

**MINUTES OF THE  
SPECIAL MEETING OF  
GARDEN CITY, UTAH**

The Town of Garden City held a special meeting for all Board Members on Thursday, April 9, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 3:45 p.m.

Garden City Board Members present:

John Spuhler, Mayor  
Bruce Warner  
Bess Huefner  
Kathryn Warner  
Carmen Madsen  
Shari Hardinger  
Brian House  
Randall Knight  
Jenny England

Others Present:

Kathy Hislop  
Sharlene Millard  
Anita Weston  
Skip Duffin

Mayor Spuhler explained that this meeting is being held to have open and public meeting training, which is required of the town board members.

The training was based on a video training given by Mr. David Church, who is the Legal Counsel for the Utah League of Cities and Towns. The training was an open forum with a lot of discussion, questions, and answers.

The training was completed at 4:00 p.m.

APPROVAL

Attest:

---

John Spuhler, Mayor

---

Kathy Hislop, Town Clerk

**MINUTES OF THE  
STAFF MEETING OF  
GARDEN CITY, UTAH**

The Garden City Town Council held a staff meeting on Thursday, April 9, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 4:00 p.m.

Town Council Members present:

John Spuhler, Mayor  
Darin Pugmire  
Bruce Warner  
Bess Huefner

Others Present:

Kathy Hislop  
Riley Argyle  
Anita Weston  
Skip Duffin  
George Peart  
Norm Mecham  
Jim Hanselka via speaker phone

**Roll Call**

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Huefner via speaker phone, Council Member Pugmire, Council Member Stocking, and Council Member Warner via speaker phone.

**Public Works Department Report, Riley Argyle**

Mr. Argyle said that they replaced the water line along 1764 South. Service was off over night but there were no property owners in town that are on that line.

Mr. Argyle said that Circle C started their project on 150 S. this week. They started on a verbal agreement from Mr. Mecham, because we are still waiting for the agreement along 150 S with him. Mayor Spuhler said that Mr. Mecham will give us the easement if we buy the water tank. If we don't buy the water tank then we will have to buy the easement from him.

The company is in town to move the trees from the Lake Park to the Heritage Park to get ready for the extension of the park parking lot.

**Building Inspector Report, George Peart**

Mr. Peart stated that we have 11 permits this year so far and 3 are commercial, the rest are residential. The Council asked for a breakdown list of building permits for his next report.

Mr. Peart reported on the ordinances that the Planning Commission worked on and sent to the Town Council for approval. They are on tonight's agenda for approval.

The staff report meeting was closed at 4:50 p.m.

DRAFT

**MINUTES OF THE  
TOWN COUNCIL MEETING OF  
GARDEN CITY, UTAH**

The Garden City Town Council held their regularly scheduled meeting on Thursday, April 9, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:00 p.m.

Town Council Members present:

John Spuhler, Mayor  
Bess Huefner  
Darin Pugmire  
Chuck Stocking  
Bruce Warner

Others Present:

Kathy Hislop  
Riley Argyle  
Anita Weston  
Skip Duffin  
Norm Mecham  
Joey Stocking  
Gary McKee  
Jade Willis  
Don Huefner  
Mitch McBride  
AJ Franks  
Jeremy Jones  
Danieta Mahra  
Mike Knapp  
Jim Hanzelka via speaker phone

**ROLL CALL**

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Huefner, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

**APPROVAL OF MINUTES**

Minutes of the Town Council Meeting held on March 12, 2015

Council Member Huefner made the motion to approve the minutes of the regular Town Council meeting held on March 12, 2015. Council Member Warner seconded the motion. A roll call vote

Bear Lake Rodeo Discussion, Jade Willis

Mr. Willis said that they are still planning on doing the rodeo this year. The Conestoga Ranch wants a western theme so they will incorporate the rodeo in their resort. Mr. Willis said that one of their main sponsors last year was Olympus fireworks so they would like to do 2 firework shows this year. He discussed the location for the firework shows so that he can advertise it at the rodeo and allow them to use their stands for seating. The Council discussed doing the firework shows for a private business. Mr. Willis said that he is asking the city to do more firework shows not necessarily at the rodeo grounds but for the community to enjoy.

They want to bring in a demolition derby and a concert. Mr. Willis asked the Council to look into bringing in a concert series and use the rodeo for the venue. Mayor Spuhler told Mr. Willis that he would need to look into this because we don't have the resources to handle it at the city level. Mr. Willis said that he could work with Council Member Huefner to see if the concert idea is feasible. Council Member Pugmire will help also.

Mr. Willis asked the Council to put a sign on the highway for the rodeo grounds. Mayor Spuhler said that we can't install a sign for a private business.

**BEER/LIQUOR LICENSE DISCUSSION/APPROVAL**

Conestoga Ranch, request for an alcohol license to at Conestoga Ranch, located at 400 n 300 w. Thomas Hedges

Mayor Spuhler said that to attract the upper end client they may have to offer alcohol. He said that they have done a good job working with the Planning Commission and Mr. Murray

Council Member Pugmire made the motion to accept the application for the Conestoga Alcohol license located at 400 N 300 W for the selling of alcohol to his patrons and not set up as a liquor store. Council Member Warner said that we should add the sale of beer in the convenience store, that's what we would be approving, those 2 things. Council Member Warner said that this is just to add to what Council Member Pugmire said that we are approving the sale of beer in a convenience store to be built, that are the 2 things that we are approving. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**SHORT TERM RENTAL LICENSE DISCUSSION/APPROVAL**

865 Harbor Village Drive #204, Doug Lusk, Bear Lake Lodging

Council Member Pugmire wants the drawing more legible. Council Member Stocking said that the application is stated for Bear Lake Lodging Property Management. The Council said that we need to be consistent, so they need to change the property management company to Bear Lake Lodging.

Council Member Huefner made the motion to accept the short term rental license at 865 Harbor Village Drive #204, with the stipulation that she send in a better drawing to scale. Council

Member Pugmire seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

628 Eutaw Rd, David & Hillary Force

Council Member Pugmire made the motion to approve the short term rental application for David & Hillary Force at 628 S. Eutaw Rd. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

109 Harbor Village, Shindig Enterprises, LLC, Bear Lake Lodging

Council Member Warner motion to accept for the short term rental license for 109 Harbor Village, with the same condition on the drawing, that it's too light and needs to be enhanced. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

911 Blackberry Dr, Jacob Strain

Council Member Warner made the motion to accept the short term rental license and approve it for Jacob Strain at 911 Blackberry Drive. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**COVENANT TO RUN WITH THE LAND DISCUSSION/APPROVAL, request to encumber parcel number 41-21-40-268, which has 2 separate legal descriptions. Cisco Holdings, LLC/Roger Dahle**

This agenda item is was not discussed because Mr. Dahle withdrew his request from the agenda prior to the meeting.

**UNITED WAY PRESENTATION AND DISCUSSION ABOUT A PARTNERSHIP WITH GARDEN CITY, AJ Franks, and Mitch McBride**

Mr. AJ Franks and Mr. Mitch McBride explained what United Way does and can do for Rich County. They also explained how Garden City can partnership with United Way. Mr. Franks said that if the city is in favor of finding out how the United Way can help the city they will also begin to work with the Chamber.

Council Member Warner made the motion to move forward with United Way as long as they have jurisdiction in a partnership in the extent the city can encourage that with the Chamber. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

## **PUBLIC HEARING**

The public hearing was opened at 6:20 p.m.

### **ROLL CALL**

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Huefner, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

Ordinance #15-11, an ordinance establishing policies and procedures for a suspension or revocation of a business license, transient merchant license, alcoholic beverage license, peace and good order license, short term rental license, and concessionaire license.

Mayor Spuhler explained that this public hearing is to allow the community to comment regarding the proposed ordinance.

The Council Members have looked through the ordinance.

Mr. Joey Stocking said that the Chamber discussed this ordinance during their meeting today. Their question was who has the right to suspend a business license. Mayor Spuhler said that the business license official can suspend or revoke the license and then there is an appeal provision that can follow, which would go to the entire Town Council. The Council agreed that right now Council Member Warner is the business license official, because he is the Council Member over the business licenses.

Mr. Joey Stocking said that he would like it to go to the entire Council to discuss the issue before the business license is in a hurry and shut down situation. Mayor Spuhler said that he thinks the ordinance gives the opportunity to appeal and then the business can continue until the situation goes through the appeal procedure.

Council Member Warner said that 8-901 gives the conditions that a business license can be revoked.

There were no further comments regarding the proposed ordinance.

Council Member Huefner made the motion to close the public hearing at 6:35 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### **PUBLIC COMMENTS, 2 minute time limit**

Mr. Joey Stocking asked why there is not restaurant tax line item on the budget. It was explained that it is on the budget and it is listed as a local grant, which is a revenue. The County charges the restaurant tax and then gives it out to the towns as a local grant.

**ORDINANCE DISCUSSION/APPROVAL**

Ordinance #15-11, an ordinance establishing policies and procedures for a suspension or revocation of a business license, transient merchant license, alcoholic beverage license, peace and good order license, short term rental license, and concessionaire license.

Council Member Warner made the motion to approve ordinance #15-11 as read the various provisions of it. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-13, an ordinance updating RV Parks.

Council Member Huefner motion to update the RV park ordinance as it is written. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-15, an ordinance updating signs.

Mayor Spuhler said that he appreciates the work that Mr. Joey Stocking did to get the ordinance ready to be approved.

The Council Members discussed the ordinance and made minor changes to the proposed ordinance.

Council Member Warner moved to approve ordinance #15-15. Motion died for more discussion regarding the ordinance.

Council Member Warner made the motion to approve ordinance #15-15 with the modification and changes and the typographical errors corrected and the most consequential change to 15 days in 11C-610. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-16, an ordinance stating that windmills/turbines that generate electricity are prohibited in the town limits.

Mayor Spuhler suggested to change the ordinance that the windmills/turbines can be 25 feet tall, to be consistent with the height limits in the ordinance.

The Council Members also changed the title of the ordinance to “an ordinance regulating windmills/turbines that generate electricity in the town limits.

Council Member Warner made the motion to approve ordinance #15-16 with the change in the title as stated and a change in the wording as stated. Council Member Huefner seconded the

motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Ordinance #15-17, an ordinance updating the sign definitions

Council Member Pugmire made the motion to accept ordinance #15-17 as it is written. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Draft of possible change to business license ordinance, Council Member Warner

Council Member Warner explained that we have routinely approved business licenses subject to specific conditions. He said that it seems reasonable to him that if the staff looks through the application and there not unusual licenses, then we have a couple Town Council Members review the application and agree with the license then it should be able to be approved.

Council Member Pugmire suggested a change to the proposed ordinance that the business licenses can't be approved during Raspberry Days. He said that the ordinance right now says that transient or temporary businesses are not allowed during Raspberry Days. The Council discussed this and felt that we should follow the current ordinance, no transient business license during Raspberry Days period.

The changes will be made and ready for next month for public hearing and approval.

**MISCELLANEOUS ITEMS**

Employee Housing Discussion

Mayor Spuhler said that there is a company that builds dormitory type housing that can be use for a temporary period of time.

Mr. Ken Hansen said that there are quite a few employers in town that need some type of employee housing during the summer. It is an ongoing situation. He said that the businesses are being hampered because there isn't enough places for employees to stay during the summer. He suggested that we get the business community to come together and discuss this to help come up with a good solution.

Mayor Spuhler said that we could get some type of buildings for the employees and put them behind the city office in the RV spots. He felt that if it is controlled with a resident attendant it would be a good option. We could have whatever we want in the modular units, i.e. kitchen, bathroom facility, etc.

Council Member Stocking said that there are grants that may be available for these modular units. He also said that the units could be used during the school season for a charter school and

then during the summer transform it to be used for employee housing. He said that it would help create jobs for the area.

Mr. Hansen said that we are always concerned about the appearance of what this would look like so we need to be careful how we go about allowing this.

The Council discussed communities that have used these type of modular units that we may be available to get for our area.

Council Member Warner said that if we are going to move forward on this project he would like to know where the money is going to come from to pay for these buildings. Mayor Spuhler said that the city could provide the land and the utilities, but the business community should come up with the funds to pay for the buildings. It would benefit all the businesses. They could use the grant to help pay for the buildings.

#### Discussion Regarding Purchase of Shundahai Water Tank

This discussion is in regards to purchasing the Shundahai water tank or construct a new water tank at a different location. Mr. Zan Murray joined the conversation at this point via speaker phone. Mayor Spuhler said that he wants to do what is best for the city.

Mr. Murray explained that based on his calculations both options will be a significant cost. He stated that to purchase the Shundahai water tank and get it up to standards will cost approximately 1.3 – 1.5 million dollar range. He said that construction of a new well would cost between 1.0 and 1.3 million dollar range.

Mayor Spuhler said that we have gone through a lot of due diligence to make the right decision for the city. He said that he believes that the best decision for the city is to purchase the tank that already exists. It would take 2 years to construct a new tank and he feels like the 2 years is not worth the time.

The Shundahai tank would help solve some of the redundancy issue we have on the south end of the town.

Mr. Mecham has the agreement and the easements signed and ready to go with the exception of 1 easement.

Council Member Warner asked what we need to do to get the financing in place. He felt like we need a construction loan and some type of financing to pay for the tank. Mr. Murray said that we need to move forward to get the financing in place with the USDA, but we need a preliminary engineering report done first for the existing water analysis plan. That will be required to apply for the USDA financing. Mr. Murray went through the process to get the financing in place, which takes about 150 days. Then we can draw on that financing.

Council Member Warner asked if this is something that Mr. Murray could handle for the city. Mr. Murray said that they routinely handle this type of process.

Mr. Mecham said that the agreement was wrote to have the financing completed by the end of August but he can extend that if needed.

Mr. Mecham said that he is okay to deed the 12 foot piece of property, along 150 South, to Garden City if we can have a trust deed not. The trust deed note will be forgiven if the city purchase the water tank. If not then the city would have to pay him for the property, \$92,000. It is 12' wide, \$7900 per lineal foot.

The Council agreed that it is a good solution to purchase the tank, then we won't have to pay for the 12' easement.

Mayor Spuhler said that he would like to take care of this tonight and vote to move forward contingent on the final signature on the one easement. It was explained that this was not on the agenda so it can't be voted on. The Council Members discussed what they can do and determined to just tell Mr. Mecham that they are in agreement with the plan to purchase the water tank.

Mayor Spuhler said that he is comfortable moving forward with this proposed plan. Council Member Huefner and Warner agreed that they would like to move forward on this plan. Mr. Mecham said that he is fine to move forward but we do need to make sure that it is on the agenda next month.

### **BUDGET DISCUSSION**

The Council reviewed the budget and looked over each fund, each line item. The Council discussed the overages and what needs to be moved to cover the overages.

Council Member Pugmire and Ms. Hislop will work on the budget for next month so it will be ready for the tentative budget approval during the May Town Council meeting.

Mayor Spuhler discussed the shuttle program for the summer. He said that he wants to extend the route to Ideal Beach. He is having a hard time finding someone that wants to drive the shuttle this summer, but will continue to look for someone.

### **COUNCIL MEMBER REPORTS**

Council Member Pugmire said that the parking lots will be done pretty soon and they are going to be very nice.

Mayor Spuhler said that the County is going to pay \$175,000 to get a detailed study on the land for the marina expansion.

Council Member Pugmire talked about the gun range project. He said that the state is donating the property, but only the property. It is still proposed to be in the original location. Mayor

Spuhler said that we have spent about \$10,000 and lots of time on the gun range proposed project.

Council Member Pugmire said that he is working with the company for magwater this spring.

Council Member Pugmire said that he is still working with Mr. White on his bill and the work that he has been doing.

Council Member Huefner said that she met with the trails committee. They have a lot of things outlined and plans for the future. He has also done the maps for the trails.

Council Member Huefner said that she has been working with the Raspberry Days Committee and they are doing pretty well. There is one issue with the local fair.

Council Member Stocking said that the Library Board is working to get the sign and get it installed. It will cost about \$1,000 total.

Council Member Stocking said that the heater is working well now on the spa. He will also talk with Mr. Monk to make sure they have 2 lifeguards at all times.

Council Member Warner said that he has worked with a few water account holders on delinquent charges and leaks.

Mayor Spuhler said that he has met with DNR and we have the ability to do things and create things on the beach within our permit area. He worked with DNR to create different type of zones to allow specific type of travel on or to the beach.

Mayor Spuhler explained the different zones that have been proposed on the beach. It hasn't been finalized yet, but should be sometime in May. He also explained that a registered voter in Garden City would get a free pass to the beach.

Council Member Warner said that he doesn't feel that we are spending enough on the ordinance enforcement this year. Mayor Spuhler said that he has received 5 applications for the position. He said that he has hired Mr. Bob Peterson for this position and he will start in May. Mayor Spuhler said that he wants this to be an educational position also.

### **PAYMENT VOUCHERS**

Council Member Huefner made the motion to pay the bills as presented. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### **EXECUTIVE SESSION**

Council Member Huefner made the motion to go into executive session at 9:05 p.m. to discuss legal matters. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Minutes of the executive session are kept on separate record.

Council Member Stocking made the motion to close the executive session at 9:22 p.m. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**Adjournment**

There being no further business to discuss, Council Member Huefner made the motion to adjourn the meeting at 9:22 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

APPROVAL:

---

John Spuhler, Mayor

Attest:

---

Kathy Hislop, Town Clerk

May 14, 2015

To: Garden City Council

From: Steve Hamblin, Commercial Building Inspector

In order to provide both the construction trades and the public with current building code compliance information and to be in compliance with Utah State law, I respectfully request consideration of the following items and membership for purchase by the council.

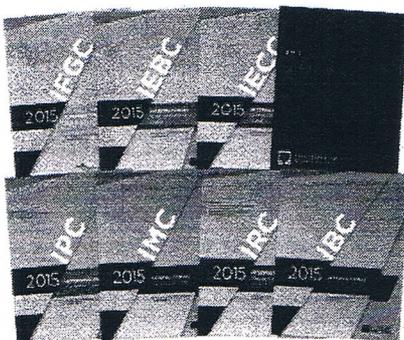
1. Purchase of the International Code Council's "2015 Inspection Collection" of the Utah State adopted Model Building Codes (see list of codes with cost breakdown attached). These codes include the 2015 International Building Code, 2015 International Residential Code, 2015 International Mechanical Code, 2015 International Plumbing Code, 2015 International Fuel Gas Code, 2015 International Energy Conservation Code, 2015 International Existing Building Code and the 2014 National Electrical Code. Total cost for all currently adopted state model codes at ICC membership cost is **\$535.00**.
2. Request for the purchase of an annual ICC Governmental Membership (see application attached) for a jurisdiction population of up to 50,000 at a cost of **\$135.00**. Benefits of membership would include:
  - a. Sign up for International Code Council webinars at a member discount. This training is recognized to meet the requirements for building inspector CEU's as well as the recertification requirements necessary to maintain a Utah State Building Inspector License renewal.
  - b. Utah Chapter of the ICC support for local and regional training seminars.
  - c. Purchase of model codes at a substantial member discount.
  - d. Certification renewals at a substantial discount.
  - e. Ability to obtain access to the ICC's Building Safety Journal Online.

**Total request including model codes and annual ICC membership:      \$670.00**



Store / Codes / 2015 International Codes and References / 2015 I-Code Sets / 2015 Inspectors Collection

### 2015 Inspectors Collection



Rollover Image to Zoom



Quantity	Format	Price	Member Price	Member Savings
<input type="text" value="1"/>	Loose Leaf Item #:302BNL15	<b>\$713.00</b>	\$535.00	\$178.00
<input type="text" value="0"/>	Soft Cover Item #:302BNS15	<b>\$634.00</b>	\$476.00	\$158.00

**Overview**      Details

Contains:

- 2015 International Building Code®
- 2015 International Residential Code for One- and Two-Family Dwellings®
- 2015 International Mechanical Code®
- 2015 International Plumbing Code® (IPC®)
- 2015 International Fuel Gas Code®
- 2015 International Energy Conservation Code® (soft cover)
- 2015 International Existing Building Code®
- 2014 National Electrical Code®



Governmental Membership Application Select membership population of jurisdiction that applies:

- Up to 50,000 \$135 Two-Year Discount \$230 Three-Year Discount \$325
50,001-150,000 \$240 Two-Year Discount \$410 Three-Year Discount \$575
150,001+ \$370 Two-Year Discount \$630 Three-Year Discount \$890

JURISDICTION Garden City Utah
DEPARTMENT/AGENCY Building Inspections
SHIPPING ADDRESS 69 North Paradise Parkway, Building B
CITY Garden City
STATE/PROVINCE Utah ZIP/POSTAL CODE 84028 COUNTRY USA
BILLING ADDRESS (IF DIFFERENT)
CITY
STATE/PROVINCE ZIP/POSTAL CODE COUNTRY

Please send our complimentary 2015 International Code Package Offer extended to new members only. Please choose one option below.
(Package includes: Building, Residential, Fire, Fuel Gas, Mechanical, Plumbing) [X] Soft Cover or [ ] Loose Leaf
Other select ICC codes may be substituted, based on availability. Would you prefer a 2012 or 2009 edition or regional code? Specify below:

Governmental Members hereby agree that persons may receive communications from ICC by electronic mail or other means of electronic communication, or by the posting of such communications to ICC's website, together with a separate notice of such posting.

Primary Representative Check here if you would like to receive information about ICC products and services via: [ ] Email

1. [X] MR. [ ] MS. Steve Hamblin seabeechief1955@gmail.com
NAME EMAIL
Commercial Inspector 801-499-3391
TITLE PHONE EXT. FAX
Signature of authority having jurisdiction: 5/14/15
SIGNATURE DATE

Payment Information Annual membership dues must be prepaid with check, money order, or credit card and submitted with application.

Enclosed is my: [X] CHECK (Payable to ICC) [ ] MONEY ORDER
Charge my: [ ] VISA® [ ] MASTERCARD® [ ] DISCOVER® [ ] AMERICAN EXPRESS® Please apply this total amount to my credit card: \$

CREDIT CARD NUMBER EXP. DATE
CARDHOLDER'S NAME SIGNATURE
Is your organization tax exempt? [ ] No [X] Yes: If yes, a copy of your tax exempt certificate is required.

Submitting the Application There are four easy ways to submit this completed application along with payment or credit card information.

- 1. FAX: (205) 591-0775 2. MAIL: International Code Council 900 Montclair Road Birmingham, AL 35213
3. CALL: 1-888-ICC-SAFE (422-7233), x33804 4. SCAN & EMAIL: members@iccsafe.org



# Garden City Business License Application

PO Box 207 • 69 N. Paradise Parkway • Garden City, Utah 84028  
www.gardencityut.us • 435-946-2901 • 435-946-8852 Fax

**Business Status:**  New Business  
(check all that apply)  Additional Location # \_\_\_\_\_  
 Name Change  
 Ownership Change  
 Location Change  
 Transient Vendor  
 Concessionaire Vendor

**License Fee:** Business License Fee \_\_\_\_\_  
Transient License Fee \_\_\_\_\_  
Concessionaire Fee \_\_\_\_\_  
Additional Location \_\_\_\_\_  
Other \_\_\_\_\_  
Beach Vendor License also requires a BCI background check

**Official Use Only:**

**Planning Commission:**  Approved  Not Approved Date: \_\_\_\_\_  
**Town Council:**  Approved  Not Approved Date: \_\_\_\_\_  
**Inspections: Building Insp.:**  Initial Date: \_\_\_\_\_  Final Date: \_\_\_\_\_  
**Fire Inspection:**  Initial Date: \_\_\_\_\_  Final Date: \_\_\_\_\_

**Comments:**

**Zone:**  Commercial 1 2 3  Residential  Beach Devel.  Other \_\_\_\_\_

**Business Name:** Stop and Drop  
If name change, previous name: \_\_\_\_\_  
**Location Address:** 1837 S 250 E Loop Garden City Utah 84028  
City, State & Zip: \_\_\_\_\_  
**Business Phone:** 435-881-9397  
**Cell Phone:** 435-881-7295  
**Mailing Address:** Po Box 555 Garden City Utah 84028  
City, State & Zip: \_\_\_\_\_  
**E-mail Address:** sherman@stopanddrop.biz

<b>Owners Name:</b> <u>John Spahler</u>	<u>Kyle Spahler</u>
<b>Owners Location:</b> <u>Garden City Utah</u>	<u>Bloomington Idaho 83223</u>
<b>Phone:</b> <u>435-232-0553</u>	<u>435-881-7295</u>
<b>Cell Phone:</b> _____	_____

**Kind of Business**  Retail  Lodging  Restaurant  
 Professional  Contractor  Other

**Briefly Describe Your Business:** Portable toilet services

**Utah State Sales Tax Number:** 47-2467577

**Ut State Professional License No.** \_\_\_\_\_

**Will you be installing a sign?:** No

This is an application for a business license; the actual license will be issued only when All inspections/Approvals are complete. Issuance of this business license shall in no way relieve the applicant of his/her responsibility of complying with applicable zoning, health, building, or fire regulations.

I, We, Kyle Spahler hereby agree to conduct said business strictly in accordance with the Laws and Ordinances covering such business. I understand that I shall not begin nor cause to begin business at this location without first obtaining a business license and will not continue business without maintaining a valid license, in doing so, I will be subject to a penalty as stipulated by the Garden City Infraction Fee Schedule.

Business License Fees are non-refundable.

**Owners Signature:** [Signature] Date: 04/06/2015

Please print your name: \_\_\_\_\_

# Garden City

## Business License Application

PO Box 207 • 69 N. Paradise Parkway • Garden City, Utah 84028

www.gardencityut.us • 435-946-2901 • 435-946-8852 Fax

<b>Business Status:</b> (check all that apply)	<input type="checkbox"/> New Business <input type="checkbox"/> Additional Location # ____ <input type="checkbox"/> Name Change <input type="checkbox"/> Ownership Change <input type="checkbox"/> Location Change <input checked="" type="checkbox"/> Transient Vendor <input type="checkbox"/> Concessionaire Vendor	<b>License Fee:</b> Business License Fee Transient License Fee Concessionaire Fee Additional Location Other	<u>250.00</u> pd <u>on CC</u> <u>5-6-15</u>
Beach Vendor License also requires a BCI background check			

**Official Use Only:**

**Planning Commission:**  Approved  Not Approved Date: \_\_\_\_\_

**Town Council:**  Approved  Not Approved Date: \_\_\_\_\_

**Inspections: Building Insp.:**  Initial Date: \_\_\_\_\_  Final Date: \_\_\_\_\_

**Fire Inspection:**  Initial Date: \_\_\_\_\_  Final Date: \_\_\_\_\_

**Comments:** \_\_\_\_\_

**Zone:**  Comercial 1 2 3  Residential  Beach Devel.  Other \_\_\_\_\_

**Business Name:** Moe's Eats

**If name change, previous name:** \_\_\_\_\_

**Location Address:** 200 N Bear Lake Blvd

**City, State & Zip:** Garden City, UT 84028

**Business Phone:** \_\_\_\_\_

**Cell Phone:** 801-660-5977

**Mailing Address:** 1008-5 N Shepard Creek Parkway

**City, State & Zip:** Farmington, UT 84025

**E-mail Address:** jeremycarling@gmail.com

**Owners Name:** Merrill Moore

**Owners Location:** 1205 N Fairway Circle

**City, State & Zip:** Farmington, UT 84025

**Phone:** 801-430-7121

**Cell Phone:** 801-660-5977

**Kind of Business**  Retail  Lodging  Restaurant  
 Professional  Contractor  Other

**Briefly Describe Your Business:** Self contained, mobile food trailer serving fresh corn dogs and fries

**Utah State Sales Tax Number:** Applied & Pending

**Ut State Professional License No.** \_\_\_\_\_

**Will you be installing a sign?:** No permanent signs

This is an application for a business license; the actual license will be issued only when All inspections/Approvals are complete. Issuance of this business license shall in no way relieve the applicant of his/her responsibility of complying with applicable zoning, health, building, or fire regulations.

I, We, Merrill Moore hereby agree to conduct said business strictly in accordance with the Laws and Ordinances covering such business. I understand that I shall not begin nor cause to begin business at this location without first obtaining a business license and will not continue business without maintaining a valid license, in doing so, I will be subject to a penalty as stipulated by the Garden City Infraction Fee Schedule. Business License Fees are non-refundable.

**Owners Signature:** [Signature] **Date:** 5/6/15

**Please print your name:** \_\_\_\_\_

To whom it may concern,

I Nate Smoot of Epic Recreation LLC give permission for Jeremy Carling of Moe's Eats, to operate a business within my property boundries in Garden City, UT. If there are any questions regarding this please feel free to contact me via email at [epicrecreation@gmail.com](mailto:epicrecreation@gmail.com) or call my cell at 435-757-2052.

Nate Smoot

Epic Recreation LLC





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/06/2015

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 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 <b>Stratford Insurance Group, Inc.</b> 2307 N. Hill Field Rd., Suite 103 Layton, UT 84041 License #: 103899	CONTACT NAME: <b>Evi Lenthe</b>	FAX (A/C, No): (801)337-2280	
	PHONE (A/C, No, Ext): (801)784-4938	E-MAIL ADDRESS: <b>evi@sigutah.com</b>	
INSURED <b>Moore and Company, LLC</b> DBA Gladys' Place 1205 Fairway Cir Farmington, UT 84025	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A:	<b>Liberty Mutual Ins</b>	<b>24082</b>
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES CERTIFICATE NUMBER: 00000000-0 REVISION NUMBER: 1

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  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			<b>BZS56048791</b>	05/01/2015	05/01/2016	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>1,000,000</b> MED EXP (Any one person) \$ <b>15,000</b> PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ <b>2,000,000</b> PRODUCTS - COMPI/OP AGG \$ \$
A	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			<b>BAS56048791</b>	05/01/2015	05/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$ <b>1,000,000</b> BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE 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						<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> 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)  
 In regards to 2014 Double R Trailers VIN 1D9BU1824FN451847

## CERTIFICATE HOLDER

## CANCELLATION

Town of Garden City  
69 N Paradise Pkwy Bldg B  
Garden City, UT 84028

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

(EVI)

© 1988-2014 ACORD CORPORATION. All rights reserved.



After Recording mail to:  
Town of Garden City  
PO Box 207  
Garden City, Utah 84028

## TOWN OF GARDEN CITY

### Covenant to run with the land

ON THIS 14<sup>th</sup> DAY OF MAY, 2015 COMES NOW the Town of Garden City, a Class 4 municipality, acting by and through its duly appointed Mayor, (hereinafter known as the “town”) and, Eddie O. and Pamela P. Hunsaker property owners in the Town of Garden City, Utah (hereinafter know as the “owners”) and owners of certain real property in the Town of Garden City, Rich County, State of Utah, known generally as 41-21-32-031 and 41-21-32-032, more particularly described as follows:

PARCEL #1: LOT 31, BUTTERCUP MOBILE HOME ESTATES  
PARCEL #2: LOT 32, BUTTERCUP MOBILE HOME ESTATES

(Hereinafter known as “property”) and do hereby enter into this Agreement and Covenant as follows:

WHEREAS the Town of Garden City has duly enacted ordinances and statutes prescribing zoning land use policies and requirements of the Town of Garden City; and

WHEREAS owners are desirous of utilizing their land and improvements in a manner not strictly in conformity with the ordinances or statutes; and

WHEREAS the Town is willing to grant a encumbrance permit to the subject property based on the owner’s providing the Town with a covenant to run with the land applicable to any and all heirs, successors of interest or assigns as set forth herein.

NOW THEREFORE, for valuable consideration received, the sufficiency of which is hereby acknowledged by the owners, the Town and the Owners do hereby covenant, promise, and agree as follows:

For and in consideration the encumbrance permit granted by the town, owners, their successors in interest heirs or assigns, covenant and irrevocably agree that the above described 2 parcels of real property shall remain in common ownership of the owners or their successors in interest heirs or assigns and shall not, under any circumstances so long as the encumbrance permit shall be effective, be sold separately or for any reason shall one parcel be segregated from ownership

interest of the other parcel. In the event that such segregation or separate ownership shall occur, the owner of parcel 1 and 2 as described above, covenants and agrees to forthwith demolish and remove from the property any and all structures not in conformance with the Garden City Ordinances or regulations at the time of the segregation or separation. The structures not in conformance with the Garden City Ordinances or requirements at the time of the segregation or separation will be removed or demolished within 30 days of any such segregation of ownership.

This would also require the owner to bring property into conformity with any and all Garden City requirements, ordinances and regulations at the time of segregation.

1. THIS COVENANT shall be a covenant that runs with the land and shall be in perpetuity.
2. THIS COVENANT shall be binding on all heirs, successors in interest, assigns, sureties, or any other persons hereinafter acquiring any interest in the property.
3. THIS COVENANT shall be governed by the laws of the State of Utah and shall be enforceable through any and all remedies allowable at law including, but not limited to, injunctive or declaratory relief. The owner does hereby stipulate that the failure to abide by the covenants would leave the Town irreparably injured, and that there is no adequate remedy at law save and except injunctive relief.
4. THAT SHOULD THIS COVENANT have to be enforced, requiring the services of an attorney, either in Court, or in any administrative proceedings or otherwise, the Town shall be entitled to recover against the owners, or their successors, assigns, or heirs a reasonable attorney's fee for the enforcement of the covenant herein, as well as all costs and fees incurred therein.
5. OWNER, HIS HEIRS, SUCCESSORS IN INTEREST OR ASSIGNS promise to abide by the covenant and understand that the failure to abide by this covenant shall be grounds for the Town to revoke the conditional use permit in addition to all other remedies, granted by the Town upon 10 days written notice to the property owners. Thereafter, the Town may enforce strict compliance with its land use planning and other ordinance allowable at law, and no claim or waiver estoppel shall apply as against the Town.

Covenant to run with the land  
Eddie O. and Pamela P. Hunsaker  
May 14, 2015  
Page 3

DATED this 14<sup>th</sup> day of May, 2015.

APPROVED:

Attest:

\_\_\_\_\_  
John Spuhler, Mayor

\_\_\_\_\_  
Kathy Hislop, Town Clerk

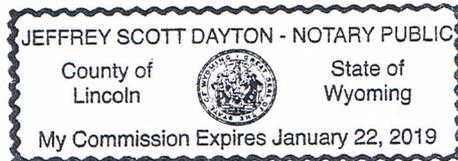
Eddie O Hunsaker

Eddie O. Hunsaker, Owner

Pamela P Hunsaker

Pamela P. Hunsaker, Owner

Wyoming )  
State of ~~Utah~~ )  
County of Lincoln )



On the 28 day of April, 2015, personally appeared before me, Eddie O Hunsaker  
& Pamela P Hunsaker who duly acknowledged to me that they executed the same.

Jeffrey Scott Dayton  
Notary

My Commission expires: 1/22/19  
Residing in: Lincoln County

## Application for Project Review Garden City, Utah

This application must be accompanied with the necessary and appropriate materials, as stated on the project checklist, before it will be accepted for processing. The date upon which the project will appear on an agenda is determined by the notification schedule required by the State of Utah. The project will be scheduled for the next meeting for which a legal notice has not yet been prepared, after an application is accepted as complete by the Town Staff.

Type of Application (check all that apply):	Ordinance Reference:
<input type="checkbox"/> Annexation	11A-301
<input type="checkbox"/> Appeal	11B-400
<input type="checkbox"/> Conditional Use Permit	11C-500
<input type="checkbox"/> Condominium/Townhouse	11E-524 or 11E-525
<input checked="" type="checkbox"/> Encumbrance	
<input type="checkbox"/> Extension of Time	Subdivision 11E-503/PUD or PRUD 11F-107-A-2
<input type="checkbox"/> Lot Split/Lot Line Adjustment	11E-506
<input type="checkbox"/> PUD Conceptual	11C-1950, 11E-100, and 11F-100
<input type="checkbox"/> PUD Phase Approval/Preliminary or Final	11C-1950, 11E-100, and 11F-100
<input type="checkbox"/> PRUD Conceptual	11C-1950, 11E-100, and 11F-100
<input type="checkbox"/> PRUD Phase Approval/Preliminary or Final	11C-1950, 11E-100, and 11F-100
<input type="checkbox"/> Subdivision	11E-100
<input type="checkbox"/> Vacation of Subdivision	11E-523
<input type="checkbox"/> Variance	11B-308
<input type="checkbox"/> Water Transfer	13A-1300
<input type="checkbox"/> Zone Change	
<input type="checkbox"/> Other Land Use Permit _____	

Project Name: Eddie Hunsaker Current Zone: \_\_\_\_\_ Proposed Zone: \_\_\_\_\_

Property Address: 270 West Cedar Lane & 265 West Cedar Lane

Parcel # 41-21-32-032 & 41-21-32-031

Contact Person: Eddie Hunsaker Phone #: 1-307-884-6675  
1-307-885-9391

E-mail address: eddieo@silverstar.com

Mailing Address: P.O. Box 817 Afton, WY 83110

Applicant (if different): \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Property Owner of Record (if different): Eddie Hunsaker Phone #: 307-884-6675

Mailing Address: P.O. Box 817 AFTON, WY 83110

Project Start date: ASAP Completion date: \_\_\_\_\_

Describe the proposed project as it should be presented to the hearing body and in the public notices.

A Garage 18' X 30'  
Encumbrance of lots #31 & #32

Lot Size in acres or square feet: \_\_\_\_\_ Number of dwellings or lots: \_\_\_\_\_

Non-residential building size: 18' X 30'

I certify that the information contained in this application and supporting materials is correct and accurate.

Eddie O Hunsaker  
Signature of Applicant

I certify that I am the Owner of Record of the subject property and that I consent to the submittal of this application. **Owner of Record MUST sign the application prior to submitting to Garden City.**

Eddie O Hunsaker  
Signature of Owner of Record

Pamela P Hunsaker  
Signature of Owner of Record

\_\_\_\_\_  
Signature of Owner of Record

Office Use Only
Date Received: _____
Fee: _____
By: _____





435-946-8888

206 North Bear Lake Blvd  
P.O. Box 226 • Garden City, UT 84028  
435-946-3230 fax

[www.BearLakeRealty.com](http://www.BearLakeRealty.com)

To whom it may concern and Garden City Planning and Zoning and City Council:

I, Gary McKee have been hired as the agent for Lewiston Bank to represent their interests in The Season's condo project in Garden City. They are the current owner of this project.

The Seasons condo project was approved years ago and market changed enough that did not allow further building of the whole project. The original developer has lost a substantial amount of money and has now given back to the lending institution (Lewiston State Bank) the property in a Deed in Lieu of Foreclosure. The bank is now selling the approved plat to another buyer. A contingency of the sale is that the bank must show proof that the properties in the master plan to the West owned by Cisco Holdings LLC (Roger Dahle) tax I.D. 41-21-40-268, and the North owned by Hayward and Fox (Susan Hayward and H.P. Fox) tax I.D. 41-21-40-247 will not be part of this project and be paying into the common areas assessments. They have not in the past and all parties want to make sure this is not the case in the future.

In order to accomplish this, the CCR's will need to be amended to allow for this and to clarify this. We have come to the city in order for full disclosure and make sure the City is on the same page as the attorneys handling this. We want to make sure the City is happy with the disclosure of this and make sure the city will approve of this change. The property to the West will still have a recorded easement from 300 west to 200 west as well as the Season's will have a recorded easement to 300 west.

The buyer is buying all of the approved plat that is approved for building 1 units A,B,C,D,E (physically built) and building 2 units A,B,C,D,E,F,G (not built) and building 3 units A,B,C,D,E,F,G(not built).

The problem is that with the improved areas, there are costs incurred that the undeveloped areas of this master plan will never be a part of and do not want to be included in paying these costs or tied to more condos as being the only development possibilities in these areas and this is why the CCR's are being amended.

We are coming to the Planning and Zoning and City Council just to make sure all is well with this change.

Sincerely,

Gary C. McKee, Broker

Bear Lake Realty, Inc.

*"Leading the Valley...Always"*



**SCHEDULE B**

Section 2

Order Number: T-71552

24. DEED OF TRUST

Trustor: SEASONS PROPERTIES, LLC as to Parcel 1 & 2 and TACACON-SEASONS, INC. as to Parcel 3

Trustee: RICH LAND TITLE COMPANY

Beneficiary: LEWISTON STATE BANK

Amount: \$1,200,000.00, plus interest

Dated: January 31, 2008

Recorded: February 15, 2008

Entry No.: 73783

Book/Page: N10/1662

(Affects additional property not shown or insured herein.)

MODIFICATION OF TRUST DEED

Dated: December 31, 2009

Recorded: January 5, 2010

Entry No.: 78944

Book/Page: Y10/14

MODIFICATION OF TRUST DEED

Dated: September 27, 2010

Recorded: February 9, 2011

Entry No.: 81199

Book/Page: C11/48

(Subject to the effect of that certain Warranty Deed In Lieu of Foreclosure and that certain Estoppel Affidavit, which are recorded in Book N11, Page 970 and Book N11, Page 973 respectively in the office of the Recorder of Rich County, Utah.)

Exception numbered 1-9 will be eliminated in the A.L.T.A. Extended Coverage Policy.

NOTE: In the event this transaction fails to close, a minimum \$200.00 cancellation fee will be charged for services rendered in accordance with the rates that are on file with the Commissioner of Insurance of the State of Utah.

NOTICE TO APPLICANT AND/OR PROPOSED INSURED: If you require copies of any documents identified in this commitment for Title Insurance, the Company will furnish the same upon specific request, either free of charge or for the actual cost of duplication for those copies requiring payment by the Company to obtain.

NOTICE TO APPLICANT AND/OR PROPOSED INSURED: The land described in this Commitment may be serviced by services provided by cities, towns, public utility companies and other firms providing municipal type services which do not constitute liens upon the land and for which no notice of the existence of such service charges is evidenced in the Public Records. The applicant and/or proposed insured should directly contact all entities providing such services and make the necessary arrangements to insure payment for such services and continuation of services to the land.

NOTICE TO APPLICANT AND/OR PROPOSED INSURED: The policy to be issued contains an arbitration clause. Any matter in dispute between you and the Company may be subject to arbitration as an alternative to court action. You may review a copy of the arbitration rules at <http://www.alta.org>. Any decision reached by arbitration shall be binding upon both you and the Company. The arbitration award may include attorney's fees, if allowed by state law, and may be entered as a judgment in any court of proper jurisdiction.



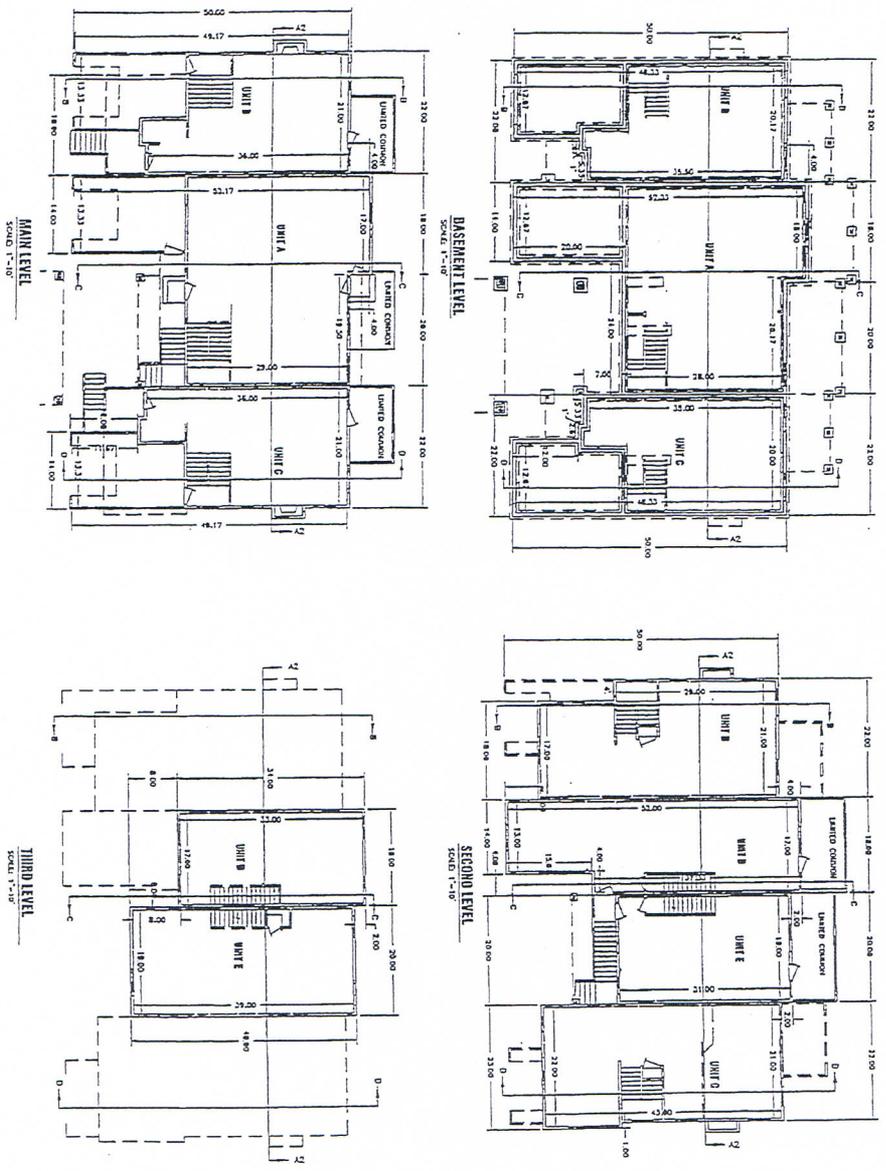
112 North Main  
Logan, UT 84321  
[www.HickmanTitle.com](http://www.HickmanTitle.com)

First American Title Insurance Company

kdt

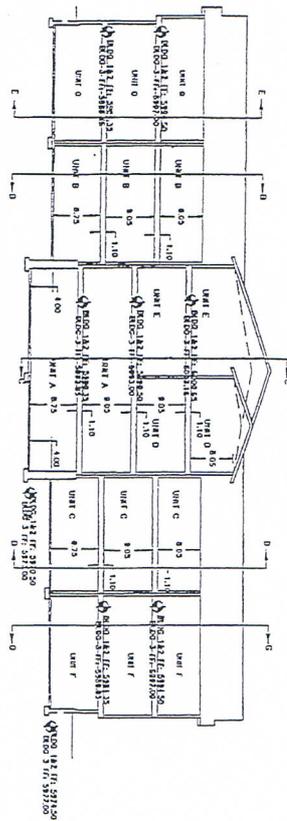
Building 1, 5 units

THE SEASONS RESORT COMMUNITY  
 A PLANNED UNIT DEVELOPMENT  
 PART OF THE NORTHWEST QUARTER OF SECTION 21,  
 TOWNSHIP 14 NORTH, RANGE 5 EAST,  
 SALT LAKE BASIN AND MERRIDAH  
 RICH COUNTY  
 GARDEN CITY, UTAH

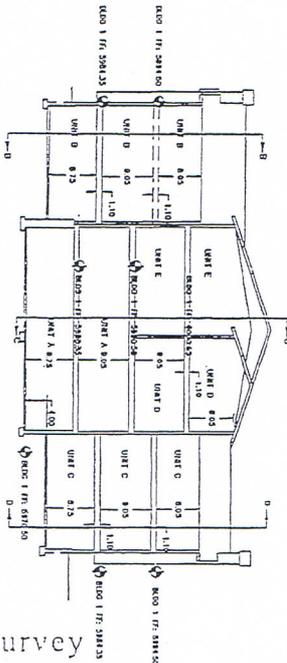


This map does not represent a survey of the land or imply any representations as to the size, area or any other facts related to the land shown thereon. It is furnished strictly for the purposes of generally locating the land. The description furnished in Schedule A of the Policy should be referred to for the description of the land covered thereby.

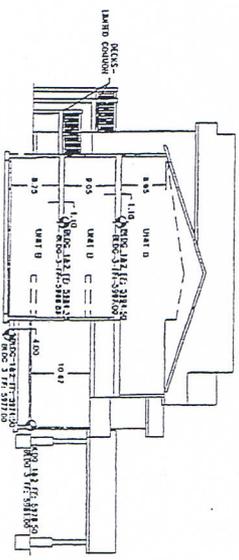
SHEET NO. 2 OF 2	THE SEASONS RESORT COMMUNITY A PLANNED UNIT DEVELOPMENT PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 14 NORTH, RANGE 5 EAST, SALT LAKE BASIN AND MERRIDAH RICH COUNTY GARDEN CITY, UTAH 5-PLEX PLAN VIEW	REVISIONS: NO. DATE BY	ALLIANCE CONSULTING ENGINEERS 760 WEST 2000 SOUTH, SUITE 2 SALT LAKE CITY, UTAH 84119 (435) 725-5121 alicia.wright@ace-engineers.com	
---------------------	--	---------------------------	--	--



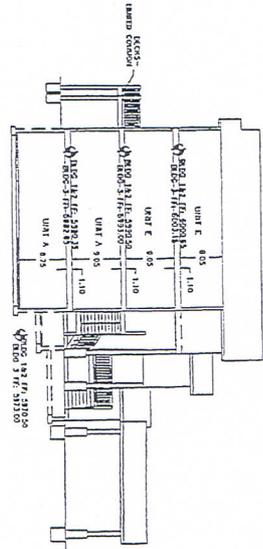
SECTION A-A  
SCALE 1/4"=1'-0"



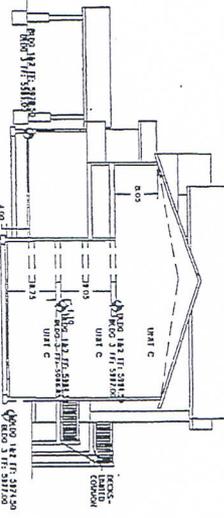
SECTION A-A'  
SCALE 1/4"=1'-0"



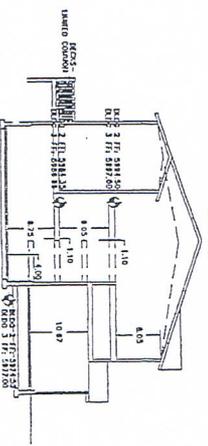
SECTION B-B  
SCALE 1/4"=1'-0"



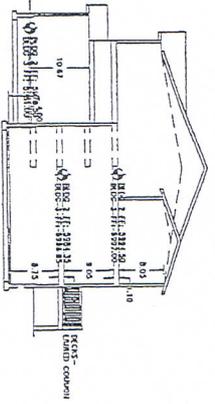
SECTION C-C  
SCALE 1/4"=1'-0"



SECTION D-D  
SCALE 1/4"=1'-0"



SECTION E-E  
SCALE 1/4"=1'-0"



SECTION G-G  
SCALE 1/4"=1'-0"

This map does not represent a survey of the land or imply any representations as to the size, area or any other facts related to the land shown thereon. It is furnished strictly for the purposes of generally locating the land. The description furnished in Schedule A of the Policy should be referred to for the description of the land covered thereby.

SHEET NO. 4 OF 4	PROJECT FILE <b>THE SEASONS RESORT          COMMUNITY          A PLANNED UNIT DEVELOPMENT</b>	NO. _____ REVISION / DATE / BY	DATE _____ PROJECT NO. _____	<b>ALLIANCE CONSULTING ENGINEERS</b> 745 WEST 2500 SOUTH SALT LAKE CITY, UT 84119 (801) 487-1111 www.alliance-engineers.com	
	BUILDING SECTIONS	NO. _____ REVISION / DATE / BY	DATE _____ PROJECT NO. _____		

## COMMITMENT FOR TITLE INSURANCE

ISSUED BY

Hickman Land Title Company  
112 North Main  
Logan, UT 84321  
Phone (435)752-0582

Rich Land Title Company  
112 North Main  
Logan, Utah  
Phone (435) 752-0582



Serving Cache, Davis, Rich, Salt Lake,  
Utah and Weber Counties  
Toll Free 800-365-7720

Hickman Land Title Company  
872 W. Heritage Park Blvd., #120  
Layton, UT 84041  
Phone (801) 416-8900

Hickman Land Title Company  
5939 S. Redwood Road  
Taylorsville, UT 84123  
Phone (801) 293-7700

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date Shown in Schedule A.

If the Requirements shown in this commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-1.
- The Exceptions in Schedule B-2.
- The Conditions on the inside cover page.

The Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



*First American Title Insurance Company*

BY *Gary L. Keruett* PRESIDENT

ATTEST *Mark R. Anderson* SECRETARY

BY *Lupita D. Contreras* COUNTERSIGNED

## CONDITIONS

1. DEFINITIONS

(a) "Mortgage" means mortgage, deed of trust or other security instrument. (b) "Public Records" means title records that give constructive notice of matters affecting the title according to the state law where the land is located.

2. LATER DEFECTS

The Exceptions in Schedule B - Section 2 may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attached between the Commitment Date and the date on which all of the Requirements (a) and (c) of Schedule B - Section 1 are met. We shall have no liability to you because of this amendment.

3. EXISTING DEFECTS

If any defects, liens or encumbrances existing at commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

4. LIMITATION OF OUR LIABILITY

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its requirements. If we have any liability to you for any loss you incur because of an error in this commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

comply with the Requirements shown in Schedule B - Section 1

or

eliminate with our written consent any Exceptions shown in  
Schedule B - Section 2.

We shall not be liable for more than the Policy Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. CLAIMS MUST BE BASED ON THIS COMMITMENT

Any claim, whether or not based on negligence, which you may have against us concerning the title to the land must be based on the Commitment and is subject to its terms.

## SCHEDULE A

Order Number: T-71552

Building 1, Units A, B, C, D and E, THE SEASONS RESORT COMMUNITY, a Planned Unit Development, together with all the undivided ownership interest pertaining to each unit in the common areas and facilities, as defined, described and depicted in the certain Declaration of Covenants, Conditions and Restrictions for The Seasons Resort Community, (a Residential Planned Unit Development) recorded February 21, 2008 as Filing No. 73818 in Book N10, Page 1827 and which is further depicted with rights, privileges and easements as shown by that certain plat of said The Seasons Resort Community, a Planned Unit Development recorded February 21, 2008 as Filing No. 73817 in Book N10, Page 1826, all in the office of the Recorder of Rich County, Utah.

### SUBJECT, HOWEVER TO:

The provisions of the Utah Condominium Ownership Act.

All provisions of Declaration and Survey Map here before referred to.

All rules and regulations and agreements made and entered into pursuant to the provisions of the said Utah Condominium Ownership Act and said Declaration.



112 North Main  
Logan, UT 84321  
[www.HickmanTitle.com](http://www.HickmanTitle.com)

First American Title Insurance Company

kdt

## SCHEDULE A

Order Number: T-71552

1. Effective Date: February 19, 2015 at 2:38 PM

2. Policy or Policies to be issued:	Amount of Insurance	Premium
(a) A.L.T.A. 2006 Owner's Policy (Extended) Proposed Insured:	\$668,800.00	\$3,839.00

**STAN GOODELL**

(b) A.L.T.A 2006 Loan Policy (Extended)  
Proposed Insured:

(c) Leasehold Policy  
Proposed Insured:

(d) Endorsements:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:  
Fee Simple

4. Title to the Estate or interest in said land is at the effective date hereof vested in:

**LEWISTON STATE BANK, a Utah Corporation**

5. The land referred to in this Commitment is in the State of Utah, County of Rich, and is described as follows:

**See Attached Legal Description**

We appreciate your business and thank you for choosing Hickman Land Title Company.  
Your Escrow officer will be Kylie Trauntvein, Phone (435) 752-0582 [kylie@landtitleco.com](mailto:kylie@landtitleco.com)  
Please call your title officer, Marilyn Adams, phone (435) 752-0582, with any questions or concerns regarding this commitment.

For informational purposes only.  
The Rich County Recorder shows the address of said property to be:  
110 West Seasons Lane  
Garden City, Utah 84028



112 North Main  
Logan, UT 84321  
[www.HickmanTitle.com](http://www.HickmanTitle.com)

**First American Title Insurance Company**

kdt