



Salt Lake County Planning Commission

Public Meeting Agenda - *AMENDED*

Wednesday, November 13, 2024 8:30 A.M.

LOCATION:**Join meeting in WebEx**

Meeting number (access code): 961 841 420

<https://slco.webex.com/meet/wgurr>Join meeting in WebEx (download available at <https://www.webex.com/downloads.html> for Windows, Android, and Apple devices)**Tap to join from a mobile device (attendees only)**[+1-213-306-3065](tel:+1-213-306-3065),[961841420##](tel:+1-213-306-3065) United States Toll (Los Angeles)[+1-602-666-0783](tel:+1-602-666-0783),[961841420##](tel:+1-602-666-0783) United States Toll (Phoenix)**Join by phone**[+1-213-306-3065](tel:+1-213-306-3065) United States Toll (Los Angeles)[+1-602-666-0783](tel:+1-602-666-0783) United States Toll (Phoenix)

Access code: 961 841 420

[Global call-in numbers](#)**Join from a video conferencing system or application**Dial wgurr@slco.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Need help? Go to <http://help.webex.com>**Anchor Location: 2001 South State Street
North Building, Room N1-110**

*UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707.
TTY USERS SHOULD CALL 711.*

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and MSD staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Approval of the August 14, 2024 Planning Commission Meeting Minutes.
(Motion/Voting)
- 2) Other Business Items. (As Needed)

PUBLIC HEARING

SUB2023-000919 – Christa Moon is requesting preliminary plat approval for the Moon Subdivision and an exception to curb, gutter & sidewalk standards. **Location:** 14478 South Rose Canyon Road. **Zone:** FA-2.5 (Foothill Agricultural, 2.5 Acre Minimum) Zone. **Planner:** Jeff Miller (Motion/Voting)

ADJOURN

Rules of Conduct for the Planning Commission Meeting

1. Applications will be introduced by a Staff Member.
2. The applicant will be allowed up to 15 minutes to make their presentation.
3. The Community Council representative can present their comments.
4. Persons in favor of, or not opposed to, the application will be invited to speak.
 - a. Speakers will be called to the podium by the Chairman.
 - b. Because the meeting minutes are recorded it is important for each speaker to state their name and address prior to making any comments.
 - c. All comments should be directed to the Planning Commissioners, not to the Staff or to members of the audience.
 - d. For items where there are several people wishing to speak, the Chairman may impose a time limit, usually 3 minutes per person, or 5 minutes for a group spokesperson.
5. Persons opposed to the application will be invited to speak.
6. The applicant will be allowed 5 minutes to provide concluding statements.
 - a. After the hearing is closed, the discussion will be limited to the Planning Commission and the Staff.



Greater Salt Lake Municipal Services District - Planning & Development Services
2001 S. State Street #N3-600 • Salt Lake City, UT 84190 • (385) 468-6700

SUB2023-000919

MOON SUBDIVISION & EXCEPTION REQUEST SUMMARY AND RECOMMENDATION

Public Body: Salt Lake County Planning Commission

Meeting Date: November 13, 2024

Parcel ID: 32-09-200-030-0000

Acreage: 5.64 Acres

Current Zone: FA-2.5 (Foothill Agricultural, 2.4 Acre Minimum) Zone.

Property Address: 14478 South Rose Canyon Road.

Request: Preliminary Plat Approval & Recommendation on Exception Requests from Roadway Standards.

Planner: Jeff Miller

Planning Staff Recommendation: Recommend Approval of Exception to Mayor.

Applicant Name: Christa Moon

PROJECT DESCRIPTION



Christa Moon is requesting preliminary plat approval for the 2-Lot Moon Subdivision and an exception to roadway standards, which include an exception to grading, road width and to not require curb, gutter & sidewalk improvements along the existing private road accessing the property.

It is anticipated that a future home will be constructed on the additional lot in the future. At that time, all FCOZ requirements will be met prior to the issuance of a building permit or land use approval.

There are two easements granting access to the proposed subdivision. One along the private drive, and one access easement along the northern property boundary.

Request: Preliminary Plat Approval & Exception Requests from Roadway Standards.

***Please see the letter of recommendation from Engineering regarding the exception request.**

SITE & VICINITY DESCRIPTION (see attached map)

The subject property is located within the Hi Country Estates/Rose Canyon area of Unincorporated Herriman. There is a mixture of developed lots and undeveloped property surrounding the property. All of the properties in the general vicinity are zoned FA-2.5 (Foothill Agriculture). According to the FA-2.5 Zone, "the purpose of the foothill agriculture zones is to permit the development of the foothill areas of the county for rural residential, limited agricultural, limited animals and other specified uses, to the extent such development is compatible with the natural environment of these areas, particularly the natural slopes, vegetation, and fragile soils.

ZONE CONSIDERATIONS (FA-2.5 ZONE)

Requirement	Standard	Compliance Verified
Front, Side, and Rear Yard Setbacks	None, building placement is decided on a case-by-case basis based on the approved limits of disturbance, and all other FCOZ requirements.	Can Comply
Lot Width	50 Feet at the front lot line.	Yes
Building Height	30 Feet for slopes exceeding 15%, 35 Feet for all other properties.	Can Comply

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with the General Plan.	Yes

ISSUES OF CONCERN/PROPOSED MITIGATION

Planning Staff has not identified any issues of concern with the proposed subdivision.

REVIEWING AGENCIES RESPONSE

AGENCY: Planning

DATE: 6/7/2024

RECOMMENDATION: Approval. No further planning related comments. FCOZ review for the anticipated home will be completed in the future prior to the issuance of a building permit or land use approval.

AGENCY: Geology

DATE: 8/14/2024

RECOMMENDATION: Approval. Footing and foundation excavations shall be inspected and approved in writing by a qualified Geotechnical Engineer prior to the placement of concrete forms or rebar.

AGENCY: Grading

DATE: 5/28/2024

RECOMMENDATION: Approval. Show BMPs inside the LOD at the time of building permit application.

AGENCY: Urban Hydrology

DATE: 4/4/2024

RECOMMENDATION: Approval.

AGENCY: Traffic

DATE: 4/4/2024

Request: Preliminary Plat Approval & Exception Requests from Roadway Standards.

RECOMMENDATION: Approval.

AGENCY: Surveyor

DATE: 10/31/2024

RECOMMENDATION: Approval. Plat meets recording requirements.

AGENCY: Unified Fire Authority

DATE: 5/24/2024

RECOMMENDATION: Approval.

AGENCY: Health Department

DATE: 2/8/2024

RECOMMENDATION: Approval. Submit a subdivision feasibility report prepared by a third-party on-site professional per R317-4.4 and SLCohd reg #12. Send the feasibility study to the Health Department for review. If approved, the Health Department will issue a letter that counts as the sewer availability letter when the mylar is brought in to be signed.

AGENCY: Building

DATE: 2/1/2024

RECOMMENDATION: Approval. Code compliance for the building will not be done at this stage. It will be under the building permit process.

AGENCY: Addressing

DATE: 9/25/2024

RECOMMENDATION: Approval. Existing

Compliance with all current building, construction, engineering, fire, health, landscape and safety standards will be verified prior to final approval.

STAFF ANALYSIS

The applicant is requesting the following exceptions to roadway standards for the proposed subdivision (engineering recommendations from recommendation letter listed below in bold):

1. 19.72.080 (H) (6) states, that "finished private access roads and driveways are limited to a maximum of twelve percent, or as determined by the public works engineer on a case by case basis based on the health and safety concerns and the need for adequate access for county service providers. In no case, however may the public works engineer approve a maximum grade greater than fifteen percent."

It is the recommendation of Salt Lake County Public Works Engineering that an exception to the existing access road/driveway slope be granted but that no additional lots be granted to access from it beyond the four existing and one additional this subdivision would establish, unless a compliant connection to County View Lane was made.

2. 14-12-130 (A) states, that "the width of all private roadways shall consist of a minimum of twenty feet of unobstructed travel surface. Roadways shall be twenty-five feet wide where they form cul-de-sacs greater than five hundred feet in length. Short sections may be reduced to preserve trees or other features as approved by the fire department."

The applicant has stated that they believe that the existing access to the property is through a private driveway (with consolidated access as encouraged by FCOZ), instead of a private access road, and has requested that an exception be granted to the requested road width as requested by Engineering.

Request: Preliminary Plat Approval & Exception Requests from Roadway Standards.

Staff recommends that the planning commission takes into consideration the applicant's request and engineering's recommendation below on this exception prior to making a recommendation on this specific exception to the County Mayor.

Per the plans provided the existing private access road/driveway which connects to Rose Canyon Road and provides access to four existing lots does not meet these width requirements. It is the recommendation of Salt Lake County Public Works Engineering that an exception to the existing access road/driveway width requirement not be granted and that the subdivider be required to widen it to the required half-width (12.5 feet extending towards the subdivision from the existing centerline) along the entire proposed subdivision frontage.

3. 18.24.080 (A) states, that "all streets within the county shall be improved with pavements bounded by integral concrete curbs and gutters to an overall width in accordance with the standards, rules and regulations adopted by the county council." 18.24.090 (C) states, that "the subdivider shall install curbs, gutters and sidewalks on existing and proposed streets in all subdivision."

Given that the property fronts along an existing dead-end private road/driveway along which no other existing properties currently have curb, gutter, and sidewalk installed and is not adjacent to any known safe routes to school under the Utah Safe Routes to School Program, it is the recommendation of Salt Lake County Public Works Engineering that an exception be granted for the installation of curb, gutter and sidewalk along the private access road/driveway frontage of this property.

These exceptions are being requested per 18.06.020 (Exceptions), which states the following:

- A. *In cases where unusual topographic, aesthetic, or other exception conditions exist or the welfare, best interests, and safety of the general public will be usefully served or protected, variations and exceptions of this title may be made by the county mayor after the recommendation of the planning commission, provided that such variations and exceptions may only be granted if there is no substantial detriment to the public good and no substantial impairment of the intent and purpose of this title.*
- B. *Any variation or exception from engineering standards required by this title must be based on a recommendation by the county engineering division to the planning commission as to whether:*
 1. *Strict adherence to this title is not in keeping with sound engineering practice;*
 2. *The variation or exception is the minimal variation or exception to this title to keep with sound engineering practice; and*
 3. *The variation or exception is associated with a specific hardship at a specific location and not a generally applicable condition.*

Compliance with the Foothills and Canyons Overlay Zone (FCOZ) for the anticipated home will be completed in the future, prior to the issuance of a building permit or land use approval.

NEIGHBORHOOD RESPONSE

Planning Staff has not received any public comments from the general public or the surrounding neighbors as of the completion of this report. Any comments that are received will be forwarded to the planning commission for review and will be summarized on Wednesday, November 13, 2024.

Request: Preliminary Plat Approval & Exception Requests from Roadway Standards.

CONCLUSION AND RECOMMENDATION

Planning Staff recommends the Salt Lake County Planning Commission approves the preliminary plat for the 2-Lot Moon Subdivision and the proposed exception request to not require curb, gutter and sidewalk improvements, subject to the following conditions of approval:

1. The applicant will work with planning staff and the Salt Lake County Health Department to complete the technical review prior to final plat approval.
2. Prior to applying for the building permit, the applicant will record the final plat.

For the requested exceptions to roadway standards, Planning Staff recommends that the planning commission takes into consideration both the applicant's request (defining the access as a private driveway) and engineering's recommendations (outlined in the Staff Analysis Section) prior to making a recommendation to the County Mayor.

EXHIBITS

- A. Aerial Map.
- B. Preliminary Plat.
- C. HOA Water Letter.
- D. Letter of Recommendation for Exception Request.
- E. Recorded Easement.

SUB2023-000919: 2-Lot Moon Subdivision & Exception Request.

Parcel: 14478 South Rose Canyon Road (32-09-200-030-0000).



MOON SUBDIVISION PHASE 2
 LOCATED WITHIN, SALT LAKE COUNTY, UTAH, A PART
 OF THE N.E. 1/4 SEC. 9, T. 4 S., R. 2 W. S.L.B.&M.

SURVEYOR'S CERTIFICATE

I, Shane Johanson with Johanson Surveying, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 7075114 in accordance with Title 56, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the State of Utah, I have completed a survey and plat of the above described land in accordance with the provisions of the Utah Subdivision Map Act. The boundaries shown on this subdivision plat are based on the information shown herein and are sufficient to establish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property, hereafter known as Moon Subdivision Phase 2.



BOUNDARY DESCRIPTION

Beginning at a point that is North 00°07'00" East 3572.44 feet (Rec. North 3568.53 feet) and East 2683.17 feet (Rec. 2679.73 feet) from the Southwest Corner Section 9, Township 4 South, Range 2 West, Salt Lake Base and Meridian; Thence N 89°53'45" E 676.1 feet; Thence South 466.09 feet; Thence N 72°42'59" W 724.72 feet (Rec. 724.25 feet); Thence N 3°38'41" E 250.05 feet (Rec. 250 feet) to point of beginning.
 2. Lots Containing 3.64 +/- Acres.
 TAX PARCEL # 32-09-200-030

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned owner of the above described tract of land having caused same to be subdivided into lots together with easements to be hereafter known as MOON SUBDIVISION PHASE 2. The undersigned owners hereby convey to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owners also hereby convey any other, easements as shown and/or noted on this plat to the parties indicated and for the purposes shown hereon. In witness whereof have hereunto set this _____ day of _____ A.D., 20____

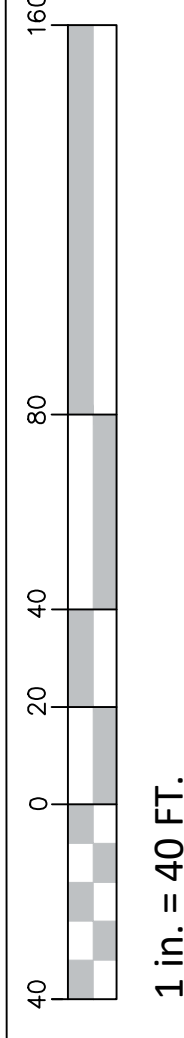
Billy D. Moon, Christo Renee Moon.
 Date: _____

ACKNOWLEDGEMENT

STATE OF UTAH)
) COUNTY OF SALT LAKE)
 On this _____ day of _____ in the year 20____ before me a notary public, personally appeared Billy D. Moon and Christo Renee Moon husband and wife as joint tenants, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to in the foregoing Owner's Dedication and Consent to Record respecting the Moon Subdivision Phase 2 and was signed by both individuals and acknowledged that he executed the same.
 Commission Number _____
 My Commission Expires _____

Print Name: _____
 A Notary Public Commissioned in Utah

MOON SUBDIVISION PHASE 2
 LOCATED WITHIN, SALT LAKE COUNTY, UTAH, A PART OF THE
 N.E. 1/4 SEC. 9, T. 4 S., R. 2 W. S.L.B.&M.



PARCEL # 32-09-200-050
 OWNER MASCARO FAMILY PARTNERSHIP

PARCEL # 32-09-200-050
 OWNER MASCARO FAMILY PARTNERSHIP

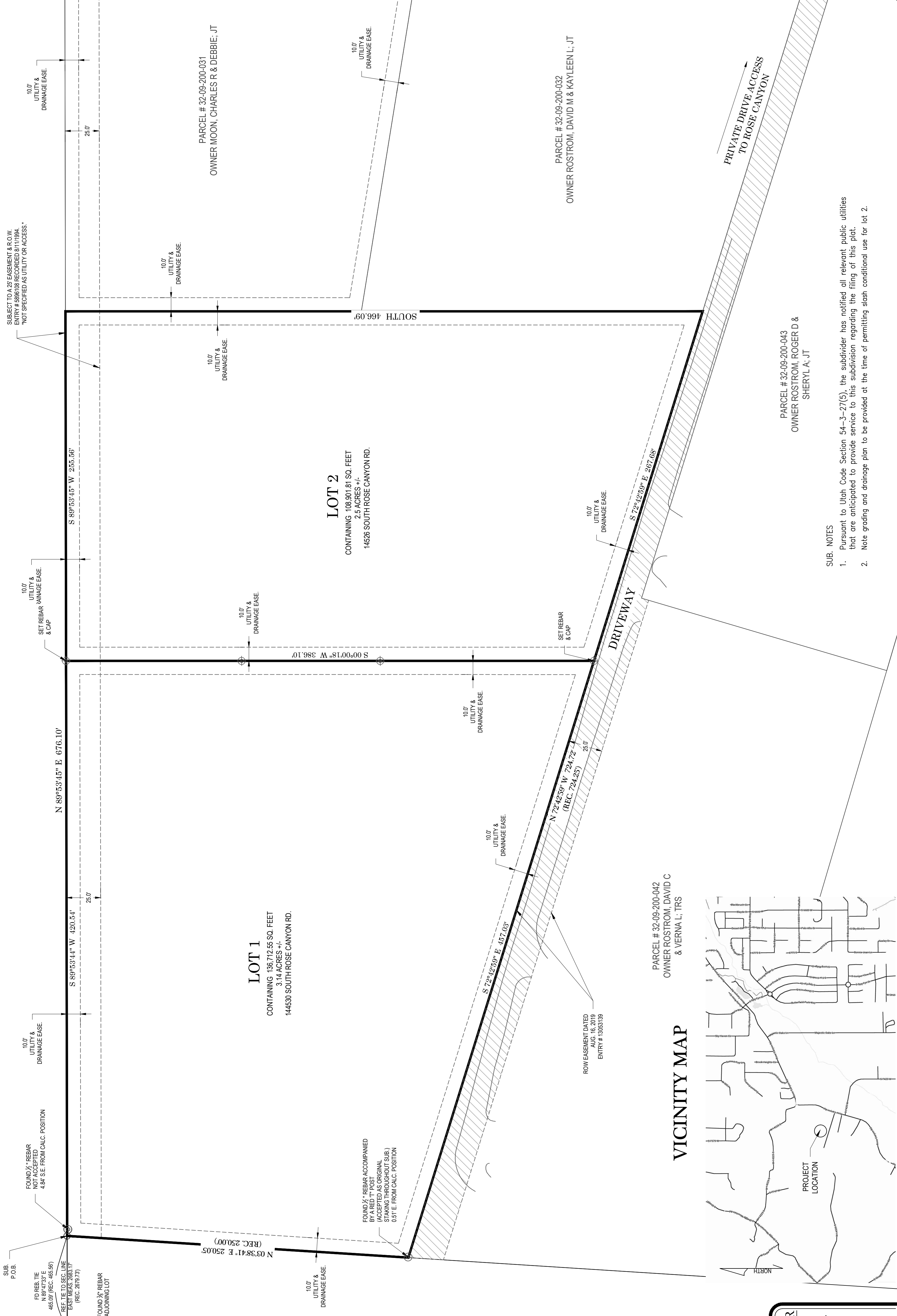
PARCEL # 32-09-200-042
 OWNER ROSTROM, DAVID C & VERNIA L, TRS

PARCEL # 32-09-200-043
 OWNER ROSTROM ROGER D & SHERYL A, JT

PARCEL # 32-09-200-031
 OWNER MOON, CHARLES R & DEBBIE, JT

PARCEL # 32-09-100-015
 OWNER JARED LAUDIE LLC

PARCEL # 32-09-100-015
 OWNER JARED LAUDIE LLC



- SUB. NOTES
- Pursuant to Utah Code Section 54-3-27(5), the subdivider has notified all relevant public utilities that are anticipated to provide service to this subdivision regarding the filing of this plat.
 - Note grading and drainage plan to be provided at the time of permitting slash conditional use for lot 2.

SALT LAKE COUNTY SURVEYOR
 SEE RECORD OF SURVEY ON FILE WITHIN
 SALT LAKE COUNTY SURVEYORS OFFICE.
 ROS NUMBER S202-09-0711

Plat Reviewer _____ Date _____

JOHANSON SURVEYING
 PROFESSIONAL LAND SURVEYORS
 SHERYL A. JOHANSON, LICENSED SURVEYOR
 P.O. BOX 8848
 SALT LAKE CITY, UTAH 84148
 SHANE JOHANSON, P.L.S. 681692541

LEGEND

- ⊕ Set Property Corner
- ⊙ Found Property Corner
- ⚡ Sectional Monument
- Property Line
- Easement Line as listed

Health Department

APPROVED THIS _____ DAY
 OF _____ A.D., 20____

SALT LAKE VALLEY, HEALTH DEPARTMENT.

PLANNING AND DEVELOPMENT SERVICES DIVISION

I, HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THE PLAT AND IT IS CORRECT, AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

DATE _____ DIRECTOR _____

Utilities

STREET AND ADDRESS FRONTAGE COORDINATES APPROVED

DATE _____ ENGINEERING REVIEW SPECIALIST _____

CHECKED FOR ZONING COMPLIANCE

ZONE: _____ LOT AREA: _____
 LOT WIDTH: _____ FRONT YARD: _____
 SIDE YARD: _____ REAR YARD: _____

DATE _____ SALT LAKE COUNTY PLANNING

SALT LAKE COUNTY MAYOR

PRESENTED TO THE SALT LAKE COUNTY MAYOR THIS _____ DAY OF _____ A.D., 20____ BY _____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED

SALT LAKE COUNTY MAYOR OR DESIGNEE

SALT LAKE COUNTY RECORDER

Recorded # _____
 State of Utah, County of Salt Lake, recorded and filed at the request of _____

Date _____ Time _____ Book _____ Page _____

Fee \$ _____ Deputy _____ Salt Lake County Recorder _____

Hi-Country Phase II HOA

P.O. Box 5555
Draper, UT 84020
801-256-0465 Salt Lake
www.hoaliving.com

Hi-Country Phase II
PO Box 5555
Draper, UT 84020

January 5, 2024

Billy Moon
14478 S. Rose Canyon Road
Herriman UT, 84096

Re: Lot B of 14478 S. Rose Canyon Road

To Whom it May Concern,

This letter is notification that water availability to Lots is given through the Hi-Country Phase II HOA. Currently the water system is adequate and has capacity to provide water to all Lots that have requested water connections. At the time of the requested subdivision of the Lot in question, there are water connection available.

My understanding is that the new Lot, if approved, will not be requesting a building permit within the next year. Hi-Country Phase II grants water connections to Lots who are planning to submit their building applications within the following 6 months of approval. The number of water connections available is monitored through Herriman City in tandem with Hi-Country Phase II in accordance with system capacity. Improvements and additional water availability is actively being discussed and feasibility determined.

If you have additional question regarding this matter, please call 801-256-0465 or email hi-countryestatesphase2@hoaliving.com.

Sincerely,


Hi-Country Phase II HOA



June 12, 2024

Jenny Wilson
Mayor

Catherine Kanter
Deputy Mayor of Regional
Operations

Scott R. Baird, P.E.
Director, Public Works
and Municipal Services

Kade D. Moncur, P.E., CFM
Director, Public Works
Engineering Division

**PUBLIC WORKS
ENGINEERING DIVISION**

Government Center
2001 South State Street
Suite N3-120
Salt Lake City, Utah 84190

T 385-468-6600
F 385-468-6603

To Whom It May Concern,

This recommendation letter is in consideration of the following proposed development:

Application: 000919 – Moon, 2-Lot Subdivision

Location: 14478 South Rose Canyon Rd. Unincorporated, Utah 84096

The ordinance requirements listed below are applicable to the proposed subdivision. Below each ordinance requirement Engineering's respective recommendations have been provided:

19.72.080(H)(6) – “Finished private access roads and driveways are limited to a maximum of twelve percent, or as determined by the public works engineer on a case by case basis based on the health and safety concerns and the need for adequate access for county service providers. In no case, however may the public works engineer approve a maximum grade greater than fifteen percent.”

Per the plans provided, the existing private access road/driveway which connects to Rose Canyon Road and provides access to four existing lots, exceeds both the twelve percent maximum and fifteen percent absolute maximum. It is the recommendation of Salt Lake County Public Works Engineering that an exception to the existing access road/driveway slope be granted but that no additional lots be granted to access from it beyond the four existing and one additional this subdivision would establish, unless a compliant connection to Country View Lane was made.

14.12.130(A) – “The width of all private roadways shall consist of a minimum of twenty feet of unobstructed travel surface. Roadways shall be twenty-five feet wide where they form cul-de-sacs greater than five hundred feet in length. Short sections may be reduced to preserve trees or other features as approved by the fire department.”

Per the plans provided the existing private access road/driveway which connects to Rose Canyon Road and provides access to four existing lots does not meet these width requirements. It is the recommendation of Salt Lake County Public Works Engineering that an exception to the existing access road/driveway width requirement not be granted and that the subdivider be required to widen it to the required half-width (12.5 feet extending towards the subdivision from the existing centerline) along the entire proposed subdivision frontage.

18.24.080(A) – “All streets within the county shall be improved with pavements bounded by integral concrete curbs and gutters to an overall width in accordance with the standards, rules and regulations adopted by the county council.”

18.24.090(C) – “The subdivider shall install curbs, gutters and sidewalks on existing and proposed streets in all subdivisions.”

Given that the property fronts along an existing dead-end private road/driveway along which no other existing properties currently have curb, gutter, and sidewalk installed and is not adjacent to any known safe routes to school under the Utah Safe Routes to School Program, it is the recommendation of Salt Lake County Public Works Engineering that an exception be granted for the installation of curb, gutter, and sidewalk along the private access road/driveway frontage of this property.

Regards,

Jefferson Thomson, PE
Salt Lake County
Public Works Engineering

When Recorded Return to
Meridian Title Company
64 East 6400 South, Suite 100
Salt Lake City, UT 84107

13053139
8/16/2019 12:16:00 PM \$40.00
Book - 10817 Pg - 1324-1327
RASHELLE HOBBS
Recorder, Salt Lake County, UT
MERIDIAN TITLE
BY: eCASH, DEPUTY - EF 4 P.

MTC File No. 270812

**AMENDED AND RESTATED
JOINT USE RIGHT OF WAY AND MAINTENANCE AGREEMENT**

(Affecting Tax Parcel No. 32-09-200-042, 32-09-200-032,
32-09-200-043 and 32-09-200-030)

This Amended and Restated Joint Use Right of Way and Maintenance Agreement (the "Agreement") is made as of August 15, 2019, by and among: VERNA L. ROSTROM AS TRUSTEE OF THE DAVID AND VERNA ROSTROM LIVING TRUST DATED DECEMBER 22, 2004 (the "Rostrum Trust"); DAVID M. ROSTROM and KAYLEEN L. ROSTROM, as joint tenants ("DK Rostrum"); ROGER D. ROSTROM and SHERYL A. ROSTROM, as joint tenants ("RS Rostrum") and BILLY D. MOON and CHRISTA R. MOON as joint tenants ("Moon"). The parties hereto may be referred to herein individually as a "Party" and collectively as "the Parties".

WHEREAS, the Rostrum Trust is the owner of the following described real property situated in Salt Lake County, Utah:

Lot 1, Rostrum Subdivision, according to the official plat thereof on file and of record in the Office of the Salt Lake County Recorder.
Tax Parcel No. 32-09-200-042; and

WHEREAS, DK Rostrum is the owner of the following described real property situated in Salt Lake County, Utah:

Beginning at a point which is North 3,353.32 ft and East 3,355.83 ft from the Southwest corner of Section 9, Township 4 South, Range 2 West, Salt Lake Base and Meridian, and running thence South 80°48'18" East 466.183 ft; thence South 18°53'28" West 262.00 ft to a point of tangency with a 1500.00 ft radius curve to the left; thence Southwesterly along the arc of said curve 42.084 ft through a central angle of 1°36'27"; thence North 72°42'59" West 379.44 ft; thence North 249.65 ft to the point of beginning. Less and excepting therefrom any portion within the bounds of Rose Canyon Road.

Subject to a right of way for ingress and egress across the Southerly 30.00 ft and Easterly 25.00 feet.

Also known as Lot 1, Boyer Subdivision.
Tax Parcel No. 32-09-200-032; and

**ACCOMMODATION RECORDING ONLY.
MERIDIAN TITLE COMPANY MAKE NO REPRESENTATION
AS TO CONDITION OF TITLE, PRIORITY OF LIEN, NOR
DOES IT ASSUME ANY RESPONSIBILITY FOR VALIDITY,
SUFFICIENCY OR EFFECT OF DOCUMENT.**

This document has been recorded electronically. Please see the attached copy to view the County Recorder's stamp as it now appears in the public record.

Submitted by: Meridian Title Company

When Recorded Return to
Meridian Title Company
64 East 6400 South, Suite 100
Salt Lake City, UT 84107

MTC File No. 270812

**AMENDED AND RESTATED
JOINT USE RIGHT OF WAY AND MAINTENANCE AGREEMENT**

(Affecting Tax Parcel No. 32-09-200-042, 32-09-200-032,
32-09-200-043 and 32-09-200-030)

This Amended and Restated Joint Use Right of Way and Maintenance Agreement (the "Agreement") is made as of August 15, 2019, by and among: VERNA L. ROSTROM AS TRUSTEE OF THE DAVID AND VERNA ROSTROM LIVING TRUST DATED DECEMBER 22, 2004 (the "Rostrom Trust"); DAVID M. ROSTROM and KAYLEEN L. ROSTROM, as joint tenants ("DK Rostrom"); ROGER D. ROSTROM and SHERYL A. ROSTROM, as joint tenants ("RS Rostrom") and BILLY D. MOON and CHRISTA R. MOON as joint tenants ("Moon"). The parties hereto may be referred to herein individually as a "Party" and collectively as "the Parties".

WHEREAS, the Rostrom Trust is the owner of the following described real property situated in Salt Lake County, Utah:

Lot 1, Rostrom Subdivision, according to the official plat thereof on file and of record in the Office of the Salt Lake County Recorder.
Tax Parcel No. 32-09-200-042; and

WHEREAS, DK Rostrom is the owner of the following described real property situated in Salt Lake County, Utah:

Beginning at a point which is North 3,353.32 ft and East 3,355.83 ft from the Southwest corner of Section 9, Township 4 South, Range 2 West, Salt Lake Base and Meridian, and running thence South 80°48'18" East 466.183 ft; thence South 18°53'28" West 262.00 ft to a point of tangency with a 1500.00 ft radius curve to the left; thence Southwesterly along the arc of said curve 42.084 ft through a central angle of 1°36'27"; thence North 72°42'59" West 379.44 ft; thence North 249.65 ft to the point of beginning. Less and excepting therefrom any portion within the bounds of Rose Canyon Road.

Subject to a right of way for ingress and egress across the Southerly 30.00 ft and Easterly 25.00 feet.

Also known as Lot 1, Boyer Subdivision.
Tax Parcel No. 32-09-200-032; and

**ACCOMMODATION RECORDING ONLY.
MERIDIAN TITLE COMPANY MAKE NO REPRESENTATION
AS TO CONDITION OF TITLE, PRIORITY OF LIEN, NOR
DOES IT ASSUME ANY RESPONSIBILITY FOR VALIDITY,
SUFFICIENCY OR EFFECT OF DOCUMENT.**

WHEREAS, RS Rostrom is the owner of the following described real property situated in Salt Lake County, Utah:

Lot 2, Rostrom Subdivision, according to the official plat thereof on file and of record in the Salt Lake County Recorder's Office.

Subject to a 25' Right-Of-Way along the East side.
Tax Parcel No. 32-09-200-043; and

WHEREAS, Moon is the owner of the following described real property situated in Salt Lake County, Utah:

Beginning at a point which is North 3568.53 feet and East 2679.73 feet from the Southwest corner of Section 9, Township 4 South, Range 2 West, Salt Lake Base and Meridian and running thence North $89^{\circ}53'45''$ East 1217.86 feet to a point on a 540.00 foot radius curve to the right (radius point bears North $85^{\circ}40'23''$ West); thence Southwesterly along said curve an arc distance of 137.26 feet (delta angle = $14^{\circ}33'51''$); thence South $18^{\circ}53'28''$ West 428.81 feet to a point on a 1500.00 foot radius curve to the left (radius point bears South $71^{\circ}06'32''$ East); thence Southwesterly along said curve an arc distance of 42.08 feet (delta angle = $1^{\circ}36'27''$); thence North $72^{\circ}42'59''$ West 1104.19 feet; thence North $3^{\circ}38'41''$ East 250.00 feet to the point of beginning.

Less and excepting:

Beginning at a point which is North 3568.53 feet, East 2679.73 feet and North $89^{\circ}53'45''$ East 676.10 feet from the Southwest corner of Section 9, Township 4 South, Range 2 West, Salt Lake Base and Meridian, and running thence North $89^{\circ}53'45''$ East 541.75 feet to a point of a 540 foot radius curve to the right (radius bears North $85^{\circ}40'23''$ West); thence Southwesterly along the arc of said curve 137.26 feet (delta angle = $14^{\circ}33'51''$); thence South $18^{\circ}53'28''$ West 428.81 feet to the point of tangency with a 1500 foot radius curve to the left; thence Southwesterly along the arc of said curve 42.08 feet (delta angle = $1^{\circ}36'27''$); thence North $72^{\circ}42'59''$ West 379.44 feet; thence North 466.09 feet to the point of beginning.

Tax Parcel No. 32-09-200-030

Verna L. Rostrom, as Trustee of The David and Verna Rostrom Living Trust Dated December 22, 2004 hereby grants to: David M. Rostrom and Kayleen L. Rostrom, as joint tenants; Roger D. Rostrom and Sheryl A. Rostrom, as joint tenants; and Billy D. Moon and Christa R. Moon, as joint tenants, the right of use for the purpose of ingress and egress over and across the following described property situated in Salt Lake County, Utah (the "Right-of-Way Parcel"):

A twenty-five (25) foot right of way along the North side of Lot 1, Rostrom Subdivision, according to the official plat thereof on file and of record in the Office of the Salt Lake County Recorder.

Part of Tax Parcel No. 32-09-200-042

The purpose of this right-of-way is to allow the parties vehicular ingress and egress across the improved private road located on the Right-of-Way Parcel.

The Parties mutually agree to share in the costs of maintenance, repair and snow removal, if any, incurred for the Right-of-Way Parcel. Each Party shall be responsible for one fourth (1/4) of said costs.

This Agreement shall be binding upon, and inure to the benefit of, the successors and assigns of each of the Parties, and shall run with the land.

This Agreement may be executed in any number of identical original counterparts, each of which shall for all purposes be deemed to be an original, and all of such counterparts, when taken together, shall constitute one and the same instrument.

This Agreement amends and restates in its entirety the Joint Use Right of Way and Maintenance Agreement recorded May 11, 1992, at Entry No. 5253045 in the Salt Lake Country Records, and the Addendum to Joint Use Right of Way and Maintenance Agreement recorded March 13, 2002, at Entry No. 8177283 of the Salt Lake County Records.

IN WITNESS WHEREOF, the Parties have executed this Amended and Restated Joint Use Right of Way and Maintenance Agreement this 15th day of August, 2019.

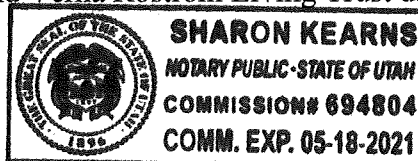
THE DAVID AND VERNA ROSTROM LIVING TRUST
DATED DECEMBER 22, 2004

Verna L. Rostrom Trustee
Verna L. Rostrom, Trustee

STATE OF UTAH)
)
) :SS.
COUNTY OF Utah)

The foregoing instrument was acknowledged before me on the ___ day of 8/15, 2019, by Verna L. Rostrom, Trustee of the David and Verna Rostrom Living Trust date December 22, 2004.

Notary Public

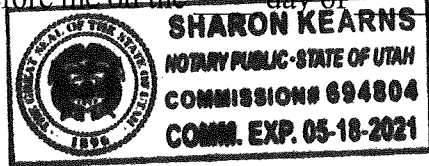


David M. Rostrom
David M. Rostrom

Kayleen L. Rostrom
Kayleen L. Rostrom

STATE OF UTAH)
COUNTY OF Sutten :SS.

The foregoing instrument was acknowledged before me on the _____ day of _____ 2019, by David M. Rostrom and Kayleen L. Rostrom.



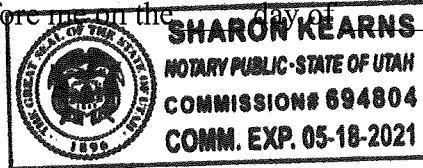
Notary Public

Roger D. Rostrom
Roger D. Rostrom

Sheryl A. Rostrom
Sheryl A. Rostrom

STATE OF UTAH)
COUNTY OF Sutten :SS.

The foregoing instrument was acknowledged before me on the _____ day of _____ 2019, by Roger D. Rostrom and Sheryl A. Rostrom.



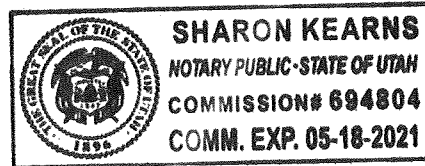
Notary Public

Billy D. Moon
Billy D. Moon

Christa R. Moon
Christa R. Moon

STATE OF UTAH)
COUNTY OF Sutten :SS.

The foregoing instrument was acknowledged before me on the _____ day of June, 2019, by Billy D. Moon and Christa R. Moon.



Notary Public