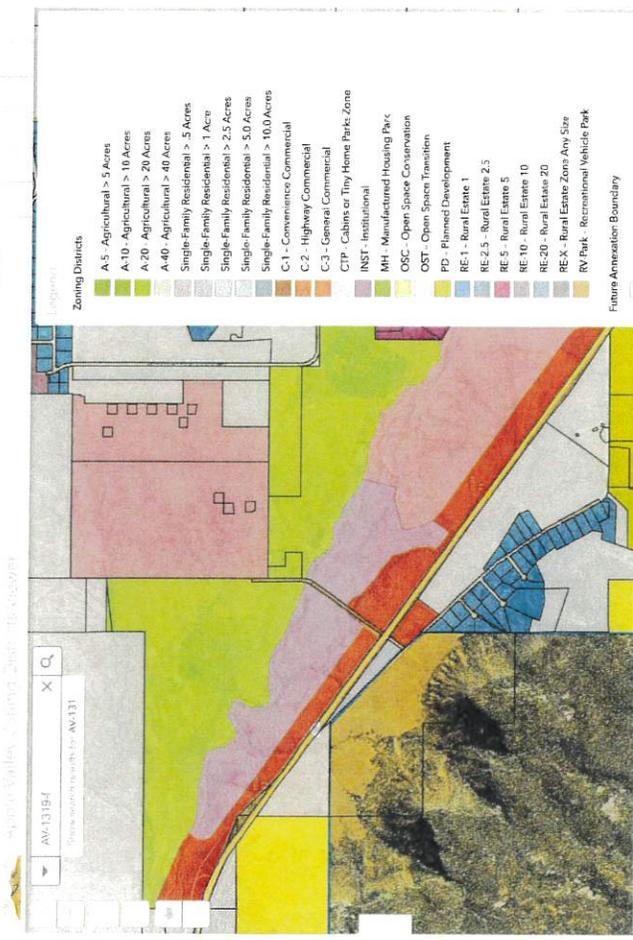
Legend

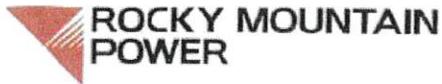
Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > .5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 2.5 Acres
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV-Park - Recreational Vehicle Park

Future Annexation Boundary







Let's turn the answers on.

Dixie Service Center
Estimating Dept.
455 N. Old Hwy 91
Hurricane, UT 84737
Fax # (435)688-8351

March 31, 2023

Karl Rasmussen



Re: Crimson Peaks Subdivision

Located: Parcel #AV-1317-D

Dear Karl:

After reviewing the proposed plans for the above mentioned project, I have determined that there is power within a near proximity. Rocky Mountain Power intends to serve the project with electrical service based on load requirements and specifications submitted. All electrical installations will be provided in accordance with the "Electric Service Regulations, as filed with the Utah Public Service Commission after receiving an approved plat showing easements approved by Rocky Mountain Power. Additionally, Rocky Mountain Power is not able to serve this project until its new substation currently under construction is complete.

For additional consultation in this matter, please do not hesitate to call.

Sincerely,

Ruston Jenson
Estimator
Dixie Service Center
435-688-3708



Big Plains Water Special Service District

1777 N. Meadowlark Dr, Apple Valley, Utah 84737
Phone: 435-877-1190 Fax: 435-877-1192
www.applevalleyut.gov

Chairman Andy McGinnis
Board Member Frank Lindhardt
Board Member Harold Merritt
Board Member Ross Gregerson
Board Member Jarry Zaharias

Item 21.

December 15, 2022

Travis Holm



Parcel ID: AV-1325, AV-1317-B

Preliminary Water Service Letter
For
Travis Holm

Crimson Peak Phase 1

This letter is provided as a preliminary look at the needs of your proposed development and provides options as well as potential requirements for your project.

1. This letter is for Lots 1 thru 10, 50 thru 63, and 80 thru 86 (31 lots).
2. Connect to district water main next to Gooseberry Way and provide a looped system in accordance with District and Engineering requirements.
3. Option to build a tank and infrastructure designed to meet future needs of your development.
4. Municipal water rights deeded to the District by phase of your development.
5. Easements as required for water infrastructure and District access.
6. Upon completion of the water system by the Developer and approval of the District's designated engineer and Water Superintendent, said water system will be deeded to the District.

The above is not an all-encompassing list, but a preliminary one and may expand as your development progresses.

The District provides this letter for the purpose of a preliminary plat application, and it is NOT a Will Serve Letter.

A Final Water Service Letter (Will Serve Letter) will be required for the Final Plat process and as a condition for building permit issuance. The expiration of this letter will be concurrent with that of the Preliminary Plat.

Andy McGinnis
Chairman
Big Plains SSD



April 6, 2023

Apple Valley
Kyle Layton
1777 North Meadowlark Drive
Apple Valley, UT 84737

Subject: Crimson Peaks Subdivision

Kyle,

Ash Creek SSD is providing a conditional will serve for the Crimson Peaks Subdivision.

The developers understand and agree that they will need to complete a preliminary feasibility study and meet the discharge limits set by the State Department of Water Quality. Approvals for this subdivision will be given on a phase-by-phase basis based on meeting the discharge limits set by the State.

The developers understand and agree that they will need to get plan approval for the sewer system and treatment system.

After approval, developers agree to pay all costs associated with construction and impact fees. Please let us know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Amber Gillette".

Amber Gillette, P.E.
Engineer
Ash Creek Special Service District

When Recorded Mail Deed and Tax Notice To:
Mark Bryan, Trustee
PO Box 240
Victorville, CA 95253

QUIT-CLAIM DEED
Corporate Form

Fountainhead Consulting, Inc., a Utah corporation, who also appears of record as Fountainhead, Counsulting, Inc., a Utah corporation, organized and existing under the laws of the State of Utah, with its principal office at St. George, of County of Washington, State of Utah, State of Utah, grantor(s), hereby QUIT-CLAIMS to

Mark Bryan, Trustee of the Apple Valley Development Trust, dated September 27, 2016, grantor(s), of Victor California, County of San Joaquin, State of California, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of UTAH:

See Exhibit "A" - Attached hereto and made a part hereof.

TOGETHER WITH all improvements and appurtenances thereunto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor(s) has/have caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 4th of ~~October~~ November, 2021.

JW

Fountainhead Consulting, Inc.

Brandon Hansen
Brandon Hansen, President

STATE OF UTAH

County of Washington

ss

On the 4th day of ~~October~~ November, 2021, personally appeared before me, Brandon Hansen, who being by me duly sworn, did say, that he is the President of Fountainhead Consulting, Inc., a Utah corporation, and that said instrument was signed in behalf of said corporation by authority of its by-laws (or by a resolution of its board of directors) and he duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

Jill Cannon
Notary Public


JILL N. CANNON
Notary Public
State Of Utah
My Commission Expires 03-23-2024
COMMISSION NO. 710994

Attachment to that certain Quit-Claim Deed executed by Fountainhead Consulting, Inc., a Utah corporation, also appears of record as Fountainhead, Consulting, Inc., a Utah corporation, grantor(s), to Mark Bryan, Trustee of the Apple Valley Development Trust, dated September 27, 2016, grantee(s):

EXHIBIT "A"

PARCEL 1: (AV-1317-B)

BEGINNING AT A POINT NORTH 0°06'40" WEST ALONG THE LOT LINE 528.00 FEET FROM THE SOUTHWEST CORNER OF LOT 8, SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 0°06'40" WEST ALONG THE LOT LINE 1,896.93 FEET; THENCE SOUTH 89°54'06" EAST 2,840.76; THENCE SOUTH 0°05'58" EAST 2,806.50 FEET; THENCE NORTH 89°58'49" WEST 2,840.18 FEET; THENCE NORTH 0°06'40" WEST ALONG THE LOT LINE OF LOT 11, 910.73 FEET TO THE POINT OF BEGINNING.

RESERVING UNTO GRANTOR, ITS SUCCESSORS AND/OR ASSIGNS, A 50.00 FOOT EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES, OVER, UNDER AND ACROSS SAID PROPERTY. THIS RESERVATION (EASEMENT) SHALL RUN FROM GUBLER ROAD, WEST AND SOUTH TO GRANTORS WEST PROPERTY LINE AND SHALL AUTOMATICALLY EXPIRE IF DEDICATED ACCESS IS PROVIDED ACROSS THE ABOVE LAND TO GRANTOR'S REMAINING PROPERTY ADJACENT TO THE WEST.

LESS AND EXCEPTING FROM THE ABOVE PARCEL THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING SOUTH 0°06'40" EAST ALONG THE LOT LINE 412.46 FEET AND SOUTH 89°58'49" EAST 2,840.18 FEET FROM THE SOUTHWEST CORNER OF LOT 8, SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 89°58'49" WEST 660.35 FEET; THENCE NORTH 0°00'00" EAST 660.12 FEET; THENCE NORTH 90°00'00" EAST 659.20 FEET; THENCE SOUTH 0°05'58" EAST 660.35 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT NORTH 0°06'40" WEST ALONG THE LOT LINE 528.00 FEET FROM THE SOUTHWEST CORNER OF LOT 8, SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 0°06'40" WEST ALONG THE LOT LINE 1,896.93 FEET; THENCE SOUTH 89°54'06" EAST 1,680.00 FEET; THENCE SOUTH 00°06'41" EAST 2805.36 FEET; THENCE NORTH 89°58'49" WEST 1680 FEET; THENCE NORTH 0°06'40" WEST ALONG THE LOT LINE OF LOT 11, 910.73 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE POINT SOUTH 89°59'43" EAST ALONG THE SECTION LINE 3612.19 FEET AND NORTH 0°05'58" WEST 2132.66 FEET FROM THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 90°00'00" WEST 343.02 FEET; THENCE NORTH 0°00'00" WEST 1403.85 FEET; THENCE SOUTH 90°00'00" EAST 110.74 FEET; THENCE NORTH 0°00'00" WEST 58 FEET TO POINT ON A 25 FEET RADIUS CURVE BEARING NORTH 0°00'00" WEST; THENCE NORTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE NORTH 0°00'00" WEST 95.95 FEET; THENCE SOUTH 89°54'06" EAST 4.55 FEET; THENCE NORTH 0°05'58" WEST 62.53 FEET; THENCE SOUTH 89°54'06" EAST 361.27 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 25 FEET; THENCE NORTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 46.98 FEET THROUGH A CENTRAL ANGLE 07°40'11" TO THE END OF SAID CURVE AND ON THE ARC OF A NON-TANGENT CURVE CONCAVE WESTERLY WITH A RADIUS LINE OF 275.90 FEET BEARS SOUTH 72°25'33" WEST; THENCE SOUTHWESTERLY TO THE RIGHT ALONG THE ARC OF SAID CURVE 84.15 FEET THROUGH CENTRAL ANGLE 17°28'28"; THENCE SOUTH 0°05'58" EAST 12.32 FEET; THENCE NORTH 89°54'06" WEST 197.95 FEET; THENCE SOUTH 0°05'58" EAST 1582.45 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL ALSO BEING ALL OF LOT 201 DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 2936.09 FEET AND 3138.61 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE WEST 114.82 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE OF 39.27 FEET; THENCE NORTH 119.02 FEET; THENCE EAST 139.78 FEET; THENCE SOUTH 00°00'59" EAST 144.02 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 75 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 3076.37 FEET AND NORTH 2073.43 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, RUNNING THENCE SOUTH 89°58'23" WEST 140.22 FEET; THENCE NORTH 00°00'39" WEST 114.84 FEET, THENCE NORTH 89°58'03" EAST 140.18 FEET; THENCE SOUTH 00°01'57" EAST 114.99 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 79 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 3264.44 FEET AND NORTH 1929.74 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 80°12'09" WEST 140.69 FEET TO A POINT OF THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 80°12'19" WEST); THENCE ALONG THE ARC OF SAID 50.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 09°49'49" A DISTANCE OF 8.58 FEET; THENCE NORTH 00°01'57" WEST 110.40 FEET; THENCE SOUTH 89°58'23" EAST 137.84 FEET; THENCE SOUTH 00°01'57" EAST 142.80 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 81 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 3264.44 FEET AND NORTH 2215.34 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 89°58'23" WEST 137.84 FEET; THENCE NORTH 00°01'57" WEST 142.80 FEET; THENCE SOUTH 89°58'23" EAST 137.84 FEET; THENCE SOUTH 00°01'57" EAST 142.80 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 83 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 3264.12 FEET AND NORTH 2500.94 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 89°58'23" WEST 137.84 FEET; THENCE NORTH 00°01'57" WEST 142.80 FEET; THENCE SOUTH 89°58'23" EAST 137.84 FEET; THENCE SOUTH 00°01'57" EAST 142.80 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 85 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 3263.95 FEET AND NORTH 2786.54 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 89°58'23" WEST 137.84 FEET; THENCE NORTH 00°01'57" WEST 142.80 FEET; THENCE SOUTH 89°58'23" EAST 137.84 FEET; THENCE SOUTH 00°01'57" EAST 142.80 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 87 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 3263.99 FEET AND NORTH 3072.15 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 89°58'23" WEST 137.84 FEET; THENCE NORTH 00°01'57" WEST 142.80 FEET; THENCE SOUTH 89°58'23" EAST 137.84 FEET; THENCE SOUTH 00°01'57" EAST 142.80 FEET TO THE POINT OF BEGINNING.

PARCEL 2: (AV-1317-D)

BEGINNING AT THE POINT SOUTH 89°59'43" EAST ALONG THE SECTION LINE 3612.19 FEET AND NORTH 0°05'58" WEST 2132.66 FEET FROM THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 90°00'00" WEST 343.02 FEET; THENCE NORTH 0°00'00" WEST 1403.85 FEET; THENCE SOUTH 90°00'00" EAST 110.74 FEET; THENCE NORTH 0°00'00" WEST 58 FEET TO POINT ON A 25 FEET RADIUS CURVE BEARING NORTH 0°00'00" WEST; THENCE NORTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE NORTH 0°00'00" WEST 95.95 FEET; THENCE SOUTH 89°54'06" EAST 4.55 FEET; THENCE NORTH 0°05'58" WEST 62.53 FEET; THENCE SOUTH 89°54'06" EAST 361.27 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 25 FEET; THENCE NORTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 46.98 FEET THROUGH A CENTRAL ANGLE 107°40'11" TO THE END OF SAID CURVE AND ON THE ARC OF A NON-TANGENT CURVE CONCAVE WESTERLY WITH A RADIUS LINE OF 275.90 FEET BEARS SOUTH 72°25'33" WEST; THENCE SOUTHWESTERLY TO THE RIGHT ALONG THE ARC OF SAID CURVE 84.15 FEET THROUGH CENTRAL ANGLE 17°28'28"; THENCE SOUTH 0°05'58" EAST 12.32 FEET; THENCE NORTH 89°54'06" WEST 197.95 FEET; THENCE SOUTH 0°05'58" EAST 1582.45 FEET TO THE POINT OF BEGINNING.

PARCEL 3: (AV-1313-D-2)

BEGINNING AT A POINT SOUTH $0^{\circ}10'48''$ WEST, ALONG THE SECTION LINE, 753.97 FEET FROM THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY U-59; THENCE RUNNING NORTH $54^{\circ}09'33''$ WEST, ALONG THE RIGHT-OF-WAY LINE, 81.80 FEET TO THE BEGINNING OF A 25.00 FOOT RADIUS CURVE, WITH RADIUS LINE BEARING NORTH $35^{\circ}50'27''$ EAST, THENCE NORTHEASTERLY, TO THE LEFT, ALONG THE ARC OF SAID CURVE 39.27 FEET, THROUGH A CENTRAL ANGLE OF $90^{\circ}00'$; THENCE NORTH $35^{\circ}50'27''$ EAST 1,200.72 FEET TO THE BEGINNING OF A 275.00 FOOT RADIUS CURVE; THENCE NORTHEASTERLY TO THE LEFT, ALONG THE ARC OF SAID CURVE 172.56 FEET, THROUGH A CENTRAL ANGLE OF $35^{\circ}57'07''$; THENCE NORTH $0^{\circ}06'40''$ WEST 707.83 FEET; THENCE SOUTH $89^{\circ}58'49''$ EAST 50.00 FEET; THENCE SOUTH $0^{\circ}06'40''$ EAST 707.71 FEET TO THE BEGINNING OF A 325.00 FOOT RADIUS CURVE; THENCE SOUTHWESTERLY, TO THE RIGHT, ALONG THE ARC OF SAID CURVE 203.93 FEET, THROUGH A CENTRAL ANGLE OF $35^{\circ}57'07''$; THENCE SOUTH $35^{\circ}50'27''$ WEST 1,200.72 FEET TO THE BEGINNING A 25.00 FOOT RADIUS CURVE; THENCE SOUTHEASTERLY, TO THE LEFT, ALONG THE ARC OF SAID CURVE 39.27 FEET, THROUGH A CENTRAL ANGLE OF $90^{\circ}00'$ TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY U-59; THENCE NORTH $54^{\circ}09'33''$ WEST, ALONG SAID RIGHT-OF-WAY LINE, 18.20 FEET TO THE POINT OF BEGINNING.

Account 0314685

Location

Account Number 0314685
Parcel Number AV-1317-B
Tax District 45 - Apple Valley Town
Acres 49.87
Situs 0, 0

Owner

Name BRYAN MARK TR
 PO BOX 240
 VICTOR, CA 95253-0240

Value

Market (2024) \$822,900
Taxable \$822,900
Tax Area: 45 **Tax Rate:** 0.006853
Type Actual Assessed Acres
 Ag
 Land \$822,900 \$822,900 49.870

Legal S: 19 T: 42S R: 11W BEG N0*06'40 W ALG L/L 528 FT FM SW COR LOT 8 SEC 19 T42S R11W; TH N0*06'40 W ALG L/L 1896.93 FT; TH S89*54'06 E 2840.76 FT; TH S0*05'58 E 2806.50 FT; TH N89*58'49 W 2840.18 FT; TH N0*06'40 W ALG L/L LOT 11 DIST OF 910.73 FT TO POB.

LESS: BEG S0*06'40 E ALG L.L 412.46 FT & S89*58'49 E 2840.18 FT FM SW COR LOT 8 SEC 19; TH N89*58'49 W 660.35 FT; TH N0* E 660.12 FT; TH N90* E 659.20 FT; TH S0*05'58 E 660.35 FT TO POB.

LESS: BEG PT S89*59'43 E ALG SEC/L 3612.19 FT & N0*05'58 W 2132.66 FT FM SW COR SEC 19 T42S R11W; TH S90* W 343.02 FT; TH N0* W 1403.85 FT; TH S90* E 110.74 FT; TH N0* W 58 FT TO PT 25 FT RAD CUR BEARING N0* W; TH NELY LFT ALG ARC CUR 39.27 FT THRU CTL ANG 90*; TH N0* W 95.95 FT; TH S89*54'06 E 4.55 FT; TH N0*05'58 W 62.53 FT; TH S89*54'06 E 361.27 FT TO BEG TNGT CUR CNCV NW RAD 25 FT; TH NELY LFT ALG ARC CUR 46.98 FT THRU CTL ANG 107*40'11" TO END CUR & ON ARC NON-TNGT CUR CNCV WLY RAD LN 275.90 FT BEARS S72*25'28 W; TH SWLY RGT ALG ARC CUR 84.15 FT THRU CTL ANG 17*28'28"; TH S0*05'58 E 12.32 FT; TH N89*54'08 W 197.95 FT; TH S0*05'58 E 1582.45 FT TO POB.

LESS: ALL OF LOT 27 OF PROP DESERT ROSE SUB DESC AS FOL: BEG AT PT EAST 1868.98 FT & N 1376.70 FT FM SW COR SD SEC 19, TH N89*59'18" W 154.00 FT; TH N 139.25 FT; TH S89*59'18" E 154.00 FT; TH S 139.26 FT TO POB.

LESS: ALL OF LOT 29 OF PROP DESERT ROSE SUB DESC AS FOL: BEG AT PT EAST 2022.98 FT & N 1515.95 FT FM SW COR SD SEC 19; TH N89*59'18" W 154.00 FT; TH N 139.26 FT; TH N89*59'58" E 129.00 FT TO PT OF CURV; TH SELY ALG ARC OF 25.00 FT RAD CUR RGT THRU CTL ANG OF 90*00'02" DIST OF 39.27 FT; TH S 114.27 FT TO POB.

LESS: ALL OF LOT 25 OF PROP DESERT ROSE SUB DESC AS FOL: BEG AT PT E 1868.98 FT & N 1098.18 FT FM SW COR SEC 19; TH N89*59'04" W 129.09 FT TO PT ON ARC OF 50.00 FT RAD CUR LFT (CTR BEARS N86*33'12" W); TH NWLY ALG ARC OF SD 50.00 FT RAD CUR THRU CTL ANG OF 51*38'11" DIST OF 45.06 FT TO PT OF RVSE CURV; TH NWLY ALG ARC OF 25.00 FT RAD

MAIL TAX NOTICE TO:
The Kravetz Family Living Trust,
Dated September 26, 2008
3431 Ranch View Street
Las Vegas, NV 89108
APN: AV-1322-A, AV-1323-A, AV-1324-A

WARRANTY DEED

Fred Kravetz and Jackie Kravetz, GRANTOR, hereby CONVEY(S) AND WARRANT(S) to The Kravetz Family Living Trust, Dated September 26, 2008, GRANTEE, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following tract(s) of land in Washington County, State of Utah described as follows:

See Exhibit "A"

Subject to City and/or County taxes and assessments, not delinquent; Easements, Rights-of-Way, Covenants, Conditions and Restrictions now of record.

WITNESS, the hand of said grantor this 13 day of March, 2023.

Fred Kravetz

Jackie Kravetz

State of Nevada
County of Clark

On this 13 day of March, 2023 before me, Lisa Fershin, a notary public, personally appeared Fred and Jackie Kravetz, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged he/she/they executed the same.

Witness my hand and official seal.

Notary Public Lisa Fershin
My Commission Expires: 11/17/2023

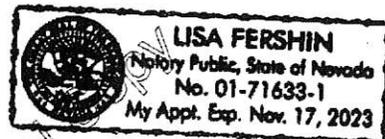


EXHIBIT "A"
LEGAL DESCRIPTION**Parcel 1-0896077- AV-1322-A**

S: 19 T: 42S R: 11W All Of Lot 27 Of Prop Desert Rose Sub Desc As Fol: Beg At Pt East 1868.98 Ft & N 1376.70 Ft Fm Sw Cor Sd Sec 19, Th N89*5918" W 154.00 Ft; Th N 139.25 Ft; Th S89*5918" E 154.00 Ft; Th S 139.26 Ft To Pob.

Parcel 2-0896084- AV-1323-A

S: 19 T: 42S R: 11W All Of Lot 29 Of Prop Desert Rose Sub Desc As Fol: Beg At Pt East 2022.98 Ft & N 1515.95 Ft Fm Sw Cor Sd Sec 19, Th N89*5918" W 154.00 Ft; Th N 139.26 Ft; Th N89*5958" E 129.00 Ft To Pt Of Curv; Th Sely Alg Arc Of 25.00 Ft Rad Cur Rgt Thru Ctl Ang Of 90*0002" Dist Of 39.27 Ft; Th S 114.27 Ft To Pob.

Parcel 3-0897001- AV-1324-A

S: 19 T: 42S R: 11W All Of Lot 25 Of Prop Desert Rose Sub Desc As Fol: Beg At Pt E 1868.98 Ft & N 1098.18 Ft Fm Sw Cor Sec 19; Th N89*5904" W 129.09 Ft To Pt On Arc Of 50.00 Ft Rad Cur Lft (Ctr Bears N86*3312" W); Th Nwly Alg Arc Of Sd 50.00 Ft Rad Cur Thru Ctl Ang Of 51*3811" Dist Of 45.06 Ft To Pt Of Rvse Curv; Th Nwly Alg Arc Of 25.00 Ft Rad Cur Rgt Thru Ctl Ang Of 48*1123" Dist Of 21.02 Ft; Th N 80.35 Ft; Th S89*5918" E 154.00 Ft; Th S 139.26 Ft To Pob.

Account 0897001

Location

Account Number 0897001
Parcel Number AV-1324-A
Tax District 45 - Apple Valley Town
Acres 0.47
Situs 0, 0

Legal S: 19 T: 42S R: 11W ALL OF LOT 25 OF PROP DESERT ROSE SUB DESC AS FOL: BEG AT PT E 1868.98 FT & N 1098.18 FT FM SW COR SEC 19; TH N89*59'04" W 129.09 FT TO PT ON ARC OF 50.00 FT RAD CUR LFT (CTR BEARS N86*33'12" W); TH NWLY ALG ARC OF SD 50.00 FT RAD CUR THRU CTL ANG OF 51*38'11" DIST OF 45.06 FT TO PT OF RVSE CURV; TH NWLY ALG ARC OF 25.00 FT RAD CUR RGT THRU CTL ANG OF 48*11'23" DIST OF 21.02 FT; TH N 80.35 FT; TH S89*59'18" E 154.00 FT; TH S 139.26 FT TO POB.

Parent Accounts 0314685

Parent Parcels AV-1317-B

Child Accounts

Child Parcels

Sibling Accounts

Sibling Parcels

Transfers

Entry Number

20110017581
20110025840
20110027549
20110031703
20110031704
20140028440
20140028441
20150006002
20150006908
20190000956
20220051468
20220051469
20230006906
20230012317

Recording Date

06 08 2011 04:39:10 PM
08 24 2011 04:42:34 PM
09 09 2011 04:28:07 PM
10 18 2011 02:16:28 PM
10 18 2011 02:16:28 PM
09 17 2014 09:55:02 AM
09 17 2014 09:55:02 AM
02 25 2015 09:34:48 AM
03 04 2015 09:11:13 AM
01 09 2019 11:15:43 AM
11/30/2022 08:24:08 AM
11/30/2022 08:24:08 AM
03 15 2023 09:07:03 AM
05/01 2023 04:09:22 PM

Value

Market (2024) \$17,500
Taxable \$17,500
Tax Area: 45 **Tax Rate:** 0.006853
Type **Actual** **Assessed** **Acres**
 Non
 Primary \$17,500 \$17,500 0.470
 Land

Tax

Tax Year

Taxes

*2024 \$119.93
 2023 \$118.27

Images

• [GIS](#)

* Estimated

Quit Claim Deed Page 1 of 4

Gary Christensen Washington County Recorder

11/09/2021 08:54:43 AM Fee \$40.00 By

FOUNTAINHEAD CONSULTING, INC

When recorded mail deed and tax notice to:
Fountainhead Consulting, Inc
1732 Cliff Point Dr
St. George, Utah 84790

QUIT-CLAIM DEED

Mark Bryan, Trustee of the Apple Valley Development Trust, dated September 27, 2016, grantor(s), hereby QUIT CLAIMS to

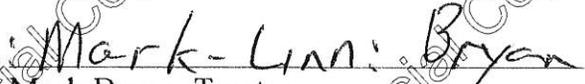
Fountainhead Consulting, Inc., a Utah corporation, grantor(s), of St. George, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described land in Washington County, State of UTAH

See Exhibit "A" - Attached hereto and made a part hereof.

TOGETHER WITH all improvements and appurtenances thereunto belonging, and SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 27 day of October, 2021.

Apple Valley Development Trust,
dated September 27, 2016


Mark Bryan, Trustee

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.

California State
San Joaquin County

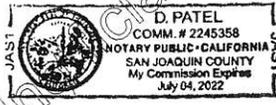
On October 27, 2021 before me, D. Patel Notary Public

personally appeared Mark Bryan,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the California State that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



Attached to Quit-Claim Deed executed by Mark Bryan, Trustee of the Apple Valley Development Trust, dated September 27, 2016, grantor, to Fountainhead Consulting, Inc., a Utah corporation, grantee.

Tax I.D. No. AV-1317-B and AV-1313-D-2

EXHIBIT "A"

PARCEL 1: (AV-1317-B)

BEGINNING AT A POINT NORTH 0°06'40" WEST ALONG THE LOT LINE 528.00 FEET FROM THE SOUTHWEST CORNER OF LOT 8, SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 0°06'40" WEST ALONG THE LOT LINE 1,896.93 FEET; THENCE SOUTH 89°54'06" EAST 1680.00 FEET; THENCE SOUTH 00°06'41" EAST 2805.36 FEET; THENCE NORTH 89°58'49" WEST 1680 FEET; THENCE NORTH 0°06'40" WEST ALONG THE LOT LINE OF LOT 11, 910.73 FEET TO THE POINT OF BEGINNING

RESERVING UNTO GRANTOR A 50.00 FOOT EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES, OVER, UNDER AND ACROSS SAID PROPERTY. THIS RESERVATION (EASEMENT) SHALL AUTOMATICALLY EXPIRE IF DEDICATED ACCESS IS PROVIDED ACROSS THE ABOVE LAND TO GRANTOR'S REMAINING PROPERTY ADJACENT TO THE EAST.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 25 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 1868.98 FEET AND NORTH 1098.18 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 89°59'04" WEST 129.09 FEET TO A POINT ON THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 86°33'12" WEST); THENCE NORTHWESTERLY ALONG THE ARC OF SAID 50.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 51°38'11" A DISTANCE OF 45.06 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 48°11'23" FOR A DISTANCE OF 21.02 FEET; THENCE NORTH 80.35 FEET; THENCE SOUTH 89°59'18" EAST 154.00 FEET; THENCE SOUTH 139.26 FEET TO THE POINT OF BEGINNING.

ALSO, LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 27 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 1868.98 FEET AND NORTH 1376.70 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 89°59'18" WEST 154.00 FEET; THENCE NORTH 139.25 FEET; THENCE SOUTH 89°59'18" EAST 154.00 FEET; THENCE SOUTH 139.26 FEET TO THE POINT OF BEGINNING.

ALSO, LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 29 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 2022.98 FEET AND NORTH 1515.95 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 89°59'18" WEST 154.00 FEET; THENCE NORTH 139.26 FEET; THENCE NORTH 89°59'58" EAST 129.00 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'02" A DISTANCE OF 39.27 FEET; THENCE SOUTH 114.27 FEET TO THE POINT OF BEGINNING.

PARCEL 2: (AV-1313-D-2)

A RIGHT OF WAY FOR INGRESS, EGRESS AND PUBLIC UTILITIES, OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROEPRTY.

BEGINNING AT A POINT SOUTH 0°10'48" WEST, ALONG THE SECTION LINE, 753.97 FEET FROM THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY U-59; THENCE RUNNING NORTH 54°09'33" WEST, ALONG THE RIGHT-OF-WAY LINE, 81.80 FEET TO THE BEGINNING OF A 25.00 FOOT RADIUS CURVE, WITH RADIUS LINE BEARING NORTH 35°50'27" EAST, THENCE NORTHEASTERLY, TO THE LEFT, ALONG THE ARC OF SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'; THENCE NORTH 35°50'27" EAST 1,200.72 FEET TO THE BEGINNING OF A 275.00 FOOT RADIUS CURVE; THENCE NORTHEASTERLY TO THE LEFT, ALONG THE ARC OF SAID CURVE 172.56 FEET, THROUGH A CENTRAL ANGLE OF 35°57'07"; THENCE NORTH 0°06'40" WEST 707.83 FEET; THENCE SOUTH 89°58'49" EAST 50.00 FEET; THENCE SOUTH 0°06'40" EAST 707.71 FEET TO THE BEGINNING OF A 325.00 FOOT RADIUS CURVE; THENCE SOUTHWESTERLY, TO THE RIGHT ALONG THE ARC OF SAID CURVE 203.93 FEET, THROUGH A CENTRAL ANGLE OF 35°57'07"; THENCE SOUTH 35°50'27" WEST 1,200.72 FEET TO THE BEGINNING A 25.00 FOOT RADIUS CURVE; THENCE SOUTHEASTERLY, TO THE LEFT, ALONG THE ARC OF SAID CURVE 39.27 FEET, THROUGH A CENTRAL ANGLE OF 90°00' TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY U-59; THENCE NORTH 54°09'33" WEST, ALONG SAID RIGHT-OF-WAY LINE, 18.20 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT SHALL AUTOMATICALLY EXPIRE IF THE ABOVE PARCEL IS DEDICATED FOR PUBLIC USE.

Attached to and made a part of that certain Trust Deed executed between Reggie Scout Holm, as TRUSTOR, and Fountainhead Consulting, Inc., a Utah corporation as BENEFICIARY.

Order No. 221182

Tax I.D. No. AV-1-2-19-312, AV-1-2-19-313, and AV-1-2-19-420

EXHIBIT "A"

Parcel 1:

A parcel of land located in the Southwest Quarter of Section 19, Township 42 South, Range 11 West, Salt Lake Base and Meridian, said parcel being all of Lot 201 of the proposed DESERT ROSE SUBDIVISION and being more particularly described as follows:

Beginning at a point East 2936.09 feet and 3138.61 feet North of the Southwest Corner of said Section 19, and running thence West 114.82 feet to a point of curvature; thence Northwesterly along the arc of a 25.00 foot radius curve to the right through a central angle of 90°00'00" a distance of 39.27 feet; thence North 119.02 feet; thence East 139.78 feet; thence South 00°00'59" East 144.02 feet to the point of beginning.

Parcel 2:

A parcel of land located in the Southwest Quarter of Section 19, Township 42 South, Range 11 West, Salt Lake Base and Meridian, said parcel being all of Lot 75 of the proposed DESERT ROSE SUBDIVISION and being more particularly described as follows:

Beginning at a point East 3076.37 feet and North 2073.43 feet from the Southwest Corner of said Section 19, running thence South 89°58'23" West 140.22 feet; thence North 00°00'39" West 114.84 feet; thence North 89°58'03" East 140.18 feet; thence South 00°01'57" East 114.99 feet to the point of beginning

Parcel 3:

A parcel of land located in the Southwest Quarter of Section 19, Township 42 South, Range 11 West, Salt Lake Base and Meridian, said parcel being all of Lot 79 of the proposed DESERT ROSE SUBDIVISION and being more particularly described as follows:

Beginning at a point East 3264.44 feet and North 1929.74 feet from the Southwest Corner of said Section 19, and running thence North 80°12'09" West 140.69 feet to a point of the arc of a 50.00 foot radius curve to the left (center bears North 80°12'19" West); thence along the arc of said 50.00 foot radius curve through a central angle of 09°49'49" a distance of 8.58 feet; thence North 00°01'57" West 110.40 feet; thence South 89°58'23" East 137.84 feet; thence South 00°01'57" East 142.80 feet to the point of beginning.

Initials *RA* /

Attached to and made a part of that certain Trust Deed executed between Reggie Scout Holm, as TRUSTOR, and Fountainhead Consulting, Inc., a Utah corporation as BENEFICIARY.

Order No. 221183

Tax I.D. No. AV-1-2-19-314, AV-1-2-19-315, AV-1-2-19-316, and AV-1-2-19-317

EXHIBIT "A"

Parcel 1:

A parcel of land located in the Southwest Quarter of Section 19, Township 42 South, Range 11 West, Salt Lake Base and Meridian, said parcel being all of Lot 81 of the proposed DESERT ROSE SUBDIVISION and being more particularly described as follows:

Beginning at a point East 3264.28 feet and North 2215.34 feet from the Southwest Corner of said Section 19, running thence North 89°58'23" West 137.84 feet; thence North 00°01'57" West 142.80 feet; thence South 89°58'23" East 137.84 feet; thence South 00°01'57" East 142.80 feet to the point of beginning.

Parcel 2:

A parcel of land located in the Southwest Quarter of Section 19, Township 42 South, Range 11 West, Salt Lake Base and Meridian, said parcel being all of Lot 83 of the proposed DESERT ROSE SUBDIVISION and being more particularly described as follows:

Beginning at a point East 3264.12 feet and North 2500.94 feet from the Southwest Corner of said Section 19, running thence North 89°58'23" West 137.84 feet; thence North 00°01'57" West 142.80 feet; thence South 89°58'23" East 137.84 feet; thence South 00°01'57" East 142.80 feet to the point of beginning.

Parcel 3:

A parcel of land located in the Southwest Quarter of Section 19, Township 42 South, Range 11 West, Salt Lake Base and Meridian, said parcel being all of Lot 85 of the proposed DESERT ROSE SUBDIVISION and being more particularly described as follows:

Beginning at a point East 3263.95 feet and North 2786.54 feet from the Southwest Corner of said Section 19, running thence North 89°58'23" West 137.84 feet; thence North 00°01'57" West 142.80 feet; thence South 89°58'23" East 137.84 feet; thence South 00°01'57" East 142.80 feet to the point of beginning.

Parcel 4:

A parcel of land located in the Southwest Quarter of Section 19, Township 42 South, Range 11 West, Salt Lake Base and Meridian, said parcel being all of Lot 87 of the proposed DESERT ROSE SUBDIVISION and being more particularly described as follows:

Beginning at a point East 3263.99 feet and North 3072.15 feet from the Southwest Corner of said Section 19, running thence North 89°58'23" West 137.84 feet; thence North 00°01'57" West 142.80 feet; thence South 89°58'23" East 137.84 feet; thence South 00°01'57" East 142.80 feet to the point of beginning.

Initials 

Account 0897289

Location

Account Number 0897289
Parcel Number AV-1-2-19-313
Tax District 45 - Apple Valley Town
Acres 0.41
Situs 0, 0

Owner

Name HOLM REGGIE SCOUT
 PO BOX 234
 TROPIC, UT 84776

Value

Market (2024) \$17,500
Taxable \$17,500
Tax Area: 45 **Tax Rate:** 0.006853
Type **Actual** **Assessed** **Acres**
 Non
 Primary \$17,500 \$17,500 0.410
 Land

Legal S: 19 T: 42S R: 11W A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 79 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT EAST 3264.44 FEET AND NORTH 1929.74 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 80*12'09" WEST 140.69 FEET TO A POINT OF THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 80*12'19" WEST); THENCE ALONG THE ARC OF SAID 50.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 09049'49" A DISTANCE OF 8.58 FEET; THENCE NORTH 00*01'57" WEST 110.40 FEET; THENCE SOUTH 89*58'23" EAST 137.84 FEET; THENCE SOUTH 00*01'57" EAST 142.80 FEET TO THE POINT OF BEGINNING.

Parent Accounts 0314685

Parent Parcels AV-1317-B

Child Accounts

Child Parcels

Sibling Accounts

Sibling Parcels

Transfers

Entry Number

20110031382
20140028440
20140028441
20150006002
20150006908
20190000956
20220002585
20220051468
20220051469

Recording Date

10/14/2011 04:44:41 PM
09/17/2014 09:55:02 AM
09/17/2014 09:55:02 AM
02/25/2015 09:34:48 AM
03/04/2015 09:11:13 AM
01/09/2019 11:15:43 AM
01/13/2022 03:11:43 PM
11/30/2022 08:24:08 AM
11/30/2022 08:24:08 AM

Tax

Tax Year

Taxes

*2024 \$119.93
 2023 \$118.27

Images

- GIS

* Estimated

PARCEL ID:

AV-1325

AV-1317-B, AV-1317-D, AV-1313-D-2

AV-1-2-19-314, AV-1-2-19-420, AV-1-2-19-312, AV-1-2-19-313, AV-1-2-19-315,

AV-1-2-19-316, AV-1-2-19-317

AV-1322-A, AV-1323-A,

AV-1324-A



Affiliated Real Estate Solutions

Search, Signing, and Recording Services

20 North Main # 403, St. George, UT 84770

Phone: (435) 632-1131 Fax: 435-986-9349

Item 21.

Effective Date	March 29, 2023	File #	25298
Property and Ownership Report			
Client	Elwin Prince / SUTC	Order #	Ownership Report
Current Owner	Fountainhead Consulting, Inc, Mark Bryan, Trustee, Reggie Scout Holm, Fred / Jackie Kravetz		
Property Address	"Proposed Crimson Peaks" see attached Exhibit "A"	Apple Valley	Utah
APN #/Parcel #	See attached Exhibit "Parcel No. / Taxes"	County Location	Washington

Vesting Deed Information			
Grantor Prior Owner	*See attached Exhibit "FULL VESTING"	Deed Date	N/A
Grantee (s)		Recorded Date	N/A
Consideration	\$10.00 and other good and valuable consideration	Instrument #	N/A
Notes:	See Attached for complete legal and vesting	Deed Type	N/A
<i>See attached for additional ownership documents</i>			

Additional Information		
<i>Covenants, Restrictions, Easements, Right of Way, P.O.A., Agreements, Resolutions, Farmland/Greenbelt, Etc.</i>		
Document	Entry #	Recorded Date
NOT INCLUDED IN THIS REPORT		

Property Information			
Land	*NOT INCLUDED IN THIS REPORT	2022 Tax Amount	\$0.00
Improvements			
Total		DUE 11/30/2022	

Judgments and Liens			
Doc # or Case #	Description	Date Recorded	Amount
NOT INCLUDED			

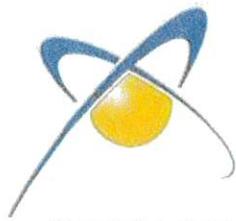
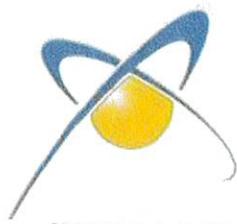


EXHIBIT "A"
LEGAL DESCRIPTION

Commencing at the Southwest corner of Section 19, Township 42 South, Range 11 West, Salt Lake Base and Meridian; thence South 00°04'01" West 764.72 feet to the point of beginning, said point being on the Northwesterly right-of-way line of State Highway SR-59; running thence North 53°09'51" West along said line, 100.00 feet; thence departing said line and running Easterly along the arc of a 25.00 foot radius curve to the Left a distance of 39.27 feet, through a central angle of 90°00'00" (long chord bears: North 81°50'09" East 35.36 feet); thence North 36°50'09" East 1200.72 feet; thence Northerly along the arc of a 275.00 foot radius curve to the Left a distance of 172.56 feet, through a central angle of 35°57'09" (long chord bears: North 18°51'34" East 169.74 feet); thence North 00°53'02" East 707.83 feet; thence South 88°59'07" East 50.00 feet to the West sectional Lot lines of lots 11, 8 and 5; thence North 00°53'02" East along said Lot lines, 2577.40 feet; thence South 88°54'25" East 2640.76 feet; thence South 88°49'25" East 12.94 feet; thence Northeasterly along the arc of a non-tangent curve to the right, having a radius of 120.00 feet and a radial bearing of South 60°17'48" East, A distance of 128.57 feet, through a central angle of 61°23'24" (long chord bears: North 60°23'54" East 122.51 feet); thence South 88°54'24" East 242.78 feet; thence Northeasterly along the arc of a 25.00 foot radius curve to the Left a distance of 46.98 feet, through a central angle of 107°40'13" (long chord bears: North 37°15'29" East 40.37 feet); thence Southerly along the arc of a non-tangent curve to the Right, having a radius of 271.45 feet and a radial bearing of South 73°16'35" West, a distance of 84.16 feet, through a central angle of 17°45'48" (long chord bears: South 07°50'31" East 83.82 feet); thence South 00°53'44" West 12.32 feet; thence North 88°54'24" West 197.95 feet; thence South 00°53'44" West 2146.14 feet; thence North 89°00'18" West 659.20 feet; thence South 00°59'42" West 660.12 feet; thence North 88°59'07" West 144.30 feet; thence North 88°59'07" West 2035.53 feet; thence South 00°53'02" West 474.73 feet; thence Southerly along the arc of a 325.00 foot radius curve to the Right a distance of 203.93 feet, through a central angle of 35°57'06" (long chord bears: South 18°51'35" West 200.60 feet); thence South 36°50'09" West 1200.72 feet; thence Southerly along the arc of a 25.00 foot radius curve to the Left a distance of 39.26 feet, through a central angle of 89°59'59" (long chord bears: South 08°09'51" East 35.35 feet) to the point of beginning.

Proposed "CRIMSON PEAKS"

Tax Serial No.(s) AV-1325, AV-1317-B, AV-1323-A, AV-1322-A, AV-1324-A, AV-1313-D-2, AV-1317-D, AV-1-2-19-420, AV-1-2-19-317, AV-1-2-19-316, AV-1-2-19-315, AV-1-2-19-314, AV-1-2-19-312, AV-1-2-19-313



Affiliated Real Estate Solutions

Search, Signing, and Recording Services

20 North Main # 403, St. George, UT 84770

Phone: (435) 632-1131 Fax: 435-986-9349

Item 21.

“FULL VESTING”

Fountainhead Consulting, Inc., a Utah corporation, who also appears of record as Fountainhead COUNSULTING, Inc., a Utah corporation, as to a portion (that portion being taxed under Tax Serial No.AV-1325);

Mark Bryan, Trustee of the Apple Valley Development Trust, dated September 27, 2016, as to a portion (that portion being taxed under Tax Serial No.(s) AV-1317-B, AV-1317-D, AV-1313-D-2);

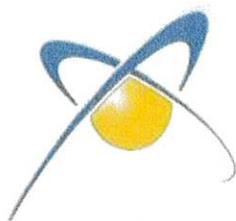
Reggie Scout Holm, as to a portion (that portion being taxed under Tax Serial No.(s) AV-1-2-19-314, AV-1-2-19-420, AV-1-2-19-312, AV-1-2-19-313, AV-1-2-19-315, AV-1-2-19-316, AV-1-2-19-317);

Fred Kravetz and Jackie Kravetz, husband and wife, as joint tenants, as to the remainder (that portion being taxed under Tax Serial No.(s) AV-1322-A, AV-1323-A, AV-1324-A).

NOTE: The effect of WARRANTY DEED, executed by Fred Kravetz and Jackie Kravetz, in favor of The Kravetz Family Living Trust, Dated September 26, 2008, recorded March 15, 2023, as Doc No. 20230006906, Official Washington County Records.

(Note: Said document was rejected by the Washington County Recorders office because of the misspelling of the Grantors name as well as failing to state the name of the Trustee's)

(Affects that portion being taxed under Tax Serial No.(s) AV-1322-A, AV-1323-A, AV-1324-A)



"Parcel No.'s / Taxes"

Taxes for the year 2021, in the following amount(s), which are liens, now due and payable, but will not become delinquent until December 1, 2021: (For a current payoff contact the Washington County Treasurer's Office at #435-634-5711)

\$16.04 under Tax Serial No. AV-1313-D-2, Account No. 0583172;

\$527.41 under Tax Serial No. AV-1317-D, Account No. 0798641;

\$106.02 under Tax Serial No. AV-1-2-19-420, Account No. 0897049;

\$106.02 under Tax Serial No. AV-1-2-19-312, Account No. 0897272;

\$106.02 under Tax Serial No. AV-1-2-19-313; Account No. 0897289.

(NOTE: Taxes for the year 2021, in the following amount(s), are PAID:

\$5,232.26 under Tax Serial No. AV-1317-B, Account No. 0314685;

\$106.02 under Tax Serial No. AV-1323-A, Account No. 0896084;

\$106.02 under Tax Serial No. AV-1322-A, Account No. 0896077;

\$106.02 under Tax Serial No. AV-1324-A, Account No. 0897001;

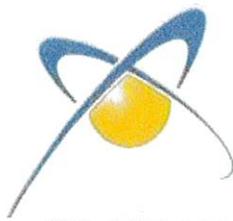
\$106.02 under Tax Serial No. AV-1-2-19-317, Account No. 0905506;

\$106.02 under Tax Serial No. AV-1-2-19-316, Account No. 0905498;

\$106.02 under Tax Serial No. AV-1-2-19-315, Account No. 0905481;

\$106.02 under Tax Serial No. AV-1-2-19-314, Account No. 0905474.

THIS IS AN OWNERSHIP REPORT ONLY AND SHOULD BE ACKNOWLEDGED AS SUCH. THE SERVICE FOR PROVIDING THIS REPORT IS TO SHOW ONLY THE OWNERSHIP, LEGAL DESCRIPTION AND PARCEL NUMBER'S FOR PROPERTIES FOR "PROPOSED CRIMSON PEAKS". THERE ARE NO ENCUMBRANCES, LIENS OR ANY OTHER ITEMS INCLUDED IN THIS REPORT, AND SHOULD NOT BE CONSIDERED AS SUCH.



Affiliated Real Estate Solutions

Search, Signing, and Recording Services

20 North Main # 403, St. George, UT 84770

Phone: (435) 632-1131 Fax: 435-966-9349

Item 21.

This report is not an Abstract of Title, Report of the Condition of Title, Legal Opinion, Opinion of Title, or other Representation of the Status of Title. It is a summary of Public Records requested by our client.

Subject to the effects of:

Rights of way for any roads, ditches, fences, canals, Utilities, improvements, bridges, foot or bike paths, public access, right-of-ways, or transmission lines now existing over, under, or across said property. Subject to any matters that may be disclosed by a Survey.

Various Covenants, Conditions, Restrictions, Resolutions, Annexations, Ordinances and Maps may have been recorded in the abstract records of the parcel in this report and are not specifically referenced in this report. Copies can be obtained upon request.

Said documents may have the ability to assess and collect fees. All such resolutions and special service districts should be contacted by the lender to verify payoff and/or status of fees owing if any.

Documents represent conveyances recorded in the abstract of the County Recorder under the tax parcel I.D. number of the current vested owner(s) at the address provided, other than those listed above, if any.

Judgments not recorded with the County Recorder in Utah are NOT considered liens against the property.

No search bankruptcy or federal tax Lien records. No search for unrecorded liens was performed.

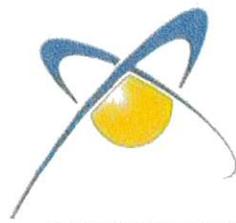
Subject to Information:

No inspection has been made to see if Construction has begun and company makes no assurances that any lien priority has been broken or in force.

No representation is made to the effect, completeness, validity or the accuracy of the various documents reported herein. No opinion as to the effects if any, of said documents are to be inferred or interpreted other than being recorded and abstracted under the legal description of a portion thereof.

This is a report on a Limited Search from the recorded date of the current Vesting Deed or the last Encumbrance of Record, whichever document was recorded last to the effective date of this report. If evidence of Title is required, Title Insurance or an Abstract should be purchased. Liability of this report is limited to the fee paid to Affiliated Real Estate Solutions for this report.

REPORT IS CONTINUED ON NEXT PAGE AND BY THIS REFERENCE MADE A PART HEREOF



Notes and Comments:

24 Month Chain – Vesting Deed recorded, and no subsequent deeds recorded. See attached additional documents in chain as referenced above, if any.

Assessment verifications will need to be confirmed with the existing Municipality. Proof or full satisfaction that all Special Improvement Districts and/or Special Service Districts affecting said property be must be paid in full or paid current.

Any facts, rights, interests, or claims which are not shown by the public records but which could be by an inspection of the land or which may be asserted by persons in possession, or claiming be in possession, thereof.

- Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.

- Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.

- Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.

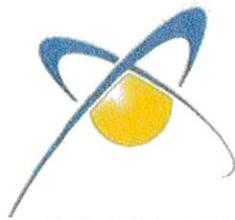
- (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.

- Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

- Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.

- Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the records or attaching subsequent to the effective date hereof.

- Claim, right, title or interest to water or water rights whether or not shown by the Public Records.



Affiliated Real Estate Solutions

Search, Signing, and Recording Services

20 North Main # 403, St. George, UT 84770

Phone: (435) 632-1131 Fax: 435-986-9349

•Rights of way for any roads, ditches, fences, rivers, public access, utilities, canals, or transmission lines now existing over, under, or across said property.

REPORT IS CONTINUED ON NEXT PAGE AND BY THIS REFERENCE MADE A PART HEREOF

•Any defect in title to said property by reason of the failure of said property to be assessed on the Washington County Assessment and/or tax rolls.

•Subject to any discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct Survey would disclose.

•Taxes for the current year, and prior are not being assessed on the General Property Tax Rolls.

•Subject to any claim or assertion that title is deemed unmarketable as the result of, or failure of said land to be located within a recorded subdivision.

This report is not an Abstract of Title, Report of the Condition of Title, Legal Opinion, Opinion of Title, or other Representation of the Status of Title. It is a summary of Public Records requested by our client.

The procedures used by the Company to determine validity of the Title, including any search and examination, are proprietary to the Company, and were performed solely for the benefit of the Company, and create NO extra Contractual Liability to any person, or other entity.

The Company's obligation under this report is to issue a Public Record Summary report as requested to a proposed Client identified in accordance with the terms and provisions of this Report. The Company has no liability or obligation involving the content of this Report to any other person and or firm other than the one contracting and paying for this service.

Affiliated Real Estate Solutions

by _____
Britani' K. Cowdin, Title Officer

Date Good through: ___MARCH 29, 2023___
* * * *

AGENT AUTHORIZATION

I, **Mark Bryan, Trustee of the Apple Valley Development Trust**, dated September 27, 2016, am the owner of the real property described in the attached application, do authorize as my agent, **STANDARD DEVELOPMENT/TRAVIS HOLMES**, to represent me regarding the attached application and to appear on my behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as my agent in matters pertaining to the attached application.

Apple Valley Development Trust,

Mark-Linn Bryan
by Mark Bryan, TTE

ACKNOWLEDGMENT

California State }
San Joaquin County }

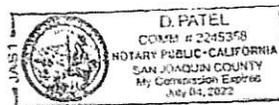
On January 10, 2022 before me, D. Patel Notary Public

personally appeared Mark Bryan, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the California State that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



AGENT AUTHORIZATION

I, **Mark Bryan, Trustee of the Apple Valley Development Trust, dated September 27, 2016,** am the owner of the real property described in the attached application. do authorize as my agents, **TRAVIS HOLM/ SCOUT HOLM,** to represent me regarding any and all applications and to appear on my behalf before any administrative body in the Town of Apple Valley considering any and all applications and to act in all respects as my agent.

Apple Valley Development Trust,

Mark-Lynn Bryan, TRTEE
By Mark Bryan, Trustee

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this document is attached, and not to the truthfulness, accuracy, or validity of that document.

California State)
San Joaquin County)

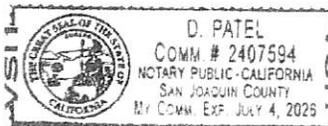
On June 29, 2023 before me, D. Patel Notary Public

personally appeared Mark Bryan, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the persons(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the California State that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (SEAL)



**AFFIDAVIT
PROPERTY OWNER**

STATE OF UTAH

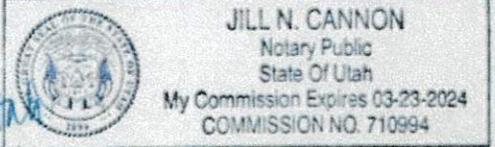
COUNTY OF Washington

I (we) Brandon Hansen, 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 knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

Brandon Hansen
(Property Owner)
Fountain Head Consulting
(Property Owner)

Subscribed and sworn to me this 13th day of January 2022

Jill Cannon
(Notary Public)
Residing in: St. George, Utah
My Commission Expires: 3-23-24



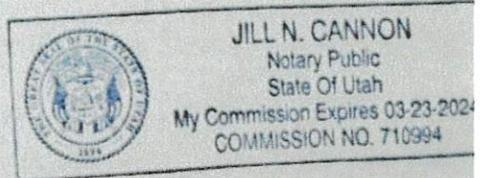
AGENT AUTHORIZATION

I (we), Brandon Hansen, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Travis Holm to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Brandon Hansen
(Property Owner)
Fountain Head Consulting
(Property Owner)

Subscribed and sworn to me this 13th day of January 2022

Jill Cannon
(Notary Public)
Residing in: St. George, Utah
My Commission Expires: 3-23-24



Survey Authorization

Frederick and/or Jackie Kravetz, owners of the real property described as lots, AV1322-A, AV-1323A and AV-1324-A in the town of Apple Valley, Utah, authorize Scout Holm, representative of Standard Development, to conduct the necessary surveys needed in developing the forementioned lots and finalizing the final plat application.


Frederick Kravetz


Jackie Kravetz

State of: NEVADA)

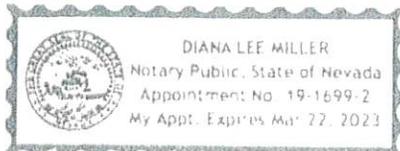
County of: WASHOE)

Subscribed and sworn to me this 18TH day of JANUARY 2022.


Notary Republic

Residing In: 1285 BERING BLVD. SPARKS, NV.

My Commission Expires: 03/22/2023



AFFIDAVIT PROPERTY

OWNER

Item 21.

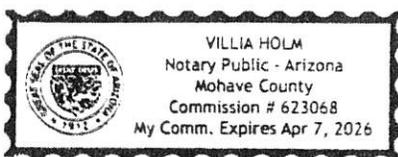
STATE OF ~~UTAH~~ ARIZONA)
)S
COUNTY OF ~~WASHINGTON~~ MOHAVE)

I (We) Scout Holm, being duly sworn, deposed 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 (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

[Signature]
Property Owner

Property Owner

Subscribed and sworn to me this 14th day of April, 2023.



[Signature]
Notary Public

Residing in: Colorado City AZ My

Commission Expires: 4-7-2026

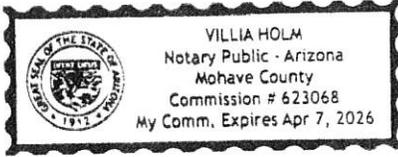
AGENT AUTHORIZATION

I (We), Scout Holm, the owner(s) of the real property described in the attached application, do authorize as my(our) agent(s) Travis Holm, Landon Holm to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature]
Property Owner

Property Owner

Subscribed and sworn to me this 14th day of April, 2023.



[Signature]
Notary Public

Residing in: Colorado City AZ My

Commission Expires: 4-7-2026



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

Parcel ID# AV-1325, AV-1317-D,
 AV-1313-D-2
 AV-1313-D-1

Item 21.

ACKNOWLEDGEMENT OF WATER SUPPLY

I/We, Travis Holm am/are the applicant(s) of the application known as
Crimson Peaks Subdivision / West Temple Subdivision located on parcel(s)
AV-1325, AV-1317-D, AV-1317-B, AV-1313-D-2 within the Town of Apple Valley, Washington County, Utah.
AV-1313-D-1

By my/our signatures(s) below, I/we do hereby acknowledge and agree to the following:

1. Approval of a development application by the Town does not guarantee that sufficient water will be available to serve the zone, project, subdivision, or development for which this application is being submitted; and
2. Prior to receiving approval for the application, the applicant shall be required by the Town of Apple Valley to provide a Preliminary Water Service letter from the Big Plains Water Special Service District ("District") which verifies the conditions required to provide services to the project, subdivision or development; and
3. The applicant assumes the entire risk of water availability for the project, subdivision or development and/or application.

Signature(s):

[Signature]
 Name

 Applicant/Owner

4-5-23
 Date

 Name

 Applicant/Owner

 Date

 Name

 Applicant/Owner

 Date

State of Utah)

)s

County of Washington)

On this 5 day of April, in the year 2023, before me, Sophie McDougall a notary public, personally appeared Travis Holm, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal. [Signature]
 (notary signature)

(seal)





August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1325

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

Kind Regards,

Jenna Vizcardo
Town Clerk



August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1317-B, AV-1317-D

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

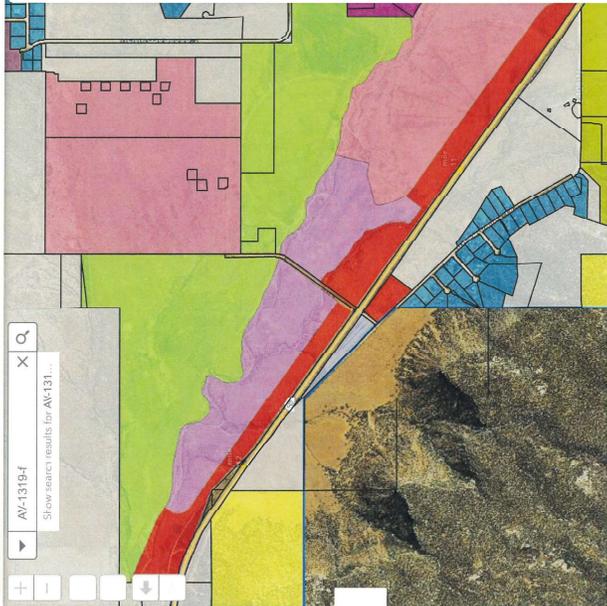
https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

Kind Regards,

Jenna Vizcardo
Town Clerk

Apple Valley Zoning Districts Viewer

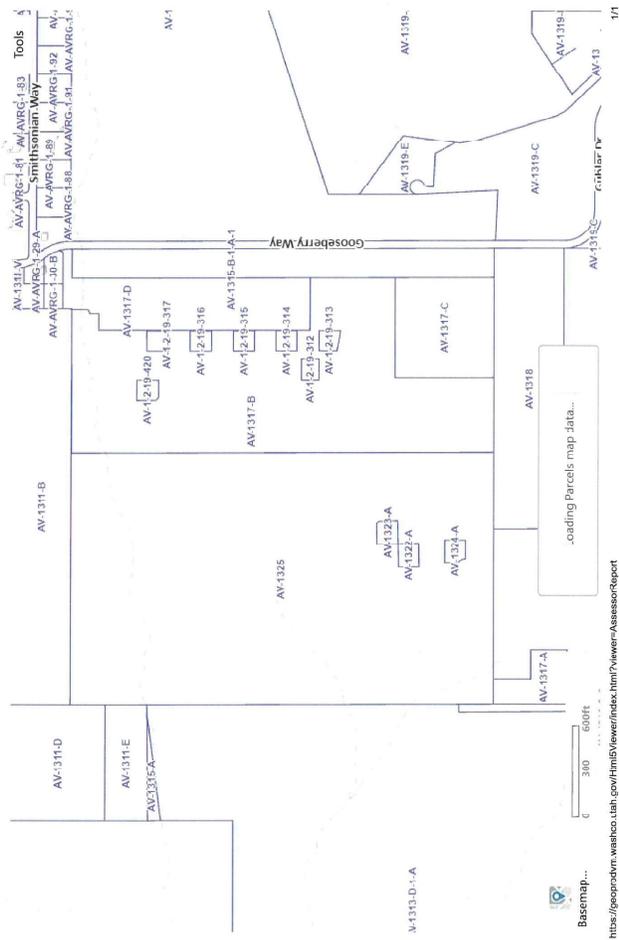


Legend

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single Family Residential > 3 Acres
- Single Family Residential > 1 Acre
- Single Family Residential > 2.5 Acres
- Single Family Residential > 5.0 Acres
- Single Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Spaces Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV Park - Recreational Vehicle Park
- Future Annexation Boundary

Sign in

Search...





August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1324-A, AV-1323-A, AV-1322-A

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

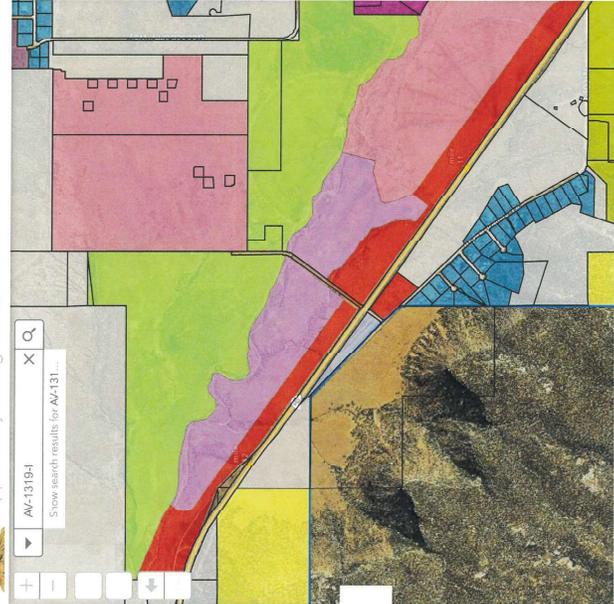
https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

Kind Regards,

Jenna Vizcardo
Town Clerk

Apple Valley Zoning Districts Viewer



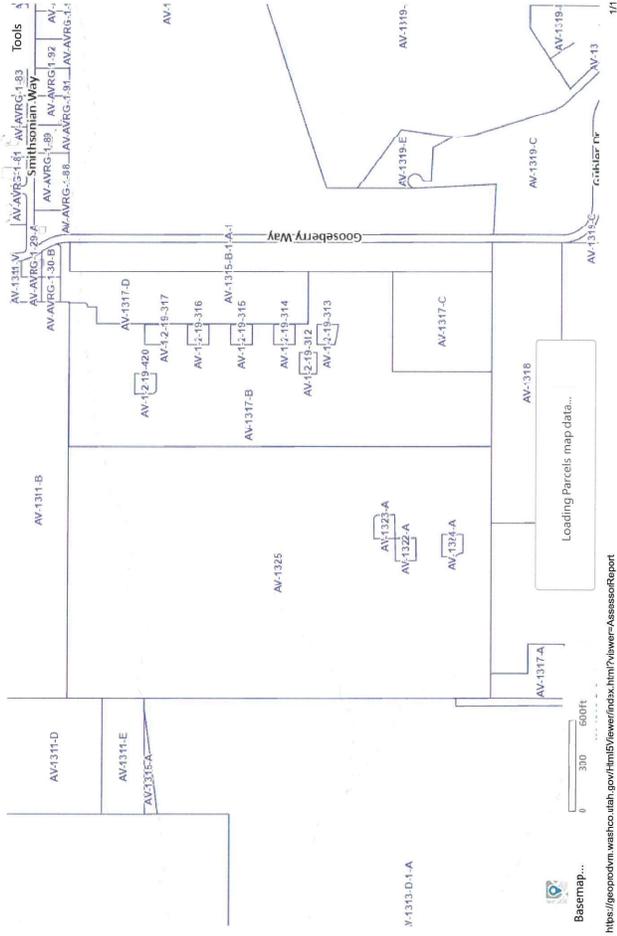
119.322089 34.101242 Degrees

https://webapp.courtsmartgis.com/ClientsRelatedtoUser/WashingtonCounty/AppleValley/ZoningDistrictsViewer



Sign in

Search...



Basemap...

https://geocortex.washco.wa.gov/html5/Viewer/index/ViewerIndex.html?viewer=AssessorReport

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF PARCELS AV-1313-D-1-A, AV-1313-D-2 FROM SINGLE-FAMILY RESIDENTIAL > 20,000 SQ FT (SF-.5) AND SINGLE-FAMILY RESIDENTIAL > 40,000 SQ FT (SF-1.0) TO RURAL ESTATES 1 ACRE ZONE (RE-1.0)

WHEREAS, the Town of Apple Valley (“Town”) petitioned for a change in the zoning classification of parcels AV-1313-D-1-A, AV-1313-D-2 from Single-Family Residential > 20,000 Sq Ft (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 1 Acre Zone (RE-1.0); and,

WHEREAS, the Planning Commission has reviewed pertinent information in the public hearing held on August 27, 2024. In a meeting on the same day the Planning Commission recommended approval of the zone change by vote; and,

WHEREAS, the Town Council has reviewed the Planning Commission’s recommendation; and,

WHEREAS, the Town Council finds that the requested zone change for this property is rationally based and consistent with the Town’s General Plan.

WHEREAS, at a meeting of the Town Council of Apple Valley, Utah, duly called, noticed and held on the 28th day of August 2024, and upon motion duly made and seconded:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, that

SECTION I: The Zoning Designation for parcels AV-1313-D-1-A, AV-1313-D-2 is changed from Single-Family Residential > 20,000 Sq Ft (SF-.5) and Single-Family Residential > 40,000 Sq Ft (SF-1.0) to Rural Estates 1 Acre Zone (RE-1.0).

SECTION II: Update of the Official Zoning Map. The official Zoning Map is amended to reflect the adoption of this ordinance.

Effective Date: This amendment shall be effective immediately without further publication.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 28th day of August, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

See Fee Schedule Page 2

Item 22.

Zone Change Application

Applications Must Be Submitted By The First Wednesday Of The Month

Owner: Holm House LLC		Phone: [REDACTED]	
Address: 2120 S Cottonwood Canyon #125		Email:	
City: Cannonville	State: UT	Zip: 84737	
Agent: (If Applicable)		Phone:	
Address/Location of Property: West Temple Subdivision		Parcel ID: AV-1313-D-1-A and AV-1313-D-2	
Existing Zone: SF-.5, SF-1, C-2, A-40		Proposed Zone: RE-1, C-2, A-40	
For Planned Development Purposes: Acreage in Parcel <u>531.76</u>		Acreage in Application <u>531.76</u>	
Reason for the request <p style="text-align: center;">Changing SF-.5 and SF-1 to RE-1, C-2 and A-40 will remain the same,</p>			

Submittal Requirements: The zone change application shall provide the following:

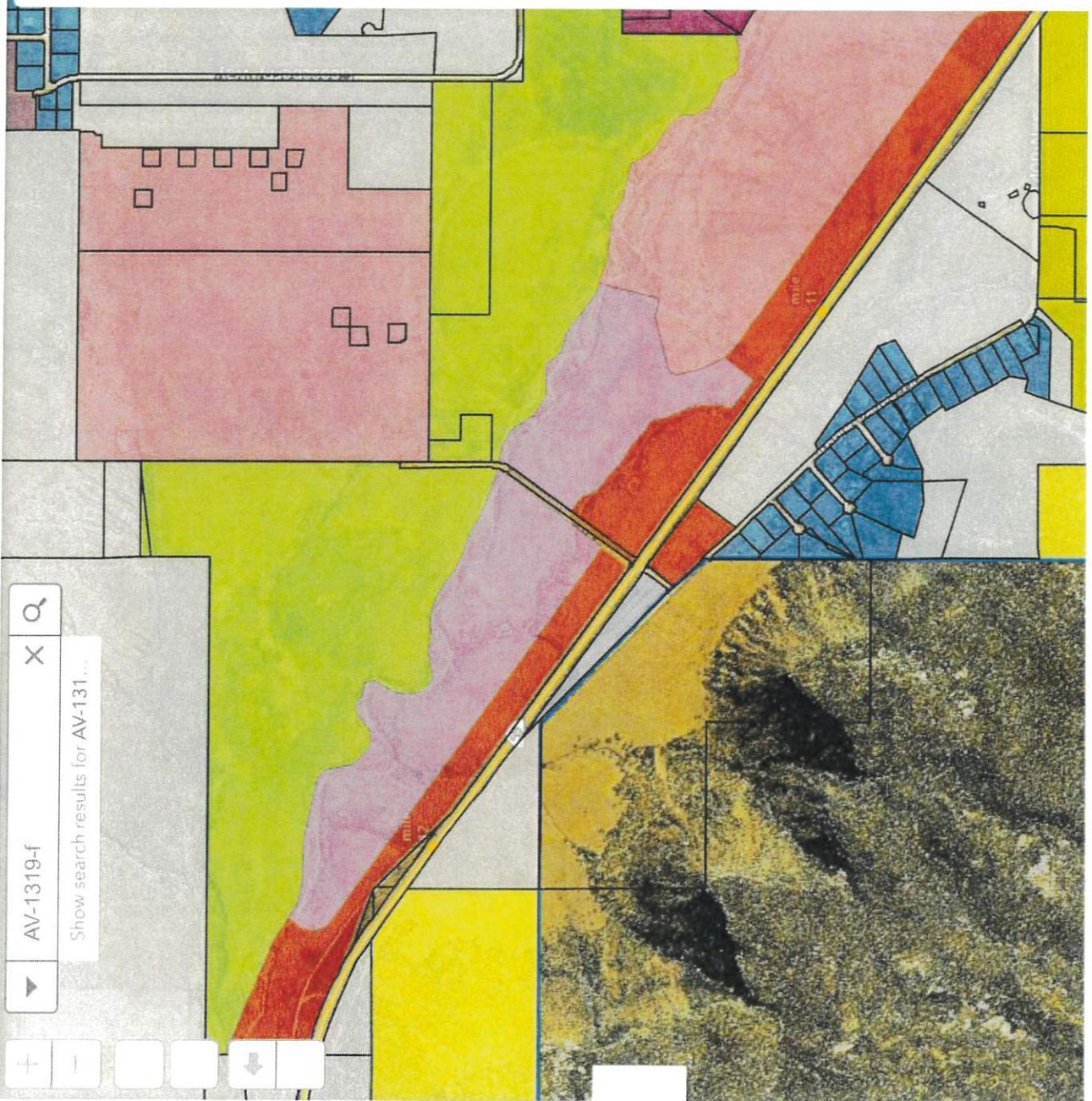
- A. The name and address of owners in addition to above owner.
- B. An accurate property map showing the existing and proposed zoning classifications
- C. All abutting properties showing present zoning classifications
- D. An accurate legal description of the property to be rezoned
- E. A letter from power, sewer and water providers, addressing the feasibility and their requirements to serve the project.
- F. Stamped envelopes with the names and address of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- G. Warranty deed or preliminary title report and other document (see attached Affidavit) if applicable showing evidence the applicant has control of the property
- H. Signed and notarized Acknowledgement of Water Supply (see attached).

Applicant Signature TOWN INITIATED ZONE CHANGE TOWN IS APPLICANT. MAYOR SIGN FOR TOWN 	Date 8/14/24
--	------------------------

Official Use Only	Amount Paid: \$	Receipt No:
Date Received: RECEIVED AUG 15 2024	Date Application Deemed Complete:	
By:	By:	

Apple Valley Zoning Districts Viewer

Show search results for AV-131...



Legend

Zoning Districts

- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- A-20 - Agricultural > 20 Acres
- A-40 - Agricultural > 40 Acres
- Single-Family Residential > .5 Acres
- Single-Family Residential > 1 Acre
- Single-Family Residential > 2.5 Acres
- Single-Family Residential > 5.0 Acres
- Single-Family Residential > 10.0 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- CTP - Cabins or Tiny Home Parks Zone
- INST - Institutional
- MH - Manufactured Housing Park
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Rural Estate 1
- RE-2.5 - Rural Estate 2.5
- RE-5 - Rural Estate 5
- RE-10 - Rural Estate 10
- RE-20 - Rural Estate 20
- RE-X - Rural Estate Zone Any Size
- RV-Park - Recreational Vehicle Park

Future Annexation Boundary



ZONE CHANGE DESCRIPTION TO RE- 1

BEGINNING AT A POINT LOCATED S01°34'11"W ALONG THE NORTH-SOUTH SECTION LINE 427.28 FEET FROM THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N53°00'50"W 59.53 FEET; THENCE N53°00'58"W 3517.69 FEET; THENCE NORTHERLY ALONG THE ARC OF A 201.89 FOOT RADIUS CURVE TO THE RIGHT 320.09 FEET (CHORD BEARS: N07°35'43"W 287.61 FEET); THENCE N38°22'41"E 84.38 FEET; THENCE S51°37'19"E 3.00 FEET; THENCE S56°37'46"E 79.45 FEET; THENCE S75°07'42"E 188.16 FEET; THENCE S87°29'05"E 347.52 FEET; THENCE S87°44'25"E 286.98 FEET; THENCE S73°55'11"E 206.47 FEET; THENCE S43°33'50"E 85.08 FEET; THENCE S11°11'46"E 235.79 FEET; THENCE S45°31'36"E 101.59 FEET; THENCE S38°40'43"E 81.40 FEET; THENCE S89°24'57"E 124.64 FEET; THENCE S4°06'32"E 136.57 FEET; THENCE N65°47'13"E 83.67 FEET; THENCE S82°37'08"E 69.25 FEET; THENCE S28°30'43"E 50.62 FEET; THENCE S78°38'21"E 112.03 FEET; THENCE S15°34'59"E 80.48 FEET; THENCE S30°13'29"W 214.74 FEET; THENCE S26°38'13"W 110.03 FEET; THENCE S20°51'34"E 116.18 FEET; THENCE S52°47'02"E 101.47 FEET; THENCE N79°29'11"E 230.12 FEET; THENCE S75°11'00"E 113.68 FEET; THENCE N83°39'51"E 117.08 FEET; THENCE S78°41'52"E 98.88 FEET; THENCE S6°27'43"E 137.50 FEET; THENCE S56°19'41"E 104.86 FEET; THENCE S53°05'21"E 127.29 FEET; THENCE S63°20'15"E 131.75 FEET; THENCE S70°56'06"E 193.54 FEET; THENCE S54°04'35"E 112.94 FEET; THENCE S65°44'22"E 263.34 FEET; THENCE S73°41'58"E 157.83 FEET; THENCE S76°36'19"E 184.12 FEET; THENCE S62°24'25"E 149.64 FEET; THENCE S30°30'32"E 213.44 FEET; THENCE S50°45'40"E 89.51 FEET; THENCE S59°10'31"E 110.98 FEET; THENCE S76°24'50"E 45.71 FEET; THENCE S73°47'26"E 43.66 FEET; THENCE S89°12'41"E 156.11 FEET; THENCE S40°20'01"E 162.32 FEET; THENCE S73°42'57"E 145.99 FEET; THENCE S51°04'07"E 381.44 FEET; THENCE S71°40'00"E 113.94 FEET; THENCE S20°10'32"W 141.19 FEET; THENCE S12°42'34"W 342.88 FEET; THENCE S37°15'11"W 725.54 FEET; THENCE N39°42'17"W 66.94 FEET; THENCE S37°12'32"W 300.01 FEET; THENCE N49°13'29"W 276.67 FEET; THENCE N15°29'28"E 73.23 FEET; THENCE N03°52'10"E 157.24 FEET; THENCE S14°24'30"W 148.77 FEET; THENCE N23°40'11"W 153.54 FEET; THENCE N11°58'01"W 152.66 FEET; THENCE N69°16'55"W 81.39 FEET; THENCE N41°11'42"W 151.39 FEET; THENCE N59°42'24"W 151.69 FEET; THENCE N44°35'31"W 149.73 FEET; THENCE S4°31'55"W 151.51 FEET; THENCE N24°34'21"W 167.73 FEET; THENCE N52°35'39"W 175.37 FEET; THENCE S37°13'50"W 375.34 FEET; TO TO THE POINT OF BEGINNING.

AREA: 4512554 SQUARE FEET OR 103.594 ACRES.

ZONE CHANGE DESCRIPTION TO RE- 1

BEGINNING AT A POINT LOCATED S01°20'31"W 1552.26 FEET; THENCE N90°00'00"E 1657.40 FEET ALONG THE NORTH-SOUTH SECTION LINE 427.28 FEET FROM THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N37°15'11"E 725.54 FEET; THENCE N12°42'34"E 342.88 FEET; THENCE N20°10'32"E 141.19 FEET; THENCE S69°49'28"E 99.83 FEET; THENCE S74°45'13"E 146.32 FEET; THENCE S86°16'40"E 153.57 FEET; THENCE S10°46'47"E 149.27 FEET; THENCE S56°58'52"E 147.27 FEET; THENCE S74°34'26"E 292.24 FEET; THENCE S29°00'06"E 184.10 FEET; THENCE S54°57'26"E 302.35 FEET; THENCE S28°09'04"E 95.49 FEET; THENCE S02°49'27"W 108.29 FEET; THENCE S17°30'28"E 71.40 FEET; THENCE S12°12'29"E 57.67 FEET; THENCE S67°23'39"E 59.44 FEET; THENCE S58°00'44"E 64.70 FEET; THENCE S66°56'41"E 113.63 FEET; THENCE S29°45'43"E 110.55 FEET; THENCE S53°17'09"E 63.70 FEET; THENCE N82°32'41"E 1.57 FEET; THENCE S73°37'16"E 67.53 FEET; THENCE N75°29'54"E 133.83 FEET; THENCE S56°13'22"E 20.90 FEET; THENCE S13°14'53"W 20.76 FEET; THENCE S60°12'54"E 219.25 FEET; THENCE S27°15'40"E 268.82 FEET; THENCE N89°04'32"E 220.17 FEET; THENCE S01°16'43"W 2057.13 FEET; THENCE N88°18'36"W 113.24 FEET; THENCE S79°28'56"E 96.52 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 300.00 FOOT RADIUS NON-TANGENT CURVE TO THE [TURNINGLR] 457.02 FEET (CHORD BEARS: N45°05'49"W 414.09 FEET); THENCE NORTHWESTERLY ALONG THE ARC OF A 350.00 FOOT RADIUS REVERSE CURVE TO THE LEFT 313.61 FEET (CHORD BEARS: N27°07'27"W 303.23 FEET); THENCE N52°47'37"W 3149.81 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 500.00 FOOT RADIUS CURVE TO THE RIGHT 80.73 FEET (CHORD BEARS: N48°10'01"E 1.6 FEET); TO TO THE POINT OF BEGINNING.

AREA: 4778198 SQUARE FEET OR 109.692 ACRES.

Item 38.

436

Account 0425028Location

Account Number 0425028
Parcel Number AV-1313-D-1
Tax District 45 - Apple Valley Town
Acres 497.25
Situs 0, 0

Legal S: 19 T: 42S R: 11W BEGINNING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M. THENCE N. 0°04'55" W. ALONG THE SECTION LINE 143.51 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U-59, THENCE ALONG SAID RIGHT-OF-WAY LINE N. 54°10'15" W. 77.08 FEET TO A RIGHT-OF-WAY MARKER, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 54°09'33" W. 1959.84 FEET TO THE TRUE POINT OF BEGINNING, THENCE N. 54°10'49" W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 7938.54 FEET TO A FOUND REBAR, THENCE N. 45°00'21" W. 873.58 FEET TO A FOUND REBAR, THENCE N. 70°39'33" W. 513.76 FEET TO A FOUND REBAR ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U-59, THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 2914.79 FEET A DISTANCE OF 911.15 FEET (THE CHORD OF SAID CURVE BEARS N. 67°02'27" W. 907.45 FEET) TO THE WEST LINE OF THE NE1/4SW1/4 OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 12 WEST, SLB&M, THENCE N. 0°02'22" W. ALONG THE 1/16 LINE 796.97 FEET TO THE NORTHWEST CORNER OF SAID NE1/4SW1/4, THENCE S. 89°59'21" E ALONG THE 1/4 SECTION LINE 3961.60 FEET TO THE EAST 1/4 CORNER OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 12 WEST, SLB&M, THENCE N. 0°01'23" W. ALONG THE SECTION LINE 474.67 FEET TO A FOUND REBAR, THENCE N. 82°38'25" E 771.67 FEET TO A FOUND REBAR, THENCE S. 0°07'25" E. 2804.18 FEET TO A FOUND 1/2" GALVANIZED PIPE, THENCE N. 89°52'51" E. 370.34 FEET TO A FOUND REBAR, THENCE N. 0°02'39" W. 247.22 FEET TO A FOUND REBAR, THENCE N. 89°59'16" W. 197.73 FEET TO A FOUND REBAR, THENCE N. 0°06'40" W. 248.04 FEET, THENCE S. 89°58'49" E. 998.19 FEET, THENCE S. 0°05'58" E. 466.69 FEET, THENCE S. 89°58'49" E 1866.76 FEET, THENCE S. 0°08'17" E 255.62 FEET TO A FOUND REBAR, THENCE S. 89°59'43" E 794.18 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET A DISTANCE OF 137.89 FEET (THE CHORD OF SAID CURVE BEARS S. 67°25'19" E 134.35 FEET), THENCE S. 44°50'54" E 109.00 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 410.00 FEET A DISTANCE OF 74.73 FEET (THE CHORD C

Owner

Name HOLM HOUSE LLC
 2120 S COTTONWOOD CANYON # 125
 CANNONVILLE, UT 84718

Value

Market (2022)	\$3,256,440
Taxable	\$73,810
Tax Area: 45	Tax Rate: 0.007228
Type	Actual Assessed Acres
Farm	
Land	\$3,256,440 \$73,810 542.740
FAA	



Let's turn the answers on.

Dixie Service Center
Estimating Dept.
455 N. Old Hwy 91
Hurricane, UT 84737
Fax # (435)688-8351

March 31, 2023

Karl Rasmussen

[REDACTED]
Re: West Temple

Located: Parcel #AV-1313-D-1

Dear Karl:

After reviewing the proposed plans for the above mentioned project, I have determined that power is within a near proximity. Rocky Mountain Power intends to serve the project with electrical service based on load requirements and specifications submitted. All electrical installations will be provided in accordance with the "Electric Service Regulations, as filed with the Utah Public Service Commission after receiving an approved plat showing easements approved by Rocky Mountain Power. Additionally, Rocky Mountain Power is not able to serve this development until its new substation currently under construction is completed.

For additional consultation in this matter, please do not hesitate to call.

Sincerely,

Ruston Jenson
Estimator
Dixie Service Center
435-688-3708



April 6, 2023

Apple Valley
Kyle Layton
1777 North Meadowlark Drive
Apple Valley, UT 84737

Subject: West Temple Subdivision

Kyle,

Ash Creek SSD is providing a conditional will serve for the West Temple Subdivision.

The developers understand and agree that they will need to complete a preliminary feasibility study and meet the discharge limits set by the State Department of Water Quality. Approvals for this subdivision will be given on a phase-by-phase basis based on meeting the discharge limits set by the State.

The developers understand and agree that they will need to get plan approval for the sewer system and treatment system.

After approval, developers agree to pay all costs associated with construction and impact fees. Please let us know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Amber Gillette".

Amber Gillette, P.E.
Engineer
Ash Creek Special Service District

1350 South Santhollow Road Hurricane UT 84737
phone: 435.635.2348
email: ashcreek@infowest.com



Big Plains Water Special Service District

1777 N. Meadowlark Dr, Apple Valley, Utah 84737
Phone: 435-877-1190 Fax: 435-877-1192
www.applevalleyut.gov

Chairman Andy McGinnis
Board Member Frank Lindhardt
Board Member Harold Merritt
Board Member Ross Gregerson
Board Member Jarry Zaharias

Item 22.

December 15, 2022

Travis Holm



Parcel ID: AV-1325, AV-1317-B

Preliminary Water Service Letter
For
Travis Holm

West Temple Village

This letter is provided as a preliminary look at the needs of your proposed development and provides options as well as potential requirements for your project.

1. This letter is for Lots 1 thru 27 of West Temple Village. Lots 28 and 29 will be dealt with separately due to their commercial use.
2. Connect to district water main next to HWY 59 and provide a looped system in accordance with District and Engineering requirements.
3. Option to build a tank and infrastructure designed to meet future needs of your development.
4. Municipal water rights deeded to the District by phase of your development.
5. Easements as required for water infrastructure and District access.
6. Upon completion of the water system by the Developer and approval of the District's designated engineer and Water Superintendent, said water system will be deeded to the District.

The above is not an all-encompassing list, but a preliminary one and may expand as your development progresses.

The District provides this letter for the purpose of a preliminary plat application, and it is NOT a Will Serve Letter.

A Final Water Service Letter (Will Serve Letter) will be required for the Final Plat process and as a condition for building permit issuance. The expiration of this letter will be concurrent with that of the Preliminary Plat.

Andy McGinnis
Chairman
Big Plains SSD

When recorded mail deed and tax notice to:
Holm House LLC
2120 S Cottonwood Canyon, #125
Cannonville, UT 84718



SOUTHERN UTAH
TITLE COMPANY
"Doing good Deeds for over 70 years"
sutc.com

Order No. 226766 - EFP
Tax I.D. No. AV-1313-D-1, AV-1326, AV-1327, AV-1345, AV-1346, and AV-1348-A

Space Above This Line for Recorder's Use

WARRANTY DEED

K & D Family, L.L.C., a Utah limited liability company and KDLR LLC, a Nevada Limited Liability Company, grantor(s), of Enterprise, County of Washington, State of Utah, hereby CONVEY and WARRANT to

Holm House LLC, a Utah limited liability company, grantee(s) of Cannonville, County of Garfield, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

Excepting therefrom all water rights.

WITNESS the hand(s) of said grantor(s), this 19 day of January, ~~2013~~ ²⁰²³

K & D Family, L.L.C., a Utah limited liability company

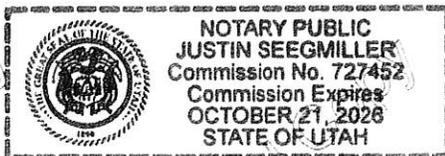
By: Kerry Holt
Kerry Holt, Manager

KDLR LLC, a Nevada Limited Liability Company

By: Kerry Holt
Kerry Holt, Manager

STATE OF Utah)
) ss.
COUNTY OF Washington)

On the 19 day of January, ~~2013~~ ²⁰²³, personally appeared before me, Kerry Holt, who being by me duly sworn, did say that he/she is the Manager of K & D Family, L.L.C., a Utah limited liability company, and that said instrument was signed by him/her in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Kerry Holt acknowledged to me that said limited liability company executed the same.



Justin
NOTARY PUBLIC
My Commission Expires:

Attachment to that certain Warranty Deed executed by K & D Family, L.L.C., a Utah limited liability company and KDLR LLC, a Nevada Limited Liability Company grantor(s), to Holm House LLC, a Utah limited liability company grantee(s).

Order No. 226766

Tax I.D. No. AV-1313-D-1, AV-1326, AV-1327, AV-1345, AV-1346, and AV-1348-A

EXHIBIT "A"

PARCEL 2: (AV-1313-D-1)

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, THENCE N. 0°04'55" W. ALONG THE SECTION LINE 143.51 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U-59, THENCE ALONG SAID RIGHT-OF-WAY LINE N. 54°10'15" W. 77.08 FEET TO A RIGHT-OF-WAY MARKER, THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N. 54°09'33" W. 1959.84 FEET TO THE TRUE POINT OF BEGINNING, THENCE N. 54°10'49" W. ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE 7938.54 FEET TO A FOUND REBAR, THENCE N. 45°00'21" W. 873.58 FEET TO A FOUND REBAR, THENCE N. 70°39'33" W. 513.76 FEET TO A FOUND REBAR ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U-59, THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 2914.79 FEET A DISTANCE OF 911.15 FEET (THE CHORD OF SAID CURVE BEARS N. 67°02'27" W. 807.45 FEET) TO THE WEST LINE OF THE NE1/4SW1/4 OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 12 WEST, SLB&M, THENCE N. 0°02'22" W. ALONG THE 1/16 LINE 796.97 FEET TO THE NORTHWEST CORNER OF SAID NE1/4SW1/4, THENCE S. 89°59'21" E. ALONG THE 1/4 SECTION LINE 3961.60 FEET TO THE EAST 1/4 CORNER OF SECTION 24, TOWNSHIP 42 SOUTH, RANGE 12 WEST, SLB&M, THENCE N. 0°01'23" W. ALONG THE SECTION LINE 474.67 FEET TO A FOUND REBAR, THENCE N. 82°38'25" E. 771.67 FEET TO A FOUND REBAR, THENCE S. 0°07'25" E. 2804.18 FEET TO A FOUND 1/2" GALVANIZED PIPE, THENCE N. 89°52'51" E. 370.34 FEET TO A FOUND REBAR, THENCE N. 0°02'39" W. 247.22 FEET TO A FOUND REBAR, THENCE N. 89°50'16" W. 197.73 FEET TO A FOUND REBAR, THENCE N. 0°06'40" W. 248.04 FEET, THENCE S. 89°58'49" E. 998.19 FEET, THENCE S. 0°05'58" E. 466.69 FEET, THENCE S. 89°58'49" E. 1866.76 FEET, THENCE S. 0°08'17" E. 255.62 FEET TO A FOUND REBAR, THENCE S. 89°59'43" E. 794.18 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET A DISTANCE OF 137.89 FEET (THE CHORD OF SAID CURVE BEARS S. 67°25'19" E. 134.35 FEET), THENCE S. 44°50'54" E. 109.00 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 410.00 FEET A DISTANCE OF 74.73 FEET (THE CHORD OF SAID CURVE BEARS S. 39°37'37" E. 74.62 FEET) TO THE NORTH LINE OF SAID SECTION 30, THENCE N. 89°59'57" W. ALONG THE SECTION LINE AND NORTH LINE OF APPLE VALLEY RANCH SUBDIVISION PHASE II AMENDED 120.56 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION AND THE NORTHEAST CORNER OF THE WEST HALF OF THE NE1/4 OF SAID SECTION 30, THENCE S. 0°07'44" E. ALONG THE 1/16 LINE AND SUBDIVISION BOUNDARY 604.07 FEET TO A FOUND REBAR, THENCE S. 89°51'24" W. 541.18 FEET TO A FOUND REBAR, THENCE S. 0°08'20" E. 951.93 FEET TO A FOUND REBAR, THENCE S. 61°36'17" E. 219.25 FEET, THENCE S. 28°39'03" E. 268.82 FEET, THENCE N. 87°41'09" E. 220.17 FEET TO THE WEST LINE OF APPLE VALLEY RANCH SUBDIVISION PHASE II AMENDED AND 1/16 LINE, THENCE S. 0°07'44" E. ALONG THE 1/16 LINE 751.16 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE NE1/4 OF SAID SECTION 30, THENCE S. 0°06'03" E. ALONG THE 1/16 LINE 1301.51 FEET, THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 235.00 FEET A DISTANCE OF 4.46 FEET (THE CHORD OF SAID CURVE BEARS S. 89°45'20" W. 4.46 FEET), THENCE N. 89°41'59" W. 323.25 FEET TO THE TRUE POINT OF BEGINNING.

LESS AND EXCEPTING FROM PARCEL 2 THE FOLLOWING (50 FOOT WIDE ROADWAY):

BEGINNING AT A POINT S. 0°10'48" W. ALONG THE SECTION LINE 753.97 FEET FROM THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SLB&M, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF U-59, THENCE RUNNING N. 54°09'33" W. ALONG THE RIGHT-OF-WAY LINE 81.80 FEET TO THE BEGINNING OF A 25.00 FOOT RADIUS CURVE WITH RADIUS LINE BEARING N. 35°50'27" E. THENCE NORTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'00", THENCE N. 35°50'27" E. 1200.72 FEET TO THE BEGINNING OF A 275.00 FOOT RADIUS CURVE, THENCE NORTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 172.56 FEET THROUGH A CENTRAL ANGLE OF 35°57'07", THENCE N. 0°06'40" W. 707.83 FEET, THENCE S. 89°58'49" E. 50.00 FEET, THENCE S. 0°06'40" E. 707.71 FEET TO THE BEGINNING OF A 325.00 FOOT RADIUS CURVE, THENCE SOUTHWESTERLY TO THE RIGHT ALONG THE ARC OF SAID CURVE 203.93 FEET THROUGH A CENTRAL ANGLE OF 35°57'07", THENCE S. 35°50'27" W. 1200.72 FEET TO THE BEGINNING OF A 25.00 FOOT RADIUS CURVE, THENCE SOUTHEASTERLY TO THE LEFT ALONG THE ARC OF SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'00" TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U-59, THENCE N. 54°09'33" W. ALONG SAID RIGHT OF WAY LINE 18.20 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING FROM PARCEL 2 THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N00°03'32"W, ALONG THE SECTION LINE, 143.51 FEET TO THE NORTHWESTERLY BOUNDARY LINE OF STATE ROUTE 59; THENCE N54°08'51"W, ALONG SAID BOUNDARY LINE OF STATE ROUTE 59, 77.08 FEET; THENCE N54°08'09"W, ALONG SAID BOUNDARY, 1959.87 FEET TO THE POINT OF BEGINNING; THENCE N54°09'25"W, ALONG SAID BOUNDARY LINE OF STATE ROUTE 59, 742.80 FEET; THENCE N35°50'32"E 379.99 FEET; THENCE N17°32'51"E 185.12 FEET; THENCE N10°52'32"E 150.23 FEET; THENCE N05°11'57"E 135.13 FEET; THENCE N00°35'25"W 155.91 FEET; THENCE N06°00'48"W 116.71 FEET; THENCE N09°50'44"W 62.70 FEET; THENCE N13°11'57"W 125.80 FEET; THENCE N18°17'16"W 123.41 FEET; THENCE N48°43'46"W 148.67 FEET; THENCE N35°50'23"E 150.00 FEET; THENCE N54°09'37"W 137.02 FEET; THENCE N35°50'23"E 226.65 FEET; THENCE N52°01'03"E 201.07 FEET; THENCE S61°34'53"E 219.25 FEET; THENCE S28°37'39"E 268.82 FEET; THENCE N87°42'33"E 220.17 FEET; THENCE S00°05'16"E 2052.67 FEET; THENCE WESTERLY ALONG THE ARC OF A 235.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (LONG CHORD BEARS: S89°46'44"W 4.46 FEET), CENTER POINT LIES N00°45'54"W THROUGH A CENTRAL ANGLE OF 01°05'15" A DISTANCE OF 4.46 FEET; THENCE N89°40'35"W 321.29 FEET TO THE POINT OF BEGINNING.

PARCEL 6: (AV-1348-A)

The North half of the Northwest Quarter (N½NW¼) of Section 3, Township 43 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 7: (AV-1346)

The Northeast Quarter (NE¼) and the North half of the Northwest Quarter (N½NW¼) of Section 34, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 8: (AV-1345)

The South half of the Northwest Quarter (S½NW¼) and the Southwest Quarter (SW¼) of Section 34, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 9: (AV-1327)

The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$); the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$); the Southeast Quarter (SE $\frac{1}{4}$); the West half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

LESS AND EXCEPTING THEREFROM the following described property:

The North half of the West half of the Northwest Quarter (N $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 28, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

PARCEL 10: (AV-1326)

The South half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 27, Township 42 South, Range 11 West, Salt Lake Base and Meridian.

Initials

KH, KA

Quit Claim Deed Page 1 of 4

Gary Christensen Washington County Recorder

11/09/2021 08:54:43 AM Fee \$40.00 By

FOUNTAINHEAD CONSULTING, INC

When recorded mail deed and tax notice to:
Fountainhead Consulting, Inc
1732 Cliff Point Dr
St. George, Utah 84790

QUIT-CLAIM DEED

Mark Bryan, Trustee of the Apple Valley Development Trust, dated September 27, 2016, grantor(s), hereby QUIT CLAIMS to

Fountainhead Consulting, Inc., a Utah corporation, grantor(s), of St. George, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described land in Washington County, State of UTAH:

See Exhibit "A" - Attached hereto and made a part hereof.

TOGETHER WITH all improvements and appurtenances thereunto belonging, and SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 27 day of October, 2021.

Apple Valley Development Trust,
dated September 27, 2016

Mark-Linn Bryan
Mark Bryan, Trustee

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.

California State
San Joaquin County

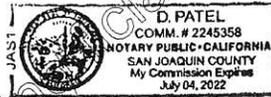
On October 27, 2021 before me, D. Patel Notary Public

personally appeared Mark Bryan,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the California State that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



Attached to Quit-Claim Deed executed by Mark Bryan, Trustee of the Apple Valley Development Trust, dated September 27, 2016, grantor, to Fountainhead Consulting, Inc., a Utah corporation, grantee.

Tax I.D. No. AV-1317-B and AV-1313-D-2

EXHIBIT "A"

PARCEL 1: (AV-1317-B)

BEGINNING AT A POINT NORTH 0°06'40" WEST ALONG THE LOT LINE 528.00 FEET FROM THE SOUTHWEST CORNER OF LOT 8, SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 0°06'40" WEST ALONG THE LOT LINE 1,896.93 FEET; THENCE SOUTH 89°54'06" EAST 1680.00 FEET; THENCE SOUTH 00°06'41" EAST 2805.36 FEET; THENCE NORTH 89°58'49" WEST 1680 FEET; THENCE NORTH 0°06'40" WEST ALONG THE LOT LINE OF LOT 11, 910.73 FEET TO THE POINT OF BEGINNING

RESERVING UNTO GRANTOR A 50.00 FOOT EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES, OVER, UNDER AND ACROSS SAID PROPERTY. THIS RESERVATION (EASEMENT) SHALL AUTOMATICALLY EXPIRE IF DEDICATED ACCESS IS PROVIDED ACROSS THE ABOVE LAND TO GRANTOR'S REMAINING PROPERTY ADJACENT TO THE EAST.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 25 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 1868.98 FEET AND NORTH 1098.18 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 89°59'04" WEST 129.09 FEET TO A POINT ON THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 86°33'12" WEST); THENCE NORTHWESTERLY ALONG THE ARC OF SAID 50.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 51°38'11" A DISTANCE OF 45.06 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 48°11'23" FOR A DISTANCE OF 21.02 FEET; THENCE NORTH 80.35 FEET; THENCE SOUTH 89°59'18" EAST 154.00 FEET; THENCE SOUTH 139.26 FEET TO THE POINT OF BEGINNING.

ALSO, LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 27 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 1868.98 FEET AND NORTH 1376.70 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 89°59'18" WEST 154.00 FEET; THENCE NORTH 139.25 FEET; THENCE SOUTH 89°59'18" EAST 154.00 FEET; THENCE SOUTH 139.26 FEET TO THE POINT OF BEGINNING.

ALSO, LESS AND EXCEPTING THE FOLLOWING DESCRIBED PROPERTY:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING ALL OF LOT 29 OF THE PROPOSED DESERT ROSE SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT EAST 2022.98 FEET AND NORTH 1515.95 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 19, AND RUNNING THENCE NORTH 89°59'18" WEST 154.00 FEET; THENCE NORTH 139.26 FEET; THENCE NORTH 89°59'58" EAST 129.00 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00'02" A DISTANCE OF 39.27 FEET; THENCE SOUTH 114.27 FEET TO THE POINT OF BEGINNING.

PARCEL 2: (AV-1313-D-2)

A RIGHT OF WAY FOR INGRESS, EGRESS AND PUBLIC UTILITIES, OVER, UNDER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT SOUTH 0°10'48" WEST, ALONG THE SECTION LINE, 753.97 FEET FROM THE NORTHWEST CORNER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 11 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY U-59; THENCE RUNNING NORTH 54°09'33" WEST, ALONG THE RIGHT-OF-WAY LINE, 81.80 FEET TO THE BEGINNING OF A 25.00 FOOT RADIUS CURVE, WITH RADIUS LINE BEARING NORTH 35°50'27" EAST, THENCE NORTHEASTERLY, TO THE LEFT, ALONG THE ARC OF SAID CURVE 39.27 FEET THROUGH A CENTRAL ANGLE OF 90°00'; THENCE NORTH 35°50'27" EAST 1,200.72 FEET TO THE BEGINNING OF A 275.00 FOOT RADIUS CURVE; THENCE NORTHEASTERLY TO THE LEFT, ALONG THE ARC OF SAID CURVE 172.56 FEET, THROUGH A CENTRAL ANGLE OF 35°57'07"; THENCE NORTH 0°06'40" WEST 707.83 FEET; THENCE SOUTH 89°58'49" EAST 50.00 FEET; THENCE SOUTH 0°06'40" EAST 707.71 FEET TO THE BEGINNING OF A 325.00 FOOT RADIUS CURVE; THENCE SOUTHWESTERLY, TO THE RIGHT ALONG THE ARC OF SAID CURVE 203.93 FEET, THROUGH A CENTRAL ANGLE OF 35°57'07"; THENCE SOUTH 35°50'27" WEST 1,200.72 FEET TO THE BEGINNING A 25.00 FOOT RADIUS CURVE; THENCE SOUTHEASTERLY, TO THE LEFT, ALONG THE ARC OF SAID CURVE 39.27 FEET, THROUGH A CENTRAL ANGLE OF 90°00' TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY U-59; THENCE NORTH 54°09'33" WEST, ALONG SAID RIGHT-OF-WAY LINE, 18.20 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT SHALL AUTOMATICALLY EXPIRE IF THE ABOVE PARCEL IS DEDICATED FOR PUBLIC USE.



Town of Apple Valley
 1777 N Meadowlark Dr
 Apple Valley UT 84737
 T: 435.877.1190 | F: 435.877.1192
 www.applevalleyut.gov

Parcel ID# AV-1325, AV-1317-D, A Item 22.
 AV-1313-D-2
 AV-1313-D-1

ACKNOWLEDGEMENT OF WATER SUPPLY

I/We, Travis Holm am/are the applicant(s) of the application known as
Crimson Peaks Subdivision / West Temple Subdivision located on parcel(s)
AV-1325, AV-1317-D, AV-1317-B, AV-1313-D-2 within the Town of Apple Valley, Washington County, Utah.
AV-1313-D-1

By my/our signatures(s) below, I/we do hereby acknowledge and agree to the following:

1. Approval of a development application by the Town does not guarantee that sufficient water will be available to serve the zone, project, subdivision, or development for which this application is being submitted; and
2. Prior to receiving approval for the application, the applicant shall be required by the Town of Apple Valley to provide a Preliminary Water Service letter from the Big Plains Water Special Service District ("District") which verifies the conditions required to provide services to the project, subdivision or development; and
3. The applicant assumes the entire risk of water availability for the project, subdivision or development and/or application.

Signature(s):

[Signature]
 Name

Applicant/Owner

4-5-23
 Date

Name

Applicant/Owner

Date

Name

Applicant/Owner

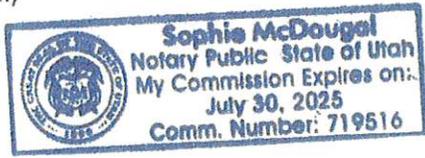
Date

State of Utah)
)§
 County of Washington)

On this 5 day of April, in the year 2023, before me, Sophie McDougall a notary public, personally appeared Travis Holm, proved on the basis of satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged (he/she/they) executed the same.

Witness my hand and official seal. [Signature]
 (notary signature)

(seal)





August 13, 2024

RE: Notice of the Town Council's intent to consider and possibly approve an ordinance amending the Town's Official Zoning Map rezoning all identified areas.

Parcel Numbers: AV-1313-D-1-A, AV-1313-D-2

Located: see map (on backside of this letter)

To Whom it May Concern:

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following links:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

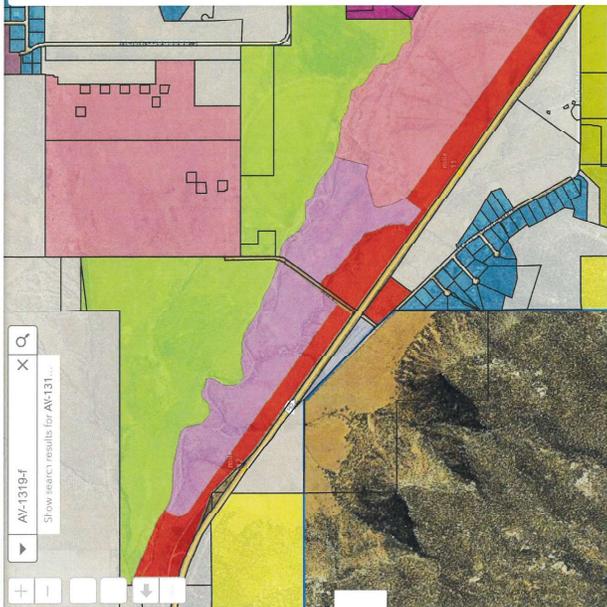
The Town Council meeting will be held **Wednesday, August 28, 2024 at 6:00 P.M.** MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737.

Kind Regards,

Jenna Vizcardo
Town Clerk

AV-1319-f

Show search results for AV-131...



- Legend**
- A-5 - Agricultural > 5 Acres
 - A-10 - Agricultural > 10 Acres
 - A-20 - Agricultural > 20 Acres
 - A-40 - Agricultural > 40 Acres
 - Single-Family Residential > .5 Acres
 - Single-Family Residential > 1 Acre
 - Single-Family Residential > 2.5 Acres
 - Single-Family Residential > 5.0 Acres
 - Single-Family Residential > 10.0 Acres
 - C-1 - Convenience Commercial
 - C-2 - Highway Commercial
 - C-3 - General Commercial
 - CTP - Cabins or Tiny Home Parks Zone
 - INST - Institutional
 - MH - Manufactured Housing Park
 - OSC - Open Space Conservation
 - OST - Open Space Transition
 - PD - Planned Development
 - RE-1 - Rural Estate 1
 - RE-2.5 - Rural Estate 2.5
 - RE-5 - Rural Estate 5
 - RE-10 - Rural Estate 10
 - RE-20 - Rural Estate 20
 - RE-X - Rural Estate Zone Any Size
 - RV-Pk - Recreational Vehicle Park
- Future Annexation Boundary



**TOWN OF APPLE VALLEY
ORDINANCE O-2024-59**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH
ENACTING COMPENSATION FOR SPECIFIC EXECUTIVE MUNICIPAL OFFICERS**

WHEREAS, the Utah State Legislature during the 2024 General Session passed S.B. 91; and

WHEREAS, S.B. 91 amended Utah Code Section 10-3-818 regarding Town employee salaries; and

WHEREAS, the Town of Apple Valley must now publish public notice and hold a separate public hearing on compensation for executive municipal officers; and

WHEREAS, the Town Council finds that enacting the compensation as set forth in this Ordinance will comply with Utah Code requirements and will promote the public health, safety, and welfare of the residents of the Town of Apple Valley, Utah.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, UTAH, THAT:

SECTION I – ENACTMENT

The attached contract contains the compensation for the executive municipal officer, Town Attorney.

SECTION II – AMENDMENT OF CONFLICTING ORDINANCES

If any ordinances, resolutions, or policies, Town of Apple Valley heretofore adopted are inconsistent herewith they are hereby amended to comply with the provisions hereof. If they cannot be amended to comply with the provisions hereof, they are hereby repealed.

SECTION III – EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Town Council of the Town of Apple Valley and following notice and publication as required by the Utah Code.

SECTION IV – SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION V – PUBLIC NOTICE

The Town of Apple Valley Town Clerk/Recorder is hereby ordered, in accordance with the requirements of Utah Code § 10-3-710–711, to do as follows:

- a. deposit a copy of this ordinance in the office of the Town Clerk/Recorder; and
- b. publish notice as follows:
 - i. publish a short summary of this ordinance on the Utah Public Notice Website created in Utah Code § 63F-1-701 and on the Town’s official website; and
 - ii. publish a short summary of this ordinance in a public location within the City that is reasonably likely to be seen by residents of the City.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Apple Valley, Utah this 26th day of June, 2024.

PRESIDING OFFICER

Michael L. Farrar, Mayor

ATTEST:

Jenna Vizcardo, Town Clerk/Recorder

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

UTAH OFFICE
253 W. St. George Blvd, Ste 100
St. George, Utah 84770
(435) 656-1900 phone
(435) 656-1963 fax



SNOW CALDWELL BECKSTROM & WILBANKS, PLLC
ATTORNEYS & COUNSELERS AT LAW

NEVADA OFFICE
840 Pinnacle Court, Ste 202
Mesquite, Nevada 89027
(702) 346-7300 phone
(702) 346-7313 fax

Reply to Utah Office

www.scbwlaw.com

heath@scbwlaw.com

EMPLOYMENT AND FEE AGREEMENT

CLIENT'S NAME: *Town of Apple Valley, a Utah municipal corporation*

FILE NO.: *03030.01*

DEFINITIONS: "Firm" or "Law Firm" means *Snow Caldwell Beckstrom & Wilbanks, PLLC*
"Client" means: *Town of Apple Valley*
"Attorney" means: *Heath H Snow, Esq.*

MATTER: In consideration of Client's engagement of Law Firm, Client and Firm hereby agree that the Firm will provide legal representation of Client for the following matter:

General Legal Representation of the Town of Apple Valley

FEES & COSTS

In return for legal representation by Firm, Client agrees to pay to Firm all attorney fees, expenses and costs together with interest that are in any way connected in representing Client in the above matter. It is understood and agreed by Client that the Firm has the sole discretion to determine which attorney may assist on Client's case and that the bill to be rendered by Firm is based on the novelty and difficulty of the matter, the time needed to perform the service or the hourly time charge, the value of the service performed or the value of the legal product produced, the amount of damages, the time limitations imposed by Client and other circumstances, including but not limited to the results obtained.

HOURLY RATE

The hourly rate of the Attorney initially working on Client's case is **\$275.00**, but Client understands that the Firm may employ the assistance of other attorneys, paralegals and legal assistants as it deems necessary to complete the functions requested by Client. The hourly rate for other attorneys assisting the Client will be to **\$275.00** per hour and the hourly rate for paralegals and legal assistants working on this matter will be up to **\$165.00**. Client specifically agrees that these rates may increase from time to time. Client will receive notice of rate changes in the form of the monthly billings.

PAYMENT TERMS

Client has made an initial payment of **\$0.00** for the reservation of the exclusive services of the Firm, the Attorney, and the Firm's associate attorneys, paralegals and legal assistants ("Retainer"). The Retainer will be applied towards payment of any fees or costs due the Firm under this Agreement. The Firm will send statements to Client monthly. Client agrees to pay the statements within fifteen (15) days after receipt. Accounts over 30 days past due will bear interest at 1.5% per month (18% ANNUAL PERCENTAGE RATE) from the initial statement date. All payments shall be made to the Firm at its address in St. George unless designated otherwise by the Firm. If it becomes necessary for the Firm to make collection efforts to collect fees and costs under this agreement (including if a judgment is obtained against client in a civil action), client agrees to pay the Firm's time in collection efforts based on hourly rates. Payments are applied first to collection costs (if any), then to interest, then to costs and expenses, then to fees. Any funds of Client in the Firm's possession for whatever reason, may be applied by the Firm towards any fees and

costs owed by Client that is more than 30 days past due. Clients may pay their monthly statements or initial retainer with a credit card, however, the Firm charges a three percent (3%) uniform convenience fee on all credit card transactions.

COSTS AND EXPENSES

Client agrees to assume and pay for all costs and expenses incurred by Firm in connection with this matter, including but not limited to filing fees, witness fees, mileage, sheriff's and constable fees, expenses of depositions, investigative expenses, expert witness fees, copy & printing costs, long distance telephone charges, postage, and all other expenses incurred in representation of Client. All such costs are owed to the Firm over and above the attorney fees to be charged. A schedule of Fees and Costs is attached to this Agreement as Exhibit A, and is incorporated herein by this reference.

CLIENT COOPERATION REQUIRED

Client agrees to keep Firm advised at all times of known threatened claims or pending claims being made against Client. Client agrees to cooperate in providing the Firm with access to and copies of all documents, agreements, minutes, recordings and records of Client upon request. Client agrees to comply with all reasonable requests made of Client in connection with the Firm and the Attorney's representation of the Client in general municipal matters. Client shall further cooperate in all respects in relation the Firm and the Attorney's provision of legal services to Client, including, but not limited to, completely and accurately disclosing to the Attorney or representatives of the Firm and allowing the Attorney or representatives of the Firm to conduct all negotiations related to said representation. Upon conclusion the Attorney's appointment as the Town Attorney, it is understood that Client thereafter will be responsible for taking possession of all of Client's documents provided to Firm by Client and that Firm will not be responsible for maintaining or storing the same.

MEDIATION PROVISION FOR FEE DISPUTES

It is expressly agreed that all contests or claims of any kind arising between Firm, its agents or employees and Client, whether such claims be legal or equitable in nature, and including but not limited to claims for the value of services rendered or quality of services performed by firm shall, upon the written request by either Firm or Client, be subject to mediation pursuant to the Utah Uniform Mediation Act (Utah Code Ann §78B-10-101 *et seq.* (1953 as amended)). The location for mediation and all actions to resolve claims between Firm and Client shall be in Washington County, State of Utah.

CLIENT'S ACKNOWLEDGEMENTS

Client acknowledges receiving a copy of this Employment and Fee Agreement. Client has read and fully understands each and every term of this Employment and Fee Agreement and agrees to each and every term contained in it, and understands that this is a contract between Firm and Client. This Employment and Fee Agreement is governed by the laws of Utah, including procedural rules and defenses such as the statute of limitations.

CLIENT:

TOWN OF APPLE VALLEY,
a Utah municipal corporation


Mike Farrar, Mayor 2/21/24
Date

FIRM:

SNOW CALDWELL BECKSTROM & WILBANKS, PLLC, a Utah Professional LLC


Heath H. Snow (Feb 22, 2024 12:18 CST)
Heath H. Snow, Managing Partner Date

EXHIBIT A

SCHEDULE OF FEES & COSTS**PROFESSIONAL FEES (HOURLY)**

Attorney (Partner)	\$275.00
Attorney (Associate)	\$275.00
Paralegal	\$165.00
Legal Assistant	\$135.00

MISCELLANEOUS FEES

Filing Fees	Actual cost
Service of Process Fees	Actual cost
Court Reporter Fees	Actual cost
Private Investigator Fees	Actual cost
Title/Escrow Fees	Actual cost
Engineering Fees	Actual cost
Credit Card Payment Convenience Fee	3% of total transaction

MISCELLANEOUS COSTS

Copies	\$.20 per page
Facsimile (incoming)	\$.30 per page
Facsimile (outgoing)	\$.50 per page
Postage	Actual cost
Postage (overnight-express)	Actual cost
Online Legal Research (Westlaw)	\$40.00 session (10 min or longer)
Online Searches (Pacer/XChange, etc)	\$15.00 per search
Mileage	\$.55 per mile
Other Travel Costs	Actual cost

**APPLE VALLEY
RESOLUTION R-2024-33**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “Benefits” of the Apple Valley Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

Benefits

A. WORKERS COMPENSATION.

1. All employees are covered by workers compensation which provides medical reimbursement and disability benefits for job-related illness or injury. An employee does not accrue benefits while receiving workers compensation payments. For exact compensation coverage, check the workers compensation contract on file with the Mayor, or Mayor or designee.
2. Employees may use accrued vacation or sick leave to make up the difference between workers compensation benefits and their base pay.
3. Medical Attention. An employee who sustains a bona fide, on-the-job injury may seek medical attention from the medical facility of their choice. They must tell the doctor, HOW, WHEN and WHERE the accident occurred. The doctor will complete a medical report and copies of this report should be sent within seven (7) days to the insurance carrier, the Industrial Commission, and to the injured worker (Please Note: Do not submit doctor or hospital bills for on-the-job injuries or illness to your regular medical plan).
4. Initial Reporting of Illness or Injury. Reporting the accident or illness is critical to qualification for payment under workers’ compensation. If an employee is injured while on the job, no matter how minor, the circumstances should be reported to the Mayor, or and/or Human Resources personnel immediately. After Form 122 is filled out, a copy must be sent to the insurance carrier and a copy must be sent to the Industrial Commission within seven (7) days of the date of injury.
5. Reporting while off the Job. While on leave because of a bone fide, on-the-job injury or illness, an employee must contact the Mayor, or designee and their supervisor to report on their condition. Failure to provide the required medical status reports may result in revocation of the leave and/or immediate termination.
6. Return to Service. All employees must return to work after the approval of the attending physician. A statement from the attending physician stating the employee is able to resume normal duties will be required before returning to

work. Failure to return to work when directed may result in immediate termination. An employee who is able to return to work in light duty status may be required to work in a different department and perform duties not contained within their current job classification.

7. At the time of final release or settlement of a workers compensation claim, if no vacancy exists; and, if a reasonable effort which have proven to be unsuccessful, has been made to place the employee in another position, they may be terminated and paid any accrued benefits due to them.
- B. SOCIAL SECURITY/FICA. All employees whether full-time, part-time, or temporary are covered by the benefits of Old Age, Survivors, and Disability Insurance as provided for by law. Contributions of the employee and Apple Valley will be made in accordance with the provision of the law.
- C. STATE AND FEDERAL UNEMPLOYMENT. All employees, whether regular, part-time, or temporary, are covered by the benefits of State and Federal Unemployment.
- D. CONTINUING EDUCATION. Employees are encouraged to obtain continuing education through attendance at job related seminars. Requests for attendance must be approved in advance by the Mayor, or Mayor or designee.
1. Required by Apple Valley. When Apple Valley requires an employee to attend any education or training course, conference, seminar, or certification course, Apple Valley will provide the necessary time off with pay and will reimburse the employee for all associated costs including tuition or registration fees, authorized travel, meals, and lodging.
 2. Encouraged by Apple Valley. Employees are encouraged to further their education and training in areas that will enhance their job performance. Upon advance approval by the Mayor, or designee and Mayor and upon successful completion of relevant training courses, employees shall be reimbursed for tuition fees, materials, and other necessary and approved expenses upon presentation of proper receipts. Proof of successful completion will include one of the following:
 - a. A certificate indicating successful course completion, if applicable.
 - b. A grade point average of 2.0 or higher on a 4.0 (A, B, C, D) scale.
 - c. A grade pass on a pass/fail grading system.
- E. RETIREMENT BENEFITS. The Town fully funds an employee pension plan through the Utah Retirement System (URS) for certain classes of employees as follows:
1. ELIGIBLE:
 - a. Regular full-time employee. Eligibility begins after probationary period.
 - b. URS Tier 1 Employees: Based on the monthly pay established annually by the URS.
 - c. URS Tier 2 Appointed Officers are Part-Time Ineligible except for the following positions, which are deemed Full-Time Eligible if the employee meets the Town's definition of Full-Time:
 - (1) Town Administrator
 - (2) Finance Director

(3) Town Clerk

(4) Fire Chief

- d. URS Tier 2 Elected Officers are Part-Time Ineligible.
- e. The Current Appointed Full-Time Position Positions are eligible for URS vesting exemption purpose is the Town Clerk.
- f. Under the Fire Fighter URS, all volunteer fire fighters currently on the roster are eligible for Death and Disability benefits while performing in the line of duty.

F. HEALTH BENEFITS

- 1. Health benefits are administered through the Qualified Small Employer Health Reimbursement Arrangement (QSEHRA) Plan.
- 2. Eligibility: Full-time employee's are eligible after their probationary period.
- 3. Funding of this arrangement will include reimbursement for qualified medical expenses for the employee or the employee and their family, as elected at the beginning of the year by the employee. Family includes employee's dependent children and current spouse of the employee. The amount reimbursable is ~~\$4,000~~ 75% of the statutory yearly maximum ~~yearly~~ for single arrangements and ~~\$8,500~~ 75% of the statutory yearly maximum for family arrangements.

G. VOLUNTEER BENEFITS

- 1. As a nominal fee reimbursement, all volunteer firefighters, town council members, and planning commissioners, shall receive no charge for their solid waste service during their tenure as a volunteer with the town.

SECTION 2: **EFFECTIVE DATE** This Resolution shall be in full force and effective immediately after approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
RESOLUTION R-2024-34**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “Preface And Introduction” of the Apple Valley Policies & Procedures is hereby *amended* as follows:

A M E N D M E N T

Preface And Introduction

PREFACE It is the policy of the Town of Apple Valley ("Apple Valley") to establish reasonable guidelines of conduct for management and employees to follow, and to ensure compliance with these guidelines through a program consistent with the best interests of the Town of Apple Valley and its employees. (The Town of Apple Valley shall heretofore be referred to as Apple Valley) THIS MANUAL IS NOT, AND SHALL NOT BE CONSTRUED AS, AN EXPLICIT OR IMPLIED CONTRACT, SHALL NOT MODIFY ANY EXISTING AT-WILL STATUS OF ANY APPLE VALLEY EMPLOYEE, AND SHALL NOT CREATE ANY DUE PROCESS REQUIREMENT IN EXCESS OF FEDERAL OR STATE CONSTITUTIONAL OR STATUTORY REQUIREMENTS. The term “At-will” means employees can terminate or be terminated at will. Exceptions are employees having written contracts signed by the Mayor of Apple. It is also the policy of Apple Valley to comply with Federal and State Equal Employment Opportunity guidelines. All employment decisions will be made without unlawful regard as to race, color, religion, sex, national origin, age or disability. To this end, Apple Valley will not engage in any unlawful discrimination against any employee or applicant for employment because of race, color, religion, sex, national origin, disability, age, or veteran’s status, and will ensure that applicants and employees are treated without unlawful regard to these characteristics. Additionally, it is the policy of Apple Valley to strive for safety in all activities and operations, and to carry out the commitment of compliance with health and safety laws applicable to Apple Valley by enlisting the help of all employees to ensure that public and work areas are free of hazardous conditions. Apple Valley reserves the right to change any of its policies and/or procedures at any time in the future for any reason. Therefore, if you have suggestions or comments concerning the content of this manual, please submit them, in writing, to Apple Valley’s Mayor for review. **INTRODUCTION** Apple Valley’s Personnel Policies and Procedures Manual is simply a written guide for management and staff. This manual not only outlines Apple Valley’s policy on the various phases of the employer-employee relationship, it also indicates how policy is to be administered. Consequently, each employee is able to use this Manual as a guide when policy needs to be applied to a given situation. As an employee of Apple Valley you will be expected to read, understand, and follow the policies and procedures contained in this manual. Experience has shown that written policies promote consistency, continuity, and

understanding within an organization. Written policies also aid in consistently achieving fair and equitable interpretation of policy. Employees always feel a deeper understanding of their role in the organization when they realize that policies are uniformly administered. Please be advised that it is the obligation of each employee of Apple Valley to conduct themselves in conformity with the principle of Equal Employment Opportunity at all times. All employment activities including, but not limited to, advertising, recruitment, hiring, promotion, demotion, transfer, disciplinary action, layoff, termination, compensation, and training, shall be conducted without unlawful regard to race, color, religion, sex, nation origin, age or disability. And finally, no employee, officer, agent or other representative of Apple Valley has any authority to enter into any agreement for employment for any specified period of time or to make any agreement or representation, verbally or in writing, which alters, amends, or contradicts the provisions of this Personnel Policies and Procedures Manual.

SECTION 2: **AMENDMENT** “Employee Code Of Conduct” of the Apple Valley Policies & Procedures is hereby *amended* as follows:

AMENDMENT

Employee Code Of Conduct

- A. **PROFESSIONALISM.** Apple Valley is a professional association whose purpose, among others, is to provide professional services to its citizens. Its employees must adhere to high standards of public service that emphasize professionalism and courtesy. Employees are required to carry out efficiently the work items assigned at their responsibility, to maintain good moral conduct, and to do their part in maintaining good relationships with their supervisors and fellow employees, the public, and other officials. A separate Ethical Behavior Policy Statement is incorporated as part of this manual.
- B. **PRIVILEGED INFORMATION.** Apple Valley employees involved with information of significant public interest may not use this privileged information for personal gain, nor to benefit friends or acquaintances. If an employee has an outside interest which could be affected by any Apple Valley plan or activity, this situation must be reported to the Mayor, or designee immediately. Each employee is charged with the responsibility of ensuring only information that should be made available to the general public is released as defined in the Government Records Access and Management Act.
- C. **CONFIDENTIALITY.** Employees have the right to expect all personal information about themselves, any illnesses, and / or family and financial circumstances to be kept confidential. Every employee has an obligation to protect this confidence. Never

discuss privileged information with others who are not authorized to receive it, either inside or outside the office.

- D. **GIFTS AND GRATUITIES.** Apple Valley employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan or item of monetary value from any person seeking to obtain business with Apple Valley, or from any person within or outside Apple Valley employment whose interests may be affected by the employee's performance or nonperformance of official duties. Apple Valley employees will not accept gifts or gratuities except under circumstances allowed by the Utah Employee Ethics Act 67-16.
- E. **ATTENDANCE.** Regular attendance and punctuality are essential to providing high quality work, service to customers, and to avoid extra work for fellow employees. Therefore, when the employee is going to be late or will not be able to report to work, the employee must notify their supervisor prior to the scheduled work time. If the employee is ill or has an emergency, they should notify their supervisor as soon as possible on each day of absence.
- F. **APPEARANCE.** Apple Valley reserves the right to expect its employees to present a favorable impression during any contact with the public. All employees are expected to maintain a neat and clean personal appearance. Standards of dress shall be appropriate to the job and the tasks to be accomplished.
- G. **SMOKING.** In compliance with the Utah Indoor Clean Air Act, smoking is not permitted in Apple Valley facilities or on the grounds surrounding said facilities. Apple Valley also prohibits smoking in Apple Valley owned vehicles.
- H. **PERSONAL USE OF APPLE VALLEY OFFICE ITEMS.**
1. **Computer Equipment (In General).**
 - a. Personal use of Apple Valley owned computer systems is permitted only when all of the following criteria are met.
 - (1) The use offers an opportunity for the employee to increase the employee's job-related knowledge and skills.
 - (2) The employee is not compensated for the work performed, unless the employee has received prior written approval by the Mayor, or Mayor or designee.
 - (3) The employee pays for the cost of consumables and other attendant expenses (diskettes, paper, computer on-line/access charges, etc.).
 - (4) The employee uses the computer system after hours, or on the employee's personal time.
 - (5) The employee does not use the computer system for permanent storage of data.
 - (6) Use does not conflict with the employee's Apple Valley responsibilities or normal Apple Valley business.
 - b. All data stored on, and software developed on, Apple Valley owned computer equipment is the property of Apple Valley and may be viewed/reviewed by the Mayor, or ~~Mayor or~~ designee, at any time.
 - c. No pornography or sexually explicit material shall be accessed, stored, or viewed/reviewed on Apple Valley owned computer

equipment.

- d. A separate IT and Computer Security Policy is hereby incorporated as part of this manual.
2. Postage Meters and stamps. No employee shall be allowed to use Apple Valley owned postage metering machines and stamps at any time for posting and mailing of any material of a personal nature.
 3. FAX and Copying Machines. Any employee desiring to use Apple Valley owned FAX or copying machines for items of a personal nature may do so after paying for such use at the employee rate which is in effect at the time of use.
 4. Telephone calls.
 - a. Employees are expressly prohibited from making long distance telephone calls of a personal nature on Apple Valley owned telephones.
 - b. All employees will use Apple Valley owned telephones for local personal calls judiciously. Local telephone calls will be limited to necessity and must not disrupt the carrying out of employee responsibilities.
- I. PURCHASING. When procurement involves the expenditure of federal assistance funds, Apple Valley shall comply with all applicable federal laws and regulations, state laws, and Town ordinances and resolutions. For all purchases, please refer to current purchasing policies.
- J. TIMECARDS
1. All non-exempt employees of Apple Valley are required to maintain an accurate and legible record of all their hours worked for Apple Valley on time sheets/cards.
 2. Time sheets/cards will be signed and dated by the employee, and forwarded to the Mayor, or ~~Mayor~~ designee, as directed for review and payment.
- K. DEBIT CARDS. Apple Valley debit cards shall be used for official business only and shall not be used for the personal convenience of an employee.
1. It is the cardholder's responsibility to:
 - a. Make only authorized purchases as prescribed by the Town purchasing policy and approved budget.
 - b. Retain receipts for all transactions.
 - c. Keep the credit card and corresponding account information secure.
 - d. Immediately report any lost or stolen credit card and/or account information to the Town.
 - e. Sign the back of the issued card.
 - f. Return the card upon termination.
 2. It is accounts payable responsibility to:
 - a. Reconcile the credit card statement upon its arrival.
 - b. Report fraudulent charges or any discrepancies in the credit card statement in a timely manner.
 3. Prohibited credit card purchases:
 - a. Any merchant, product, or service normally considered to be

inappropriate use of Town funds.

b. Purchase of items for personal use or consumption.

c. Alcohol

d. Any use not in conformity with the purchasing policy.

L. OUTSIDE ACTIVITIES. Apple Valley employees shall not use Apple Valley owned property in support of outside interests and activities when such use would compromise the integrity of Apple Valley or interfere with the employee's duties. Specifically, an employee who is involved in an outside activity such as a civic organization, church organization, committee unrelated to Apple Valley business, public office, or service club, shall:

1. Pursue the outside activity on the employee's own time.
2. Pursue the outside activity away from Apple Valley offices.
3. Discourage any phone, mail or visitor contact related to the outside interest at Apple Valley offices.
4. Arrange for annual leave or compensatory time off in advance to pursue the outside interest during business hours.
5. Except as provided in paragraph 8, not use data processing equipment, postage metering machines, copiers, other Apple Valley owned equipment or supplies for the outside interest.

M. POLITICAL ACTIVITY.

1. An employee shall not be coerced to support a political activity, whether funds or time are involved.
2. An employee shall not engage in political activity during work hours, unless on approved leave.
3. An employee shall not use Apple Valley owned equipment, supplies or resources, and other attendant expenses (diskettes, paper, computer online and access charges, etc.) When engaged in political activity.
4. An employee shall not use, discriminate in favor of or against, any person or applicant for employment based on political activities.
5. An employee shall not use the employee's title or position while engaging in political activity.

N. SECONDARY EMPLOYMENT.

1. Apple Valley employment is primary.
 - a. Employment with Apple Valley shall be the employee's primary employment. Apple Valley employees are permitted to engage in secondary or outside employment under the following guidelines. Outside employment must not be of a type that would reasonably give rise to criticism or suspicion of conflicting interests or duties.
 - b. Employees are required to provide written notice to the Mayor, or ~~Mayor~~ designee, using the Employee's Notice of Secondary Employment before starting any secondary or outside employment. This notification should include the following information:
 - (1) The employer's name, business name, and business address.
 - (2) A general overview of the type of business engaged in by the

- secondary employer.
- (3) The specific duties engaged in by the employee at their secondary employment.
2. Apple Valley's approval process.
- a. The Mayor, or designee, shall review the information contained in the Employee's Notice of Secondary Employment and determine whether the employee's secondary employment is approved or denied. Factors to consider include, but are not limited to, the following:
- (1) That the secondary employment reasonably articulates some factor or factors which could negatively impact their employment with Apple Valley. For example, that the secondary employment could reasonably be expected to be too physically or mentally draining on the employee.
 - (2) That the secondary employment could invoke a conflict of interest with their employment with Apple Valley.
 - (3) That the secondary employment is immoral or unethical.
- b. This decision shall be communicated in writing to the employee, using the same Employee's Notice of Secondary Employment. The employee:
- (1) Shall abide by that decision.
 - (2) May appeal the decision to the Town Council, whose decision shall be final.
 - (3) May voluntarily resign their employment with Apple Valley.

SECTION 3: AMENDMENT "Disciplinary Action" of the Apple Valley Policies & Procedures is hereby *amended* as follows:

AMENDMENT

Disciplinary Action

A. GENERAL POLICY.

1. It is the policy of the Apple Valley that management will inform its employees about what is expected at work, what constitutes employee misconduct, and what the employee's rights are, if disciplined.
2. It is the responsibility of all employees to observe rules of conduct necessary for the proper operation of Apple Valley government. Administrative procedures have been established for the handling of disciplinary measures when required. All such measures shall follow the presentation of charges to the employee.
3. Disciplinary action, up to and including termination, may be imposed for

misconduct.

4. Written documentation concerning employee disciplinary action imposed will become a permanent part of an employee's Personnel Record.

B. IMPOSING DISCIPLINARY ACTION.

1. Verbal Warning.

- a. Whenever grounds for disciplinary action exist, and the Mayor_or designee, determines that more severe action is not immediately necessary, the deficiency demonstrated should be verbally communicated to the employee.
- b. Whenever possible, sufficient time for improvement should precede additional disciplinary action.

2. Written Reprimand.

- a. The Mayor_or designee, may reprimand an employee. The Mayor_or designee, shall furnish the employee with an Employee Written Reprimand Notification setting forth the reason(s).
- b. A copy of the Employee Written Reprimand Notification, signed by the Mayor or Designee and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor_or designee, will so state.

3. Suspension.

- a. The Mayor_or designee, may suspend an employee with or without pay for up to, but not exceeding, thirty (30) calendar days for cause.
- b. When suspending an employee, the Mayor_or designee, shall follow the due process proceedings as follows.
- c. On or before the effective date of the suspension, the Mayor_or designee, shall furnish the employee with a written Employee Suspension Notification setting forth the reason(s) for suspension.
- d. A copy of the Employee Suspension Notification, signed by the Mayor_or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor, or designee, will so state.

4. Demotion.

- a. The Mayor_or designee, may demote, or reduce in grade, any employee for cause or provide for reasonable accommodation in appropriate circumstances.
- b. When demoting an employee, the Mayor_or designee, shall follow the due process proceedings as follows.
- c. On or before the effective date of the demotion, the Mayor_or designee, shall furnish the employee with a written Employee Demotion Notification setting forth the reason(s) for demotion.
- d. A copy of the Employee Demotion Notification, signed by the Mayor or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor_or designee, will so state.

5. Transfer.

- a. The Mayor_or designee, may transfer an employee (with the exception of a probationary employee) by furnishing the employee with a written Employee Transfer Notification.
- b. A copy of the Employee Transfer Notification, signed by the Mayor or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor_or designee, will so state.

6. Termination.

- a. The Mayor_or designee, may terminate an employee for cause.
- b. When terminating an employee for cause, the Mayor_or designee, shall follow the due process proceedings as Disciplinary Action.
- c. On or before the effective date of the termination follows, the Mayor or designee, shall furnish the employee with a written Employee Termination Notification setting forth the reason(s) for termination.
- d. A copy of the Employee Termination Notification, signed by the Mayor_or designee, and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form; the Mayor_or designee, will so state.

C. CAUSES FOR DISCIPLINARY ACTION.

1. Causes for disciplinary action, up to and including termination, may include, but are not limited to, the following:

- a. Violation of the laws of the State of Utah or the United States, other than minor traffic offenses.
- b. Violation of the code of personal conduct.
- c. Conduct which endangers the peace and safety of others or poses a threat to the public interest.
- d. Unjustified interference with work of other Apple Valley employees.
- e. Misconduct.
- f. Malfeasance.
- g. Misfeasance.
- h. Nonfeasance.
- i. Incompetence.
- j. Negligence.
- k. Insubordination.
 - l. Failure to maintain skills.
- m. Inadequate performance of duties.
- n. Unauthorized absence or tardiness.
- o. Falsification or unauthorized alteration of records.
- p. Violation of Apple Valley policies.
- q. Falsification of employment application.
- r. Discrimination in hiring, assignment, or promotion.
- s. Sexual harassment.
- t. Violation of the Personnel Policies and Procedures.
- u. Use of alcohol or drugs, other than medication prescribed by a physician, that affect job performance.

- v. Falsifying Apple Valley Records.
- w. Knowingly marking the time slip of another employee, authorizing one's time slip to be marked by another employee, unauthorized alteration of a time slip.
- x. Unauthorized possession of firearms, weapons, or explosives on Apple Valley owned property, with the obvious exception of police officers.
- y. Carelessness which affects the safety of personnel.
- z. Threatening, intimidating, coercing, or interfering with fellow employees on the job, or the public at large.
- aa. Theft or removal of any Apple Valley property or the property of any employee from the work area premises without proper authorization.
- ab. Gambling or engaging in a lottery at any Apple Valley work area.
- ac. Misusing, destroying, or damaging any Apple Valley property or the property of any employee.
- ad. Deliberately restricting work output of themselves or others.
- ae. Drinking any alcoholic beverage during the workday or being under the influence of illicit drugs or alcohol during the workday.
- af. Sleeping during working hours, with the obvious exception of firefighter employees.
- ag. Fighting (verbal or physical) on Apple Valley premises, or while on Town business, or in a Town uniform.
- ah. Any act which might endanger the safety or lives of others.

SECTION 4: AMENDMENT "Termination Of Employment" of the Apple Valley Policies & Procedures is hereby *amended* as follows:

AMENDMENT

Termination Of Employment

- A. TYPES OF TERMINATION. Any involuntary termination or termination of any employee who is allowed to resign, in lieu of an involuntary termination, should be reviewed with legal counsel before termination is pursued or a resignation is accepted to ensure the employee's due process property rights are not violated.
1. Retirement. Voluntary termination at the end of an employee's career.
 2. Voluntary Resignation. When an employee wishes to leave Apple Valley, they will complete a Notice of Voluntary Resignation Form and present it to the Mayor, or designee. A resignation letter presented to the Mayor in lieu of the Notice of Voluntary Resignation form is sufficient notice.
 3. Resignation, in Lieu of an Involuntary Termination, Agreement. The Mayor, or designee, conclude that an employee should be involuntarily terminated for

no reason (for probationary employees and Department Heads) or for cause. If Involuntary Termination proceedings have begun but have not been completed and an employee suggests that they would like to voluntarily resign, the Mayor, or designee may agree to a Resignation In Lieu Of an Involuntary Termination Agreement.

4. Involuntary Termination. The Mayor, or ~~Mayor~~ designee, may conclude that an employee should be involuntarily terminated for no reason (for probationary employees or for cause).
5. Reductions in Force/Layoffs. Whenever it is necessary to reduce the number of employees in Apple Valley because of lack of work or lack of funds, Apple Valley may attempt to minimize layoffs by readjustment of personnel through reassignment of duties in other work areas.
6. Medical. The American's with Disabilities Act (ADA) prohibits illegal discrimination by an employer against an otherwise qualified individual with a disability. Consequently, an employee should not be terminated for medical reasons without prior consultation with legal counsel.
7. Death. If an employee of Apple Valley dies, their estate receives all pay due and any earned and payable benefits (such as payment for compensation time, annual leave, and/ or sick leave) as of the date of death.

B. REQUIRED NOTICE PRIOR TO TERMINATION.

1. All employees, including at-will employees, must notify Apple Valley at least two (2) weeks before retiring or voluntarily resigning to be eligible:
 - a. To receive pay for unused, accrued vacation leave (if applicable).
 - b. To receive pay for vested sick leave (if applicable).
 - c. For rehire.
2. Apple Valley does not have a requirement to give any prior notice to an employee before terminating their employment with Apple Valley.
3. Unused, accrued vacation leave (if applicable) and vested sick leave (if applicable) will be paid for terminations of employment involving Reductions in Force/Layoffs, Medical Reasons, and Deaths.

C. TERMINATION PROCEDURES.

1. A Notice of Voluntary Resignation Form, signed by the employee and the Mayor, or ~~Mayor~~ designee, may be utilized in Voluntary Resignations.
2. Involuntary Terminations/Separations for Cause require Apple Valley to provide their terminating employees with written notification of due process. At-Will Involuntary Terminations (for probationary employees and department heads) do not require Apple Valley to provide their terminating employees with written notification of due process.
3. A Resignation in Lieu of an Involuntary Termination Agreement, signed by the employee and the Mayor, or ~~Mayor~~ designee, may be utilized in negotiated terminations. A Resignation in Lieu of an Involuntary Termination Agreement does not require Apple Valley to provide their terminating employees with written notification of due process.
4. The following steps should be taken for Voluntary Retirements:
 - a. Employees who desire retirement should notify Apple Valley three (3)

months in advance.

- b. Apple Valley should communicate the status of each employee's retirement benefits. Upon request for retirement benefits, Apple Valley should notify the administrator of the retirement program and the appropriate state and federal regulatory agencies.
 - c. Apple Valley should carefully explain to the employee what the options are (such as Cobra and Retirement Plan Options).
 - d. Apple Valley should give the employee ample time to review the retirement plan.
 - e. Apple Valley should have the employee sign a release, or at least a declaration statement, to the effect that they are electing retirement of their own free will.
5. The following steps should be taken for Reductions in Force/Layoffs:
- a. Determine whether Apple Valley is required to follow statutory guidelines related to the reduction in force/layoff. If Apple Valley is required to follow statutory guidelines; policy, procedure and actual practice must comply with said guidelines.
 - b. If Apple Valley is facing a possible reduction in labor force, Apple Valley should explain the situation to its employees, advising them of the possibility that reductions in force/ layoffs may become an economic necessity for Apple Valley.
 - c. In the selection of employees for Apple Valley's reduction in force/layoff, the following guidelines should be considered:
 - (1) Selection should be based upon the employee's ability to perform the work assignments within the affected department.
 - (2) Seniority should govern the selection when ability is equal.
 - (3) Emergency, temporary, and probationary employees should be laid off first.
 - (4) Permanent employees should be the last to be laid off, when possible, in inverse order of their length of service.
 - (5) Before any reduction in force/layoff, Apple Valley should determine whether it is subject to the requirements of the Worker Adjustment and Retraining Notification Act, 29 U.S.C. 2101, et seq.
 - (6) Apple Valley should carefully explain to the employee what the options are (such as Cobra and Retirement Plan Options).
 - (7) If Apple Valley cannot give advanced notice of a reduction in force/layoff to the employee, two weeks' severance pay may be given in lieu of notice for a bona fide reduction in force/layoff.
 - d. Written reductions in force/layoffs notices should contain the following information:
 - (1) Statement that separation from employment is based on reduction in force/layoff.
 - (2) Anticipated date of layoff.

- (3) Any options regarding employee placement in another position.
6. Outstanding Pay.
- a. Arrange for distribution of any paychecks which may be due the employee, including pay for any hours worked but not paid; pay for unused, accrued vacation leave (if applicable); or pay for vested sick leave (if applicable).
 - b. Under Utah State law, the required timing of the final payment at termination is:
 - (1) A Voluntary Resignation. The final paycheck will be available on the next regularly scheduled payday. ~~Within one (1) workday of effective resignation date.~~
 - (2) An Involuntary Termination/Separation for Cause or Layoff. Within one (1) workday of last day worked.
7. The terminating employee will return any supplies or equipment, which are the property of Apple Valley, to Apple Valley at termination.
- ~~8. All terminating employees should complete an Exit Interview Form with the Mayor, or Mayor or designee. The Exit Interview Form should be signed by the employee and the Mayor, or Mayor or designee.~~

SECTION 5: AMENDMENT “Record Keeping” of the Apple Valley Policies & Procedures is hereby *amended* as follows:

AMENDMENT

Record Keeping

- A. GENERAL POLICY. Federal law requires employers to keep detailed data about their employees.
- B. CONFIDENTIALITY. Employee records are maintained in compliance with the law.
 1. Confidentiality must be always maintained with access limited to employees and their supervisory chain.
 2. Apple Valley’s policy is that only relevant, job-related information is maintained on its employees, that such information is held in strict confidence, and that access is limited only to those who require it for legitimate business reasons.
 3. Employees have the opportunity to review their own files in the presence of the Mayor, or designee, on Apple Valley premises during regular business hours.
- C. PERSONNEL FILES REQUIREMENTS.
 1. General.
 - a. Personnel files are maintained on each employee and kept by the

Human Resources representative, or designee. The record copy (original) of all appropriate personnel information, as set forth hereafter, related to an employee shall be filed in the employee's personnel file.

- b. No information from any record placed in an employee's personnel file will be communicated to any person or organization except by the Mayor_or designee.
- c. Employees, or their representative designated in writing, may examine the employee's personnel file upon request during normal working hours at Apple Valley. When a supervisor requires access to the personnel file of an employee under their supervision for the handling of personnel matters, the supervisor must obtain authorization from the Mayor_or designee.

2. Contents.

- a. An employment record; including the employee's job application, resume, interview forms, Employment Eligibility Verification (Form I-9), Employee's Withholding Allowance Certificate (Form W-4), etc.
- b. A signed copy of the employee's acknowledgment of receiving a copy of the personnel policies and procedures manual; and the performance standard for the position the employee currently occupies.
- c.
- d. All personnel action forms, including:
 - e. Performance evaluations.
 - f. Promotions or transfers.
 - g. Salary rate changes.
- h. Disciplinary action taken. The employee will be asked to sign the disciplinary action form. If the employee refuses to sign this form; the Mayor_or designee, will so state.
- i. Any information the employee wants included in response to any of the above actions.
- j. Records of citations for excellence or awards for good performance.
- k. Annual records of any leave accrued and taken. Official records of vacation and sick leave accrual and of leave usage are kept for employees by the Mayor_or designee. Leave balances are shown on the official record to reflect any remaining leave to which an employee is entitled. Employees may check with the Mayor_or designee, to obtain information regarding their current leave usage.
- l. Record of any other pertinent information having a bearing on the employee's status.

- 3. Employee Information/Change of Employee Status. Employees are responsible for ensuring that personal employee information contained in their personnel files is current and accurate. Employee information (any change in number of dependents, marital status, address, telephone number, etc.) should be updated by completing an Employee Information/Change of Status Form

- and giving it to the Mayor, or designee, they will then file ~~in~~ the form in their personnel file.
4. Giving References. Apple Valley limits information given for purposes of reference to the following information.
 - a. Verification that the employee worked, full-time or part-time, for Apple Valley during a stated period.
 - b. A description of the position held.
 - c. Verification that the employee achieved a given salary range.
- D. OTHER FILES REQUIREMENTS. Records related to the items listed below should be kept for a period of at least one (1) year. In addition, records should be examined annually to keep the files current and to save those records that management feels should be kept longer.
1. Job applications.
 2. Test papers completed by job applicants or candidates for any position.
 3. Results of any pre-employment physical exam and mobility exams should be kept for a period of at least four (4) years.
 4. Any advertisements or notices relating to job openings, promotions, training programs, or opportunities for overtime work.
 5. Records of promotion, demotion, transfer, selection for training, layoff, rehire, or termination of any employee. These should also be signed by the employee.
- E. SALARY/WAGE REQUIREMENTS. The Federal Labor Standards Act (FLSA) requires Apple Valley to keep all of the following data on all employees for a period of at least three (3) years.
1. Employee's sex.
 2. Time and day work week begins.
 3. Hours worked each day and total hours worked each week.
 4. Total daily or weekly straight-time earnings.
 5. Total additions to, or deductions from, wages paid each pay period, including an explanation of items that make up additions and deductions.
 6. Date of payment and pay period covered.
 7. Total overtime above regular compensation for work week.
- F. OTHER REQUIREMENTS. There are record keeping requirements under other federal and state laws over which the personnel record keeping function has jurisdiction:
1. Occupational Safety and Health Act (OSHA) record of injuries.
 2. Employee Retirement Income Security Act (ERISA) record of pensions.
 3. The Immigration Reform and Control Act (IRCA) of 1986 requires verification of status forms to be kept for three (3) years after the person is hired or for one (1) year after employment is terminated, whichever is later.

SECTION 6: AMENDMENT "Reimbursable Expenses" of the Apple Valley Policies & Procedures is hereby *amended* as follows:

AMENDMENT

Reimbursable Expenses

- A. GENERAL POLICY. With prior approval, legitimate expenses will be reimbursed by Apple Valley to the employee. Receipts should be required to reimburse the employee. Reimbursement may be in the form of petty cash, an addition to a paycheck, or a separate check. Records must be kept reflecting the amount of reimbursement each employee has received.
- B. TRAINING AND CONFERENCES. If required to attend training seminars, conferences, briefings, or gather information; an employee will be compensated, in addition to paying any tuition or fees, at the rate of one and one-half times their regular work day pay if hours worked exceed forty (40) hours in that week.
- C. TRAVEL POLICY.
1. All travel outside of the Apple Valley limits during Apple Valley work hours shall be authorized by the Mayor, or designee. A log of all such travel exceeding a thirty (30) mile radius of Apple Valley shall be kept. This log shall include the reason for the trip, the time the employee departed, and the time the employee returned, and vehicle used.
 2. Travel for legitimate Apple Valley purposes in Apple Valley vehicles may be authorized when the use of the vehicle does not detract from the operational needs of Apple Valley. Overnight use of Apple Valley vehicles for travel purposes shall be authorized by the Mayor, designee or Administrator.
 3. If travel is outside the range of service of Apple Valley's repair shop, travel costs in conjunction with the use of Apple Valley vehicles shall be paid by the employee with receipts being kept for reimbursements.
 4. All hotels or other sleeping accommodations and airplane or other travel accommodations shall be arranged in advance for overnight trips and paid in advance of the trip. If such payment in advance is not possible, Apple Valley shall reimburse to the employee the cash amount of the cost of such sleeping and travel accommodations after receiving the appropriate receipts to verify that the employee has expended their own money for such purposes. Failure to produce a receipt in such circumstances will necessitate the withholding of reimbursement. Receipts for hotel accommodations shall be turned into Apple Valley by the employee as a verification of attendance no matter what the form of payment.
 5. Use of an employee's personal vehicle may be authorized when circumstances warrant. The employee shall keep track of the mileage associated with the approved travel and submit a request for reimbursement to the Mayor, ~~or designee or Administrator~~ or designee based upon this record. The mileage rate will be consistent with the established rate used for Internal Revenue Service travel deductions .
 6. All registration fees, etc., will be paid in advance by check. If this is not possible, the employee will be reimbursed for their own expenditure for registration fees, etc. after presentation of a valid receipt in conjunction with

- previously authorized travel.
7. The amount of fifty nine dollars (\$59.00) shall be granted as the maximum daily per diem allowance for Apple Valley employees engaged in travel on the Apple Valley's behalf. No per diem shall be authorized for spouses of employees or others traveling with the employee at their own expense (Please note: the Mayor, or designee, may authorize the cost of a double rather than a single hotel room to accommodate the travel of family members with an employee). Receipts shall not be required for per diem advancements or compensation unless the employee requests reimbursement above the authorized amount.
 8. Travel that requires less than a full day shall be compensated by the following specific per diem allowances:
 - a. Breakfast: Fifteen dollar (\$15.00) maximum, when departing before 7:00 a.m.
 - b. Lunch: Twenty dollar (\$20.00) maximum.
 - c. Dinner: Twenty four dollar (\$24.00) maximum, when returning after 7:00 p.m.
 - d. These amounts may be either an advance, after submission and approval of travel request, or reimbursed after ~~presentation of receipts.~~ travel.

SECTION 7: AMENDMENT "Leaves Of Absence" of the Apple Valley Policies & Procedures is hereby *amended* as follows:

AMENDMENT

Leaves Of Absence

A. ABSENT WITHOUT LEAVE.

1. Any unauthorized absence of an employee from duty shall be grounds for disciplinary action, up to and including termination, by the Mayor, or designee.
2. Any employee who is absent for three (3) or more consecutive workdays without authorized leave shall be deemed to have voluntarily resigned their position and employment without notice. Where extenuating circumstances are found to have existed, however, such absence may be covered by the Mayor, or designee, by subsequent grant of leave with or without pay as the circumstances dictate.

B. ANNUAL VACATION LEAVE.

1. Each permanent, Non-Exempt full-time employee shall receive annual vacation leave. Vacation is earned on forty (40) hour weeks. The rates are as follows:
 - a. For one (1) month to one (1) years of service, forty (40) hours of

- annual vacation leave shall accrue at the rate of 1.54 hours per pay period.
- b. From one (1) year to five (5) years of service, eighty (80) hours of annual vacation leave shall accrue at the rate 3.08 hours per pay period.
 - c. From five (5) to (8) years of service, one hundred twenty (120) hours of annual vacation leave shall accrue at the rate of 4.62 hours per pay period.
 - d. For over eight (8) years of service , one hundred sixty (160) hours of annual leave shall accrue at the rate of 6.15 hours per pay period
 - e. Total hours below the required 30 hour minimum for full-time employee's shall use (if available) vacation to bring the hours to the 30 hour minimum requirement. (see Employment Classification requirements)
2. Each permanent, EXEMPT full-time employee shall receive annual vacation leave. Vacation is earned on forty (40) hour weeks. The rates are as follows:
 - a. For one (1) month to one (1) years of service, eighty (80) Hours of annual vacation leave shall accrue at the rate of 3.08 hours per pay period.
 - b. From one (1) year to five (5) years of service, one hundred twenty (120) hours of annual vacation leave shall accrue at the rate of 4.62 hours per pay period.
 - c. For over five (5) years of service, one hundred sixty (160) hours of annual vacation leave shall accrue at the rate of 6.15 hours per pay period.
 3. An employee who is separated from employment may be compensated for all accrued annual vacation leave.
 4. All annual vacation leave requests should be submitted a reasonable time in advance of the desired time off to the Mayor, or designee. If an excessive (being the number of requests if granted that would render the department or organization ineffective) number of employees request annual vacation leave for the same time period, annual vacation leave shall be granted in order of application (first-come-first-served) at the discretion of the Mayor, or designee.
 5. A workday is based on ten (10) hours. A vacation day is equivalent to the same.
 6. Official annual vacation leave records will be maintained and kept current by posting at least annually by the Mayor, or designee.
 7. Vacation usage will be reported by the Mayor, or designee, using attendance forms.
- C. BEREAVEMENT LEAVE
1. The town will grant full-time employees up to 3 days (30 hours) of paid leave in the event of death of the employees spouse, child, parent, sibling, grandparent, grandchildren, mother-in-law, father-in-law, brother or sister in-law, son or daughter in-law, or another relative that has been living in the employee's residence. Employees may use vacation or compensatory time to

supplement bereavement leave or to attend funerals of other family members. Requests for bereavement leave shall be made as soon as possible to the Mayor or designee.

D. HOLIDAY LEAVE.

- Full time employees receive to ~~1~~3 paid holidays as follows:
 - One paid holiday per year is classified as a "Floating Holiday" and may be taken anytime during the year at the discretion of the employee with approval from the mayor or designee.
 - New Year’s Day.....January 1st
 - Human Rights Day.....3rd Monday in January
 - President’s Day.....3rd Monday in February
 - Memorial Day.....Last Monday in May
 - Independence Day.....July 4th
 - Pioneer Day.....July 24th
 - Labor Day.....1st Monday in September
 - Veteran's DayNovember 11th
 - Thanksgiving.....4th Thursday in November
 - Christmas Eve.....December 24th
 - Christmas Day.....December 25th
 - New Years Eve.....December 31st
- If any of the above holidays fall on Friday or Saturday, then the preceding Thursday shall be the holiday. If any of the above holidays fall on Sunday, then the following Monday is the holiday.
-

SECTION 8: AMENDMENT “General Safety” of the Apple Valley Policies & Procedures is hereby *amended* as follows:

AMENDMENT

General Safety

- A. GENERAL POLICY. The following general safety rules will apply in all agency work places. Each work unit may prepare separate safety rules applicable to the specific nature of work in their area but not in conflict with these rules.
 1. Proper licensing and extreme caution are required by all employees operating any type of power equipment.
 2. Employees will use safety equipment appropriate to the job, such as safety glasses, gloves, toe guards, back supports, and hard hats, if required or appropriate to the work performed.
 3. Employees will avoid wearing loose clothing and jewelry while working on or near equipment and machines. Long hair will be properly secured.

4. All accidents, regardless of severity, personal or vehicular, shall be reported immediately to the supervisor ~~and mayor or designee/manager~~.
5. Defective equipment will be reported immediately to the supervisor and ~~a~~ Mayor, or designee.
6. Employees will not operate equipment or use tools for which licensing and training has not been received.
7. In all work situations, safeguards required by State and Federal Safety Orders will be provided.
8. Due to the potential risk of serious injury or death, employees are prohibited from entertaining, or caring for, guests or family members in or around inherently dangerous work areas. These areas include, but are not limited to:
 - a. Road repair.
 - b. Construction areas.
 - c. Vehicle maintenance areas.
 - d. Animal control.

B. ACCIDENT REPORTING PROCEDURES.

1. Employees who are injured in connection with employment, regardless of the severity of the injury, must immediately notify the Mayor, or designee and ~~or~~ their supervisor, who will ensure prompt and qualified medical attention, ~~is~~ provided and all required UOSHA reports are completed. Employees, who do not and/or will not accept qualified medical attention when directed by the Mayor or designee, shall be subject to disciplinary action, up to and including termination.
2. The Mayor or designee, will investigate the job-related injury to determine the cause of the injury.
3. Apple Valley shall contact UOSHA within twelve (12) hours of the occurrence of any job-related death, disabling, serious, or significant injury, and/or any occupational disease.
4. Apple Valley files the required report with UOSHA within seven (7) days after first knowledge or notification of an injury or occupational disease resulting in medical treatment, loss of consciousness, loss of work, restriction of work, or transfer to another job. Minor injuries such as scratches and cuts do not need to be reported to UOSHA if they require only minor first-aid treatment.
5. Apple Valley shall keep a copy of the UOSHA report in their UOSHA File.
6. Apple Valley shall give the employee a copy of the UOSHA report and explain the employee's rights and responsibilities concerning the work-related injury or occupational disease.
7. If an employee later dies as a result of work-related injury, Apple Valley shall file a report with UOSHA within seven (7) days of first knowledge or notification of the death.

SECTION 9: AMENDMENT “Vehicle Policy” of the Apple Valley Policies & Procedures is hereby *amended* as follows:

AMENDMENT

Vehicle Policy

Town vehicles represent a tremendous investment of the taxpayers' dollars and shall be respected as such. Operation of Town vehicles shall be in accordance with applicable laws and regulations.

Only authorized Town employees are permitted to drive Town vehicles as authorized by the Mayor, or designee. The Mayor, or designee may delegate authorization to the Fire Chief for fire department vehicles. Authorization of use shall be done on a case-by-case basis. Prior to approving a driver and periodically thereafter, the human resources department must check the employee's driving record. Employees approved to drive on company business are required to inform their supervisor of any changes that may affect either their legal or physical ability to drive or their continued insurability.

All employees must exhibit good driving habits at all times. Employees are responsible for any driving infractions or fines as a result of their driving.

Employees must exercise due diligence to drive safely and to maintain the security of the vehicle and its contents.

Texting on cell phones is specifically prohibited.

Smoking or use of tobacco products in vehicles owned, leased, or rented by the Town is prohibited.

Employees are not permitted, under any circumstance, to operate a Town vehicle when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any company vehicle at any time while using or consuming alcohol, illegal drugs or prescription medications that may affect their ability to drive.

Essential employees may be authorized to take a Town vehicle home so they can respond to business needs as soon as possible. Essential employees are those who conduct a range of operations and services that are typically essential to continue critical operations, who may be required to work after hours in order to meet operational requirements. The Mayor, or designee ~~Administrator~~ and Fire Chief will determine who is an essential worker.

All persons riding in a Town vehicle are required to use provided seat belts and must not be of an age or size to require child safety seating. Carrying of passengers should be limited to those with some direct relationship to the conduct of Town business. However, there may arise an unanticipated situation which may warrant the use of a Town vehicle to transport a family

member. If, while an employee is on duty, a family member is stranded, ill, or likewise, and is unable to reasonably find transportation, or unable to transport themselves home or to another's care, the employee may transport the family member to the appropriate location. This should be done after receiving permission from a supervisor and should be in limited circumstances only.

Certain discretionary personal uses shall be permitted with Town vehicles during regular work hours such as break stops or short personal errands that fall within the immediate geographic area of specific business already being conducted for and in behalf of the Town.

Employees must report any accident, theft or malicious damage involving a Town vehicle to their supervisor and the human resources department, regardless of the extent of damage or lack of injuries. Such reports must be made as soon as possible but no later than 24 hours after the incident. Employees are expected to cooperate fully with the authorities in the event of an accident. However, employees should make no voluntary statement other than in reply to questions of investigating officers.

At times employees are required or expected to travel on Town business using their personal vehicles. The Town will reimburse employees at the current IRS authorized rate when required to do so.

SECTION 10: AMENDMENT “IT And Computer Security Policy” of the Apple Valley Policies & Procedures is hereby *amended* as follows:

AMENDMENT

IT And Computer Security Policy

Statement

The Town of Apple Valley (Town) furnishes computers for employees’ use in conducting Town business. This includes access to e-mail and the Internet. The internet contains many useful features, including email to non-Town resources, access to research materials, and information exchange. The purpose of this policy is to establish basic rules for employees’ use of the Town’s computer system, including the Internet and email. **Computer System, Internet and E-mail Use Policies**

The Internet can be misused in a variety of ways, including but not limited to:

- A. Downloading files that contain viruses, thereby endangering Town information services;
- B. Accessing objectionable material;
- C. Wasting work time by performing unauthorized research or accessing non-business related information and people or for computer games, or online games.

Individual Responsibilities

Internet users are responsible for complying with this and all other Town policies when using the Town's resources for accessing the Internet. Violation of this policy is grounds for disciplinary action, up to and including termination. **General Policies for Use of the Entity's Computer System, Including the Internet**

An employee does not have a right to privacy when using the Internet via Town resources and employees should not expect or assume any privacy regarding the content of email communications. The Town reserves the express right to monitor and inspect the activities of the employee while accessing the Internet at any time, and to read, use and disclose e-mail messages. In addition, all software, files, information, communications, and messages (including emails) downloaded or sent via the Internet using Town resources are the Town's records and property of the Town; such records are subject to potential review and disclosure under the public disclosure law of the State of Utah. Even after an email message has been "deleted," it may still be possible to retrieve it.

The Town has the right to restrict or prohibit any employee from Internet access for violation of the policy. Violations may also result in disciplinary action, up to and including termination. Internet use via Town resources is for Town business. Except as outlined here, use of Town's computer, Internet and email services are for Town business only. Some limited personal use is permitted, so long as it does not result in cost to the Town, does not interfere with the performance of duties, is brief in duration and frequency, does not distract from the conduct of Town business and does not compromise the security or integrity of Town information or software. Such limited use shall not occur on "paid time," but is permitted immediately before or after work hours and during an employee's breaks. Examples of allowable personal use include accessing a weather report or news item on the Internet or transmitting email to a family member to assure safe arrival at home. Any personal use of Town's computer, Internet and email services must comply with all applicable laws and Town policies, including anti-discrimination policies and Internet usage policy. Internet use must comply with applicable laws and Town policies including but not limited to all federal and state laws, and Town policies governing sexual harassment, discrimination, intellectual property protection, privacy, public disclosure, confidentiality, misuse of Town resources, information, and data security. All Internet use must be consistent with the Town's Personnel Policies Manual. The Town's computer system permits employees to perform jobs, share files, and communicate internally and with selected outside individuals and entities in the performance and conduct of Town business. Employees are prohibited from gaining unauthorized access to another employee's email messages or sending messages using another employee's password. Employees are not to share or reveal individual passwords to anyone. In order to prevent potential Town liability, it is the responsibility of all Internet users to clearly communicate to the recipient when the opinions expressed do not represent those of the Town. The Town has the capability and reserves the right to access, review, copy, modify and delete any information transmitted through or stored in its computer and email system. The Town may disclose all such information to any party (inside or outside the Town) it deems appropriate and in accordance with applicable law. Accordingly, employees should not use the computer and email system to

send, receive or store any information they wish to keep private. Employees should treat the computer and email system like a shared file system—with the expectation that files sent, received, or stored anywhere in the system will be available for review by any authorized representative of the Town for any purpose, as well as the public if a proper request is made for public records.

In accordance with state law, the Town is subject to all GRAMA laws in relation to email and computer systems. **B**usiness should never be conducted through personal email, such action will subject your personal email to GRAMA law and require you to relinquish information contained therein to the Town. It is vital that emails are never deleted from town email accounts. Do not delete any emails, unless it is spam or junk, from any email account belonging to the Town. Good judgment should always be employed in using the Town's email and Internet systems. Employee email messages may be read by someone other than the person(s) to whom they were sent. Email inconsistent with the Town's policies must be avoided. For example, it is prohibited to make jokes or comments which could offend someone on the basis of gender, race, age, religion, national origin, disability or sexual orientation. These comments would be in direct conflict with the Town's policies prohibiting discrimination and harassment. Accordingly, employees should create and send only courteous, professional and businesslike messages that do not contain objectionable offensive or potentially discriminatory material. Caution should be taken in transmitting confidential information on the computer system. Employees should use due care in addressing email messages to assure messages are not inadvertently sent to the wrong person inside or outside the Town. Email creates a written record subject to court rules of discovery and may be used as evidence in claims or legal proceedings. Once sent, email cannot be retracted. Even after deletion at a workstation, email can be retrieved and read. The safety and security of the Town's network and resources must be considered at all times when using the Internet. Unknown programs from an internet source or which involve executable or binary files must not be downloaded or installed without being properly reviewed for safety and security with our Information Technology personnel. There is a wide variety of information on the Internet. Some individuals may find information on the Internet offensive or otherwise objectionable. Individual users must be aware that the Town has no control over available information on the Internet and cannot be responsible for the content of information. **Prohibited Uses of the Internet** The following is a non-exclusive list of prohibited uses of the Internet and email:

1. Commercial use – any form of commercial use of the Internet is prohibited;
2. Solicitation – the purchase or sale of personal items or non-business items through advertising on the Internet is prohibited;
3. Copyright violations – the unlawful reproduction or distribution of copyrighted information, regardless of the source, is prohibited;
4. Discrimination / Harassment – the use of the Internet to send messages or other content which is harassing, derogatory or unlawfully discriminatory to employees, citizens, vendors or customers is prohibited;
5. Political – the use of the Internet for political purposes is prohibited;
6. Aliases / Anonymous messages / misrepresentation – the use of aliases or transmission of anonymous messages is prohibited. Also, the misrepresentation of an employee's

- job title, job description, or position with the Town is prohibited;
7. Social networking sites – the accessing and/or creation of social networking sites, such as Facebook, Twitter, Instagram, Blogs and similar sites is prohibited for non-entity business purposes;
 8. Instant or Direct messaging unless used within the confines of town business on the employees Gmail account ;
 9. Misinformation / Confidential Information – the release of untrue, distorted, or confidential information regarding Town business is prohibited;
 10. Viewing or Downloading of Non-Business Related Information - the accessing, viewing, distribution, downloading, or any other method for retrieving non-Town related information is prohibited. This includes, but is not limited to, entertainment sites, pornographic sites, sexually explicit sites, chat rooms and bulletin boards;
 11. Unauthorized attempts to access another’s network or e-mail account;
 12. Display or transmission of sensitive or proprietary information to unauthorized persons or organizations;
 13. Spamming email accounts from the Town’s email services or Town machines.

Nothing in this policy prohibits the use and access of the described systems for bona fide law enforcement and investigation purposes.

EFFECTIVE DATE This Resolution shall be in full force and effective immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

**APPLE VALLEY
RESOLUTION R-2024-35**

NOW THEREFORE, be it ordained by the Council of the Apple Valley, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “Cash Receipting And Deposit Policy” of the Apple Valley Policies & Procedures is hereby *amended* as follows:

AMENDMENT

Cash Receipting And Deposit Policy

Purpose

Establish a uniform control design for all departments of Town of Apple Valley (Town) that receive cash. Over time it is expected this policy will be adjusted for changes in systems and organizational structure.

Designated Receiving Official

The Town Recorder is designated as the Receiving Official.

Receiving Process

The Receiving Official or his/her designee will make a record of goods and services received by the Town.

Cash Receipts

1. All funds received are entered into the accounting system at the time of the transaction with enough detail to determine where/who the funds came from, the purpose for receiving the funds, the method of payment; cash, check, credit card etc., numbered in a sequential fashion, and designate the appropriate account. At the end of each business day the Receiving Clerk will print a report showing all cash and check payments made. ~~Manual receipts should have two copies: Customer copy, and Treasurer copy.~~
2. At the end of each day the person responsible for receiving cash will place cash, and checks received in a deposit bag and ~~either~~ deliver it to the ~~Treasurer's~~ Accounting office ~~or~~ and place it in a secure (locked) place for deposit on the next deposit day.
3. Void/adjusted transactions. If a transaction needs to be voided or adjusted it should be done by someone who does not receive cash. If an office doesn't have enough employees to have adjustments made by a supervisor that doesn't receive cash, two employees will sign off on the adjustment or voided transaction explaining the

circumstances causing the adjustment. The system should be designed to generate a report of all adjusted/voided transactions to facilitate monitoring of this process.

- 4. Every effort should be made to ensure large quantities of cash are not on hand overnight. The deposit should be made in the same day if time allows.
- 5. The Treasurer will receive funds, count the funds, compare the amount received to the supporting documentation provided. The Treasurer then enters the deposit into the accounting system and takes funds to the bank.
- 6. The Town will install and maintain surveillance systems in offices receiving funds. Surveillance evidence will be maintained for 60 days.
- 7. Mail will be opened in the presence of two or more employees and any correspondence containing payments will be removed and processed in the presence of said employees.

SECTION 2: **EFFECTIVE DATE** This Resolution shall be in full force and effective immediately after the required approval.

PASSED AND ADOPTED BY THE APPLE VALLEY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Michael Farrar	_____	_____	_____	_____
Council Member Kevin Sair	_____	_____	_____	_____
Council Member Janet Prentice	_____	_____	_____	_____
Council Member Annie Spendlove	_____	_____	_____	_____
Council Member Scott Taylor	_____	_____	_____	_____

Attest

Presiding Officer

Jenna Vizcardo, Town Clerk, Apple Valley

Michael Farrar, Mayor, Apple Valley

UpAhead Software Agreement

This agreement ("Agreement") is entered into (Date: [REDACTED]), between the (City/County Name: Town of Apple Valley), at (City/County Address: [REDACTED]) ("Customer"), and UpAhead, LLC, a Utah limited liability company located at 401 N 360 W Vineyard, Utah 84059 ("Provider"). Customer and Provider may each be referred to as a "Party" and may be collectively referred to as the "Parties."

1. Term of Agreement; Termination

1.1 Implementation Date and Initial Term. This Agreement shall commence on August 30th, 2024 (the "Implementation Date") and continue for a period of one (1) year ("Initial Term"), unless earlier terminated as provided herein. Provider may delay or "push back" the Implementation Date if needed; provided that if Provider delays the Implementation Date more than three months from the date stated above, Customer in its sole discretion may immediately cancel this Agreement without any further obligation or liability under this Agreement and Provider shall refund any amounts previously paid to Provider.

1.2 Automatic Renewal Unless Terminated. Upon expiration of the Initial Term, this Agreement shall automatically renew for an additional one (1) year term ("Renewal Term") unless either Party provides written notice of termination to the other Party at least sixty (60) days prior to the expiration of the then-current term.

1.3 Termination. Prior to expiration of the Initial Term or the Renewal Term, either Party may terminate this Agreement by providing written notice of termination to the other Party at least sixty (60) days prior to the expiration of the Initial Term or the Renewal Term, whichever applies. During the Renewal Term, Customer may terminate this Agreement at any time, without cause, by providing written notice of termination to Provider at least sixty (60) days' notice of termination.

1.4. Termination for Cause. Customer may terminate this Agreement for cause by providing seven (7) days' prior written notice in the event of any default by Provider or if Provider fails to comply with any industry standards and customary practices, terms and conditions, of this Agreement. Unsatisfactory performance, as judged by industry standards and customary practices, and failure to provide Customer, upon request, with adequate assurances of future performance, shall all be causes allowing Customer to terminate this Agreement for cause. In the event of termination for cause, Customer shall not be liable to Provider for any further or additional payments under this Agreement, and Provider shall be liable to Customer for any and all damages sustained by reason of the default which gave rise to the termination.

2. Scope of Services

2.1 Services. Provider agrees to provide the following services ("Services") to Customer:

- Local Phone Number
- Provision of 50,000 text messages per year
- Text message auto-responses (responses are included in text-message count per year)
- Group Text Messaging
- Design and provision of a PDF flier
- Implementation of a QR code to SMS service
- Website widget
- Auto-responses (to be implemented within three months of the implementation date, otherwise, the Customer shall receive extended free time of contract for the duration of the extension)

2.2 Additional Services. Any additional services beyond the scope outlined in this Agreement may be provided by Provider if agreed to in writing by both Parties, and may be subject to additional fees.

3. Pricing and Payment Terms

3.1 Pricing. The pricing for the Services shall be as follows:

- Year 1: \$ 2,388.00 (\$199.00 per month)

3.2 Price Guarantee. Provider guarantees that the prices for the Services set forth in Paragraph 3.1 will remain unchanged for the Initial Term. During the Renewal Term, Provider may, but is not required to, adjust prices set forth in Paragraph 3.1 annually, provided that no such adjustment exceeds three percent (3%) per year. Provider agrees to provide Customer at least thirty (30) days' written notice before any proposed price adjustment, detailing the new pricing and its effective date. The scope of service and all terms and conditions in this Agreement will remain the same. In exceptional circumstances, the pricing under this Agreement may be revised if the pricing change is reasonable and justifiable and Provider and Customer agree to the pricing change in writing.

3.3 Implementation Fee. An implementation fee of \$599.00 will be charged and must be paid in full before Implementation Date.

3.4 Payments. Customer agrees to pay the price set forth under Paragraph 3.1 on a monthly basis in advance; provided that Customer has the option to pay the price set forth under Paragraph 3.1 yearly in advance. The initial monthly or yearly payment must be paid before the Implementation Date unless otherwise agreed upon by both Parties.

3.5 Invoices. Provider will submit invoices to Customer at least 7 (days) days prior to the due date for payment.

3.6 IRS Form W-9. Customer agrees to provide a current IRS Form W-9 to Provider. Customer agrees and acknowledges that copies of the IRS Form W-9 can be used by and/or provided to Twilio and/or other carriers for local telephone registration purposes.

4. Additional Terms

4.1 Website Widget. If the website widget is not placed on Customer's website within sixty (60) days of the Implementation Date, an additional fee of \$250.00 will be charged for Provider's team to complete the integration.

4.2 Telephone Number, Users, and Support. The package includes a local phone number, unlimited users, and unlimited support during the hours of 6am-5pm MST.

4.3 Text Messages Per Year. If Customer's text messages exceed the number of included messages set forth in Paragraph 2.1, the following charges, applied yearly, will be charged to Customer:

- 50,000 additional messages per year: \$300.00 per year

4.4 Software/Services Downtime Compensation Clause. Customer shall be entitled to an extension of this Agreement if: (a) Provider's text messaging services are interrupted, disrupted, and/or otherwise make the Services unavailable or unusable to Customer (the "Downtime"); and (b) the Downtime is not caused by a force majeure beyond Provider's control. The extension of this Agreement and Provider's Services will be equal to the duration of the Downtime at no additional charge or cost to Customer.

5. Cancellation Policy

5.1 Cancellation Policy. If Customer cancels this Agreement prior to the expiration of the Initial Term, Customer will provide at least sixty (60) days' notice to Provider and pay the remaining amount due for the Initial Term (1 year).

6. Contacts

6.1 Implementation Contacts. Customer agrees to provide two (2) contacts to Provider as Customer representatives to coordinate work during implementation of the Services. The contact information provided must include name, email, and a cell phone.

6.2 Billing Contact. Customer agrees to provide a contact for Provider's billing purposes, including name, email, and a cell phone.

6.3 Authorized Twilio Contact. Customer agrees that their signatory contact will represent the authorized Twilio contact necessary to proceed with phone number registration.

7. Warranty and Disclaimer

Provider shall use reasonable efforts consistent with prevailing industry standards to maintain the Services in a manner which minimizes errors and interruptions in the Services and shall perform all implementation of the services in a professional and workmanlike manner. Services may be temporarily unavailable for scheduled maintenance or for unscheduled emergency maintenance, either by Provider or by third-party providers, or because of other causes beyond Provider's reasonable control. Provider shall use reasonable efforts to provide advance notice of any scheduled service disruption in writing or by e-mail. Provider does not warrant that the Services will be uninterrupted or error free; nor does it make any warranty as to the results that may be obtained from use of the Services. EXCEPT AS EXPRESSLY SET FORTH IN THIS SECTION, THE SERVICES, INCLUDING BUT NOT LIMITED TO IMPLEMENTATION OF THE SERVICES, ARE PROVIDED "AS IS" AND PROVIDER DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT.

8. Indemnification

8.1 Provider's Indemnification. To the fullest extent permitted by law, Provider, its successors, assigns and guarantors, shall indemnify, defend, hold harmless Customer, its agents, representatives, officers, directors, officials and employees from and against all allegations, demands, proceedings, suits, actions, claims, damages, losses, expenses, including but not limited to damages for personal injury or personal property damage, attorney fees, court costs, and the cost of appellate proceedings, and all claim adjusting and handling expense, related to, arising from or out of, or resulting from any negligent or intentional actions, acts, errors, mistakes or omissions caused in whole or part by Provider relating to work or services under this Agreement, including but not limited to, any subcontractor or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable and any injury or damages claimed by any of Provider's and any subcontractor's employees.

8.2 Customer's Indemnification. To the fullest extent permitted by law, Customer, its successors, assigns and guarantors, shall indemnify, defend, hold harmless Provider, its agents, representatives, officers, directors, officials and employees from and against all allegations, demands, proceedings, suits, actions, claims, damages, losses, expenses, including but not limited to damages for personal injury or personal property damage, attorney fees, court costs, and the cost of appellate proceedings, and all claim adjusting and handling expense, related to, arising from or out of, or resulting from any negligent or intentional actions, acts, errors, mistakes or omissions caused in whole or part by Customer relating to work or services under this Agreement, including but not limited to, any subcontractor or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable

and any injury or damages claimed by any of Customer's and any subcontractor's employees.

8.3 Insurance and Indemnification. Any insurance provisions set forth in this Agreement are separate and independent from the indemnity provisions of this paragraph and shall not be construed in any way to limit the scope and magnitude of the indemnity provisions. The indemnity provisions of this paragraph shall not be construed in any way to limit the scope and magnitude and applicability of the insurance provisions.

9. Limitation of Liability:

In no event shall either Party be liable to the other Party for any indirect, incidental, special, consequential, or punitive damages, including but not limited to lost profits or loss of data. NOTWITHSTANDING ANYTHING TO THE CONTRARY, EXCEPT FOR BODILY INJURY OF A PERSON, PROVIDER AND ITS SUPPLIERS (INCLUDING BUT NOT LIMITED TO ALL EQUIPMENT AND TECHNOLOGY SUPPLIERS), OFFICERS, AFFILIATES, REPRESENTATIVES, CONTRACTORS AND EMPLOYEES SHALL NOT BE RESPONSIBLE OR LIABLE WITH RESPECT TO ANY SUBJECT MATTER OF THIS AGREEMENT OR TERMS AND CONDITIONS RELATED THERETO UNDER ANY CONTRACT, NEGLIGENCE, STRICT LIABILITY OR OTHER THEORY: (A) FOR ERROR OR INTERRUPTION OF USE OR FOR LOSS OR INACCURACY OR CORRUPTION OF DATA OR COST OF PROCUREMENT OF SUBSTITUTE GOODS, SERVICES OR TECHNOLOGY OR LOSS OF BUSINESS; (B) FOR ANY INDIRECT, EXEMPLARY, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES; (C) FOR ANY MATTER BEYOND COMPANY'S REASONABLE CONTROL; OR (D) FOR ANY AMOUNTS THAT, TOGETHER WITH AMOUNTS ASSOCIATED WITH ALL OTHER CLAIMS, EXCEED THE FEES PAID BY CUSTOMER TO PROVIDER FOR THE SERVICES UNDER THIS AGREEMENT IN THE 12 MONTHS PRIOR TO THE ACT THAT GAVE RISE TO THE LIABILITY, IN EACH CASE, WHETHER OR NOT PROVIDER HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

10. Restrictions and Responsibilities

10.1 Customer will not, directly or indirectly, reverse engineer, decompile, disassemble or otherwise attempt to discover the source code, object code or underlying structure, ideas, know-how or algorithms relevant to the Services or any software, documentation or data related to the Services ("Software"); modify, translate, or create derivative works based on the Services or any software (except to the extent expressly permitted by Provider or authorized within the Services); use the Services or any software for timesharing or service bureau purposes or otherwise for the benefit of a third party; or remove any proprietary notices or labels.

10.2 Texting Rights. Provider is not liable for any fines, or penalties resulting from text messages sent to non-consenting parties. By sending text-messages, the customer is confirming that all phone numbers messaged have given express consent to receive

information and promotional text-alerts from the government entity. Provider will not be held liable for any errors on this account.

11. Intellectual Property

11.1 Intellectual Property Rights. All intellectual property rights in the Services, including but not limited to patents, copyrights, trademarks, trade secrets, and any other proprietary rights, shall remain the property of Provider.

12. Confidentiality; Proprietary Rights

12.1 Confidentiality. Each Party understands that the other Party has disclosed or may disclose business, technical or financial information relating to the other Party's business (hereinafter the disclosing Party's "Proprietary Information"). Proprietary Information of Provider includes non-public information regarding features, functionality and performance of the Service. Proprietary Information of Customer includes non-public data provided by Customer to Provider to enable the provision of the Services. A Party that received the other Party's Proprietary Information agrees: (i) to take reasonable precautions to protect such Proprietary Information; and (ii) not to use (except in performance of the Services or as otherwise permitted under this Agreement) or divulge to any third person any such Proprietary Information. The Party that disclosed such Proprietary Information agrees that the foregoing shall not apply with respect to any information after five (5) years following the date of disclosure, nor to any information that the Party receiving such information can confirm: (a) was or becomes generally available to the public; or (b) was in its possession of or known by the receiving Party prior to receipt from the other Party; or (c) was rightfully disclosed to the receiving Party without restriction by a third party; or (d) was independently developed without use of any Proprietary Information of the disclosing Party; or (e) is required to be disclosed by law.

12.2 Provider's Use of Customer's Information. Notwithstanding anything to the contrary, Provider may collect and analyze data and other information relating to the provision, use and performance of various aspects of the Services and related systems and technologies (including, without limitation, information concerning Customer's text messages and data derived therefrom), and Provider will be free (during and after the term hereof) to: (i) use such information and data to improve and enhance the Services and for other development, diagnostic and corrective purposes in connection with the Services and other Provider offerings; and (ii) disclose such data solely in aggregate or other de-identified form in connection with its business. No rights or licenses are granted except as expressly set forth herein.

13. Miscellaneous Provisions

13.1 Conflicts of Interest. Customer may cancel any contract or agreement, without penalty or obligation, if any person significantly involved in initiating, negotiating,

securing, drafting or creating the Agreement on behalf of Customer's departments or agencies is, at any time while the Agreement or any extension of the Agreement is in effect, an employee of any other party to the Agreement in any capacity or a consultant to any other party to the Agreement with respect to the subject matter of the Agreement. The cancellation shall be effective when written notice from Customer is received by all other parties to the Agreement unless the notice specifies a later time (A.R.S. § 38-511).

13.2 Records and Audit Rights. Provider records (hard copy, as well as computer readable data), and any other supporting evidence deemed necessary by Customer to substantiate charges and claims related to this Agreement shall be open to inspection and subject to audit and/or reproduction by Customer's authorized representative to the extent necessary to adequately permit evaluation and verification of cost of the work, and any invoices, change orders, payments or claims submitted by Provider or any of Provider's payees pursuant to the execution of the Agreement. Customer's authorized representative shall be afforded access, at reasonable times and places, to all of the Provider's records and personnel pursuant to the provisions of this Agreement throughout the term of this Agreement and for a period of three years after last or final payment.

13.3 Taxes: Provider shall be solely responsible for any and all tax obligations which may result out of Provider's performance of this Agreement. Customer shall have no obligation to pay any amounts for taxes, of any type, incurred by the Provider. If Customer is tax-exempt, Customer must provide Provider proof of their tax-exempt status, within fifteen (15) days of contract signing, and this agreement will not be taxed.

13.4 Severability. If any provision of this Agreement is found to be unenforceable or invalid, that provision will be limited or eliminated to the minimum extent necessary so that this Agreement will otherwise remain in full force and effect and enforceable.

13.5 Non-Assignability. This Agreement is not assignable, transferable or sublicensable by Customer except with Provider's prior written consent. Provider may transfer and assign any of its rights and obligations under this Agreement without consent.

13.6. Entire Agreement. This Agreement is the complete and exclusive statement of the mutual understanding of the Parties and supersedes and cancels all previous written and oral agreements, communications and other understandings relating to the subject matter of this Agreement. All waivers and modifications to this Agreement must be in writing and signed by both Parties, except as otherwise provided herein.

13.7 No Joint Venture or Authority to Bind. No agency, partnership, joint venture, or employment is created as a result of this Agreement and Customer does not have any authority of any kind to bind Provider in any respect whatsoever.

13.8 Attorney’s Fees and Costs. In the event either party brings any action for any relief, declaratory or otherwise, arising out of this Agreement, or on account of any breach or default hereof, the prevailing party shall be entitled to receive from the other party reasonable attorneys’ fees and reasonable costs and expenses, determined by the court sitting without a jury, which shall be deemed to have accrued on the commencement of such action and shall be enforceable whether or not such action is prosecuted to judgment.

13.9 Governing Law; Jurisdiction; Venue. This Agreement shall be governed and interpreted according to the laws of the State of Utah. Each party waives any right to object to or challenge the forum in state or local court.

13.10 Authority. Each Party hereby warrants and represents that it has full power and authority to enter into and perform this Agreement, and that the person signing on behalf of each has been properly authorized and empowered to enter this Agreement. Each Party further acknowledges that it has read this Agreement, understands it, and agrees to be bound by it.

13.11 Counterparts. This Agreement may be executed on multiple counterparts, each of which will be deemed an original, but taken together, will constitute one written agreement, and this Agreement shall be effective and binding when each Party has executed a counterpart hereof.

14. Agreement Validity

This agreement is valid if, and only if, completed by August 28, 2024.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date first above written.

PROVIDER:

UpAhead, LLC

Signature: _____

Printed Name

Title

Date

CUSTOMER:

Name of City/County:

Town of Apple valley

Signature: _____

Mike Farrar

Printed Name

Mayor

Title

Date

**Town of Apple Valley
Disbursement Listing
SBSU Operating - 07/01/2024 to 07/31/2024**

Payee Name	Reference Number	Payment Date	Payment Amount	Void Date	Void Amount	Source
Google LLC	G07012024	07/01/2024	\$392.16			Purchasing
Sunroc	S07022024	07/01/2024	\$926.80			Purchasing
Superior Technical Solutions LLC	STS07012024	07/01/2024	\$697.08			Purchasing
Utah Retirement Systems	URS712024	07/01/2024	\$1,207.76			Payroll
Jiffy Lube	JL07022024	07/02/2024	\$141.96			Purchasing
Chase Paymentech	C07032024	07/03/2024	\$316.61			Purchasing
UBOX	U07032024	07/03/2024	\$80.70			Purchasing
Maverik	M07052024	07/05/2024		07/05/2024	\$35.55	Purchasing
XPress Bill Pay	XBP07052024	07/05/2024	\$323.21			Purchasing
Town of Apple Valley	5845	07/08/2024	\$1,699.86			Purchasing
Big Plains Water SSD	5846	07/08/2024	\$56,674.25			Purchasing
Tax1099.com	T07082024	07/08/2024	\$4.99			Purchasing
Tax1099.com	T782024	07/08/2024	\$4.99			Purchasing
Utah State Tax Commission	USTC07082024	07/08/2024	\$1,819.07			Payroll
Blake, Danny	5847	07/09/2024	\$55.41			Paycheck
Fralish, Lee W	5848	07/09/2024	\$46.17			Paycheck
Hammon, Brigham	5849	07/09/2024	\$147.76			Paycheck
Hovenden, Simon	5850	07/09/2024	\$36.94			Paycheck
Mortensen, David	5851	07/09/2024	\$46.17			Paycheck
Robertson, Robert Allen	5852	07/09/2024	\$87.73			Paycheck
Buck's Ace Hardware	5854	07/09/2024	\$301.06			Purchasing
Republic Services	5855	07/09/2024	\$146.50			Purchasing
State of Utah-Dept of Commerce	5856	07/09/2024	\$122.39			Purchasing
Amazon Capital Services	5857	07/09/2024	\$983.45			Purchasing
Tractor Supply	TSC07102024	07/10/2024	\$31.98			Purchasing
Payroll	0712241200	07/12/2024	\$8,485.80			Paycheck
Adobe	A07122024	07/12/2024	\$192.02			Purchasing
Internal Revenue Service	EFTPS0712202	07/12/2024	\$1,888.69			Payroll
Business Radio Licensing	5858	07/15/2024	\$115.00			Purchasing
James R Weeks	5859	07/15/2024	\$400.00			Purchasing
Michael Farrar, CPA	5860	07/15/2024	\$750.00			Purchasing
Revco Leasing	5861	07/15/2024	\$302.51			Purchasing
Scholzen Products	5862	07/15/2024	\$288.14			Purchasing
Shums Coda	5863	07/15/2024	\$4,061.25			Purchasing
South Central Communications	5864	07/15/2024	\$449.88			Purchasing
Sunrise Engineering Inc.	5865	07/15/2024	\$486.00			Purchasing
Washington County Solid Waste	5866	07/15/2024	\$5,246.85			Purchasing
Tink's Superior Auto Parts	5867	07/15/2024	\$154.33			Purchasing
Buck's Ace Hardware	5868	07/15/2024	\$177.20			Purchasing
Tink's Superior Auto Parts	5869	07/15/2024	\$80.44			Purchasing
Scholzen Products	5870	07/16/2024	\$301.48			Purchasing
Blackburn Propane Inc.	5871	07/16/2024	\$1.60			Purchasing
H&K Hoole & King L.C. Law Offices	5872	07/16/2024	\$14,724.00			Purchasing
Diamond W Construction	5873	07/16/2024	\$1,500.00			Purchasing
Cottam Law LLC	5874	07/16/2024	\$2,430.00			Purchasing
Utah Business License Association	5875	07/16/2024	\$50.00			Purchasing
Rocky Mountain Power	RMP7162024	07/16/2024	\$320.99			Purchasing
Utah Retirement Systems	URS7162024	07/16/2024	\$1,257.09			Payroll
Zoom Video Communications Inc.	Z7192024	07/19/2024	\$15.99			Purchasing
Lonny Boys Barbecue	LB07232024	07/23/2024	\$112.35			Purchasing
Buck's Ace Hardware	5876	07/25/2024	\$39.12			Purchasing
Tink's Superior Auto Parts	5877	07/25/2024	\$25.72			Purchasing
Komatsu Equipment Company	5878	07/25/2024	\$1,568.58			Purchasing
Ken Garff St George Ford	KGf07252024	07/25/2024	\$216.63			Purchasing
Payroll	0726241200	07/26/2024	\$8,583.64			Paycheck
Internal Revenue Service	EFTPS7262024	07/26/2024	\$1,859.95			Payroll
Utah Local Governments Trust	5879	07/29/2024	\$14,772.81			Purchasing
Michael Farrar, CPA	5880	07/29/2024	\$1,462.50			Purchasing
Martinson, Joel	5881	07/30/2024	\$712.06			Purchasing
Superior Technical Solutions LLC	5882	07/30/2024	\$200.00			Purchasing
Tink's Superior Auto Parts	5883	07/30/2024	\$9.99			Purchasing
Utah Taxpayer's Association	5884	07/30/2024	\$97.50			Purchasing
Tink's Superior Auto Parts	5885	07/30/2024	\$93.98			Purchasing
Utah Retirement Systems	URS7302024	07/30/2024	\$1,503.65			Payroll
			\$141,232.74		\$35.55	

**Town of Apple Valley
Disbursement Listing
SBSU Fire - 07/01/2024 to 07/31/2024**

<u>Payee Name</u>	<u>Reference Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Void Date</u>	<u>Void Amount</u>	<u>Source</u>
Maverik	M07052024	07/05/2024	\$35.55			Purchasing
International Association of Fire Chiefs (I	IAFC792024	07/09/2024	\$285.00			Purchasing
Cash	CASH7152024	07/15/2024	\$60.00			Purchasing
Cash	CASH7152024	07/15/2024	\$100.00			Purchasing
Buck's Ace Hardware	BA07162024	07/16/2024	\$27.35			Purchasing
Red Dirt Car Wash	RD07172024	07/17/2024	\$20.00			Purchasing
Walmart	W7172024	07/17/2024	\$43.28			Purchasing
Red Rock Auto Glass	RRAG7192024	07/19/2024	\$283.99			Purchasing
			<u>\$855.17</u>		<u>\$0.00</u>	

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2024 to 07/31/2024
8.33% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Taxes					
3110 General Property Taxes-Current	1,492.05	3,930.63	3,930.63	160,000.00	2.46%
3130 General Sales and Use Taxes	13,780.01	0.00	0.00	175,000.00	0.00%
3140 Energy and Communication Taxes	2,957.95	3,235.86	3,235.86	40,000.00	8.09%
3150 RAP Tax	1,429.84	138.89	138.89	18,000.00	0.77%
3160 Transient Taxes	1,346.54	0.00	0.00	18,000.00	0.00%
3180 Fuel Tax Refund	(47.00)	0.00	0.00	0.00	0.00%
3190 Highway/Transit Tax	1,370.70	0.00	0.00	17,100.00	0.00%
Total Taxes	22,330.09	7,305.38	7,305.38	428,100.00	1.71%
Licenses and permits					
3210 Business Licenses	0.00	500.00	500.00	10,500.00	4.76%
3221 Building Permits-Fee	784.72	1,402.51	1,402.51	45,000.00	3.12%
3222 Building Permits-Non Surcharge	117.71	319.38	319.38	7,750.00	4.12%
3224 Building Permits Surcharge	0.61	1.54	1.54	450.00	0.34%
3225 Animal Licenses	40.00	0.00	0.00	800.00	0.00%
Total Licenses and permits	943.04	2,223.43	2,223.43	64,500.00	3.45%
Intergovernmental revenue					
3356 Class "C" Road Allotment	0.00	0.00	0.00	112,000.00	0.00%
3358 Liquor Control Profits	0.00	0.00	0.00	1,100.00	0.00%
Total Intergovernmental revenue	0.00	0.00	0.00	113,100.00	0.00%
Charges for services					
3230 Special Event Permit	0.00	0.00	0.00	1,000.00	0.00%
3410 Clerical Services	13.94	0.00	0.00	400.00	0.00%
3416 Other Interdepartmental Charges	0.00	0.00	0.00	60,000.00	0.00%
3431 Zoning and Subdivision Fees	8,560.00	0.00	0.00	20,000.00	0.00%
3440 Solid Waste	5,055.48	5,273.10	5,273.10	61,000.00	8.64%
3441 Storm Drainage	4,138.88	4,222.59	4,222.59	49,000.00	8.62%
3461 GRAMA Requests	115.00	0.00	0.00	100.00	0.00%
3470 Park and Recreation Fees	0.00	0.00	0.00	100.00	0.00%
3615 Late Charges/Other Fees	392.04	239.52	239.52	1,000.00	23.95%
Total Charges for services	18,275.34	9,735.21	9,735.21	192,600.00	5.05%
Fines and forfeitures					
3510 Fines	0.00	1,288.23	1,288.23	5,000.00	25.76%
Total Fines and forfeitures	0.00	1,288.23	1,288.23	5,000.00	25.76%
Interest					
3610 Interest Earnings	3,872.33	5,417.33	5,417.33	42,200.00	12.84%
Total Interest	3,872.33	5,417.33	5,417.33	42,200.00	12.84%
Miscellaneous revenue					
3690 Sundry Revenue	1,195.66	814.93	814.93	5,000.00	16.30%
3801.1 Impact fees - Fire	0.00	0.00	0.00	6,800.00	0.00%
3801.3 Impact fees - Roadways	0.00	0.00	0.00	24,600.00	0.00%
3801.6 Impact fees - Storm Water	0.00	0.00	0.00	31,000.00	0.00%
3801.7 Impact fees - Parks, Trails, OS	0.00	0.00	0.00	6,600.00	0.00%
Total Miscellaneous revenue	1,195.66	814.93	814.93	74,000.00	1.10%
Total Revenue:	46,616.46	26,784.51	26,784.51	919,500.00	2.91%
Expenditures:					
General government					
Council					
4111.110 Council/PC Salaries and Wages	1,525.00	329.99	329.99	13,000.00	2.54%
4111.130 Council/PC Employee benefits	116.70	24.88	24.88	1,000.00	2.49%
4111.210 Council/PC Travel Reimbursement	0.00	0.00	0.00	1,000.00	0.00%
4111.220 Council/PC Training	0.00	0.00	0.00	1,000.00	0.00%
Total Council	1,641.70	354.87	354.87	16,000.00	2.22%
Administrative					
4141.110 Admin Salaries and Wages	8,894.49	9,103.96	9,103.96	99,000.00	9.20%
4141.130 Admin Employee Benefits	1,088.18	1,377.09	1,377.09	17,100.00	8.05%
4141.140 Admin Employee Retirement - GASB 68	806.43	1,006.55	1,006.55	7,000.00	14.38%
4141.210 Admin Dues, Subs & Memberships	192.02	454.52	454.52	8,000.00	5.68%
4141.220 Admin Public Notices	0.00	0.00	0.00	100.00	0.00%
4141.230 Admin Training	0.00	0.00	0.00	1,000.00	0.00%

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2024 to 07/31/2024
8.33% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
4141.240 Admin Office/Administrative Expense	778.28	774.75	774.75	8,000.00	9.68%
4141.250 Admin Equipment Expenses	1,239.78	1,391.75	1,391.75	10,000.00	13.92%
4141.260 Admin Building & Ground Maintenance	3,460.16	5.59	5.59	4,500.00	0.12%
4141.270 Admin Utilities	250.17	2,020.85	2,020.85	7,600.00	26.59%
4141.280 Admin Telephone and Internet	441.93	449.88	449.88	8,100.00	5.55%
4141.290 Admin Postage	207.65	0.00	0.00	3,700.00	0.00%
4141.320 Admin Engineering Fees	0.00	405.00	405.00	3,500.00	11.57%
4141.330 Admin Legal Fees	2,691.25	3,217.50	3,217.50	50,000.00	6.44%
4141.340 Admin Accounting & Auditing	1,137.50	2,212.50	2,212.50	20,000.00	11.06%
4141.350 Admin Building/Zoning/Planning Fees	0.00	4,061.25	4,061.25	30,000.00	13.54%
4141.390 Admin Bank Service Charges	0.00	0.00	0.00	200.00	0.00%
4141.410 Admin Insurance	12,805.14	14,772.81	14,772.81	16,000.00	92.33%
4141.490 Admin Travel Reimbursements	58.55	73.50	73.50	1,500.00	4.90%
4141.500 Admin Weed Abatement	0.00	0.00	0.00	1,500.00	0.00%
4141.610 Bad Debt Expense	0.00	(20.00)	(20.00)	250.00	-8.00%
4170 Elections	0.00	0.00	0.00	1,500.00	0.00%
Total Administrative	34,051.53	41,307.50	41,307.50	298,550.00	13.84%
Total General government	35,693.23	41,662.37	41,662.37	314,550.00	13.25%
Public safety					
Police					
4210.110 Police Salaries & Wages/Contract	0.00	0.00	0.00	15,000.00	0.00%
4253.250 Animal Control Supplies	0.00	0.00	0.00	100.00	0.00%
Total Police	0.00	0.00	0.00	15,100.00	0.00%
Fire					
4220.110 Fire Salaries & Wages	3,784.70	5,793.83	5,793.83	67,200.00	8.62%
4220.130 Fire Employee Benefits	289.53	443.24	443.24	5,600.00	7.92%
4220.135 Fire Employee Retirement - GASB 68	630.92	821.78	821.78	8,100.00	10.15%
4220.150 Fire Contract Expense	0.00	0.00	0.00	8,000.00	0.00%
4220.210 Fire Dues, Subscriptions & Memberships	0.00	285.00	285.00	1,200.00	23.75%
4220.230 Fire Travel, Mileage & Cell	50.00	50.00	50.00	600.00	8.33%
4220.240 Fire Office & Other Expenses	29.73	200.00	200.00	500.00	40.00%
4220.250 Fire Equipment Maintenance & Repairs	(629.13)	806.77	806.77	11,000.00	7.33%
4220.260 Fire Rent Expense	0.00	0.00	0.00	6,000.00	0.00%
4220.360 Fire Training	0.00	0.00	0.00	2,100.00	0.00%
4220.450 Fire Small Equip/Supplies	672.73	70.63	70.63	15,000.00	0.47%
4220.460 Fire Supplies-Fundraisers	0.00	0.00	0.00	500.00	0.00%
4220.465 Fire Gear	31.99	0.00	0.00	23,000.00	0.00%
4220.480 Fire Mitigation MOU Expenditures	0.00	0.00	0.00	15,000.00	0.00%
4220.560 Fire Equipment Fuel	274.48	35.55	35.55	4,000.00	0.89%
Total Fire	5,134.95	8,506.80	8,506.80	167,800.00	5.07%
Total Public safety	5,134.95	8,506.80	8,506.80	182,900.00	4.65%
Highways and public improvements					
Highways					
4410.110 Road Wages and Contract Labor	0.00	124.00	124.00	15,200.00	0.82%
4410.130 Road Employee Benefits	0.00	9.49	9.49	200.00	4.75%
4410.450 Road Department Supplies	0.00	0.00	0.00	30,000.00	0.00%
4410.560 Road Equipment Fuel	0.00	0.00	0.00	2,000.00	0.00%
4410.810 Road Principal	0.00	0.00	0.00	36,000.00	0.00%
4410.820 Road Interest	0.00	0.00	0.00	27,275.00	0.00%
4415.110 Public Works Wages and Contract Labor	3,720.25	4,579.00	4,579.00	30,300.00	15.11%
4415.130 Public Works Employee Benefits	284.60	350.28	350.28	0.00	0.00%
4415.450 Public Works Supplies	88.55	1,202.55	1,202.55	6,000.00	20.04%
4415.550 Public Works Equipment Maintenance	48.98	1,983.34	1,983.34	3,000.00	66.11%
4415.560 Public Works Equipment Fuel	8.19	0.00	0.00	2,000.00	0.00%
4415.570 Public Works Travel, Mileage, Cell	50.00	0.00	0.00	500.00	0.00%
4415.610 Public Works Storm Drainage	0.00	0.00	0.00	2,000.00	0.00%
4415.615 Storm Drainage Improvements	0.00	1,500.00	1,500.00	0.00	0.00%
Total Highways	4,200.57	9,748.66	9,748.66	154,475.00	6.31%
Sanitation					
4420.460 Solid Waste Service	5,029.36	5,393.35	5,393.35	60,000.00	8.99%
Total Sanitation	5,029.36	5,393.35	5,393.35	60,000.00	8.99%
Total Highways and public improvements	9,229.93	15,142.01	15,142.01	214,475.00	7.06%
Parks, recreation, and public property					

Town of Apple Valley
Operational Budget Report
10 General Fund - 07/01/2024 to 07/31/2024
8.33% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Parks					
4540.110 Park/Rec Wages and Contract Labor	966.00	528.00	528.00	2,000.00	26.40%
4540.130 Park/Rec Employee Benefits	73.90	40.39	40.39	0.00	0.00%
4540.250 Park/Rec Department Expenses	0.00	309.07	309.07	1,000.00	30.91%
4540.460 Park/Rec Community Events Supplies	1,408.09	(37.46)	(37.46)	4,000.00	-0.94%
Total Parks	2,447.99	840.00	840.00	7,000.00	12.00%
Total Parks, recreation, and public property	2,447.99	840.00	840.00	7,000.00	12.00%
Transfers					
4804 Transfer to Fund Balance	0.00	0.00	0.00	131,575.00	0.00%
4807 Transfer to Assigned Balance - Fire Impact Fees	0.00	0.00	0.00	6,800.00	0.00%
4809 Transfer to Assigned Balance - Roadway Impact Fee	0.00	0.00	0.00	24,600.00	0.00%
4810 Transfer to Assigned Balance -Storm Water Imp Fee	0.00	0.00	0.00	31,000.00	0.00%
4811 Transfer to Assigned Balance - Parks & Rec Fees	0.00	0.00	0.00	6,600.00	0.00%
Total Transfers	0.00	0.00	0.00	200,575.00	0.00%
Total Expenditures:	52,506.10	66,151.18	66,151.18	919,500.00	7.19%
Total Change In Net Position	(5,889.64)	(39,366.67)	(39,366.67)	0.00	0.00%



SPECIAL TOWN COUNCIL MEETING - APPLE VALLEY
PIPELINE
1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 5:30 PM

MINUTES

Mayor | Michael Farrar |

Council Members | Kevin Sair | Janet Prentice | Annie Spendlove | Scott Taylor |

CALL TO ORDER- Mayor Farrar called the meeting to order at 5:34 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Mayor Michael Farrar

Council Member Kevin Sair

Council Member Annie Spendlove

Council Member Scott Taylor

ABSENT

Council Member Janet Prentice

DECLARATION OF CONFLICTS OF INTEREST

None declared.

PUBLIC COMMENTS: 3 MINUTES EACH

1. Apple Valley Pipeline

During the town council meeting, Mayor Farrar explained the need to formalize previous discussions about the pipeline. Numerous meetings had been held to gather input, but they were informal and not officially recorded. To address this, a formal meeting was convened to include the discussions in the official minutes, ensuring compliance with auditing requirements. It was emphasized that this procedural step would not delay the project.

The floor was then opened for public comment, with each speaker allowed three minutes. Residents were invited to share their support or opposition to the pipeline, with or without providing reasons, and were asked to state their name but not their address. It was noted that it would be appreciated if speakers identified themselves as residents of Apple Valley.

Jeri Politte, a resident from Cedar Point, expressed their support for the pipeline. They mentioned their long-term involvement with Apple Valley's water issues and their professional experience with the Water Conservancy and the Department of Natural Resources (DNR). They emphasized their trust in the Water Conservancy and its hydrologists, asserting that the project is necessary and should move forward without further delay.

Stewart Riding, a resident, commended the town council and the state for their efforts. They noted that the main wells in Apple Valley Proper should not be affected by the pipeline. They highlighted the longstanding water issues at Cedar Point and stressed the need for a more reliable and improved water supply for all residents in the water district. They argued that this would allow for better maintenance, preventative measures, and backup logistics, such as pumps. They also emphasized the importance of



**SPECIAL TOWN COUNCIL MEETING - APPLE VALLEY
PIPELINE
1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 5:30 PM**

MINUTES

upgrading the infrastructure of the existing wells and requested an update on water quality before finalizing the project. They believed that focusing on the current wells would be more efficient than drilling additional ones.

Becy Wood, a resident from Cedar Point, expressed strong support for the pipeline. They mentioned the poor quality of their water, noting that it has an unpleasant smell, and shared their preference for showering elsewhere. After reviewing the research and information available, they stated they were fully in favor of the pipeline project.

John Slot, a resident of Zion Estates, expressed support for the pipeline. They mentioned living in the area for four years and described the local water quality as the worst they had ever experienced. They emphasized the need to address and improve the water situation.

Michael Desilets, a resident of Cedar Point, expressed support for the pipeline. They described their experience with a water filtration system that quickly becomes clogged with rust and dirt, even within an hour of changing the filters. They hoped the pipeline would bring significant improvements to the water quality and reiterated their full support for the project.

Linda Noyes, a resident, shared that, initially, they did not support the pipeline, believing their water supply in Gooseberry was adequate. However, they realized the importance of clean water for everyone, especially after witnessing residents receiving cases of water in October due to their water being undrinkable. Linda expressed strong support for the pipeline and urged the state to take necessary actions, emphasizing the need to help those affected.

Tana Stone, a resident who currently lives in Cedar Point and previously lived in Gooseberry shared their experience with reverse osmosis systems in both locations. They noted that the system in Gooseberry required changing only once a year, while in Cedar Point, the system became extremely dirty, described by maintenance workers as the most disgusting they had ever seen. The resident expressed concern about the health hazards posed by the water quality in Cedar Point and strongly supported the pipeline, believing it would significantly improve health and water quality issues.

Rich Ososki, a resident raised concerns about the pipeline project, highlighting several unknown variables. They mentioned uncertainties regarding additional costs, the need for borrowing money, the access route, approvals, and ensuring an adequate water supply, particularly with plans to extend to Cocoa. They emphasized the financial implications, noting the involvement of government, associated wage costs, and the existing \$4.5 million debt of the water district. They advocated for gathering all necessary facts and conducting an in-depth study before proceeding with the project.

Tara Hood, a resident expressed support for the pipeline and mentioned representing her older parents. She shared that she recently purchased a complete water system for them to avoid having contaminants in their home water supply. Tara believed that the pipeline would significantly improve water quality for both her family and her parents.



**SPECIAL TOWN COUNCIL MEETING - APPLE VALLEY
PIPELINE
1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 5:30 PM**

MINUTES

Don Parr, a resident of Cedar Point, expressed support for the pipeline and found it surprising that there is such poor water quality despite modern advancements.

Margie Ososki, a resident who does not live in Cedar Point, expressed their skepticism about the pipeline project. They questioned whether the meeting was just a formality to show support from Cedar Point residents and asked the town council if the meeting was merely a procedural step to confirm support from that area. Margie reiterated their concerns about investing all resources into the pipeline and sought clarification on the meeting's purpose.

Mayor Farrar addressed the concerns by noting that numerous meetings had already been held regarding the pipeline project, with very few individuals opposing it. The mayor explained that the current meeting was to officially record the discussions and ensure there was a formal record of the support and/or opposition.

Melanie Zitting, a resident of the Bubbling Wells area, expressed support for the pipeline project. However, she echoed concerns about understanding the exact costs involved. She emphasized the importance of having clear financial details to avoid unexpected expenses, aligning with the concerns raised by another resident.

Mayor Farrar reassured attendees that the town would not take on additional debt for the pipeline project.

Margie Ososki raised a question about a \$2.3 million loan discussed at a previous meeting with Washington County Water Conservation.

Mayor Farrar confirmed that details would be provided after the meeting.

Jeffrey Doelan, a resident of Cedar Point, who has lived in the area for nearly three years, expressed support for the pipeline project. They noted the old and rundown state of the current water system and emphasized the need for improvements. They believed that the pipeline could help consolidate water systems and provide clean water throughout the valley, and they voiced their full support for the project.

Mayor Farrar mentioned that, while many people had discussed issues of unpleasant and dirty water, another concern that had not been addressed was the potential for hidden radiation in the water. This additional issue of radiation contamination was highlighted as a serious problem.

Libby Wells, a resident, raised concerns about the contract with the Conservancy District, noting that it was written but not yet signed. They mentioned that the contract involved a \$2 million loan with a high interest rate and stipulated that no building permits would be issued. This, they argued, could negatively impact the town by restricting revenue from new developments.

Kirk Morawetz, a resident of Cedar Point expressed strong support for the pipeline project, praising the efforts being made and encouraging the continuation of the work.



SPECIAL TOWN COUNCIL MEETING - APPLE VALLEY PIPELINE

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 5:30 PM

MINUTES

Tana Stone, a resident from Ceard Point, raised a concern about a potential link between the water quality in Cedar Point and cancer cases. They noted that, since moving to Cedar Point, they have observed numerous cancer deaths among residents, including their neighbors, and emphasized that while they were unsure of any direct correlation, they wanted to bring this issue to attention.

Council Member Sair provided context by mentioning that the cancer rate in Southern Utah is approximately double that of other areas, attributing it to the historical nuclear bomb tests conducted in Nevada. They suggested this information might help understand the cancer rates observed in Cedar Point.

Council Member Sair emphasized the importance of moving forward with the pipeline project for the safety of the entire community. They acknowledged that Southern Utah, including their area, has been a high-risk region for cancer for the past 50 to 60 years. Council Member Sair, who has lived in the area since the 1980s, confirmed their awareness of these health risks.

Mayor Farrar provided an update on the pipeline project, detailing the progress made so far. The pumps and transformers have been ordered, easements are secured, and all necessary details are being checked before submission to the state. Although there is a standard four-month wait for state approval, the governor has been involved to expedite the process. Mayor Farrar anticipated breaking ground in about three weeks, though they acknowledged a current delay of approximately 30 days.

Walter Josey, a resident read his comment.

Subject: Opinion on the Proposed Pipeline from the Apple Valley Proper water well source to the Cedar Point area water storage tank.

Comment: I am not in favor of a pipeline to solve Cedar Point water issues, and never have been. I have advocated for water well exploration within a reasonable radius of the Cedar Point water storage tanks as this is a potential better solution than spending millions of dollars of taxpayer money on a several miles long pipeline. Discovering new water well sources could be cheaper and would be a benefit to all of Apple Valley, whereas a pipeline will benefit only the Cedar Point area. The pipeline project is already behind schedule, over budget and underfunded, and not one grain of red dirt has been disturbed in the construction of the pipeline to date. The whole thing has turned into a debacle from the start, and it will end up costing the majority of Apple Valley residents that get no benefit from the pipeline. There are other solutions that are better, and the project needs to be stopped before it only gets worse. It is a waste of taxpayer money that does not benefit those that it should. In Oct of 2023, representative of the Utah DEQ met with Big Plains Water board members and explained that while there is taxpayer money available, it is ear marked to help the "poorest of poor communities". The pipeline benefits the Cedar Point area only, and this is where the majority of "high end" homes in Apple Valley are located, including the current Mayor Mike Farrar and his many homes on a family compound that he built. The Cedar Point area is hardly the "poorest of poor", in fact I have heard more than one person describe Cedar Point as the "Beverly Hills" of Apple Valley. Taxpayer funding is not meant to subsidize the wealthy areas of a Town. The Big Plains Water District shows profits from the 3 previous years on their end-of-



SPECIAL TOWN COUNCIL MEETING - APPLE VALLEY PIPELINE

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 5:30 PM

MINUTES

year accounting ledger that add up to hundreds of thousands of dollars. This money is supposed to be used to improve the infrastructure of the Apple Valley water systems, like exploring for new and better water source wells for instance that would benefit all of Apple Valley, but none of it has. The proposed pipeline will tap into the only water well source that supplies water to all of the residents of Apple Valley Proper. The pipeline is designed to flow water to the Cedar Point water storage tank and immediately supply all of the water that the Cedar Point water system requires to bring water to over 130 homes. The Apple Valley Proper water well source has never been used in this manner. The original well performance test reports of the Apple Valley proper water wells are incomplete. At this point it is a certifiable unknown what will happen to the Apple Valley water wells and their water level, when the immediate water draw that all the homes in Cedar Point area will require. This puts the only water source that Apple Valley Proper depends on at risk, and all of the residents who live there get no benefit from the pipeline. I want the tax payer supported pipeline de-funded, and the profits of the Big Plains Water District to be used to fund well exploration to solve the Cedar Point water issues as it should be. The Town Council should strongly re-consider the no-growth policy of the current Mayor and recognize that the main source of funding for the current Apple Valley water systems debt, and funding the infrastructure improvements that the water systems need all come from impact fees that are the result of sustainable new home growth. This was the original plan when setting up the Big Plains Water District. There is a target number of new home growth that should be determined and encouraged by the Town Council, to sustain the financial health of the Town of Apple Valley water systems. To continue down the pipeline path is the wrong direction to go. Its time the Town Council realize this and act in the best interest of the entire Town of Apple Valley.

Autumn, a resident expressed strong support for the pipeline, emphasizing that Cedar Point is an integral part of Apple Valley and should not face disadvantages due to its subdivision status. They advocated for equal access to clean, fresh water for all residents, regardless of their location within the town.

DISCUSSION

2. Apple Valley Pipeline

Mayor Farrar addressed several concerns and questions regarding the pipeline project and water issues. Key points included:

1. **Pipeline Justification:** Mayor Farrar reiterated that the pipeline is necessary due to the high levels of radioactive radium in the local water. He emphasized that the state funding options are limited, making the pipeline the best available solution.
2. **Project Status and Delays:** The pipeline project is currently 30 days behind schedule, but progress is being made. All essential equipment has been ordered, and steps are being taken to expedite the process. Mayor Farrar assured that the project would not be underfunded and that additional funds are being secured.



SPECIAL TOWN COUNCIL MEETING - APPLE VALLEY
PIPELINE
1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 5:30 PM

MINUTES

3. **Funding and Debt Concerns:** Mayor Farrar clarified that the water district has no surplus funds and that impact fees have historically been used to service debt rather than improve infrastructure. He also noted that he is working to secure additional funding to avoid taking on more debt.
4. **Growth and Infrastructure:** The Mayor addressed concerns about growth and infrastructure, stating that the pipeline project aims to consolidate and improve the water system for the entire town, not just specific areas. He also emphasized a slow, responsible growth policy.
5. **Personal Water Use:** Mayor Farrar mentioned that he drinks the tap water and has no personal financial interest in the pipeline project, stating that his goal is to provide clean water for all residents, including those who cannot afford private water treatment systems.
6. **State and Federal Support:** The Mayor assured that state and federal authorities are supportive of the project and that the pipeline will proceed with their backing. He emphasized that any rumors or negative opinions about the project's viability or funding are not grounded in fact.
7. **Aquifer Study and Testing:** He confirmed that the aquifer study and well tests are scheduled and will be conducted to ensure the project's feasibility.

Overall, Mayor Farrar defended the pipeline project as a necessary and responsible investment in the town's water infrastructure, addressing concerns about cost, debt, and growth with detailed explanations and reassurances. Mayor Farrar concluded by inviting further questions and emphasizing his commitment to addressing the town's water issues responsibly.

Council Member Sair praised the current Mayor, stating that he has accomplished more for the community than his predecessors.

Council Member Spendlove expressed a positive sentiment about Apple Valley taking responsibility for its issues.

ADJOURNMENT

Motion: Council Member Said motioned to adjourn the meeting.

Motion made by Council Member Sair, Seconded by Council Member Spendlove.

Voting Yea: Mayor Farrar, Council Member Sair, Council Member Spendlove, Council Member Taylor

The meeting was adjourned at 6:12 p.m.



**SPECIAL TOWN COUNCIL MEETING - APPLE VALLEY
PIPELINE
1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 5:30 PM**

MINUTES

Date Approved: _____

Approved BY: _____

Mayor | Michael L. Farrar

Attest BY: _____

Town Clerk/Recorder | Jenna Vizcardo

DRAFT



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 6:00 PM

MINUTES

Mayor | Michael Farrar |

Council Members | Kevin Sair | Janet Prentice | Annie Spendlove | Scott Taylor |

CALL TO ORDER- Mayor Farrar called the meeting to order at 6:25 p.m.

PLEDGE OF ALLEGIANCE

PRAYER- Prayer was offered by Council Member Sair.

ROLL CALL

PRESENT

Mayor Michael Farrar

Council Member Kevin Sair

Council Member Janet Prentice (via zoom)

Council Member Annie Spendlove

Council Member Scott Taylor

DECLARATION OF CONFLICTS OF INTEREST

None declared.

MAYOR'S TOWN UPDATE

Mayor Farrar began by reiterating key points from a previous discussion. He emphasized that after extensive research, he found that the matter previously discussed was not as problematic as initially believed. The town has no financial liabilities related to this issue. Oculca Roca development is seeking approval for a Public Improvement District (PID). They plan to present this proposal at the upcoming planning commission or town council meeting. They aim to expedite the process, with the expectation of having funds available within four to six months. Oculca Roca intends to fund a concrete million-gallon water tank at no cost to the town, and the tank could be operational within a year, subject to construction timelines.

Mayor Farrar addressed several topics:

1. **Water Pressure Issue:** There are concerns about water pressure at higher elevations. Engineers suggested that increasing the height by 25 feet could resolve the pressure issues, but this will need further investigation.
2. **Paved Roads Vote:** The vote for paved roads was overwhelmingly in favor. The next step is to secure funding for this project. Mayor Farrar committed to seeking funding but made no guarantees.
3. **Light Ordinances:** Warning letters have been sent to some residents regarding violations of light ordinances. The goal is to resolve these issues through warnings rather than penalties. Efforts are underway to ensure compliance.
4. **Zoning Changes:** A special mayoral meeting will be scheduled in the coming weeks to discuss the elimination of the Single-Family Zone and the potential rezoning of Cedar Point to Rural Estates Zone, a different classification.
5. **Open Forum:** Mayor Farrar invited any reports, recommendations, or announcements from the council.



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 6:00 PM

MINUTES

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

Council Member Sair discussed the installation of rocks in Gateway.

The Mayor thanked everyone for their hard work.

Council Member Taylor reported that meetings with the fire chief and others are focused on enhancing the emergency management webpage. Updates, including new links, are expected in a month or two. The goal is to establish a Community Emergency Response Team (CERT) and improve emergency management, including evacuation routes. The community will be informed as these developments progress.

Linda Noyes, Event Committee going strong, Ice Cream Social August 18th calendar.

PUBLIC COMMENTS: 3 MINUTES EACH - DISCRETION OF MAYOR FARRAR

Mayor Farrar opened the public comments.

Rich Ososki, a resident, inquired about the ownership of the water resources, asking whether the state or the town owns the water underneath their jurisdiction.

Linda Noyes, Events Committee Member and resident, announced that the event committee is actively working on community events, including an upcoming ice cream social and Founders Day. She encouraged residents to contribute ideas and assist in bringing the community together.

Council Member Sair expressed a personal fondness for ice cream socials.

Mayor Farrar closed the public comments.

PUBLIC HEARING

1. Amend Town Fee Schedule, Resolution-R-2024-32.

Mayor Farrar opened the public hearing to amend the Town Fee Schedule, Resolution-R-2024-32.

No public comments.

Mayor Farrar closed the public hearing to amend the Town Fee Schedule, Resolution-R-2024-32.

2. Amend Title 16.02.030 Civil Enforcement Fee Schedule, Ordinance-O-2024-61.

Mayor Farrar opened the public hearing to amend Title 16.02.030 Civil Enforcement Fee Schedule, Ordinance-O-2024-61.

Mayor Farrar explained that the town plans to add a fee for individuals who ignore and do not correct their violations. After 30 days, a "red tag" would be issued. Previously, misdemeanors were handled by the town prosecutor, but the town now seeks to recover some of the costs through civil prosecution.

The intention was included in the original fee schedule, but the wording was unclear. The new measure aims to clarify this and ensure no confusion remains.



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 6:00 PM

MINUTES

Rich Ososki, a resident, inquired about whether the town is still using an outside prosecutor or handling legal matters in-house.

Mayor Farrar explained that the town still utilizes the town prosecutor and has the option to escalate issues to misdemeanors if necessary. The town prosecutor continues to work for the town, but the mayor recently discovered that when someone cannot pay fines, the town covers the cost of a public defender. This has led to unexpected bills. To address this, the mayor is seeking to shift towards handling violations through civil means to avoid additional expenses.

Mayor Farrar closed the public hearing to amend Title 16.02.030 Civil Enforcement Fee Schedule, Ordinance-O-2024-61.

DISCUSSION AND ACTION

3. Resolution-R-2024-32, Amend Town Fee Schedule.

Mayor Farrar stated that the town is adding a \$1.50 credit for paperless billing to the fee schedule. The credit is intended to encourage paperless billing. It is noted to add parentheses to clarify that it represents a savings rather than an additional charge.

Motion: Council Member Sair motioned we amend R-2024-32, the Fee Schedule amendment with the parentheses put on the \$1.50 credit.

Motion made by Council Member Sair, Seconded by Council Member Taylor.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

4. Ordinance-O-2024-61, Amend Title 16.02.030 Civil Enforcement Fee Schedule.

Mayor Farrar discussed Ordinance-O-2024-261, which amends Title 16.02.030 Civil Enforcement Fee Schedule.

Key points include:

- After an initial violation notice, if the violation is not corrected within 30 days, a second notice will be sent.
- If the violation remains unaddressed after the second notice, civil penalties of up to \$1,000 per day may be imposed, starting after 60 days.
- An exception is available if an extension is granted by the mayor.
- Red tag violations that are not corrected within 30 days will also incur civil penalties of up to \$1,000 per day.

The ordinance aims to clarify existing provisions to avoid confusion.



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 6:00 PM

MINUTES

Motion: Council Member Sair motioned that we amend Ordinance-O-2024-61 amend Title 16.02.030 Civil Enforcement Fee Schedule.

Motion made by Council Member Sair, Seconded by Council Member Taylor.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove

The vote was unanimous and the motion carried.

5. Resolution-R-2024-30, Appointment of Alternate Planning Commission Member (Stewart Riding).

Motion: Council Member Prentice motioned that we accept Stewart Riding as an alternate planning commissioner as a neighbor and a friend, I'm pleased to have him on board, motioned that he is appointed to Alternate Planning Commission Member.

Motion made by Council Member Prentice, Seconded by Council Member Sair.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

6. Resolution-R-2024-31, Appointment of an additional Events Committee Member (Auralee Thompson).

Mayor Farrar expressed appreciation for the appointment of Auralee Thompson as an additional member of the events committee, increasing the committee's size to eight members. He emphasized that the more members involved, the better.

Motion: Council Member Taylor moved that we approve Resolution-R-2024-31, appointment of an additional Events Committee Member (Auralee Thompson).

Motion made by Council Member Taylor, Seconded by Council Member Sair.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

7. Ordinance-O-2024-27, Amend Title 10.28.140 Requirements For Bed And Breakfast Inn.

*Planning Commission recommended approval on July 3, 2024.

Mayor Farrar discussed Ordinance O-2024-17, which amends Title 10.20.140 to align Bed and Breakfast requirements with those of short-term rentals. The ordinance aims to standardize regulations. Town Clerk/Recorder Jenna Vizcardo noted that the Planning Commission recommended approval of the ordinance on July 3, 2024, and confirmed that it includes similar fire inspection



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 6:00 PM

MINUTES

requirements as short-term rentals. Council Member Taylor inquired about the consistency of fire inspection requirements with short-term rentals, which was confirmed.

Motion: Council Member Taylor moved that we approve Ordinance-O-2024-27, amend Title 10.28.140 Requirements For Bed And Breakfast Inn.

Motion made by Council Member Taylor, Seconded by Council Member Sair.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

8. Ordinance-O-2024-34, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1362, AV-1378-A. Applicant: Kenstall LLC.

*Planning Commission recommended approval on July 3, 2024.

Mayor Farrar discussed Ordinance-O-2024-34, which concerns a zone change application from Open Space Transition (OST) to Agricultural (AG-X). The applicant is seeking to convert 200 acres of land located north of the highway. The change is intended to facilitate agricultural use of the property.

Motion: Council Member Taylor moved that we approve Ordinance-O-2024-34, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1362, AV-1378-A. Applicant: Kenstall LLC.

Motion made by Council Member Taylor, Seconded by Council Member Sair.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

9. Ordinance-O-2024-35, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1-3-23-210, AV-1-3-23-241, AV-1-3-23-240. Applicant: Circle 9 LLC.

*Planning Commission recommended approval on July 3, 2024.

Mayor Farrar introduced Ordinance-O-2024-35, which addresses a zone change application from Open Space Transition (OS-) to Agricultural (AG-X). The applicant is seeking to rezone 20 acres south of the highway.

Motion: Council Member Taylor moved that we approve Ordinance-O-2024-35, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1-3-23-210, AV-1-3-23-241, AV-1-3-23-240. Applicant: Circle 9 LLC. Planning Commission recommended approval on July 3, 2024.



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 6:00 PM

MINUTES

Motion made by Council Member Taylor, Seconded by Council Member Sair.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

10. Ordinance-O-2024-36, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1366-A-4, AV-1366-A-9, AV-1366-A-22. Applicant: Dale Anderson.

*Planning Commission recommended approval on July 3, 2024.

Mayor Farrar introduced Ordinance-O-2024-36, which involves a zone change application from Open Space Transition (OST) to Agricultural (AG-X). The applicant is seeking to rezone 112 acres, which currently includes both OST and a small portion of institutional zoning, to AG-X. This property is located northwest of Cedar Point. The Planning Commission recommended approval on July 3, 2024.

Motion: Council Member Spendlove motioned that we approve Ordinance-O-2024-36, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1366-A-4, AV-1366-A-9, AV-1366-A-22. Applicant: Dale Anderson.

Motion made by Council Member Spendlove, Seconded by Council Member Sair.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

11. Ordinance-O-2024-37, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1372-A. Applicant: Bob Scow.

*Planning Commission recommended approval on July 3, 2024.

Mayor Farrar presented Ordinance-O-2024-37, which pertains to a zone change application from Open Space Transition (OST) to Agricultural (AG-X). The applicant is requesting to rezone 45 acres from OST to AG-X. This parcel is located south of the highway, near the Fishers. The Planning Commission recommended approval on July 3, 2024.

Motion: Council Member Prentice motioned that we approve Ordinance-O-2024-37 Zone Change Application from Open Space Transitional to A-X Agricultural Zone for parcel: AV-1372-A. Applicant: Bob Scow, approved by the Planning Commission on July 3, 2024.

Motion made by Council Member Prentice, Seconded by Council Member Sair.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 6:00 PM

MINUTES

12. Ordinance-O-2024-38, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1365-C-4. Applicant: Lee and Diane Fralish.

*Planning Commission recommended approval on July 3, 2024.

Mayor Farrar introduced Ordinance-O-2024-38, which involves a zone change application from Open Space Transition (OST) to Agricultural (AG-X). The applicants are seeking to rezone 5 acres from OST to AG-X. The Planning Commission recommended approval on July 3, 2024.

Motion: Council Member Taylor moved that we approve Ordinance-O-2024-38, Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcel: AV-1365-C-4. Applicant: Lee and Diane Fralish. Planning Commission recommended approval on July 3, 2024.

Motion made by Council Member Taylor, Seconded by Council Member Sair.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

13. Ordinance-O-2024-39 Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1328-C, AV-1321-A, AV-1328-B. Applicant: Beautiful Valley, LLC

*Planning Commission recommended approval on July 3, 2024.

Mayor Farrar presented Ordinance-O-2024-39, concerning a zone change application from Open Space Transition (OST) to Agricultural (AG-X). The applicant is requesting to rezone 36 acres of property located east of the Wells Estates subdivision from OST to AG-X.

Motion: Council Member Spendlove motioned we approve Ordinance-O-2024-39 Zone Change Application from Open Space Transition to A-X Agricultural Zone for parcels: AV-1328-C, AV-1321-A, AV-1328-B. Applicant: Beautiful Valley, LLC. Planning Commission recommended approval on July 3, 2024.

Motion made by Council Member Spendlove, Seconded by Council Member Sair.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

14. Ordinance-O-2024-43, Amend Title 10.10.050 RE Rural Estates Zone.

*Planning Commission recommended approval on August 30, 2023.



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 6:00 PM

MINUTES

Mayor Farrar addressed Ordinance-O-2024-43 concerning updates to Title 10.10.050 RE Rural Estates Zone related to accessory buildings and shipping containers. This ordinance had previously been discussed but not finalized by the town council.

The ordinance aims to set limits on the use of shipping containers and accessory buildings to prevent misuse and maintain aesthetic standards.

Mayor Farrar emphasized that the ordinance balances property rights with community standards, aiming to prevent potential issues like excessive storage use while allowing reasonable flexibility for property owners.

Motion: Council Member Sair motioned that we accept Ordinance-O-2024-43, amended Title 10.10.050 RE Rural Estates Zoning, that was approved by the Planning Commission on August 30, 2023.

Motion made by Council Member Sair, Seconded by Council Member Prentice.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

Rich Ososki, a resident, inquired about the benefits of changing a property's zoning from Open Space Transition (OST) to Agricultural (AG-X).

Mayor Farrar explained that the benefit of changing zoning from Open Space Transition (OST) to Agricultural (AG-X) is to align the zoning with practical land use and existing development. OST zoning, meant for future open space, often doesn't reflect current or planned land use, making it challenging for property owners and developers. By transitioning to AG-X, the town facilitates the development of properties, allows for residential use, and simplifies land management. This change helps clean up outdated zoning classifications and supports effective land use planning.

Council Member Prentice added that the state had previously recommended these changes to the Planning Commission, aiming to make zoning more flexible and aligned with future needs.

15. Ordinance-O-2024-44, Amend Title 10.10.060 SF Single Family Residential Zone.

*Planning Commission recommended approval on August 30, 2023.

Mayor Farrar discussed Ordinance-O-2024-44, which proposed amending Title 10.10.060 to address single-family residential zoning. The Planning Commission had recommended approval on August 30, 2023. The Mayor noted that the ordinance was somewhat redundant due to the planned elimination of single-family zones, which had not yet received council approval. The intent was to implement the ordinance as a precautionary measure in case the elimination did not proceed as planned.

Council Member Sair requested clarification on the differences between single-family and rural estates zoning. Mayor Farrar explained that rural estates zoning allowed for larger accessory buildings and more flexibility, such as accommodating more animals, compared to single-family zoning, which had



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 6:00 PM

MINUTES

stricter limitations. The Mayor mentioned that the town aimed to move towards rural estates zoning, reflecting a more flexible approach similar to other nearby communities.

Council Member Sair inquired about the impact on existing properties if single-family zoning were removed. Mayor Farrar clarified that properties with existing single-family designations would not be forced to change their buildings. The plan involved transitioning new properties to rural estates zoning, while maintaining existing rules for properties already in place. The Mayor noted that feedback from the community showed general support for rural estates zoning, particularly regarding allowances for animals.

The council had a discussion on the need for a town-initiated zone change to address properties currently under single-family zoning.

Motion: Council Member Taylor moved that we approve Ordinance-O-2024-44, Amend Title 10.10.060 SF Single Family Resident Zone. Planning Commission recommended approval on August 30, 2023.

Motion made by Council Member Taylor, Seconded by Council Member Sair.

Roll Call Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

CONSENT AGENDA

16. Disbursement Listing for June 2024.
17. Budget Report for Fiscal Year 2024 through June 2024.
18. Minutes: Events Committee, June 11, 2024.
19. Minutes: Events Committee, July 9, 2024.
20. Minutes: June 26, 2024.

Mayor Farrar addressed the consent agenda, which included several items to be approved in one motion.

The Mayor invited any questions regarding disbursements or the budget. Town Clerk/Recorder Jenna Vizcardo noted an updated disbursement listing that had been displayed on the screen, highlighting changes from the packet.

Council Member Prentice expressed gratitude for the updates, and Council Member Sair confirmed having reviewed the materials. No further questions or concerns were raised.

Motion: Council Member Spendlove motioned that we approve the Consent Agenda, Disbursement Listing for June 2024, Budget Report for Fiscal Year 2024 through June 2024, Minutes: Events Committee, through June 11, 2024, Minutes: Events Committee, July 9, 2024, Minutes: June 26, 2024.



TOWN COUNCIL MEETING AND HEARING

1777 N Meadowlark Dr, Apple Valley
Wednesday, July 31, 2024 at 6:00 PM

MINUTES

Motion made by Council Member Spendlove, Seconded by Council Member Sair.
Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

REQUEST FOR A CLOSED SESSION: IF NECESSARY

No request.

ADJOURNMENT

Motion: Council Member Sair motioned to adjourn the meeting.

Motion made by Council Member Sair. Seconded by Council Member Taylor

Voting Yea: Mayor Farrar, Council Member Sair, Council Member Prentice, Council Member Spendlove, Council Member Taylor

The vote was unanimous and the motion carried.

The meeting was adjourned at 7:07 p.m.

Date Approved: _____

Approved BY: _____

Mayor | Michael L. Farrar

Attest BY: _____

Town Clerk/Recorder | Jenna Vizcardo