

REGULAR MEETING

HEBER CITY CORPORATION
75 North Main Street
Heber City, UT 84032
City Council Regular Meeting
September 3, 2015

7:00 p.m. Regular Meeting

**TIME AND ORDER OF ITEMS ARE APPROXIMATE AND MAY BE
CHANGED AS TIME PERMITS**

- I.** Call to Order
- II.** Pledge of Allegiance: Council Member Robert Patterson
- III.** Prayer/Thought: By Invitation (Default Council Member Erik Rowland)
- IV.** Minutes for Approval: August 6, 2015 Draft Regular Meeting Minutes; and August 20, 2015 Draft Work and Regular Meeting Minutes
 - 1.** Approve Ordinance 2015-24, an Ordinance Amending the Heber City General Plan Designating All of Block 54 as Future Highway Commercial
 - 2.** Approve Ordinance 2015-25, an Ordinance Amending Heber City's Zoning Map for Property located at the Southwest Corner of 200 South and 100 East and Approximately 55 East 300 South
 - 3.** Edge Land 15, LLC, Final Approval for the Meadows at South Field, Phase 1, a 19 Lot Subdivision, and Phase 2, a 25 Lot Subdivision, and Associated Subdivision Agreement for Property Located at 460 South 1200 West
 - 4.** Approve Ordinance 2015-26, an Ordinance Amending the Heber City Land Use Map from Residential Agriculture to High Density Residential for Property Located at 250 East Airport Road
 - 5.** Approve Ordinance, 2015-27, an Ordinance Amending the Heber City Zoning Map from RA-2 Residential Agriculture Zone to R-3 Residential Zone for property located at 250 East Airport Road
 - 6.** Approve Ordinance 2015-28, an Ordinance Amending the Heber City Land Use Map from Low Density Residential to Moderate Density Residential for Property Located at 700 South 1200 West

7. Approve Ordinance 2015-29, an Ordinance Amending the Heber City Zoning Map from the R-1 Residential Zone to the R-2 Residential Zone with the Clustered Open Space Overlay Zone (COSZ) for Property Located at approximately 700 South 1200 West
8. Approve Special Service Operator Agreement with Barry Hancock for World Wide Warbirds
9. Review Recommendation from the Airport Advisory Board Regarding General Liability Insurance Requirements for Hangar Owners
10. Approve Sewer Impact Fee Scope of Work
11. Closed Meeting as Needed

Ordinance 2006-05 allows Heber City Council Members to participate in meetings via telecommunications media.

In accordance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Michelle Kellogg at the Heber City Offices (435) 654-0757 at least eight hours prior to the meeting.

Posted on August 27, 2015, in the Heber City Municipal Building located at 75 North Main, Wasatch County Building, Wasatch County Community Development Building, Wasatch County Library, on the Heber City Website at www.ci.heber.ut.us, and on the Utah Public Notice Website at <http://pmn.utah.gov>. Notice provided to the Wasatch Wave on August 27, 2015.

Memo

To: Mayor and City Council
From: Mark K. Anderson
Date: 08/27/2015
Re: City Council Agenda Items for September 3, 2015

REGULAR MEETING

Item 1 – Approve Ordinance 2015-24, an Ordinance Amending the Heber City General Plan Designating All of Block 54 as Future Highway Commercial: The Karl Malone Dodge dealership is requesting that all of Block 54 be designated as a commercial land use on the General Plan. Currently the properties fronting on 100 East and one property that fronts on 300 South are designed as high density residential. The Planning Commission has held a public hearing and the residential neighbors were concerned about property taxes increasing. It was noted that their property taxes would not increase unless they request a zone change that is approved. See enclosed staff report and proposed Ordinance. The Planning Commission is recommending approval. Staff would also recommend approval.

Item 2 – Approve Ordinance 2015-25, an Ordinance Amending Heber City’s Zoning Map for Property located at the Southwest Corner of 200 South and 100 East and Approximately 55 East 300 South: This proposed zone change is tied to the previous agenda item. The Karl Malone Dodge dealership is requesting that two parcels that they own on Block 54 be rezoned from R-3 Residential to C-2 Commercial. (See enclosed staff report and Ordinance) The homes that were on these parcels have been removed and the dealership desires to use these properties for commercial purposes. The Planning Commission has reviewed the request and is recommending approval subject to the petitioner submitting a lighting plan to keep the lighting from shining on adjacent properties and from illuminating the sky.

Staff would recommend approval subject to the inspection of the lighting improvements to determine if the lighting problem has been properly addressed. On a side note, changes to the parking lot lighting are scheduled for August 28th. The dealership’s intent is to make the parking lot lights dimmable and recess the lights further into the fixtures to limit the light that escapes to neighboring properties and the sky.

Item 3 – Edge Land 15, LLC, Final Approval for the Meadows at South Field, Phase 1, a 19 Lot Subdivision, and Phase 2, a 25 Lot Subdivision, and Associated Subdivision Agreement for Property Located at 460 South 1200 West: Edge Land, LLC is seeking final approval for Phase 1 and 2 of the Meadows at South Field Subdivision. This is a 44 lot subdivision that will be built in two phases. (See enclosed staff report and subdivision agreement with associated plat maps) The recording of the plat will complete the dedication of the bypass right-of-way to the City through this property. The Planning Commission has

Item 4 – Approve Ordinance 2015-26, an Ordinance Amending the Heber City Land Use Map from Residential Agriculture to High Density Residential for Property Located at 250 East Airport Road: Brandon Tripp, the owner of a 3.34 acre parcel of land located on East Airport Road is requesting an amendment to the Heber City Land Use Map. As noted in the accompanying staff report, in the past, this parcel has been contemplated as a church site and an assisted living center. The current owner now desires to develop the property as high density residential which is similar to the adjoining properties. The Planning Commission has held a public hearing on the proposed amendment to the Land Use Map and received no comments. As a result, the Planning Commission is recommending approval of the requested amendment to the Land Use Map. Staff would also recommend approval.

Item 5 – Approve Ordinance, 2015-27, an Ordinance Amending the Heber City Zoning Map from RA-2 Residential Agriculture Zone to R-3 Residential Zone for property located at 250 East Airport Road: This proposed zone change is tied to the previous agenda item. Brandon Tripp is requesting that this 3.34 acre parcel of land be rezoned from RA-2 Residential Agriculture to R-3 Residential. (See attached Ordinance and map) The Planning Commission has held a public hearing and is recommending approval. Staff would also recommend approval.

Item 6 – Approve Ordinance 2015-28, an Ordinance Amending the Heber City Land Use Map from Low Density Residential to Moderate Density Residential for Property Located at 700 South 1200 West: Chris Shurian is requesting that the Heber City Land Use Map be amended to change the land use for a parcel located at approximately 700 South 1200 West from Low Density Residential to Moderate Density Residential. (See enclosed staff report, concept plan and map) The goal of Mr. Shurian is to develop a housing product that targets seniors per the concept plan attached to the staff report. The Planning Commission is recommending approval of the request on the condition that the property is developed for senior housing. If the project were to be abandoned, the Planning Commission would want the zoning to revert back to Low Density Residential. Staff would recommend approval subject to the conditions outlined by the Planning Commission.

Item 7 – Approve Ordinance 2015-29, an Ordinance Amending the Heber City Zoning Map from the R-1 Residential Zone to the R-2 Residential Zone with the Clustered Open Space Overlay Zone (COSZ) and Associated Zone Change Agreement for Property Located at approximately 700 South 1200 West:

This proposed zone change is tied to the previous agenda item. Mr. Shurian is requesting that this property be rezoned from R-1 Residential to R-2 Residential with the application of the COSZ Overlay Zone. This would facilitate the development of the property per the concept plan attached to the previous agenda item. The Planning Commission has held a public hearing and is recommending approval subject to the attached zone change agreement. Staff also believes that this type of housing product would benefit the City.

If the project were to be abandoned, in my opinion, the City would still have to go through the public process to approve a zone change, but the owner should have no expectation of the R-2 zoning and COSZ Overlay remaining in place.

Item 8 – Approve Special Service Operator Agreement with Barry Hancock for World Wide Warbirds:

Barry Hancock is coming before the Council to seek approval for SASO Agreement with Heber City to provide scenic rides in vintage aircraft, flight training and aircraft rental. Mr. Hancock has had a SASO Agreement to provide scenic rides and sell aircraft. His request is that the agreements be consolidated under Section 8 of the Heber City Airport Minimum Standards. On August 19th, the Airport Advisory Board reviewed the request and is recommending approval subject to him meeting the Minimum Standards for Section 5 and 8. Mr. Hancock has reviewed the proposed agreement and has no objections. Staff would recommend approval.

Item 9 – Review Recommendation from the Airport Advisory Board Regarding General Liability Insurance Requirements for Hangar Owners:

All Airport Hangar Agreements entered into after the year 2000 include a provision that require hangar owners to maintain insurance as required by the City. In discussing this matter with the Airport Board, \$1M Occurrence and \$2M Aggregate insurance policies are the most common requirements at airports. In most cases, hangar owners obtain a \$1M insurance policy for their aircraft and can extend coverage to the hangar for a fee usually not in excess of \$150. The City/airport can also be listed as an additional insured on the policy. As a result, the Airport Board is recommending that the City accept (as a minimum) either of the above policies to meet the insurance requirements of the lease agreement. This gives the hangar owners more flexibility in determining what coverage they obtain to best meet their individual needs, while providing protection to the City and other airport users. Included in the packet is information that was gathered from several airports detailing their insurance requirements. Staff would recommend approval.

Lastly, I have spoken with Avemco and they confirmed that the airplane does not have be in the hangar or involved in the damage for coverage to be provided for accidents that occur in or around the tenant owned hangar.

Item 10 – Approve Sewer Impact Fee Scope of Work: The Council has requested that Sewer Capital Facilities Master Plan be updated to include the higher than anticipated cost of installing the northwest sewer line. As a result, Bart Mumford has obtained cost estimates to update the existing study. (See enclosed staff report) If the Council is comfortable moving forward, we will need to amend the budget for around \$13,000 to cover the cost of the update. Staff would recommend that the City proceed in this manner.

MINUTES

1 Heber City Corporation
2 City Council Meeting
3 August 6, 2015
4 8:03 p.m.
5

6 REGULAR MEETING
7

8 The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on August 6, 2015,
9 in the City Council Chambers in Heber City, Utah.
10

11 I. Call to Order
12 City Manager Memo
13

Present: Mayor Alan McDonald
Council Member Robert Patterson
Council Member Jeffery Bradshaw
Council Member Erik Rowland
Council Member Heidi Franco
Council Member Kelleen Potter

Also Present: City Manager Mark Anderson
City Recorder Michelle Kellogg
City Engineer Bart Mumford
City Planner Tony Kohler
Chief of Police Dave Booth

15
16 **Others Present:** Jason Norlen, Joe Dunbeck, Bob Piscitelli, Jeff Patton, Rich Hansen, LeeAnn
17 Hansen, Rocky Netz, Paul Berg, Mike Johnston, Rick McCloskey, Clayton Vance, David
18 Nelson, Jamie Weekes, Josh Weekes, Amberlee Shuler, Andrew Dedrickson, Marianne B. Allen,
19 Brandon Wilson, Brad Lyle, James Neville, Alejandro Raygoza, Ryan Starks, Bethany
20 Mumford, Daniel Mauer, Danny Goode, Tracy Taylor, Dan Boyer, Lynette Berg, Mark Rounds,
21 Chip Turner, Kent Shelton, Bruce Baird, Rob Brasher, Darren Tuddenham, Paul Henke, Todd
22 Cates, LeNell Heywood, Bruce Heywood, Dianna Johnson, George Bennett, and others whose
23 names were illegible.
24

25 II. Pledge of Allegiance: Mayor McDonald Alan McDonald
26

27 III. Prayer/Thought: Council Member Robert Council Member Patterson
28

29 IV. Minutes for Approval: July 2, 2015 Regular Meeting; and July 16, 2015 Work and
30 Regular Meetings

31 July 2, 2015 Draft Regular Meeting Minutes

32 July 16, 2015 Draft Work Meeting Minutes

33 July 16, 2015 Draft Regular Meeting Minutes

1 Council Member Franco requested that the July 16, 2015 Regular Meeting minutes be corrected
2 to reflect the correct acronym OPEB - Other Post Employment Benefits. Kellogg noted the
3 correction.

4
5 Council Member Patterson moved to approve the July 2, 2015 Regular Meeting minutes and the
6 July 16, 2015 Work and Regular Meeting minutes with the above change as stated. Council
7 Member Potter made the second. Voting Aye: Council Members Robert Patterson, Jeffery
8 Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

9
10 **V. Open Meeting for Public Comments**

11
12 Mayor McDonald asked for comments from the audience on items that would not be discussed
13 on the agenda. No comments were given.

14
15 **1. Public Hearing - Ordinance 2015-21, an Ordinance Considering the Annexation of a**
16 **50.68 Acre Parcel Known as the Strawberry Annexation and Located at approximately**
17 **1811 South to 2117 South Highway 40**
18 **Staff Report Strawberry Annexation**
19 **Ordinance 2015-21**

20
21 Mayor McDonald stated this was a public hearing to receive comments on the proposed
22 Strawberry Annexation. He then opened the meeting for public comments.

23
24 Chip Turner stated he was one of the property owners that would be included in this annexation.
25 He was concerned with services being provided to the property owners because hooking up to
26 water would be very expensive for properties that were situated closer to Highway 40. He asked
27 if concessions would be given to those that would receive no perceived benefit, and hoped not to
28 be charged for services he would not receive.

29
30 Mumford explained that those annexing into the City could be serviced by the City, but that
31 services weren't always available at the time of annexation. He clarified that water and sewer
32 fees would not be charged to residents that were not hooked up to the system. A utility fee was
33 charged to all residents for street cleaning, ditch cleaning and storm water expenses. He further
34 stated with regard to water and sewer lines, the current service went along the west side of
35 Highway 40. The capacity for this annexation would be serviced by the 500 East water and
36 sewer lines. Kohler asserted the Planning Commission recommended that a sewer line be
37 installed along Highway 40, but there was no guarantee on the time frame for providing the
38 service.

39
40 Anderson summarized that those living within the annexation boundaries could continue
41 operating on their existing utilities. They could also develop and pay to extend to the existing
42 sewer and water lines or they could wait until the lines were installed next to their properties.
43 After further discussion, Mumford stated the City would also offer a reimbursement if the
44 developer paid for the utilities to be extended to their properties and other developers hooked
45 onto that line within 10 years.

1 Wade McCormick asked what other benefits he would have besides the opportunity to hook onto
2 the City water and sewer if his property was annexed, and noted he owned horses. Anderson
3 stated his property would come into the City as a nonconforming use, meaning he could keep his
4 current number of horses, but could not expand the number. McCormick also inquired about the
5 proposed subdivision. Kohler explained the residential plan and the buffer to his adjoining
6 property.

7
8 Lynette Berg stated her understanding was that the Planning Commission was opposed to this
9 annexation. Her property adjoined the annexation and the proposed residential subdivision. She
10 cited the ordinance that required sidewalk and indicated the children in her area would be
11 required to walk to school, which concerned her. She also asserted that this annexation was not
12 following the City's Master Plan that annexations would spread from the City outward, and noted
13 there were many issues that would arise due to a development coming out of order.

14
15 Paul Henke stated he lived on Highway 40 next to Chip Turner. He wanted to voice the same
16 concern as Turner, and he also didn't think this was in the best interest of the City since the land
17 was being developed out of order, especially since there were no plans to develop the
18 infrastructure.

19
20 Tracy Taylor stated the Council had discussed impact fees within the last month. She expressed
21 concern that the City was reaching out to one development when the current residents' needs
22 should be considered first. She suggested that the Council hold off on granting any new
23 annexations until the impact fee study was finished.

24
25 Mayor McDonald closed the public portion of the public hearing. He asked for comments from
26 the Council. Council Member Rowland stated he sympathized with those far away from utility
27 connections, but his concern was with the residential plan. He stated if the annexation was
28 contingent on the subdivision, then he would prefer to wait on granting annexation. He also felt
29 the proposed subdivision would give the City an opportunity to implement the proposed change
30 to the Master Plan and Design Criteria.

31
32 Council Member Potter asked to resolve some of the residents' concerns. She didn't want to
33 require these owners to pay City taxes but not receive a benefit. Council Member Franco stated a
34 berm was required between the commercial and residential areas. She also noted she did not
35 want the City to create an island of density without providing services. Council Member Potter
36 asked if it was typical for property owners to annex and then wait for services to be provided.
37 Anderson stated there were some annexations that developed soon after annexing into the City
38 and some that had to wait to receive those services.

39
40 Council Member Bradshaw stated that this was unique that commercial and residential properties
41 were in the same annexation. He noted that the subdivision was not guaranteed with the
42 annexation; it would have to start a new development process. Kohler indicated that the
43 subdivision plan in the packet materials would not conform to the current PCMU zone, which
44 required open space.

1 Council Member Patterson asked how many people had opposed the proposed annexation.
2 Kellogg noted that letters with an attached plat map were sent out announcing the public hearing
3 of the proposed annexation, and one inquiry had been received, but no complaints.
4

5 Justin Johnson commented on the original plan for the subdivision.
6

7 Council Member Franco moved to continue Ordinance 2015-21, an ordinance considering the
8 Strawberry Annexation until more information could be obtained. Council Member Potter made
9 the second.
10

11 Voting Aye: Council Members Heidi Franco and Kelleen Potter. Voting Nay: Council Members
12 Robert Patterson, Jeffery Bradshaw and Erik Rowland. Motion failed.
13

14 Council Member Rowland asked if the Council's questions were related to the subdivision or the
15 annexation because he felt these were two different issues. It was indicated the motion was
16 whether to annex the property into the City. Mumford stated that the City wouldn't know what
17 was happening with each parcel of the annexation until each owner came to the Planning
18 Commission with an application. Council Member Bradshaw asked if the Planning Commission
19 passed the request for annexation by a unanimous vote. It was indicated it passed by a vote of six
20 commissioners in favor and one opposed.
21

22 Council Member Bradshaw moved to approve Ordinance 2015-21, an ordinance annexing the
23 Strawberry Annexation, located at approximately 1811 South to 2117 South Highway 40.
24 Council Member Rowland made the second.
25

26 Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, and Erik Rowland. Voting
27 Nay: Council Members Heidi Franco and Kelleen Potter. Motion passed.
28

29 [2. Blackstone Creek LLC, Discuss Request for Subdivision Final Approval for Stone Creek](#)
30 [Subdivision located at 550 North 1400 East](#)
31 [Staff Report re Stone Creek Phase One Final Application](#)
32 [Plat Map - Stone Creek Subdivision Phase 1](#)
33 [Master Plan with 3 Stub Roads](#)
34

35 Kohler noted that the plat was modified to include three access points to the subdivision, but one
36 issue that was still in question was the bypass road. Mumford stated his concern was that a
37 portion of the bypass road needed to be built at least from Mill Road to the subdivision in order
38 to provide another access to the subdivision.
39

40 Council Member Franco asked how steep the cut and fill would be. Paul Berg explained the
41 needs of fill and cuts to the different areas of the plat. It was noted the lots were one third acre.
42 Council Member Franco asked if there was sufficient space for driveways so parking on the
43 narrow streets would not be needed. Berg stated that most lots were designed for three car
44 garages so the driveways would be wide. He also reviewed that this subdivision had Master Plan
45 approval. The final approval had lapsed, necessitating this to come back to the Council for re-
46 approval. There was discussion on the expiration of the Master Plan. Anderson read the

1 requirements and it was determined that the validity of the plan might be in question. Council
2 Member Rowland stated this was a legal submission based on current codes, to which Anderson
3 concurred. Council Member Rowland thought the Council should not deny it for that reason.
4 Further discussion ensued. Mumford stated if the roads were private, the developers could deal
5 with the issues, noting that he preferred that the roads remain private. Council Member Franco
6 thought the roads should be public for the progress of the City.

7
8 Bruce Baird, the attorney for the developer, stated he agreed with Council Member Rowland and
9 Anderson, that once the application was submitted it locked the developer into that plan. There
10 was a buyer for this development, contingent on this plan, and the developer had been compliant
11 with the City's standards. Mayor McDonald asked if the developer was amenable to the
12 recommendations of the Planning Commission. Baird indicated they agreed to comply with the
13 recommendations. Council Member Patterson felt the developer made the concessions requested,
14 and he would recommend approval of this subdivision.

15
16 Anderson stated the development agreement had not been updated to include the new design.
17 The developer agreed to update that agreement. A representative from the buyer, Edge Homes,
18 stated he had 30-40 people waiting for these lots, and Phase 1 would be sold out as soon as it was
19 released.

20
21 Council Member Rowland moved to approve the Stone Creek Subdivision with the conditions to
22 amend the subdivision agreement based on the current design tonight and the Planning
23 Commission recommendations.

24
25 Council Member Franco asked if the motion could be amended to make the roads public.
26 Mumford stated he was opposed to these roads being public, but the Council could request it of
27 the petitioner if they so desired. Mumford also responded to the inquiry of retention ponds and
28 pointed to them on the overhead plat. He also noted he was in favor of requiring the construction
29 of the bypass road from Mill Road to the access point of the subdivision. Kohler stated the
30 neighbors of the development wanted this portion of the bypass road to be used as a construction
31 entrance. Mumford also thought this portion of the bypass road needed to be constructed in order
32 to put additional pressure on Red Ledges to complete its portion of the bypass road.

33
34 Council Member Rowland amended his motion to include having the retention pond on-site and
35 that the subdivision hook-on to the bypass road would be connected upon construction of the
36 bypass. Mumford asked if the hook-on could be attached to a future phase in case something
37 happened with the bypass. McCloskey explained some of the terms of the prior agreement.
38 Council Member Franco asked that a time frame be included in the motion for the hook-on to the
39 bypass. Bruce Baird suggested adding language that the hook-on would be built during the next
40 construction cycle. Council Member Rowland agreed to include Baird's suggestion with his
41 motion. Council Member Bradshaw seconded those amendments to the motion.

42
43 Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, and Kelleen
44 Potter. Voting Nay: Council Member Heidi Franco.

1 6. Approve Heber Gateway Subdivision Lot 1 Split
2 Staff Report re Gateway Subdivision Lot Split

3
4 George Bennett stated he represented the development of the Best Western Hotel. In order to
5 facilitate the development, he was present to request a lot split of the parcel.

6
7 Council Member Rowland moved to approve Heber Gateway Subdivision Lot 1 Split. Council
8 Member Patterson made the second.

9
10 Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco,
11 and Kelleen Potter.

12
13 7. Approve Red Ledges Phase 2G Subdivision - A 7 Lot Subdivision
14 Staff Report re Red Ledges Phase 2G

15
16 Council Member Franco asked about a timeframe for the open space in Red Ledges to be
17 finalized. Todd Cates indicated that the County Council asked for more time to review the
18 current conservation easement with open lands, and noted the County was looking at this open
19 space as a whole entity and the process was moving forward.

20
21 Council Member Franco asked when the secondary access from Club Canyon Court would be
22 connected to Lake Creek Road. Cates stated that was originally used as a construction entrance,
23 and when the lots were sold out, they would pave that area, although that road would only be
24 used for emergency access.

25
26 Council Member Rowland moved to approve Red Ledges Phase 2G Subdivision. Council
27 Member Patterson made the second.

28
29 Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco,
30 and Kelleen Potter.

31
32 3. Approve Ordinance 2015-22, an Ordinance Amending Heber City's Zoning Map for
33 Property Located at Approximately 801 East 1200 South
34 Staff Report re Rezone Request to COSZ
35 Ordinance 2015-22

36
37 Dale Johnson was present representing the developer. Council Member Franco asked him to
38 consider a redesign of the development because she was concerned about safety issues. Kohler
39 stated Midway and Park City had developments like this proposal, so during the planning
40 process, research could be done on any problems that were associated with this type of
41 development and they could be addressed at that time.

42
43 Council Member Rowland moved to approve Ordinance 2015-22, an ordinance amending Heber
44 City's Zoning Map for property located at approximately 801 East 1200 South. Council Member
45 Bradshaw made the second.

1 Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, and Kelleen
2 Potter. Voting Nay: Council Member Heidi Franco.

3
4 4. Approve Ordinance 2015-23, an Ordinance Amending the C-2 & C-4 Design Criteria:
5 Definitions; Section 102, Building Orientation; Section 103, Building Setback; Section
6 107, Parking Infrastructure; Section 202, Right of Way Landscaping; Section 207,
7 Landscape Requirements; Section 304, Relationship to Street; and Section 307, Building
8 Width

9 Staff Report re C-2 and C-4 Design Criteria
10 Ordinance 2015-23

11
12 Council Member Patterson moved to approve Ordinance 2015-23, an ordinance amending the C-
13 2 & C-4 Design Criteria: Definitions; Section 102, Building Orientation; Section 103, Building
14 Setback; Section 107, Parking Infrastructure; Section 202, Right of Way Landscaping; Section
15 207, Landscape Requirements; Section 304, Relationship to Street; and Section 307, Building
16 Width. Council Member Rowland made the second.

17
18 Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco,
19 and Kelleen Potter.

20
21 5. Review Recommendation from the Airport Advisory Board to Offer the New Non-
22 Reversionary Lease Agreement to Existing Non-Reversionary Lease Holders
23 Airport Board Recommendation
24 Resolution 2015-11

25
26 Council Member Franco moved to approve Resolution 2015-11, a resolution to offer the new
27 Non-Reversionary Lease Agreement to existing Non-Reversionary Lease Holders. Council
28 Member Rowland made the second.

29
30 Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco,
31 and Kelleen Potter.

32
33 8. Approve Disposal or Sale of Evidence
34 Evidence List

35
36 Council Member Franco moved to approve the disposal or sale of evidence. Council Member
37 Bradshaw made the second.

38
39 Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco,
40 and Kelleen Potter.

41
42 With no further business, the meeting was adjourned.

43
44
45 _____
Michelle Kellogg, City Recorder

1 Heber City Corporation
2 City Council Meeting
3 August 20, 2015
4 7:00 p.m.

5
6 REGULAR MEETING

7
8 The Council of Heber City, Wasatch County, Utah, met in **Regular Meeting** on August 20,
9 2015, in the City Council Chambers in Heber City, Utah

10
11 I. Call to Order
12 City Manager Memo

13
14 Mayor Pro Tem Bradshaw called the meeting to order and welcomed all in attendance.

15
16 Present: Council Member Robert Patterson
Council Member Jeffery Bradshaw
Council Member Erik Rowland
Council Member Heidi Franco
Council Member Kelleen Potter

Excused: Mayor Alan McDonald

Also Present: City Manager Mark Anderson
City Planner Tony Kohler
Chief of Police Dave Booth
Deputy City Recorder Allison Lutes

17
18 Others Present: Wes Bingham, Ryan Klassovity, Todd Cates, and Rick Coleman

19
20 II. Pledge of Allegiance: Council Member Kelleen Potter

21
22 III. Prayer/Thought: Council Member Jeffery Bradshaw

23
24 IV. Minutes for Approval: August 6, 2015 Draft Work Meeting Minutes
25 August 6, 2015 Draft Work Meeting Minutes

26
27 Council Member Franco requested the following edits to the minutes: 1) page 4, line 33:
28 "Rounds stated he preferred to keep the splash pad at the park. . ." should read, "Rounds stated it
29 didn't matter whether or not the splash pad was in the City Park. . ."; 2) page 3, line 7: at the end
30 of the sentence, add, "and would provide an executive summary of all of the past visioning
31 documents as well as the original documents regarding downtown revitalization." *[Note: upon
32 further review of the meeting audio, it was later determined the foregoing changes would not be
33 incorporated into the minutes.]*
34

1 Council Member Rowland moved to approve the August 6, 2015 Draft Work Meeting Minutes.
2 Council Member Patterson made the second. Voting Aye: Council Members Robert Patterson,
3 Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

4 5 V. Open Meeting for Public Comments

6
7 Ryan Klassovity of North American Services Group ("NASG") introduced himself to the
8 Council and discussed his company's interest in locating a full service state-of-the-art FBO at the
9 airport. Klassovity presented at the August 19 Airport Board Meeting, and explained that he was
10 the Aviation Department Manager for NASG, a large industrial cleaning company with 23
11 offices across the country. In the past two years, the company had become a permanent user of
12 Heber airport, during which they perceived a decline in the relationship between the airport
13 tenants and the current FBO. Thus, NASG saw an opportunity to come in and fix the
14 environment at the airport and provide full service FBO services. Klassovity added he had
15 received a very positive response to the letter of intent he submitted to the City Council.

16 17 1. Rick Coleman, Discuss/Approve Request for Culinary Water Service 18 Coleman Request for Water Service

19
20 Rick Coleman, resident of 181 South Mill Road, expressed his need for culinary water. His
21 current water source, a spring behind Doug Cook's home, provided water to Cook, Steve Stone
22 and Wayne McDonald. Coleman's water originated from McDonald's overflow. Recently,
23 Coleman starting seeing contamination in his water, and was asked by Wayne McDonald to
24 terminate that source of water. Coleman further explained he had approached Twin Creeks SSD,
25 which did provide service to his area, and they did not object to his connecting to Heber's
26 culinary water system. Coleman also confirmed his understanding that he would be responsible
27 for all fees and costs to hook to the City culinary water, and further that he was in agreement
28 with the conditions expressed by the City.

29
30 Council Member Rowland moved to approve Rick Coleman's Request for Culinary Water
31 Service. Council Member Patterson made the second. Voting Aye: Council Members Robert
32 Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

33 34 2. Approve Daniel Road Land Purchase Agreement 35 Daniel Road Parcel Purchase Agreement

36
37 Anderson explained that during the last meeting the Council authorized the offer to purchase the
38 .2283 acre parcel along Daniel Road from Three Strings Holdings. City Attorney Smedley
39 drafted the offer, and staff was comfortable with the agreement. Council Member Franco
40 expressed her concern with paragraph six of the agreement, which allowed Three Strings access
41 through the southern forty-feet along Daniel Road, and felt it was too wide. Anderson stated the
42 agreement as drafted was consistent with what the Council agreed to.

43
44 Council Member Potter questioned the need for the access. Council Member Franco expressed
45 her frustration in allowing the forty-foot access to Three Strings, however she noted they were
46 "over a barrel" due to the Council's past actions, and felt the City could encounter problems from

1 the County down the line regarding how the access was acquired, at the time the bypass road
2 would be constructed. Anderson noted it wouldn't prohibit the Council from extinguishing the
3 access; it would require compensation, since it would render a portion of the property unuseable.
4

5 Council Member Patterson moved to approve the Daniel Road Land Purchase Agreement.
6 Council Member Rowland made the second. Voting Aye: Council Members Robert Patterson,
7 Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.
8

9 **3. Approve Red Ledges Phase 1R Plat Amendment for Lot 451 and Lot 454**
10 **Staff Report re Red Ledges Phase 1R Plat Amendment**
11

12 Todd Cates explained there were four lots previously approved under Phase 1R, and all of the
13 infrastructure had already been constructed. At the time Phase 2K was approved, a cul-de-sac
14 was brought to the east side of the lots. Red Ledges Sales requested that they make at least three
15 of the four lots uphill lots and add land to adjoin the cul-de-sac and extend it down. They
16 believed this would result in added value to the lots.
17

18 In response to questioning by Council Member Franco, Cates stated that meetings with Utah
19 Open Lands were ongoing, and they were making some progress.
20

21 Council Member Patterson moved to approve Red Ledges Phase 1R plat amendment for Lot 451
22 and Lot 454. Council Member Potter made the second. Voting Aye: Council Members Robert
23 Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.
24

25 **4. Approve Disposal or Sale of Evidence**
26 **Staff Report re Conversion of Evidence**
27

28 Chief Booth explained the list represented a routine clearing of the evidence room, and a surplus
29 sale was scheduled for September 9-11.
30

31 Council Member Franco moved to approve the disposal or sale of evidence. Council Member
32 Rowland made the second. Voting Aye: Council Members Robert Patterson, Jeffery Bradshaw,
33 Erik Rowland, Heidi Franco, and Kelleen Potter.
34

35 **5. Approve Proposed Request For Proposals (RFP) to Update the Heber City Master Plan**
36 **and Adopt Form Based Codes and Design Criteria.**
37 **Request for Proposals**
38

39 Kohler explained the RFP evolved from the discussion concerning road width at a prior Council
40 meeting, wherein Kohler was asked to prepare an RFP to engage a consultant concerning form
41 based codes. Kohler added that if the RFP was approved, it would also include the downtown
42 area. The RFP was seeking to engage consultants to create a master plan with form based codes
43 and new design criteria for the core commercial area.
44

1 After discussion, the Council was in favor of setting the submission date to September 10, and
2 involving the entire Council in the selection process, rather than relying on a selection
3 committee.

4
5 Concerning the selection criteria outlined in the RFP, Kohler and Council Member Franco
6 suggested giving more weight to "Knowledge" and "Schedule". The Council was favorable to
7 removing five points from "Project Proposal" and five points from "Strength of Team and
8 Management", and adding five points each to "Local Knowledge" and "Schedule".

9
10 The Council was favorable to scheduling the October 1 meeting to interview candidates, but to
11 include in the agenda the option to select a candidate at that meeting; if the selection was not
12 made at that October 1 meeting, then the selection would be made at the October 15 meeting.

13
14 Council Member Rowland moved to approve the Proposed Request For Proposals (RFP) to
15 Update the Heber City Master Plan and Adopt Form Based Codes and Design Criteria, as
16 amended as follows: the application submission deadline would be September 10, 2015; the
17 selection committee would be composed of the City Council; and that they remove five points
18 each from "Project Proposal" and "Strength of Team and Management" and add five points each
19 to "Local Knowledge", for a total of fifteen points and "Schedule", for a total of fifteen points in
20 the selection criteria. Council Member Potter made the second. Voting Aye: Council Members
21 Robert Patterson, Jeffery Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

22
23 Prior to voting to move into closed meeting, Anderson discussed the old sewer property, and
24 stated that Redgie Probst did not have any interest in purchasing the property, but Valerie Kelson
25 was interested in purchasing a portion for her womens' shelter.

26
27 Council Member Franco stated that during a master trails meeting, the County shared a layout for
28 their proposed development of the area around the Heber Valley Railroad, and there was
29 discussion concerning constructing the electric substation either to the west of the Heber Light &
30 Power building, or at the old sewer property. She felt if they were to locate the substation on the
31 sewer property, it would be a win-win for the valley. It would allow the Heber Railroad area to
32 be a tourist area, without the obstruction of the substation. Further, Council Member Franco
33 stated that Doug Smith indicated during the trails meeting that the County really wanted to invest
34 around the railroad, putting in retail, a village, the farmers market, and a hotel, but didn't want
35 the substation located within view. Bradshaw said he wasn't aware of any serious conversations
36 between the County and Heber Light & Power concerning the substation.

37
38 After some discussion, Anderson asked whether the Council was amenable to breaking up the
39 parcel to sell a portion to Kelson. Council Member Bradshaw noted a concern raised by the
40 Housing Authority in that while Kelson may have been able to raise funds for the purchase of the
41 property, she wasn't able to formulate a plan for continued operation of the proposed facility.

42
43 After further discussion, the Council concluded they would be interested in seeing how the
44 master plan evolved first, before making a decision on whether to sell off the property, either in
45 whole or in part.

1 Next, Anderson stated that Scott Lythgoe expressed interest in obtaining the old cupola off the
2 Central School and preserving it somewhere in the City. Council Member Rowland added he
3 had been approached by many residents who expressed concerns with the disposal of City
4 artifacts. Chief Booth indicated he also had been approached concerning the cupola, and he was
5 telling people that City probably would want to preserve it. Chief Booth envisioned restoring the
6 cupola and placing some red rock and flowers around it. He believed the community would like
7 some preservation effort.

8
9 Council Member Rowland suggested holding a "closing house" to invite the public to view the
10 old school and identify memorabilia that could be offered in an auction-type format.

11
12 After some discussion, Anderson stated he would work with staff to develop a plan for the issue
13 concerning the old school and its artifacts.

14
15 6. Closed Meeting as Needed

16
17 Council Member Patterson moved to enter into closed meeting to discuss personnel. Council
18 Member Rowland made the second. Voting Aye: Council Members Robert Patterson, Jeffery
19 Bradshaw, Erik Rowland, Heidi Franco, and Kelleen Potter.

20
21 At 8:15 p.m., the Council entered into closed session.

22
23 At 8:30 p.m., the Council returned to the Regular Session. With no further business, the meeting
24 was adjourned.

25
26
27
28

Allison Lutes, Deputy City Recorder

1 Heber City Corporation
2 City Council Meeting
3 August 20, 2015
4 6:00 p.m.

5
6 WORK MEETING

7
8 The Council of Heber City, Wasatch County, Utah, met in Work Meeting on August 20, 2015,
9 in the City Council Chambers in Heber City, Utah

10
11 I. Call to Order
12 City Manager Memo

13
14 Mayor Pro Tem Bradshaw called the meeting to order and welcomed all in attendance.

15
16 Present: Council Member Robert Patterson
Council Member Jeffery Bradshaw
Council Member Erik Rowland
Council Member Heidi Franco
Council Member Kelleen Potter

Excused: Mayor Alan McDonald

Also Present: City Manager Mark Anderson
City Planner Tony Kohler
Chief of Police Dave Booth
City Deputy Recorder Allison Lutes

17 Others Present: Brian Phillips, Ann Hoffman, Steve Hoffman, Andrew Hoffman, Jack
18 Walkenhorst, Paul Boyer, Kody Clyde, Jeff Smith, Wes Bingham, Jenny Rowser, Ryan Starks,
19 Joanne Mortensen, Jim Mortensen, Ryan Klassovity, Todd Cates, and Rick Coleman

20
21 1. Ryan Starks, Discuss Expansion of the Enterprise Zone and Economic Incentive Options
22 Ryan Starks - Heber City Economic Development
23 Resolution 2013-05 re Enterprise Zone
24 Draft Enterprise Zone Map

25
26 Ryan Starks, Executive Director of Heber Valley Tourism and Economic Development,
27 presented on incentive options for Heber businesses. Starks explained that the Enterprise Zone
28 tax credit program was sponsored by the Governor's Office of Economic Development, and
29 consisted of two distinct programs for qualifying non-retail businesses: one provided State tax
30 credits to incentivize job creation and the acquisition of equipment for non-retail businesses, and
31 the other provided credits to businesses that rehabilitated older structures. Starks worked with

1 businesses to prepare and submit their applications for the Enterprise Zone tax credits, and he
2 noted that in 2014, three Heber businesses applied for the Enterprise Zone tax credits. Starks
3 proposed that the City consider expanding the Zone to include all commercial areas of the City.
4 Such expansion would be at zero cost to the City, and would result in a broader net of potential
5 qualifying businesses. Starks added that an Enterprise Zone needed to be renewed every five
6 years. He stated there would be no restriction on designating areas that were not yet developed,
7 as long as they were zoned commercial. The council was favorable to the expansion of the
8 Enterprise Zone.

9
10 Starks next addressed incentive options for attracting retail business to the downtown area of the
11 City, and suggested the Council consider the creation of a Community Development Area
12 (CDA). A CDA would allow the City to take a percentage of increased value of a property and
13 redirect a portion of the sales tax back to the defined area for such projects as downtown parking
14 expansion or Main Street beautification. Anderson noted that typically, the municipality would
15 seek participation by the city, county and school district in the CDA to derive a meaningful
16 value.

17
18 Starks suggested the City form a Heber Downtown Alliance to define the proposed CDA region,
19 which would be located between 500 North and 600 South, to explore the business opportunities
20 and the types of retail businesses the City would like to attract to the area. The Alliance would
21 operate as a sounding board for the City, and would be comprised of people who actually
22 conducted business in Heber. Starks outlined some of the goals of the alliance: to create a
23 stronger alliance among Main Street businesses; and to provide recommendations on Main Street
24 issues, including master planning, incentives, parking, traffic, and sign ordinances.

25
26 Council Member Franco felt the stated purpose of the Alliance and its goals were commendable,
27 however she believed the committee should be dovetailed into other committees, such as the
28 Trails Alliance, and TDR committees to create and discuss a whole vision for not only the
29 downtown area, but the valley as a whole. In response, Starks offered his idea regarding the
30 creation of a Wasatch County Economic Development Council, as an alternate option. Such
31 council would be comprised of representatives from the County and cities, to address issues on a
32 case-by-case basis. He suggested Kohler as a representative to the council on Main Street issues
33 specifically, and members of the Chamber of Commerce would also serve on the council.

34
35 Anderson stated that when he, Kohler, Starks and Council Member Bradshaw last met to discuss
36 a CDA, they agreed there was a need to engage a consultant to gauge the success of a CDA, and
37 to articulate a plan that would be more likely to gain support from the County and the School
38 District. Anderson requested that the Council consider funding such a consultant.

39
40 Council Member Bradshaw opined they would need to ensure the feasibility of a CDA and the
41 costs associated with implementing it, and agreed a consultant would be a good starting point.
42 Kohler estimated the cost of such a study would range between \$3,000 and \$4,000. Council
43 Member Potter expressed her support for the creation of a downtown alliance that could
44 coordinate with other groups. Council Member Franco stated that in light of the California
45 Supreme Court having abolished RDAs in that state due to excessive spending and withholding

1 funds from the school districts, she was leery of the CDA concept, and was more in favor of an
2 EDA, however she was in favor of funding a low cost study.

3
4 Anderson indicated the staff would come back to the council with a budget for the proposed
5 study.

6
7 2. Brian Phillips, UDOT, Discuss Main Street Pedestrian Safety

8
9 Brian Phillips, of Utah Department of Transportation (UDOT) reviewed that UDOT conducted
10 traffic and pedestrian studies in the 200-300 South area of Main Street, and found that it met the
11 requirements for a HAWK signal crossing. UDOT recommended the HAWK signal be installed
12 mid-block, aligned with the adjoining sidewalk to the City Park. Phillips explained the
13 crosswalk would be clearly marked, and would be pedestrian activated. UDOT was planning to
14 move forward on the installation, with hopes of having it completed before winter, barring any
15 unforeseen issues. Phillips said he would relay to his office the Heber City Council's support for
16 the HAWK signal on Monday, August 24, and UDOT would move forward with the allocation
17 of funding, design and installation.

18
19 Phillips also stated that UDOT would be installing "Your Speed Is..." signs at both ends of town.
20 He added that UDOT's study on Main Street found that the 85th percentile speed on Main Street
21 averaged 41-42 mph. In addition, Phillips stated that the crosswalk at 100 North needed some
22 enhancement, and recommended an overhead flashing beacon. The crossing would not be a
23 HAWK, but it would consist of two signal arms over Main Street with a pedestrian sign similar
24 to the one on the side of the road. The signal would be pedestrian activated, with flashing yellow
25 lights upon activation. Phillips added he was proceeding forward with the 100 North signal,
26 pending UDOT's approval of funding.

27
28 Council Member Franco expressed concern with obstruction of views due to parking areas at 100
29 North and asked whether UDOT could remove parking areas. Phillips responded that the City
30 would need to submit any such requests to UDOT.

31
32 UDOT also studied both 300 West and 600 West in late April to early May, and found the
33 volume of pedestrian crossings were not high enough to warrant a crosswalk. However, the
34 study recommended they see whether the school district could project a student volume of 10
35 students or more that would utilize a crossing at 300 West. Bart Mumford was working to
36 coordinate a meeting with the school district and Phillips. The potential crossing would have a
37 cross walk with school zone signage.

38
39 With regard to 600 West, Phillips noted he initiated a request to UDOT's Central Traffic and
40 Safety Group to look at it for reconfiguring lanes, establishing a left turn pocket, realign the
41 intersection and provide some pedestrian enhancements, especially on the south side of the
42 crossing. Phillips added the project had met the requirements to be added to the state list for
43 safety funding, but since it was a state-wide list, the timing for funding would depend upon its
44 ranking on the list.

1 Finally, regarding Southfield Road, Phillips stated they could not change the road striping
2 without widening the road, so there was no funding available at this time, however it was on a
3 list that as projects were completed and funds reallocated, it could be something that would be
4 funded in the future, but would be considered among the requests of the other five counties in the
5 region.

6
7 **3. Discuss Process to Update the General Plan and the Adoption of Form Based Codes**
8 **Form Based Codes**
9

10 Council Member Patterson expressed concern with the advancement of the deadline date to
11 September 7. Kohler explained he typically reached out to companies he knew could do the job;
12 he contacted Mountainland to get a list of five or six companies to which the City actively sent
13 the RFP. Additionally, the RFP would be loaded to the City website, as well as others, such as
14 www.bidsync.com. Kohler added he didn't believe there would be a shortage of applicants, and
15 if they wanted the job, they would make the timing work.

16
17 **4. Discuss Cancellation of City Council Meeting September 17, 2015, due to the Utah**
18 **League of Cities and Towns Annual Convention, September 16-18, 2015**
19

20 After discussion, the Council was in favor of cancelling the September 17 meeting, and would
21 consider scheduling a meeting for September 24, provided the Planning Commission was not
22 conducting a meeting at that time.

23
24 With no further business, the meeting was adjourned.
25
26
27

28 _____
Allison Lutes, Deputy City Recorder
29
30
31

TAB 1

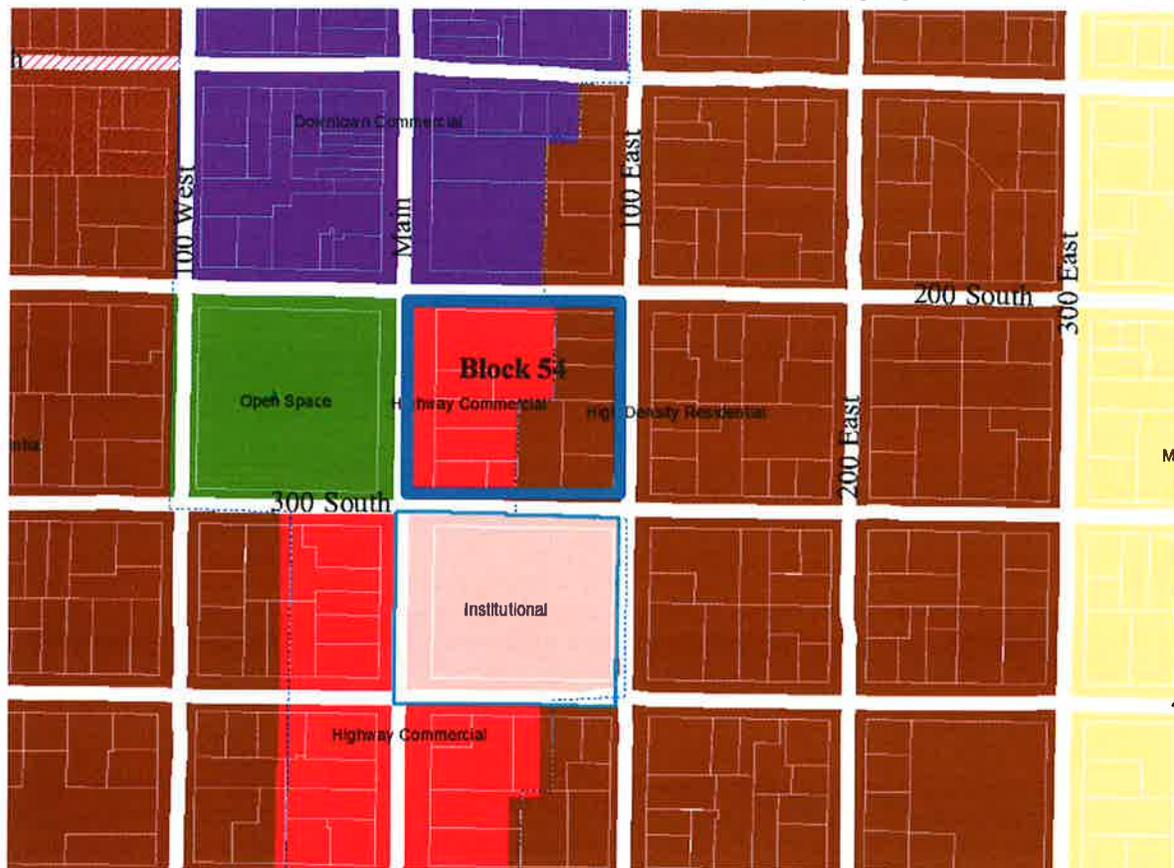
Heber City Council
Meeting date: July 16, 2015
Report by: Anthony L. Kohler

Re: General Plan Amendment to change future land use of Block 54 to commercial

The petitioner is proposing to amend the General Plan Land Use Map to change the future land use designation of Block 54 to Highway Commercial; Block 54 is located between 200 South and 300 South and Main Street and 100 East. The current General Plan Map designates the eastern properties on the block as a residential land use.

On June 25, 2015, the Planning Commission held a public hearing to consider the request. Several neighbors attended the public hearing. The primary concern of the neighbors was property taxes; they were concerned that their property taxes would go up as a result of the proposed amendment. The proposed map amendment does not change zoning designations. It only changes the future land use designation on the General Plan. Their properties will remain zoned R-3 Residential and will be subject to residential property taxes. The Planning Commission recommended approval of the proposed Land Use Amendment to the General Plan, changing the future land use designation from High Density Residential to Highway Commercial.

General Plan Land Use Amendment



ORDINANCE NO. 2015-24

AN ORDINANCE AMENDING HEBER CITY'S GENERAL PLAN MAP DESIGNATING ALL OF BLOCK 54 AS FUTURE HIGHWAY COMMERCIAL

BE IT ORDAINED by the City Council of Heber City, Utah, that the Block 54 be designated as Highway Commercial as shown in Exhibit 1.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the _____ day of _____, 2015.

ADOPTED and PASSED by the City Council of Heber City, Utah this _____ day of _____, 2015, by the following vote:

| | AYE | NAY |
|------------------------------------|-------|-------|
| Council Member Robert L. Patterson | _____ | _____ |
| Council Member Jeffery M. Bradshaw | _____ | _____ |
| Council Member Erik Rowland | _____ | _____ |
| Council Member Heidi Franco | _____ | _____ |
| Council Member Kelleen L. Potter | _____ | _____ |

APPROVED:

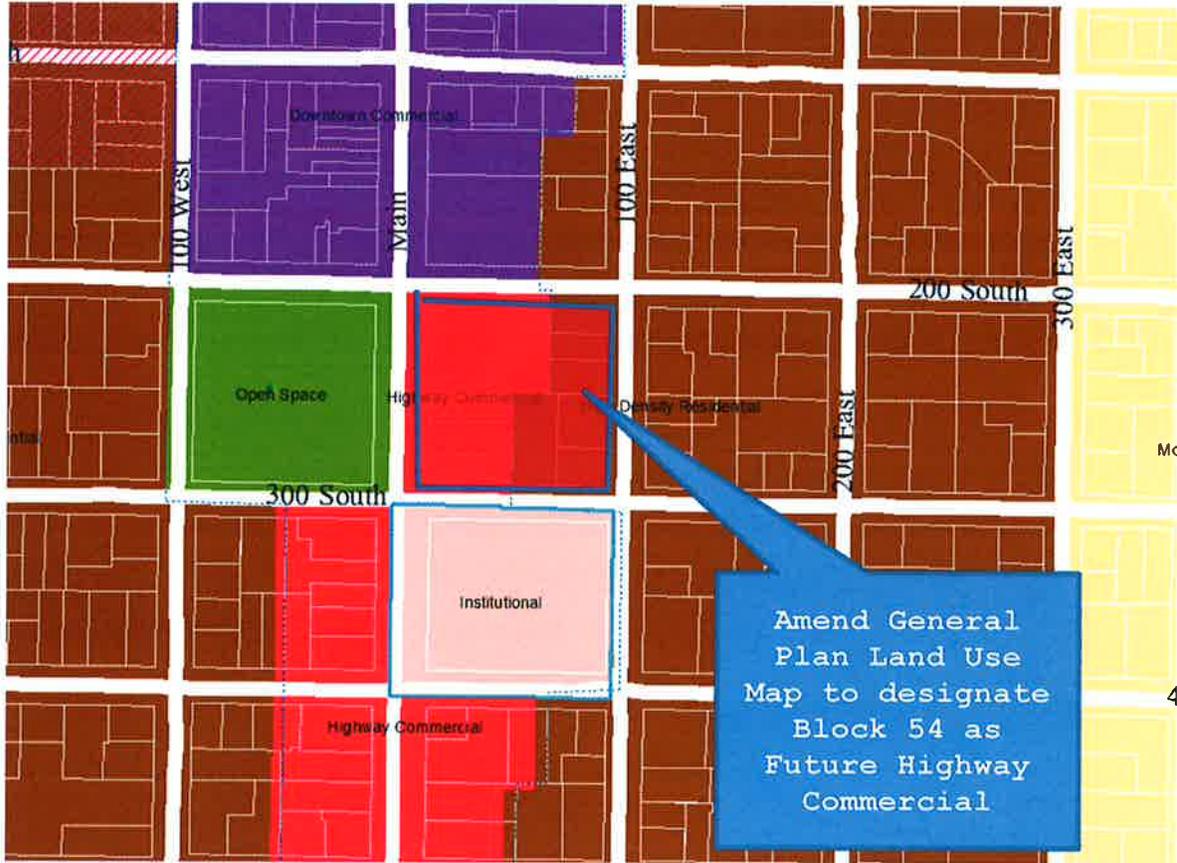
Mayor Alan W. McDonald

ATTEST:

RECORDER

Date of First Publishing: _____

EXHIBIT 1: GENERAL PLAN MAP AMENDMENT



TAB 2

Heber City Council
Meeting date: July 16, 2015
Report by: Anthony L. Kohler

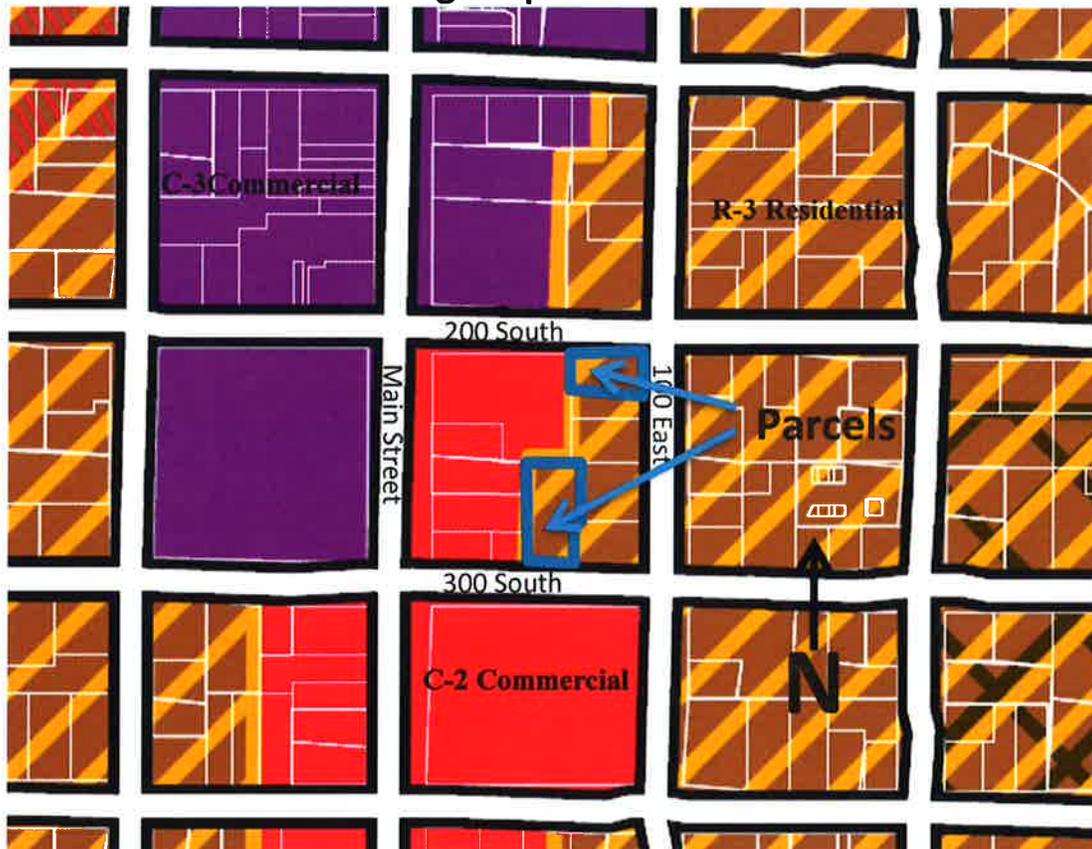
Re: Zone change from R-3 to C-2 for property located at 200 South 100 East and 55 East 300 South

The petitioner is proposing to change the zoning designation of his properties from R-3 Residential to C-2 Commercial. One property is located on the southwest corner of 200 South and 100 East, and the other is located at approximately 55 East 300 South.

The Planning Commission held a public hearing on June 25. Several neighbors attended the public hearing. The primary concern expressed was street lighting. The Planning Commission recommended approval, with a vote of 4 Ayes and 3 Nays, of the proposed zone change, conditional upon the petitioner altering the street lighting to not shine upon adjoining properties and to not shine into the sky.

The Council may consider asking the Petitioner to provide a lighting plan prior to considering altering the zone change, and not making the zone change effective until the lighting is fixed.

Zoning Map Amendment



ORDINANCE NO. 2015-25

AN ORDINANCE AMENDING HEBER CITY'S ZONING MAP FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 200 SOUTH AND 100 EAST AND APPROXIMATELY 55 EAST 300 SOUTH

BE IT ORDAINED by the City Council of Heber City, Utah, that the properties described within Exhibit 2 be rezoned from R-3 Residential to C-2 Commercial as shown on Exhibit 1.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the _____ day of _____, 2015.

ADOPTED and PASSED by the City Council of Heber City, Utah this _____ day of _____, 2015, by the following vote:

| | AYE | NAY |
|------------------------------------|-------|-------|
| Council Member Robert L. Patterson | _____ | _____ |
| Council Member Jeffery M. Bradshaw | _____ | _____ |
| Council Member Erik Rowland | _____ | _____ |
| Council Member Heidi Franco | _____ | _____ |
| Council Member Kelleen L. Potter | _____ | _____ |

APPROVED:

Mayor Alan McDonald

ATTEST:

RECORDER

Date of First Publishing: _____

EXHIBIT 1: ZONE MAP AMENDMENT

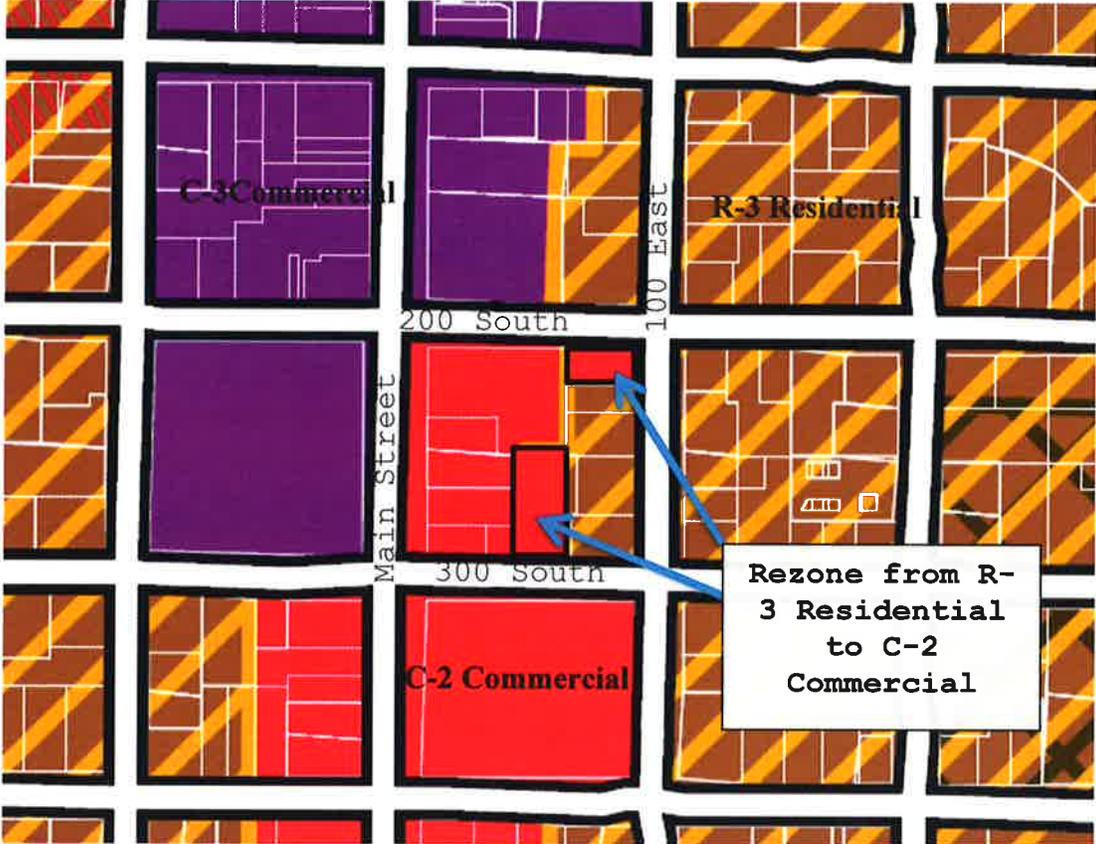


EXHIBIT 2: LEGAL DESCRIPTION

Property Tax Serial Number: OHE-0296-0-054-045

**BEGINNING AT THE NORTHEAST CORNER OF LOT 4, BLOCK 54, HEBER CITY SURVEY;
THENCE SOUTH 0°48' WEST 69.33 FEET; THENCE NORTH 88°58' WEST 135 FEET; THENCE
NORTH 0°48' EAST 69.33 FEET; TO THE NORTH LINE OF SAID BLOCK 54; THENCE SOUTH
88°50' EAST ALONG THE NORTH LINE OF SAID BLOCK 54 FOR 135 FEET TO THE POINT OF
BEGINNING.**

Property Tax Serial Number: OHE-0285-0-054-045

**BEGINNING N.88 DEG 58'W.123FT FROM SE. CORNER BLOCK 54 HEBER
CITY SURVEY; N.88 DEG 58'W.91.50FT; N.00 DEG 48'E.198.33FT; S.88
DEG 58'E.99FT; S.00 DEG 48'W.114.08FT; N.88 DEG 58'W.7.50FT;
S.00 DEG 48'W.84.25FT TO THE BEGINNING. AREA: 0.4363 ACRES**

TAB 3

HEBER CITY COUNCIL

Staff Report by: Anthony L. Kohler

Meeting Date: September 3, 2015

Item: Meadows at South Fields Final Subdivision Plat

The proposed subdivision was annexed with the Wasatch County Event Center. The property is located on the west side of South field Road adjacent and north of 650 South. The proposed subdivision accommodates the location of the future Western Truck Route. The property is zoned R-1 Residential. Each of the lots meets the area and frontage requirements of the R-1 Zone. The subdivision will include full improvements to South field Road and 650 South.

This subdivision was originally approved in 2007; the final approval expired and it was given another final approval in 2009, which has expired. The petitioner is asking to reapprove the final plat.

The subdivision utilizes the city's open space ordinance. The city had envisioned that this would improve subdivision design for double frontage lots (lots with a street on the front and back of the lot), especially along the future truck route. Additionally, the open space ordinance gives some flexibility to subdivision and lot design, and better accommodates trail corridors.

The petitioner is proposing to include a landscaped open space trail corridor loop through the subdivision with an 8 foot trail along Southfield Road and 5 foot trails along other streets in the development. A small pocket park is included in the subdivision. The trails and landscaping, and the pocket park, would be maintained by a homeowner's association. The trails would be available to the public. Additionally, the petitioner is proposing to utilize the open space ordinance to allow flexibility in setbacks and street frontage, with 25 feet front setback and rear setbacks, and 8 foot street planters instead of 6 foot planters. This is consistent with the intent of the open space ordinance.

The open space ordinance permits up to a 25% reduction in width and area of lots within the development, which would permit lots with an area of 7,500 square feet and width of 75 feet of frontage. Please note the petitioner has only reduced some of the lot widths to 90 feet width and 9,300 square feet, and has retained the same number of lots as the original subdivision proposal plus has much more open space and trails than the previous approval. The storm water retention basin near lot 5 is proposed to be maintained by a homeowner's association.

RECOMMENDATION

On August 13, 2015, the Planning Commission recommend the proposed final subdivision application as consistent with Chapter 17.16, Chapter 17.24 Street Design Standards, Chapter 17.32 Lot Design Standards, Chapter 17.40 Improvements, Chapter 18.52 R-1 Residential Zone, and Section 18.68.175 Open Space. The Planning Commission vote had 4 ayes and 2 nays. The recommendation is conditional upon the attached development agreement, and prior to recording the plat address the following:

1. The needed right of way along 1200 West be acquired by the developer.
2. 410 and 590 South be developed with a standard 4 foot sidewalk and 8 foot planter strips.
3. The proposed phasing of improvements be approved by the City Engineer prior to the plat recording.
4. Provide addresses for the lots on the plat.
5. Provide an updated title report for all lands proposed to be subdivided.
6. Provide tax clearance from county assessor.
7. Provide and record a record of survey map.

SUBDIVISION AGREEMENT
AND
COVENANT RUNNING WITH THE LAND
(The Meadows at Southfields Subdivision Phase 1 and Phase 2)

THIS AGREEMENT entered into this _____ day of _____, 2015, by and between Heber City, hereinafter referred to as "City" and the undersigned as "Developer".

WHEREAS, the Developer/petitioner has proposed the Meadows at Southfields Subdivision, consisting of 44 lots;

NOW, THEREFORE, the parties hereby agree as follows:

1. With respect to Exhibit A (the approved final subdivision plat), the Developer shall, prior to recording of that subdivision plat, transfer to the City all required water rights necessary for development, which shall include but not be limited to _____ Acre-Feet of diversion water rights.
2. Consistent with the annexation agreement, Developer agrees to:
 - a. Dedicate land for, and construct 1200 West along Developer's western street frontage and along the two existing home street frontages (the Newton and Hyde homes) to the full built out 72 foot Right of Way Arterial Street standard as identified in the Heber City Standards and Specifications, including asphalt, curb, gutter, and sidewalk and utilities. Also, install a two inch overlay on the existing asphalt;
 - b. Dedicate the westerly 84 feet of the property to Heber City Corporation for the Western Bypass Truck Route;
 - c. Establish covenants and restrictions upon developments for consistent fencing materials, colors, and heights within the development, and
 - e. Bury existing overhead power lines.
3. Sewer to this project will be provided by an offsite sewer line. Developer is responsible for constructing the sewer line and obtaining any necessary easements for the sewer line.
4. The annexation agreement applying to this property required a road stub to be constructed to the property to the north. The city and Developer agree that the road stub to the property to

the north shall not be constructed or dedicated as part of this development, as the property to the north is owned by the county and a road stub is not needed.

5. Developer shall place the following restriction and note on the plat: "Pursuant to Section 18.68.175 of Heber City Code Open Space, All lots have a 25 foot front and rear setback.
6. The plat shall include the following notice: "The property to the north of the subdivision is a county park facility that may provide overnight facilities for park and rodeo ground events.
7. The final plat shall note that Lots 2, 9, 10, 39, and 41 are prohibited from establishing driveway access from 1200 West;
8. The final plat shall note that Lots 14, 6, 5, 28, 31, 35, 36, and 44 shall not establish driveway access to 1300 West (to protect trail functionality);
9. The final plat shall note that all lots are prohibited from establishing driveway access from the future highway by-pass;
10. Developer will widen and improve the 650 South on the north side along the frontage of the subdivision with full utilities, asphalt, curb, gutter, and sidewalk to City Standards. The Developer will improve the existing south side asphalt of 650 South by spot repairing damaged areas of existing asphalt and adding a two inch overlay;
11. Landscaping and irrigation systems for all common areas will be installed by Developer as proposed on the final plans prior to issuance of a building permit within the subdivision;
12. Developer will establish, prior to plat recording, a Home Owners Association or other joint agreement, approved by Heber City, for the ownership, operation, maintenance, and collection of fees for the continuing maintenance of the common areas including the storm water areas, the park, and all trails and common area landscaping;
13. As shown on the proposed subdivision plat, the trails within the development will be dedicated to the public and available for use by the general public. These trails will be maintained by the HOA pursuant to number 12 above.
14. The plat shall be recorded with the following notice: A geotechnical study conducted by Gordon Spilker Huber (GSH) on August 14, 2006 concluded the subdivision is subject to

shallow ground water ranging from "depths of 7.1 to 11.1 feet below existing grades...and seasonal and longer-term groundwater fluctuations of approximately one foot should be anticipated." GSH recommends "the top of the slabs in the lowest habitable areas must be established at least two feet above the design water table...and with these criteria, the tops of the slabs in the lowest habitable areas would be approximately four to eight feet below present grade." GSH indicates "if deeper floor slab elevations are desired, a foundation and sub slab drain system will need to be installed that discharges to a suitable point. GSH can provide additional information concerning sub-drains at the request of the client." The GSH geotechnical study is available in the Heber City Planning Department and provides additional soils and construction recommendations for the subdivision. Heber City assumes no responsibility or liability relating to any damages to or associated with basements in homes within this subdivision. In the event any home is initially constructed or added upon with a basement, the owner thereof does so at their own risk.

15. The final plat shall note that the retention pond and sump easements accommodate storm drainage for the subdivision. Heber City has the right of access through Common area K to maintain and repair said facilities. No cuts, fills, changes to topography, structures above or below ground; including but not limited to fences, decks, sheds, or footings of any kind, are allowed in the easements. Any obstacles erected within these easements will be removed at the current lot owner's expense. Lot owners are responsible for landscaping and irrigating said areas as approved by Heber City. Fences constructed around the easements shall contain a 12 foot wide gate to accommodate access by Heber City.
16. Developer agrees to abide by nationally accepted best management practices for Storm water Pollution Prevention and obtain and necessary state or federal permits for such;
17. All streets, utilities, and improvements will be constructed to property lines;
18. All public streets shall be dedicated to Heber City;
19. Developer will provide a copy of their noxious weed control plan approved by the Wasatch County Weed Control Board.
20. All aforementioned improvements shall consist of frontage improvements of curbs, sidewalks, pavements, inlets, planting of trees and placing of monuments, as required and consistent

with Heber City Standards, including but not limited to required subdivision improvement requirements;

21. Said improvement costs will be paid by the Developer, their assigns, transferees or successors as owners or Developers. The Developer shall be obligated to disclose and notify in writing its immediate successors in ownership or Developers of the requirements of this Agreement;
22. Developer shall execute a performance agreement and provide a bond guaranteeing the improvements related to subdivision;
23. The parties agree that the improvements will be required at the time of development, and that no building permits shall be issued thereto without the completion of said improvements;
24. Upon the full and complete performance of all of the terms and conditions of this Agreement by the Developer, their assigns, transferees or successors, and upon approval of the improvements, the City agrees to take over roads as shown on the field map and those areas shown on the recorded subdivision plats as dedicated to the public, and maintain them as public works and public highways of the City without assessment for the construction of improvements as set out in the plans and specifications. Nothing contained here shall be construed in any way to render the City liable for any charges, costs, or debts for material, labor, or other expenses incurred in the making of these improvements;
25. In the event there is a Failure to Perform under this Agreement and it becomes reasonably necessary for any party to employ the services of an attorney in connection therewith (whether such attorney be in-house or outside counsel), either with or without litigation, on appeal or otherwise, the losing party to the controversy shall pay to the successful party reasonable attorney's fees incurred by such party and, in addition, such costs and expenses as are incurred in enforcing this Agreement;
26. This Agreement contains the entire agreement between the parties, and no statement, promise or inducement made by either party hereto, or agent of either party hereto which is not contained in this written Agreement shall be valid or binding; and this Agreement may not be enlarged, modified or altered except in writing approved by the parties.
27. Time is of the essence of this Agreement. In case any party shall fail to perform the obligations on its part at the time fixed for the performance of such obligations by the

terms of this Agreement, the other party or parties may pursue any and all remedies available in equity, at law, and/or pursuant to the terms of this Agreement.

28. This Agreement shall be a covenant running with the land, and shall be binding upon the parties and their assigns and successors in interest. This Agreement shall be recorded with the Wasatch County Recorder.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year this agreement was first above written.

DATED this _____ day of _____, 2015.

HEBER CITY:

By: _____
Alan McDonald, Mayor

ATTEST:

Heber City Recorder

OWNER, Edge Land 15 LLC

By: _____
Steve Maddox

STATE OF UTAH)
 : ss.
COUNTY OF WASATCH)

On this _____ day of _____, 2015, personally
appeared before me the above named Owner, who duly acknowledged
to me that he is the owner in fee and executed the same as such.

NOTARY PUBLIC

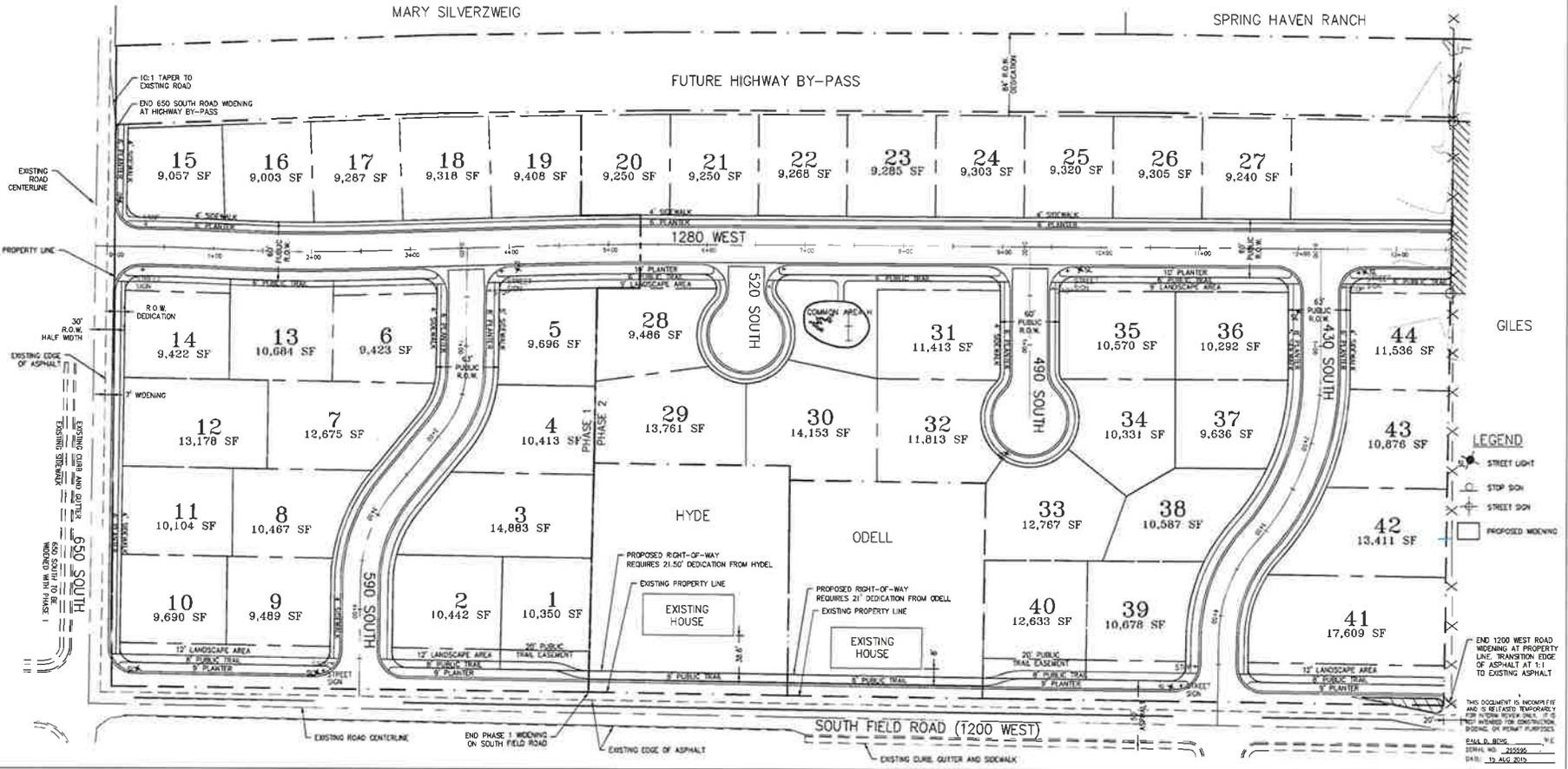
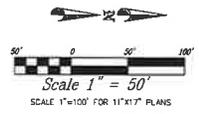
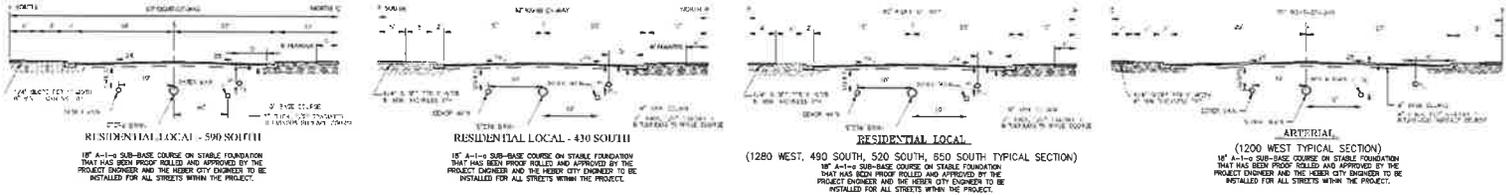


EXHIBIT A

LEGEND

- STREET LIGHT
- STOP SIGN
- STREET SIGN
- PROPOSED WIDENING

END 1200 WEST ROAD WIDENING AT PROPERTY LINE: TRANSITION EDGE OF ASPHALT AT 1:1 TO EXISTING ASPHALT

THIS DOCUMENT IS INCOMPLETE AND IS BEING TEMPORARILY FOR REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

SCALE: 1"=50'
 SHEET NO. 20550
 DATE: 15 AUG 2015

HEBER, UTAH
 EDGE LAND 15 LLC
 ADDRESS: 1475 N SCOTTSDALE ROAD, STE 200
 PHONE: (480) 253-9233

STREET PLAN

BERG ENGINEERING
 380 E MAIN ST STE 204, MIDWAY, UT 84049
 PHONE: (435) 657-3749

SCALE: 1"=50'
 DESIGN BY: PDB
 DRAWN BY: PDB
 DATE: 15 AUG 2015
 REV:

DRAWING NO. STREET
 SHEET NO. 5



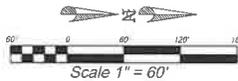
ADDRESS TABLE

| LOT | ADDRESS | LOT | ADDRESS |
|-----|----------------------|-----|----------------------|
| 1 | XXXX SOUTH 1200 WEST | 13 | XXXX SOUTH 1300 WEST |
| 2 | XXXX WEST 590 SOUTH | 14 | XXXX SOUTH 1300 WEST |
| 3 | XXXX WEST 590 SOUTH | 15 | XXXX SOUTH 1300 WEST |
| 4 | XXXX WEST 590 SOUTH | 16 | XXXX SOUTH 1300 WEST |
| 5 | XXXX WEST 590 SOUTH | 17 | XXXX SOUTH 1300 WEST |
| 6 | XXXX WEST 590 SOUTH | 18 | XXXX SOUTH 1300 WEST |
| 7 | XXXX WEST 590 SOUTH | 19 | XXXX SOUTH 1300 WEST |
| 8 | XXXX WEST 590 SOUTH | | |
| 9 | XXXX WEST 590 SOUTH | | |
| 10 | XXXX WEST 650 SOUTH | | |
| 11 | XXXX WEST 650 SOUTH | | |
| 12 | XXXX WEST 650 SOUTH | | |

LEGEND

▭ DEDICATE TO HEBER CITY

SM SURVEY MONUMENT



SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-96-003 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6854112 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

DATE: _____ SURVEYOR: TROY L. TAYLOR

BASIS OF BEARING

THE SURVEY BASIS OF BEARING IS NORTH 07°24'00" WEST 2663.89 FEET BEING THE WASATCH COUNTY SURVEY MONUMENT FOUND MARKING THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND THE WASATCH COUNTY SURVEY MONUMENT FOUND MARKING THE EAST-WEST CORNER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AS FOUND ON THE STATE COORDINATE POSITIONING SYSTEM OF TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN RECORDED IN THE OFFICE OF THE WASATCH COUNTY SURVEYOR AS PLAT # 733.

BOUNDARY DESCRIPTION

A PARCEL OF LAND SITUATE IN THE EAST HALF OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND IN THE WEST HALF OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 00°12'40" EAST 222.32 FEET ALONG THE EAST LINE OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, FROM THE WASATCH COUNTY SURVEY MONUMENT FOUND MARKING THE EAST QUARTER CORNER OF SAID SECTION;

AND RUNNING THENCE NORTH 89°34'04" WEST 504.12 FEET ALONG THE NORTH RIGHT-OF-WAY FENCE OF 650 SOUTH STREET TO A FENCE CORNER; THENCE NORTH 2°05'38" WEST 327.66 FEET ALONG AN EXISTING FENCE; THENCE NORTH 0°36'37" WEST 223.91 FEET ALONG EXISTING FENCE; THENCE NORTH 0°07'28" EAST 470.62 FEET ALONG EXISTING FENCE; THENCE NORTH 0°42'31" EAST 333.97 FEET ALONG EXISTING FENCE TO A FENCE CORNER WHICH GOES EAST, WEST AND SOUTH; THENCE NORTH 89°55'55" EAST 87.45 FEET ALONG AN EXISTING FENCE; THENCE SOUTH 89°07'00" EAST 117.57 FEET; THENCE SOUTH 00°19'17" WEST 132.71 FEET; THENCE SOUTH 00°14'49" WEST 31.03 FEET; THENCE NORTH 89°45'04" WEST 102.31 FEET; THENCE SOUTH 00°42'51" WEST 169.43 FEET; THENCE SOUTH 00°07'20" WEST 469.40 FEET; THENCE SOUTH 00°37' EAST 81.19 FEET; THENCE SOUTH 89°45'04" EAST 101.84 FEET; THENCE ALONG THE ARC OF A 200.00 FOOT RADIUS CURVE TO THE RIGHT 59.31 FEET (CENTRAL ANGLE OF 01°40'26" AND A CHORD BEARING NORTH 00°35'17" WEST 59.31 FEET); THENCE SOUTH 89°45'04" EAST 75.00 FEET; THENCE NORTH 00°43'56" EAST 42.36 FEET; THENCE SOUTH 89°03'00" EAST 178.62 FEET; THENCE SOUTH 88°40'00" EAST 233.45 FEET; ALONG A FENCE TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY FENCE OF SOUTHFIELD ROAD; THENCE SOUTH 07°14" WEST 483.60 FEET ALONG THE WEST RIGHT-OF-WAY FENCE OF SOUTHFIELD ROAD TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY FENCE OF SOUTHFIELD ROAD AND THE NORTH RIGHT-OF-WAY FENCE OF 650 SOUTH STREET; THENCE NORTH 89°34'04" WEST 148.36 FEET ALONG THE NORTH RIGHT-OF-WAY FENCE OF 650 SOUTH STREET TO THE POINT OF BEGINNING.

CONTAINS 9.91 ACRES MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

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

BY: _____

EDGE LAND 15 LLC

ACKNOWLEDGMENT

STATE OF _____ S.S.

COUNTY OF _____

ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME _____ WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACCEPTANCE BY HEBER CITY

THE CITY COUNCIL OF HEBER CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

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

APPROVED _____ ATTEST _____

CITY ENGINEER CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE _____ CITY PLANNING COMMISSION

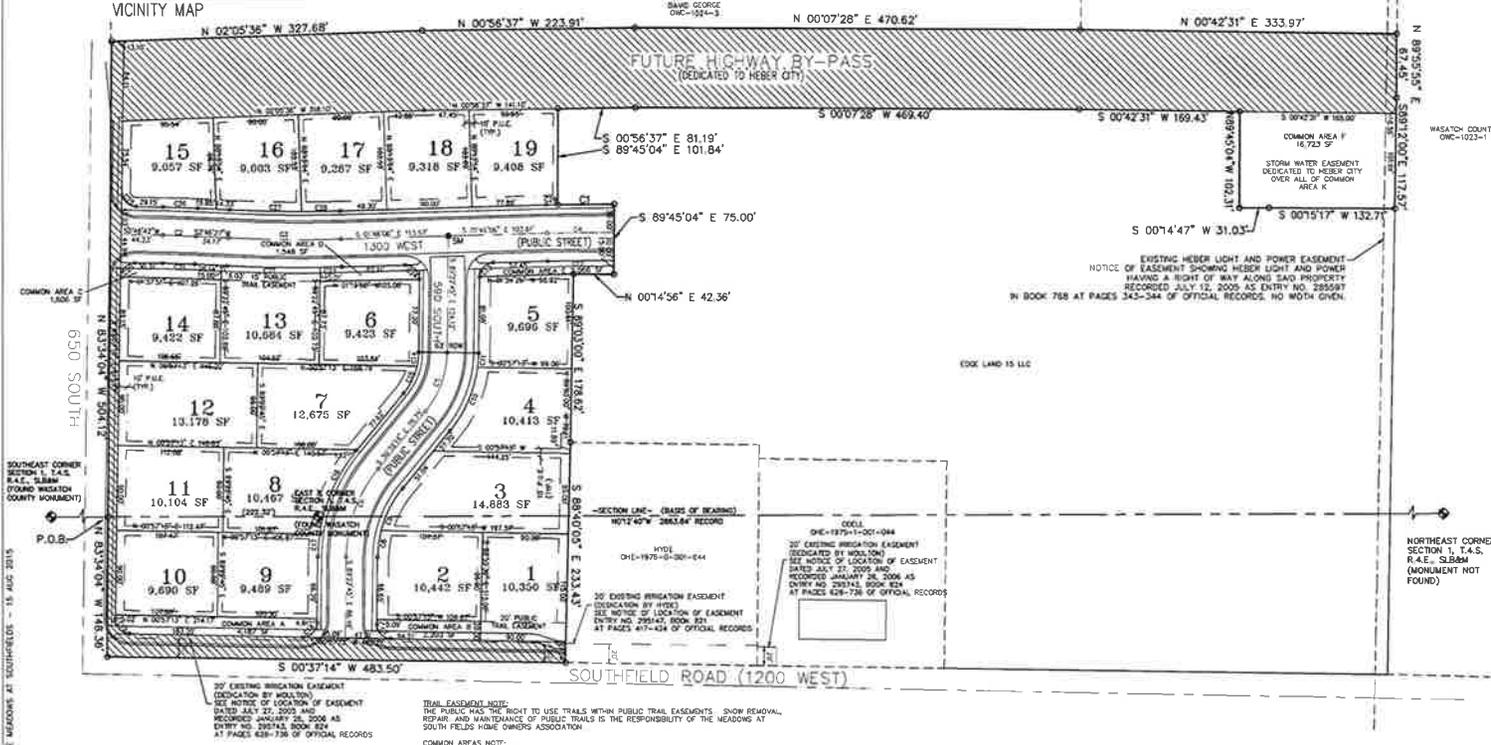
PLANNING DIRECTOR CHAIRMAN, PLANNING COMMISSION

THE MEADOWS AT SOUTHFIELDS SUBDIVISION - PHASE 1

HEBER CITY, WASATCH COUNTY, STATE OF UTAH

SCALE: 1" = 60' FEET

TOWNSHIP 4 SOUTH RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



STRECK NOTES FOR LOTS 1-14:

STRECKS ARE AS FOLLOWS:

FRONT SETBACK 25 FEET

REAR SETBACK 25 FEET

SIDE SETBACK 10 FEET

STRECK NOTES FOR LOTS 15-19:

STRECKS ARE AS FOLLOWS:

FRONT SETBACK 25 FEET

REAR SETBACK 30 FEET

SIDE SETBACK 10 FEET

UTILITY EASEMENT NOTES:

15 FEET BROAD EASEL LOT BOUNDARY IS DEDICATED AS A PUBLIC UTILITY EASEMENT EXCEPT WHERE NOTED OTHERWISE ON THE PLAT.

STORM DRAIN EASEMENT NOTES:

THE STORM DRAIN EASEMENT ON COMMON AREA F IS TO ACCOMMODATE THE STORM WATER RUNOFF FOR THE SUBDIVISION. HEBER CITY HAS THE RIGHT OF ACCESS COMMON AREA K TO MAINTAIN AND REPAIR SAID FACILITIES. NO CUTS, FILLS, CHANGES TO TOPOGRAPHY, STRUCTURES ABOVE OR BELOW THE GROUND, INCLUDING BUT NOT LIMITED TO FENCES, DECKS, SWERS OR OBSTACLES DIRECTED WITHIN THE EASEMENT WILL BE ALLOWED AT THE HOMEOWNERS ASSOCIATIONS EXPENSE. THE HOME OWNERS ASSOCIATION IS RESPONSIBLE FOR LANDSCAPING AND IRRIGATION OF THE EASEMENT. FENCES CONSTRUCTED ALONG THE EASEMENTS SHALL CONTAIN A 12 FOOT SIDE GATE TO ACCOMMODATE ACCESS BY HEBER CITY CORPORATION.

REVISIONS FOR SUBDIVISIONS & LOTS:

REVISIONS ARE PROHIBITED WITHIN THE SUBDIVISION UNLESS THE LOT OWNER DEMONSTRATES AT THE TIME OF BUILDING PERMIT THAT DRAINAGE LEVELS ARE APPROPRIATE FOR A BASEMENT AND/OR THAT DRAINAGE DRAINS AROUND THE BASEMENT WILL BE INSTALLED TO CONTROL OVERFLOWAGE.

HIGHWAY BY-PASS NOTES:

A FUTURE HIGHWAY ROAD FOR HIGHWAY 40 IS PLANNED IMMEDIATELY ADJACENT TO THIS SUBDIVISION. THIS ROAD MAY CAUSE NOISE, TRAFFIC, COOL AIR POLLUTION, LIGHT ETC.

2. REAR LOT ACCESS FOR LOTS 15-19, THROUGH HEBER CITY'S FUTURE HIGHWAY BY-PASS PROPERTY IS PROMISED.

3. A FENCE SHALL BE INSTALLED AT THE TIME OF DEVELOPMENT ALONG THE REAR LOT LINES OF LOTS 15-19, ADJACENT TO THE FUTURE HIGHWAY BY-PASS, AT THE TIME OF SUBDIVISION CONSTRUCTION.

TRAIL EASEMENT NOTE:

THE PUBLIC HAS THE RIGHT TO USE TRAILS WITHIN PUBLIC TRAIL EASEMENTS. SNOW REMOVAL, REPAIR AND MAINTENANCE OF PUBLIC TRAILS IS THE RESPONSIBILITY OF THE MEADOWS AT SOUTHFIELDS HOME OWNERS ASSOCIATION.

COMMON AREAS NOTE:

THE MEADOWS AT SOUTHFIELDS HOME OWNERS ASSOCIATION IS RESPONSIBLE FOR THE ONGOING MAINTENANCE OF COMMON AREAS DESIGNATED ON THE PLAT.

| LOT | AREA | PERCENT | OWNER | DATE | REMARKS |
|-----|--------|---------|------------------|------------|---|
| 1 | 10,330 | 10.33 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 2 | 10,442 | 10.44 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 3 | 14,883 | 14.88 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 4 | 10,413 | 10.41 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 5 | 9,690 | 9.69 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 6 | 9,423 | 9.42 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 7 | 12,675 | 12.68 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 8 | 9,489 | 9.49 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 9 | 9,489 | 9.49 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 10 | 9,690 | 9.69 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 11 | 10,104 | 10.10 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 12 | 13,176 | 13.18 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 13 | 10,064 | 10.06 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 14 | 9,432 | 9.43 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 15 | 9,057 | 9.06 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 16 | 9,003 | 9.00 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 17 | 9,267 | 9.27 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 18 | 9,318 | 9.32 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |
| 19 | 9,408 | 9.41 | EDGE LAND 15 LLC | 07/27/2009 | RECORDED JANUARY 26, 2008 AS ENTRY NO. 293743 BOOK 824 AT PAGES 429-738 OF OFFICIAL RECORDS |

DATE: _____

WASATCH COUNTY SURVEYOR

COUNTY CORNER

SURVEYOR

TROY L. TAYLOR, PLS

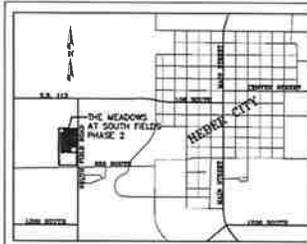
COOK SANDERS ASSOCIATES

331 SOUTH 3RD ORANGE AVE

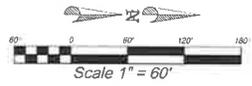
SALT LAKE CITY, UT 84101

PHONE (801) 364-4051

DATE OF SURVEY: APRIL 2015



| ADDRESS TABLE | | | |
|---------------|---------------------|-----|----------------------|
| LOT | ADDRESS | LOT | ADDRESS |
| 20 | XXX SOUTH 1300 WEST | 33 | XXXX WEST 460 SOUTH |
| 21 | XXX SOUTH 1300 WEST | 34 | XXXX WEST 460 SOUTH |
| 22 | XXX SOUTH 1300 WEST | 35 | XXXX WEST 460 SOUTH |
| 23 | XXX SOUTH 1300 WEST | 36 | XXXX WEST 410 SOUTH |
| 24 | XXX SOUTH 1300 WEST | 37 | XXXX WEST 410 SOUTH |
| 25 | XXX SOUTH 1300 WEST | 38 | XXXX WEST 410 SOUTH |
| 26 | XXX SOUTH 1300 WEST | 39 | XXXX WEST 410 SOUTH |
| 27 | XXX SOUTH 1300 WEST | 40 | XXXX SOUTH 1200 WEST |
| 28 | XXXX WEST 520 SOUTH | 41 | XXXX WEST 410 SOUTH |
| 29 | XXXX WEST 520 SOUTH | 42 | XXXX WEST 410 SOUTH |
| 30 | XXXX WEST 520 SOUTH | 43 | XXXX WEST 410 SOUTH |
| 31 | XXXX WEST 460 SOUTH | 44 | XXXX WEST 410 SOUTH |
| 32 | XXXX WEST 460 SOUTH | | |



SURVEYOR'S CERTIFICATE

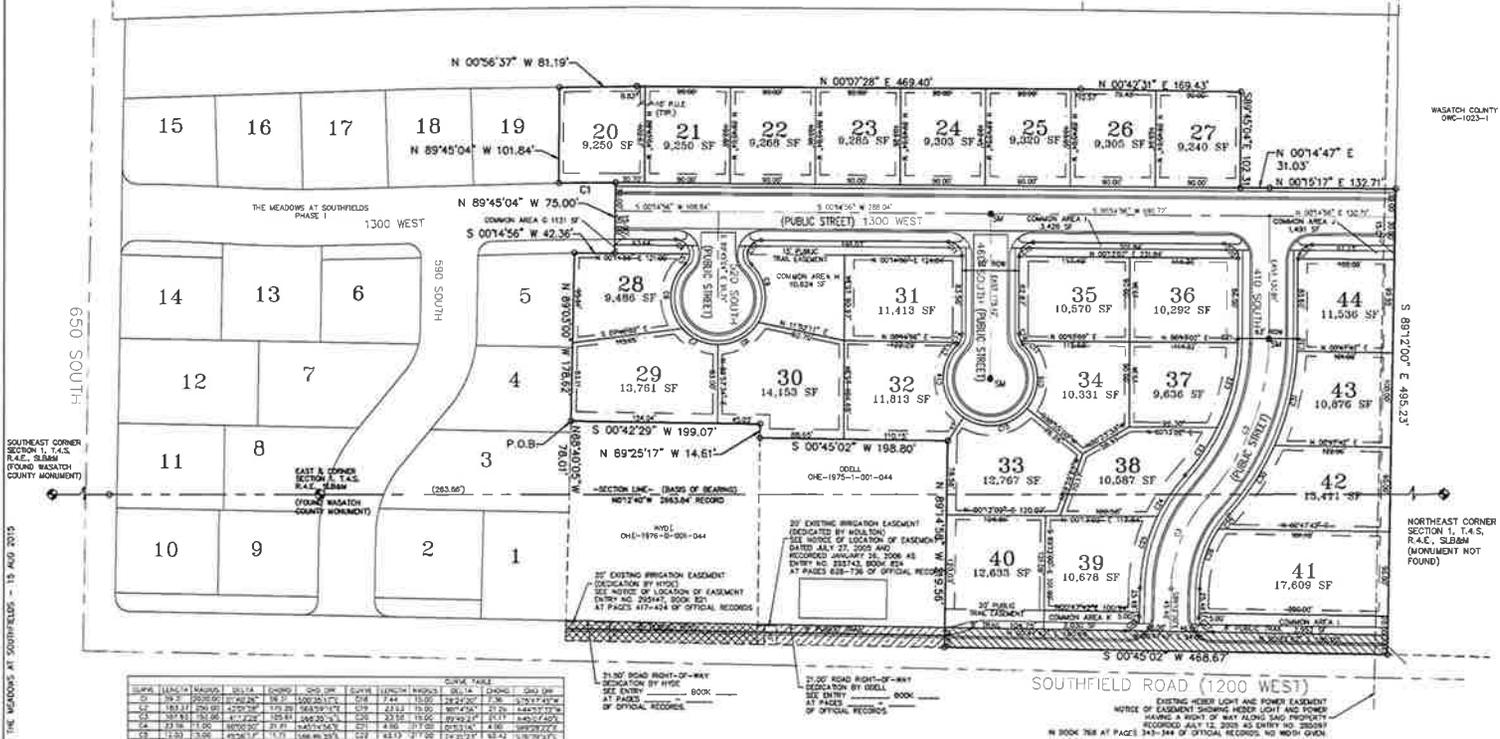
IN ACCORDANCE WITH SECTION 10-90-603 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6554112 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE FLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE FLAT.

DATE _____ SURVEYOR _____ DEED BOOK _____

BASIS OF BEARING

THE SURVEY BASIS OF BEARING IS NORTH 01°45'56" WEST 263.86 FEET BETWEEN THE WASATCH COUNTY SURVEY MONUMENT FOUND MARKING THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AND THE WASATCH COUNTY SURVEY MONUMENT FOUND MARKING THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AS FOUND ON THE STATE COORDINATE AND DEPENDENT RESUME OF MONUMENTS OF TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, RECORDED IN THE OFFICE OF THE WASATCH COUNTY SURVEYOR AS PLANS # 733.

VICINITY MAP



BOUNDARY DESCRIPTION

A PARCEL OF LAND SITUATE IN THE EAST HALF OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND IN THE WEST HALF OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 0012°40' WEST 263.86 FEET ALONG THE EAST LINE OF SECTION 1, AND NORTH 80°00' WEST 78.01 FEET ALONG THE MEADOWS AT SOUTHFIELDS - PHASE 1 PLAT, SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, FROM THE WASATCH COUNTY SURVEY MONUMENT FOUND MARKING THE EAST QUARTER CORNER OF SAID SECTION;

THENCE NORTH 89°32'00" WEST 176.63 FEET; THENCE SOUTH 00°14'56" WEST 42.38 FEET; THENCE NORTH 89°45'04" WEST 75.00 FEET; THENCE ALONG THE ARC OF A 2030.00 FOOT RADIUS CURVE TO THE LEFT 56.31 FEET (CENTRAL ANGLE OF 0°40'26" AND A CHORD BEARING SOUTH 00°51'17" EAST 59.31 FEET); THENCE NORTH 89°45'04" WEST 101.84 FEET; THENCE NORTH 00°56'37" WEST 81.19 FEET; THENCE NORTH 00°07'20" EAST 469.40 FEET; THENCE NORTH 00°42'31" EAST 159.43 FEET; THENCE SOUTH 89°45'04" EAST 102.31 FEET; THENCE NORTH 00°14'47" EAST 31.03 FEET; THENCE NORTH 00°15'17" EAST 132.71 FEET; THENCE SOUTH 89°12'00" EAST 489.23 FEET; THENCE SOUTH 00°45'02" WEST 488.87 FEET ALONG THE WEST RIGHT-OF-WAY FENCE OF SOUTHFIELD ROAD TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY FENCE OF SOUTHFIELD ROAD; THENCE SOUTH 00°45'02" WEST 488.87 FEET ALONG THE WEST RIGHT-OF-WAY FENCE OF SOUTHFIELD ROAD TO A FENCE CORNER WHICH GOES WEST AND SOUTH; THENCE NORTH 89°14'58" WEST 219.56 FEET; THENCE SOUTH 00°45'02" WEST 198.90 FEET; THENCE NORTH 89°25'17" WEST 14.61 FEET; THENCE SOUTH 02°42'27" WEST 199.07 FEET ALONG AN EXISTING FENCE TO A FENCE CORNER WHICH GOES EAST AND NORTH TO THE POINT OF BEGINNING;

CONTAINS 9.33 ACRES MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT, THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

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

BY _____

EDGE LAND 15 LLC

ACKNOWLEDGMENT

STATE OF _____) S.S.
 COUNTY OF _____)

ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME, _____, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACCEPTANCE BY HEBER CITY

THE CITY COUNCIL OF HEBER CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

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

APPROVED _____ ATTEST _____
 MAYOR CITY ENGINEER (SEE SEAL BELOW) CLERK-RECORDER (SEE SEAL BELOW)

APPROVED _____ APPROVED _____
 CITY ENGINEER (SEE SEAL BELOW) CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____, BY THE _____ CITY PLANNING COMMISSION

PLANNING DIRECTOR CHAIRMAN, PLANNING COMMISSION

THE MEADOWS AT SOUTHFIELDS SUBDIVISION - PHASE 2

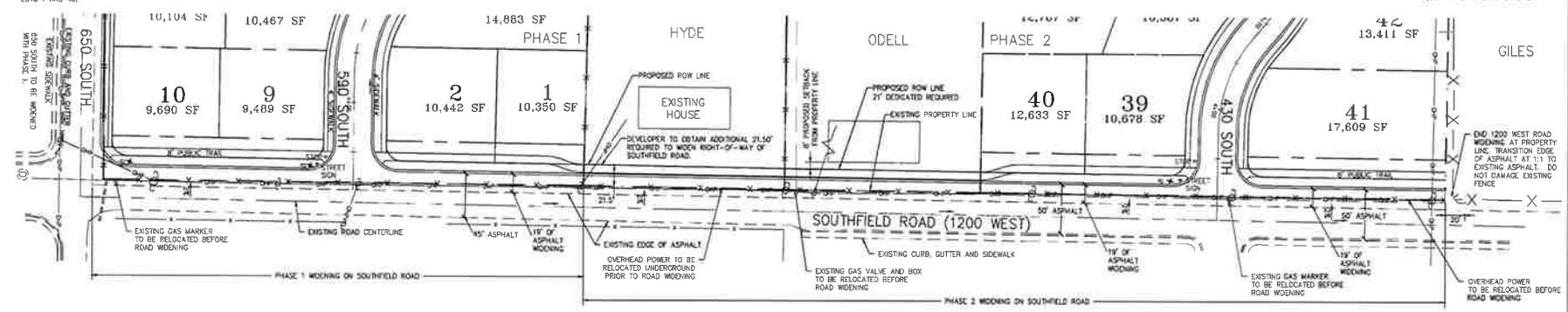
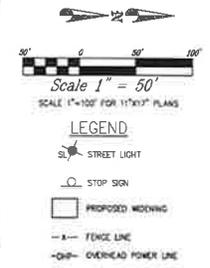
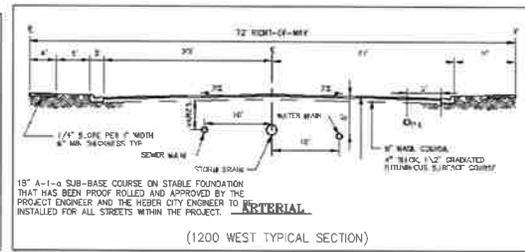
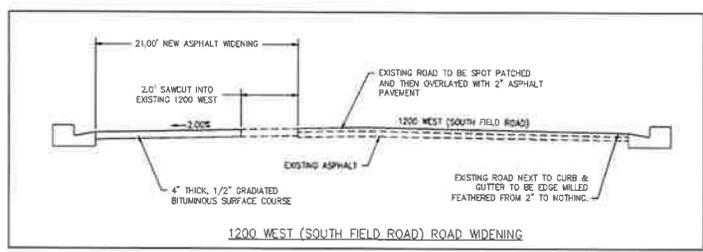
HEBER CITY, WASATCH COUNTY, STATE OF UTAH
 SCALE: 1" = 60.00 FEET

| | | | |
|---------------|--------------------|--------------------|---------------------|
| SURVEYOR SEAL | NOTARY PUBLIC SEAL | CITY ENGINEER SEAL | CLERK-RECORDER SEAL |
| | | | |

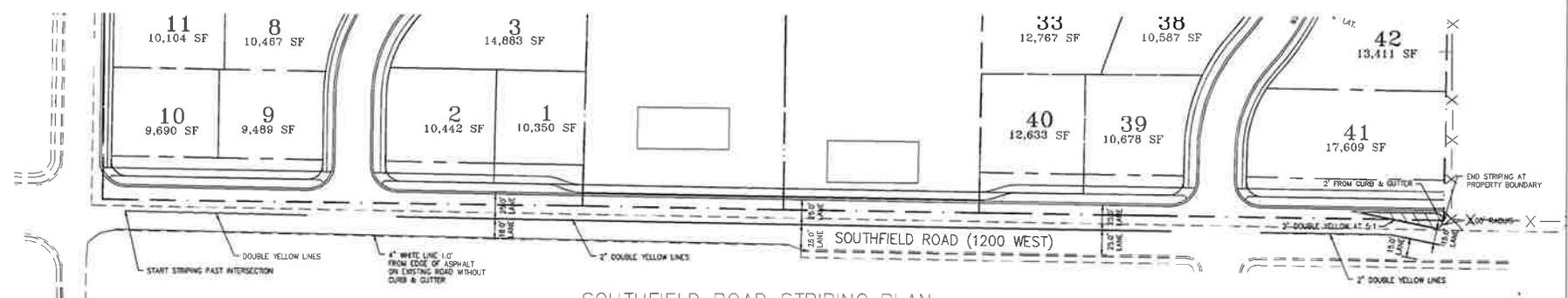
COUNTY RECORDED _____ DATE _____ WASATCH COUNTY SURVEYOR

| STATION | CHORD BEARING | CHORD DISTANCE | CHORD BEARING | CHORD DISTANCE | CHORD BEARING | CHORD DISTANCE |
|---------|---------------|----------------|---------------|----------------|---------------|----------------|
| 0+00 | N 00°00'00" E | 0.00 | N 00°00'00" E | 0.00 | N 00°00'00" E | 0.00 |
| 0+10 | N 00°00'00" E | 10.00 | N 00°00'00" E | 10.00 | N 00°00'00" E | 10.00 |
| 0+20 | N 00°00'00" E | 20.00 | N 00°00'00" E | 20.00 | N 00°00'00" E | 20.00 |
| 0+30 | N 00°00'00" E | 30.00 | N 00°00'00" E | 30.00 | N 00°00'00" E | 30.00 |
| 0+40 | N 00°00'00" E | 40.00 | N 00°00'00" E | 40.00 | N 00°00'00" E | 40.00 |
| 0+50 | N 00°00'00" E | 50.00 | N 00°00'00" E | 50.00 | N 00°00'00" E | 50.00 |
| 0+60 | N 00°00'00" E | 60.00 | N 00°00'00" E | 60.00 | N 00°00'00" E | 60.00 |
| 0+70 | N 00°00'00" E | 70.00 | N 00°00'00" E | 70.00 | N 00°00'00" E | 70.00 |
| 0+80 | N 00°00'00" E | 80.00 | N 00°00'00" E | 80.00 | N 00°00'00" E | 80.00 |
| 0+90 | N 00°00'00" E | 90.00 | N 00°00'00" E | 90.00 | N 00°00'00" E | 90.00 |
| 1+00 | N 00°00'00" E | 100.00 | N 00°00'00" E | 100.00 | N 00°00'00" E | 100.00 |
| 1+10 | N 00°00'00" E | 110.00 | N 00°00'00" E | 110.00 | N 00°00'00" E | 110.00 |
| 1+20 | N 00°00'00" E | 120.00 | N 00°00'00" E | 120.00 | N 00°00'00" E | 120.00 |
| 1+30 | N 00°00'00" E | 130.00 | N 00°00'00" E | 130.00 | N 00°00'00" E | 130.00 |
| 1+40 | N 00°00'00" E | 140.00 | N 00°00'00" E | 140.00 | N 00°00'00" E | 140.00 |
| 1+50 | N 00°00'00" E | 150.00 | N 00°00'00" E | 150.00 | N 00°00'00" E | 150.00 |
| 1+60 | N 00°00'00" E | 160.00 | N 00°00'00" E | 160.00 | N 00°00'00" E | 160.00 |
| 1+70 | N 00°00'00" E | 170.00 | N 00°00'00" E | 170.00 | N 00°00'00" E | 170.00 |
| 1+80 | N 00°00'00" E | 180.00 | N 00°00'00" E | 180.00 | N 00°00'00" E | 180.00 |
| 1+90 | N 00°00'00" E | 190.00 | N 00°00'00" E | 190.00 | N 00°00'00" E | 190.00 |
| 2+00 | N 00°00'00" E | 200.00 | N 00°00'00" E | 200.00 | N 00°00'00" E | 200.00 |
| 2+10 | N 00°00'00" E | 210.00 | N 00°00'00" E | 210.00 | N 00°00'00" E | 210.00 |
| 2+20 | N 00°00'00" E | 220.00 | N 00°00'00" E | 220.00 | N 00°00'00" E | 220.00 |
| 2+30 | N 00°00'00" E | 230.00 | N 00°00'00" E | 230.00 | N 00°00'00" E | 230.00 |
| 2+40 | N 00°00'00" E | 240.00 | N 00°00'00" E | 240.00 | N 00°00'00" E | 240.00 |
| 2+50 | N 00°00'00" E | 250.00 | N 00°00'00" E | 250.00 | N 00°00'00" E | 250.00 |
| 2+60 | N 00°00'00" E | 260.00 | N 00°00'00" E | 260.00 | N 00°00'00" E | 260.00 |
| 2+70 | N 00°00'00" E | 270.00 | N 00°00'00" E | 270.00 | N 00°00'00" E | 270.00 |
| 2+80 | N 00°00'00" E | 280.00 | N 00°00'00" E | 280.00 | N 00°00'00" E | 280.00 |
| 2+90 | N 00°00'00" E | 290.00 | N 00°00'00" E | 290.00 | N 00°00'00" E | 290.00 |
| 3+00 | N 00°00'00" E | 300.00 | N 00°00'00" E | 300.00 | N 00°00'00" E | 300.00 |
| 3+10 | N 00°00'00" E | 310.00 | N 00°00'00" E | 310.00 | N 00°00'00" E | 310.00 |
| 3+20 | N 00°00'00" E | 320.00 | N 00°00'00" E | 320.00 | N 00°00'00" E | 320.00 |
| 3+30 | N 00°00'00" E | 330.00 | N 00°00'00" E | 330.00 | N 00°00'00" E | 330.00 |
| 3+40 | N 00°00'00" E | 340.00 | N 00°00'00" E | 340.00 | N 00°00'00" E | 340.00 |
| 3+50 | N 00°00'00" E | 350.00 | N 00°00'00" E | 350.00 | N 00°00'00" E | 350.00 |
| 3+60 | N 00°00'00" E | 360.00 | N 00°00'00" E | 360.00 | N 00°00'00" E | 360.00 |
| 3+70 | N 00°00'00" E | 370.00 | N 00°00'00" E | 370.00 | N 00°00'00" E | 370.00 |
| 3+80 | N 00°00'00" E | 380.00 | N 00°00'00" E | 380.00 | N 00°00'00" E | 380.00 |
| 3+90 | N 00°00'00" E | 390.00 | N 00°00'00" E | 390.00 | N 00°00'00" E | 390.00 |
| 4+00 | N 00°00'00" E | 400.00 | N 00°00'00" E | 400.00 | N 00°00'00" E | 400.00 |
| 4+10 | N 00°00'00" E | 410.00 | N 00°00'00" E | 410.00 | N 00°00'00" E | 410.00 |
| 4+20 | N 00°00'00" E | 420.00 | N 00°00'00" E | 420.00 | N 00°00'00" E | 420.00 |
| 4+30 | N 00°00'00" E | 430.00 | N 00°00'00" E | 430.00 | N 00°00'00" E | 430.00 |
| 4+40 | N 00°00'00" E | 440.00 | N 00°00'00" E | 440.00 | N 00°00'00" E | 440.00 |
| 4+50 | N 00°00'00" E | 450.00 | N 00°00'00" E | 450.00 | N 00°00'00" E | 450.00 |
| 4+60 | N 00°00'00" E | 460.00 | N 00°00'00" E | 460.00 | N 00°00'00" E | 460.00 |
| 4+70 | N 00°00'00" E | 470.00 | N 00°00'00" E | 470.00 | N 00°00'00" E | 470.00 |
| 4+80 | N 00°00'00" E | 480.00 | N 00°00'00" E | 480.00 | N 00°00'00" E | 480.00 |
| 4+90 | N 00°00'00" E | 490.00 | N 00°00'00" E | 490.00 | N 00°00'00" E | 490.00 |
| 5+00 | N 00°00'00" E | 500.00 | N 00°00'00" E | 500.00 | N 00°00'00" E | 500.00 |
| 5+10 | N 00°00'00" E | 510.00 | N 00°00'00" E | 510.00 | N 00°00'00" E | 510.00 |
| 5+20 | N 00°00'00" E | 520.00 | N 00°00'00" E | 520.00 | N 00°00'00" E | 520.00 |
| 5+30 | N 00°00'00" E | 530.00 | N 00°00'00" E | 530.00 | N 00°00'00" E | 530.00 |
| 5+40 | N 00°00'00" E | 540.00 | N 00°00'00" E | 540.00 | N 00°00'00" E | 540.00 |
| 5+50 | N 00°00'00" E | 550.00 | N 00°00'00" E | 550.00 | N 00°00'00" E | 550.00 |
| 5+60 | N 00°00'00" E | 560.00 | N 00°00'00" E | 560.00 | N 00°00'00" E | 560.00 |
| 5+70 | N 00°00'00" E | 570.00 | N 00°00'00" E | 570.00 | N 00°00'00" E | 570.00 |
| 5+80 | N 00°00'00" E | 580.00 | N 00°00'00" E | 580.00 | N 00°00'00" E | 580.00 |
| 5+90 | N 00°00'00" E | 590.00 | N 00°00'00" E | 590.00 | N 00°00'00" E | 590.00 |
| 6+00 | N 00°00'00" E | 600.00 | N 00°00'00" E | 600.00 | N 00°00'00" E | 600.00 |
| 6+10 | N 00°00'00" E | 610.00 | N 00°00'00" E | 610.00 | N 00°00'00" E | 610.00 |
| 6+20 | N 00°00'00" E | 620.00 | N 00°00'00" E | 620.00 | N 00°00'00" E | 620.00 |
| 6+30 | N 00°00'00" E | 630.00 | N 00°00'00" E | 630.00 | N 00°00'00" E | 630.00 |
| 6+40 | N 00°00'00" E | 640.00 | N 00°00'00" E | 640.00 | N 00°00'00" E | 640.00 |
| 6+50 | N 00°00'00" E | 650.00 | N 00°00'00" E | 650.00 | N 00°00'00" E | 650.00 |
| 6+60 | N 00°00'00" E | 660.00 | N 00°00'00" E | 660.00 | N 00°00'00" E | 660.00 |
| 6+70 | N 00°00'00" E | 670.00 | N 00°00'00" E | 670.00 | N 00°00'00" E | 670.00 |
| 6+80 | N 00°00'00" E | 680.00 | N 00°00'00" E | 680.00 | N 00°00'00" E | 680.00 |
| 6+90 | N 00°00'00" E | 690.00 | N 00°00'00" E | 690.00 | N 00°00'00" E | 690.00 |
| 7+00 | N 00°00'00" E | 700.00 | N 00°00'00" E | 700.00 | N 00°00'00" E | 700.00 |
| 7+10 | N 00°00'00" E | 710.00 | N 00°00'00" E | 710.00 | N 00°00'00" E | 710.00 |
| 7+20 | N 00°00'00" E | 720.00 | N 00°00'00" E | 720.00 | N 00°00'00" E | 720.00 |
| 7+30 | N 00°00'00" E | 730.00 | N 00°00'00" E | 730.00 | N 00°00'00" E | 730.00 |
| 7+40 | N 00°00'00" E | 740.00 | N 00°00'00" E | 740.00 | N 00°00'00" E | 740.00 |
| 7+50 | N 00°00'00" E | 750.00 | N 00°00'00" E | 750.00 | N 00°00'00" E | 750.00 |
| 7+60 | N 00°00'00" E | 760.00 | N 00°00'00" E | 760.00 | N 00°00'00" E | 760.00 |
| 7+70 | N 00°00'00" E | 770.00 | N 00°00'00" E | 770.00 | N 00°00'00" E | 770.00 |
| 7+80 | N 00°00'00" E | 780.00 | N 00°00'00" E | 780.00 | N 00°00'00" E | 780.00 |
| 7+90 | N 00°00'00" E | 790.00 | N 00°00'00" E | 790.00 | N 00°00'00" E | 790.00 |
| 8+00 | N 00°00'00" E | 800.00 | N 00°00'00" E | 800.00 | N 00°00'00" E | 800.00 |
| 8+10 | N 00°00'00" E | 810.00 | N 00°00'00" E | 810.00 | N 00°00'00" E | 810.00 |
| 8+20 | N 00°00'00" E | 820.00 | N 00°00'00" E | 820.00 | N 00°00'00" E | 820.00 |
| 8+30 | N 00°00'00" E | 830.00 | N 00°00'00" E | 830.00 | N 00°00'00" E | 830.00 |
| 8+40 | N 00°00'00" E | 840.00 | N 00°00'00" E | 840.00 | N 00°00'00" E | 840.00 |
| 8+50 | N 00°00'00" E | 850.00 | N 00°00'00" E | 850.00 | N 00°00'00" E | 850.00 |
| 8+60 | N 00°00'00" E | 860.00 | N 00°00'00" E | 860.00 | N 00°00'00" E | 860.00 |
| 8+70 | N 00°00'00" E | 870.00 | N 00°00'00" E | 870.00 | N 00°00'00" E | 870.00 |
| 8+80 | N 00°00'00" E | 880.00 | N 00°00'00" E | 880.00 | N 00°00'00" E | 880.00 |
| 8+90 | N 00°00'00" E | 890.00 | N 00°00'00" E | 890.00 | N 00°00'00" E | 890.00 |
| 9+00 | N 00°00'00" E | 900.00 | N 00°00'00" E | 900.00 | N 00°00'00" E | 900.00 |
| 9+10 | N 00°00'00" E | 910.00 | N 00°00'00" E | 910.00 | N 00°00'00" E | 910.00 |
| 9+20 | N 00°00'00" E | 920.00 | N 00°00'00" E | 920.00 | N 00°00'00" E | 920.00 |
| 9+30 | N 00°00'00" E | 930.00 | N 00°00'00" E | 930.00 | N 00°00'00" E | 930.00 |
| 9+40 | N 00°00'00" E | 940.00 | N 00°00'00" E | 940.00 | N 00°00'00" E | 940.00 |
| 9+50 | N 00°00'00" E | 950.00 | N 00°00'00" E | 950.00 | N 00°00'00" E | 950.00 |
| 9+60 | N 00°00'00" E | 960.00 | N 00°00'00" E | 960.00 | N 00°00'00" E | 960.00 |

- CONSTRUCTION NOTES:**
- CONTRACTOR SHALL SAW CUT 2 FEET OF EXISTING ASPHALT ALONG THE WEST EDGE OF SOUTH FIELD ROAD. CONTRACTOR SHALL REMOVE DAMAGED ASPHALT ALONG FRONTAGE OF SOUTH FIELD ROAD. REMOVE AND PROPERLY DISPOSE OF SAW CUT ASPHALT. CRUSHED-UP ASPHALT MAY BE USED FOR ROAD BASE.
 - WIDEN ROAD AT A 2% CROSS SLOPE FROM EXISTING ROAD.
 - INSTALL HIGH BACK CURB AND CUTTER AS SHOWN ON THIS PLAN.
 - CONTRACTOR IS RESPONSIBLE FOR TRAFFIC CONTROL. ONE LANE SHOULD REMAIN OPEN AT ALL TIMES. TRAFFIC CONTROL PLAN TO BE SUBMITTED TO CITY PRIOR TO WORK BEGINNING.
 - CONTRACTOR TO PATCH AND OVERLAY EXISTING ROAD WITH 2" ASPHALT PAVEMENT.
 - CONTRACTOR TO RE-STRIPE ROAD AFTER ROAD IS WIDENED AND OVERLAYED.
 - ALL ROAD CONSTRUCTION SHALL BE TO HEBER CITY STANDARDS AND SPECIFICATIONS.
 - CONTRACTOR RESPONSIBLE FOR THE RELOCATION OF POWER LINES TO UNDERGROUND ALONG 1200 WEST (SOUTH FIELD ROAD) BEFORE WIDENING OF THE ROAD. CONTRACTOR TO COORDINATE OF POWER LINES WITH HEBER LIGHT AND POWER.
 - CONTRACTOR SHALL ADJUST IRRIGATION VALVES, WATER VALVES, MAN-HOLES, BOXES, GAS LINE MARKETS AND BOXES, ETC. TO NEW ROAD GRADE WHILE WIDENING SOUTH FIELD ROAD.
 - CONTRACTOR SHALL RELOCATE EXISTING MAIL BOXES.
- NOTES:**
- DRIVEWAYS ON TO SOUTHFIELD ROAD ARE PROHIBITED EXCEPT FOR LOTS 1 AND 40.



SOUTHFIELD ROAD IMPROVEMENT PLAN



SOUTHFIELD ROAD STRIPING PLAN

SOUTHFIELD ROAD (1200 WEST) TRAFFIC MARKING NOTES:
 ALL ROADWAY PAVEMENT MARKINGS SHALL MEET MUTCD AND HEBER CITY STANDARDS. EXISTING TRAFFIC MARKINGS TO BE REMOVED.

THIS DOCUMENT IS INCOMPLETE AND IS RELEASED TEMPORARILY FOR INTERNAL REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
 ISSUE NO. 230992
 DATE: 12.16.2015

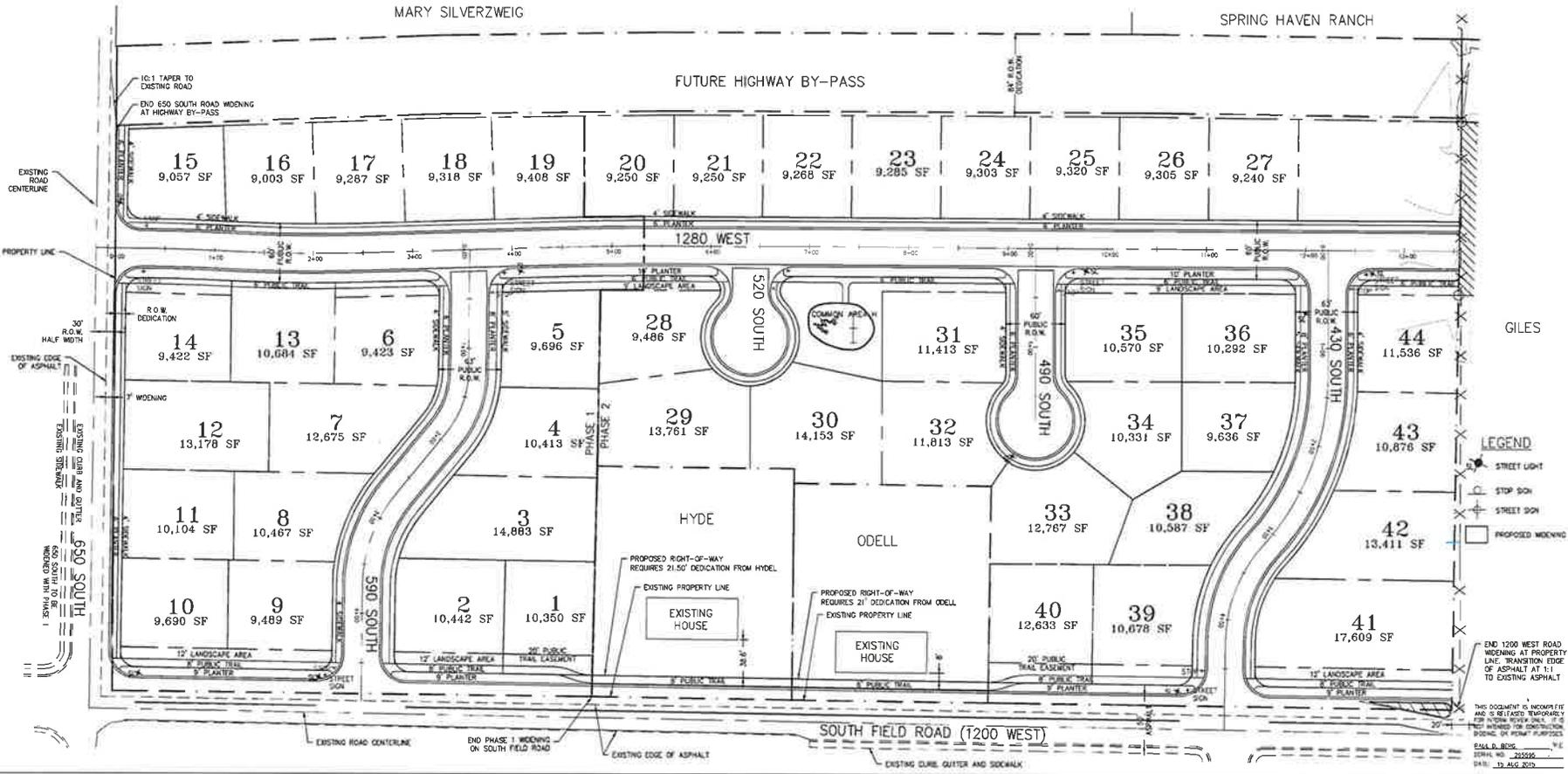
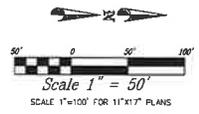
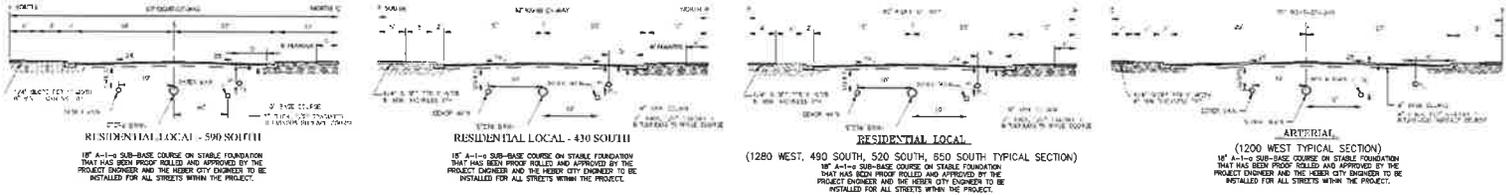


EXHIBIT A

LEGEND

- STREET LIGHT
- STOP SIGN
- STREET SIGN
- PROPOSED WIDENING

END 1200 WEST ROAD WIDENING AT PROPERTY LINE: TRANSITION EDGE OF ASPHALT AT 1:1 TO EXISTING ASPHALT

THIS DOCUMENT IS INCOMPETE AND IS BELIEVED TEMPORARILY FOR FUTURE REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.

SCALE: 1"=50'
 SHEET NO. 20550
 DATE: 15 AUG 2015

HEBER, UTAH

EDGE LAND 15 LLC
 ADDRESS: 1475 N SCOTTSDALE ROAD, STE 200
 PHONE: (480) 253-9233

STREET PLAN

BERG ENGINEERING
 380 E MAIN ST STE 204, MIDWAY, UT 84049
 PHONE: (435) 657-3749

SCALE: 1"=50'
 DESIGN BY: PDB
 DRAWN BY: PDB
 DATE: 15 AUG 2015
 REV:

DRAWING NO. STREET
 SHEET NO. 5

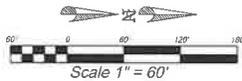


| ADDRESS TABLE | | | |
|---------------|----------------------|-----|----------------------|
| LOT | ADDRESS | LOT | ADDRESS |
| 1 | XXXX SOUTH 1200 WEST | 13 | XXXX SOUTH 1300 WEST |
| 2 | XXXX WEST 590 SOUTH | 14 | XXXX SOUTH 1300 WEST |
| 3 | XXXX WEST 590 SOUTH | 15 | XXXX SOUTH 1300 WEST |
| 4 | XXXX WEST 590 SOUTH | 16 | XXXX SOUTH 1300 WEST |
| 5 | XXXX WEST 590 SOUTH | 17 | XXXX SOUTH 1300 WEST |
| 6 | XXXX WEST 590 SOUTH | 18 | XXXX SOUTH 1300 WEST |
| 7 | XXXX WEST 590 SOUTH | 19 | XXXX SOUTH 1300 WEST |
| 8 | XXXX WEST 590 SOUTH | | |
| 9 | XXXX WEST 590 SOUTH | | |
| 10 | XXXX WEST 590 SOUTH | | |
| 11 | XXXX WEST 650 SOUTH | | |
| 12 | XXXX WEST 650 SOUTH | | |

LEGEND

▭ DEDICATE TO HEBER CITY

SM SURVEY MONUMENT



SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-96-003 OF THE UTAH CODE, I, TROY L. TAYLOR, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 6854112 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

DATE: _____ SURVEYOR: TROY L. TAYLOR

BASIS OF BEARING

THE SURVEY BASIS OF BEARING IS NORTH 07°24'00" WEST 2663.89 FEET BEING THE WASATCH COUNTY SURVEY MONUMENT FOUND MARKING THE SOUTHWEST CORNER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND THE WASATCH COUNTY SURVEY MONUMENT FOUND MARKING THE EAST-WEST CORNER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN AS FOUND ON THE STATE COORDINATE POSITIONING SYSTEM OF TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN RECORDED IN THE OFFICE OF THE WASATCH COUNTY SURVEYOR AS PLAT # 733.

BOUNDARY DESCRIPTION

A PARCEL OF LAND SITUATE IN THE EAST HALF OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, AND IN THE WEST HALF OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 00°12'40" EAST 222.32 FEET ALONG THE EAST LINE OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, FROM THE WASATCH COUNTY SURVEY MONUMENT FOUND MARKING THE EAST QUARTER CORNER OF SAID SECTION;

AND RUNNING THENCE NORTH 89°34'04" WEST 504.12 FEET ALONG THE NORTH RIGHT-OF-WAY FENCE OF 650 SOUTH STREET TO A FENCE CORNER; THENCE NORTH 2°05'38" WEST 327.66 FEET ALONG AN EXISTING FENCE; THENCE NORTH 0°36'37" WEST 223.91 FEET ALONG EXISTING FENCE; THENCE NORTH 0°07'28" EAST 470.62 FEET ALONG EXISTING FENCE; THENCE NORTH 0°42'31" EAST 333.97 FEET ALONG EXISTING FENCE TO A FENCE CORNER WHICH GOES EAST, WEST AND SOUTH; THENCE NORTH 89°55'55" EAST 87.45 FEET ALONG AN EXISTING FENCE; THENCE SOUTH 89°07'00" EAST 117.57 FEET; THENCE SOUTH 00°19'17" WEST 132.71 FEET; THENCE SOUTH 00°14'49" WEST 31.03 FEET; THENCE NORTH 89°45'04" WEST 102.31 FEET; THENCE SOUTH 00°42'51" WEST 169.43 FEET; THENCE SOUTH 00°07'20" WEST 469.40 FEET; THENCE SOUTH 00°30'37" EAST 81.19 FEET; THENCE SOUTH 89°45'04" EAST 101.84 FEET; THENCE ALONG THE ARC OF A 200.00 FOOT RADIUS CURVE TO THE RIGHT 59.31 FEET (CENTRAL ANGLE OF 01°40'26" AND A CHORD BEARING NORTH 00°35'17" WEST 59.31 FEET); THENCE SOUTH 89°45'04" EAST 75.00 FEET; THENCE NORTH 00°43'56" EAST 42.36 FEET; THENCE SOUTH 89°03'00" EAST 178.62 FEET; THENCE SOUTH 88°40'00" EAST 233.45 FEET; ALONG A FENCE TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY FENCE OF SOUTHFIELD ROAD; THENCE SOUTH 07°14" WEST 483.60 FEET ALONG THE WEST RIGHT-OF-WAY FENCE OF SOUTHFIELD ROAD TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY FENCE OF SOUTHFIELD ROAD AND THE NORTH RIGHT-OF-WAY FENCE OF 650 SOUTH STREET; THENCE NORTH 89°34'04" WEST 148.36 FEET ALONG THE NORTH RIGHT-OF-WAY FENCE OF 650 SOUTH STREET TO THE POINT OF BEGINNING.

CONTAINS 9.91 ACRES MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC STREETS, AND EASEMENTS, AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION HEREBY DEDICATE THOSE AREAS LABELED AS PUBLIC STREETS AND EASEMENTS FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES AND EMERGENCY VEHICLE ACCESS.

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

BY: _____

EDGE LAND 15 LLC

ACKNOWLEDGMENT

STATE OF _____ S.S.

COUNTY OF _____

ON THE _____ DAY OF _____, A.D. 20____, PERSONALLY APPEARED BEFORE ME _____ WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

ACCEPTANCE BY HEBER CITY

THE CITY COUNCIL OF HEBER CITY, WASATCH COUNTY, STATE OF UTAH, HEREBY APPROVES THIS SUBDIVISION AND ACCEPTS THE DEDICATION OF LOTS, EASEMENTS, STREETS AND PUBLIC RIGHTS-OF-WAY HEREON SHOWN.

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

APPROVED _____ ATTEST _____

APPROVED _____ APPROVED _____

CITY ENGINEER CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE _____ CITY PLANNING COMMISSION

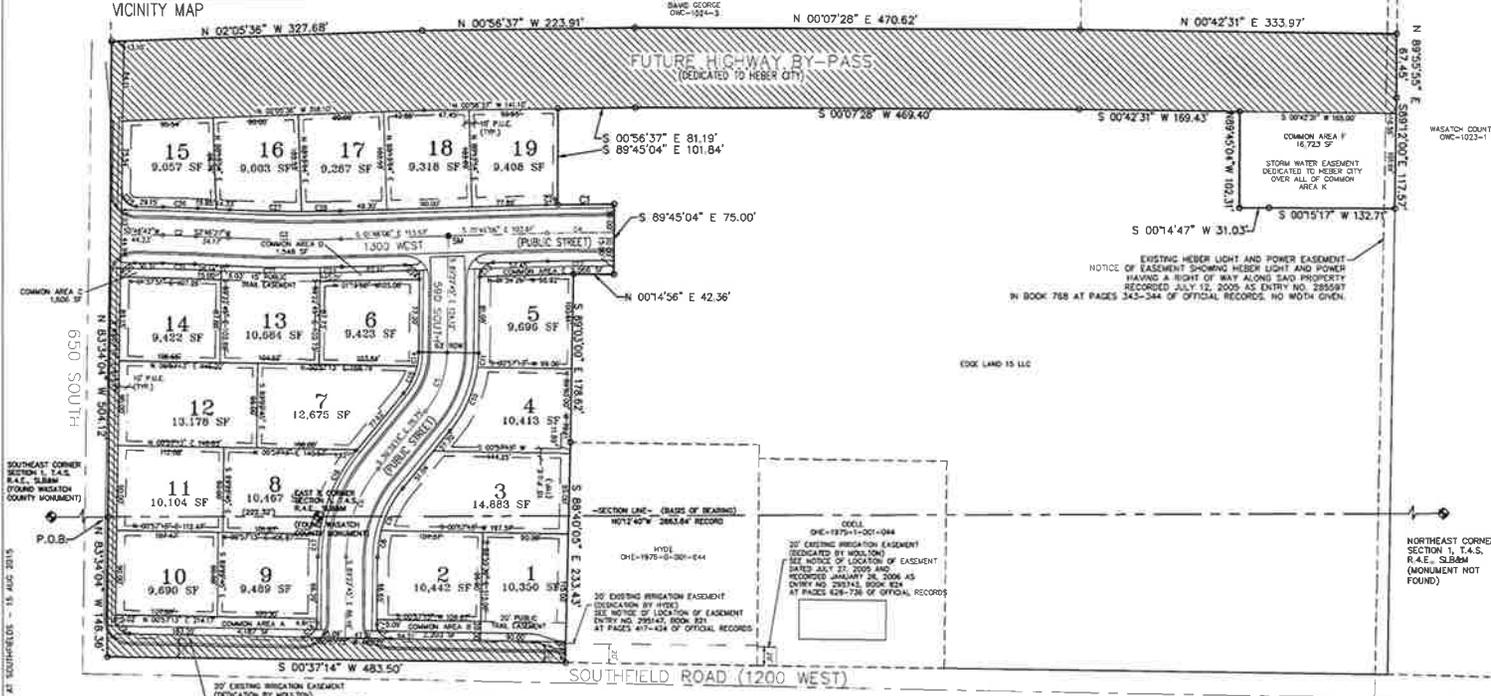
PLANNING DIRECTOR CHAIRMAN, PLANNING COMMISSION

THE MEADOWS AT SOUTHFIELDS SUBDIVISION - PHASE 1

HEBER CITY, WASATCH COUNTY, STATE OF UTAH

SCALE: 1" = 60' FEET

TOWNSHIP 4 SOUTH RANGE 4 EAST CITY ENGINEER SEAL COMM-RECORDING SEAL



STRENGTH NOTES FOR LOTS 1-14:
STRENGTH ARE AS FOLLOWS:
FRONT SETBACK 25 FEET
REAR SETBACK 25 FEET
SIDE SETBACK 10 FEET

STRENGTH NOTES FOR LOTS 15-19:
STRENGTH ARE AS FOLLOWS:
FRONT SETBACK 25 FEET
REAR SETBACK 30 FEET
SIDE SETBACK 10 FEET

UTILITY EASEMENT NOTES:
15 FEET BROAD EASEL LOT BOUNDARY IS DEDICATED AS A PUBLIC UTILITY EASEMENT EXCEPT WHERE NOTED OTHERWISE ON THE PLAT.

STORM DRAIN EASEMENT NOTES:
THE STORM DRAIN EASEMENT ON COMMON AREA F IS TO ACCOMMODATE THE STORM WATER RUNOFF FOR THE SUBDIVISION. HEBER CITY HAS THE RIGHT OF ACCESS COMMON AREA K TO MAINTAIN AND REPAIR SAID FACILITIES. NO CUTS, FILLS, CHANGES TO TOPOGRAPHY, STRUCTURES ABOVE OR BELOW THE GROUND, INCLUDING BUT NOT LIMITED TO FENCES, DECKS, SWERS OR OBSTACLES DIRECTED WITHIN THE EASEMENT WILL BE ALLOWED AT THE HOMEOWNERS ASSOCIATIONS EXPENSE. THE HOME OWNERS ASSOCIATION IS RESPONSIBLE FOR LANDSCAPING AND IRRIGATION OF THE EASEMENT. FENCES CONSTRUCTED AROUND THE EASEMENTS SHALL CONTAIN A 12 FOOT SIDE GATE TO ACCOMMODATE ACCESS BY HEBER CITY CORPORATION.

REVISIONS FOR SUBDIVISIONS & LOTS:
BASIS: REVISIONS ARE PROHIBITED WITHIN THE SUBDIVISION UNLESS THE LOT OWNER DEMONSTRATES AT THE TIME OF BUILDING PERMIT THAT DRAINAGE LEVELS ARE APPROPRIATE FOR A BASEMENT AND/OR THAT DRAINAGE DRAINS AROUND THE BASEMENT WILL BE INSTALLED TO CONTROL OVERFLOW.

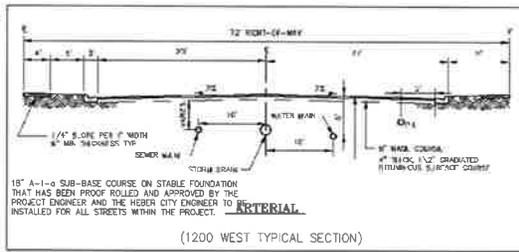
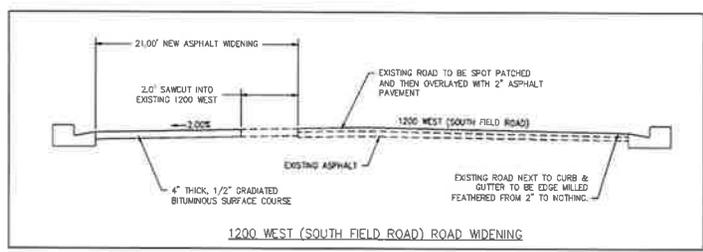
HIGHWAY BY-PASS NOTES:
1. A FUTURE HIGHWAY ROAD FOR HIGHWAY 40 IS PLANNED IMMEDIATELY ADJACENT TO THIS SUBDIVISION.
2. REAR LOT ACCESS FOR LOTS 15-19, THROUGH HEBER CITY'S FUTURE HIGHWAY BY-PASS PROPERTY IS PROMISED.
3. A FENCE SHALL BE INSTALLED AT THE TIME OF DEVELOPMENT ALONG THE REAR LOT LINES OF LOTS 15-19, ADJACENT TO THE FUTURE HIGHWAY BY-PASS, AT THE TIME OF SUBDIVISION CONSTRUCTION.

DATE OF SURVEY: APRIL 2015

SURVEYOR
TROY L. TAYLOR, PLS
COOK SANDERS ASSOCIATES
331 SOUTH 3RD ORANGE AVE
SALT LAKE CITY, UT 84101
PHONE (801) 364-4051

| LOT# | AREA | PERCENT | OWNER | DEED | DATE | RECORD | BOOK | PAGE | REMARKS |
|------|--------|---------|------------------|--------------------|------|--------|------|------|-------------------|
| 1 | 10,330 | 10.33 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 2 | 10,442 | 10.44 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 3 | 14,883 | 14.88 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 4 | 10,413 | 10.41 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 5 | 9,690 | 9.69 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 6 | 9,423 | 9.42 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 7 | 12,675 | 12.68 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 8 | 9,489 | 9.49 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 9 | 9,489 | 9.49 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 10 | 9,690 | 9.69 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 11 | 10,104 | 10.10 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 12 | 13,176 | 13.18 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 13 | 10,064 | 10.06 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 14 | 9,432 | 9.43 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 15 | 9,057 | 9.06 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 16 | 9,003 | 9.00 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 17 | 9,267 | 9.27 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 18 | 9,318 | 9.32 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |
| 19 | 9,408 | 9.41 | EDGE LAND 15 LLC | CH-1975-01-300-644 | 2009 | 2009 | 103 | 103 | EXISTING EASEMENT |

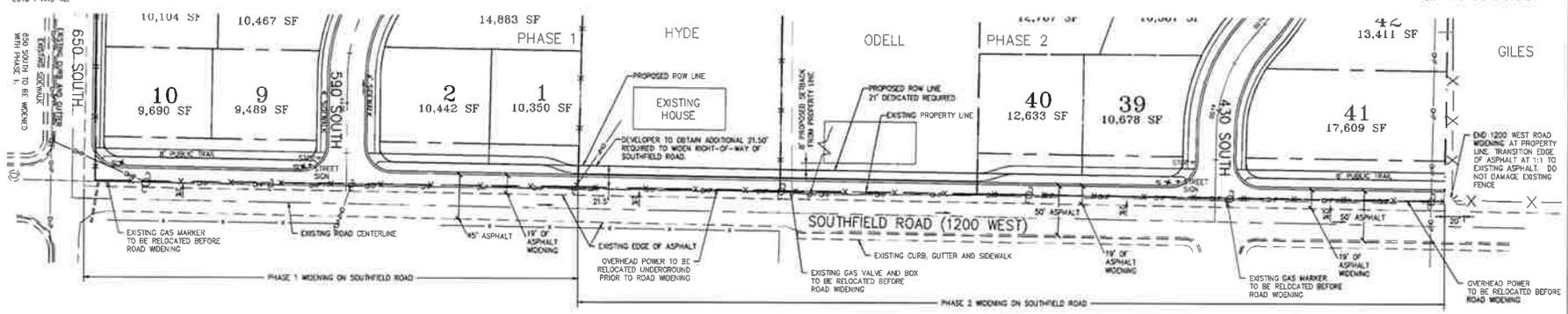
- CONSTRUCTION NOTES:**
- CONTRACTOR SHALL SAW CUT 2 FEET OF EXISTING ASPHALT ALONG THE WEST EDGE OF SOUTH FIELD ROAD. CONTRACTOR SHALL REMOVE DAMAGED ASPHALT ALONG FRONTAGE OF SOUTH FIELD ROAD. REMOVE AND PROPERLY DISPOSE OF SAW CUT ASPHALT. CRUSHED-UP ASPHALT MAY BE USED FOR ROAD BASE.
 - WIDEN ROAD AT A 2% CROSS SLOPE FROM EXISTING ROAD.
 - INSTALL HIGH BACK CURB AND CUTTER AS SHOWN ON THIS PLAN.
 - CONTRACTOR IS RESPONSIBLE FOR TRAFFIC CONTROL. ONE LANE SHOULD REMAIN OPEN AT ALL TIMES. TRAFFIC CONTROL PLAN TO BE SUBMITTED TO CITY PRIOR TO WORK BEGINNING.
 - CONTRACTOR TO PATCH AND OVERLAY EXISTING ROAD WITH 2" ASPHALT PAVEMENT.
 - CONTRACTOR TO RE-STRIPE ROAD AFTER ROAD IS WIDENED AND OVERLAYED.
 - ALL ROAD CONSTRUCTION SHALL BE TO HEBER CITY STANDARDS AND SPECIFICATIONS.
 - CONTRACTOR RESPONSIBLE FOR THE RELOCATION OF POWER LINES TO UNDERGROUND ALONG 1200 WEST (SOUTH FIELD ROAD) BEFORE WIDENING OF THE ROAD. CONTRACTOR TO COORDINATE OF POWER LINES WITH HEBER LIGHT AND POWER.
 - CONTRACTOR SHALL ADJUST IRRIGATION VALVES, WATER VALVES, MAN-HOLES, BOXES, GAS LINE MARKETS AND BOXES, ETC. TO NEW ROAD GRADE WHILE WIDENING SOUTH FIELD ROAD.
 - CONTRACTOR SHALL RELOCATE EXISTING MAIL BOXES.
- NOTES:**
- DRIVEWAYS ON TO SOUTHFIELD ROAD ARE PROHIBITED EXCEPT FOR LOTS 1 AND 40.



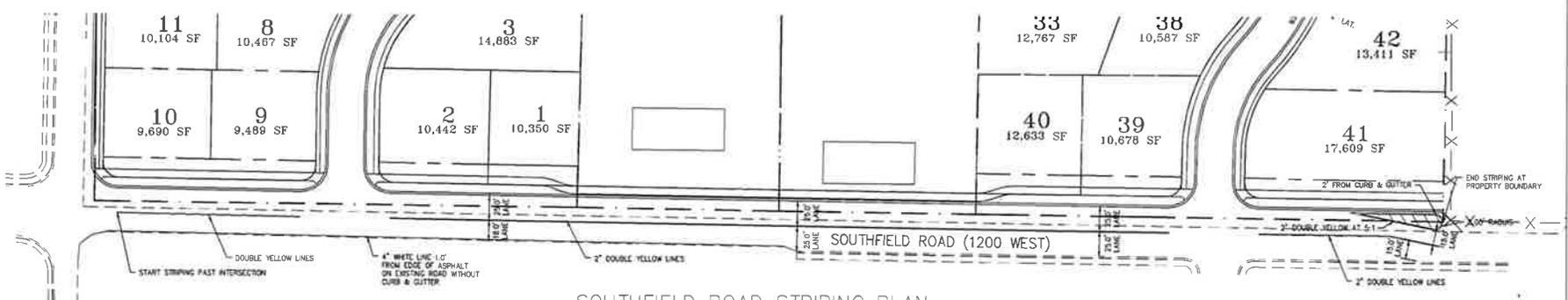
Scale 1" = 50'
SCALE 1"=100' FOR 11"X17" PLANS

LEGEND

- STREET LIGHT
- STOP SIGN
- PROPOSED WIDENING
- FENCE LINE
- OVERHEAD POWER LINE



SOUTHFIELD ROAD IMPROVEMENT PLAN



SOUTHFIELD ROAD STRIPING PLAN

SOUTHFIELD ROAD (1200 WEST) TRAFFIC MARKING NOTES:
ALL ROADWAY PAVEMENT MARKINGS SHALL MEET MUTCD AND HEBER CITY STANDARDS. EXISTING TRAFFIC MARKINGS TO BE REMOVED.

THIS DOCUMENT IS INCOMPLETE AND IS RELEASED TEMPORARILY FOR INTERNAL REVIEW ONLY. IT IS NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
ISSUE NO. 110000
DATE: 11 AUG 2015

TAB 4

HEBER CITY COUNCIL

Meeting date: September 3, 2015

Report by: Anthony L. Kohler

Proposed amendment to the General Plan from Residential Agriculture to High Density Residential for property located at 250 East Airport Road

Proposed amendment to the Zoning Map from RA-2 Residential Agriculture to R-3 Residential for property located at 250 East Airport Road

The property under consideration is the remaining vacant parcel on East Airport Road that was developed as part of Daniels Gate Plat A over a decade ago. The property contains approximately 3.34 acres, and was originally intended to become an LDS chapel site.

The petitioners are requesting the designation of the property on the general plan be changed from residential agriculture to high density residential, the same designation as surrounding land uses. The petitioner has also filed an application for a rezone from the R-A2 Residential Agriculture Zone to the R-3 Residential Zone.

The property was previously zoned and designated on the general plan as proposed. In 2011, the previous property owner changed the zoning of the property with the intent to develop an assisted living center, which is permitted in the RA-2 Zone and not permitted in the R-3 Zone. Today the current property owner intends to develop a single family subdivision similar to the adjoining Daniels Gate Subdivision.

RECOMMENDATION

On August 13, 2015, the Planning Commission held a public hearing to consider the proposed amendments. No public comments were received. The Planning Commission recommended approval of the proposed amendments as consistent with surrounding land uses and zoning designations.

ORDINANCE NO. 2015-26

AN ORDINANCE AMENDING THE HEBER CITY GENERAL LAND USE MAP

BE IT ORDAINED by the City Council of Heber City, Utah, that the Heber City GENERAL PLAN LAND USE MAP is **amended** to change the Land Use from Residential Agriculture to High Density Residential as shown on Exhibit 1.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the _____ day of _____, 2015.

ADOPTED and PASSED by the City Council of Heber City, Utah this _____ day of _____, 2015, by the following vote:

| | AYE | NAY |
|------------------------------------|-------|-------|
| Council Member Robert L. Patterson | _____ | _____ |
| Council Member Jeffery M. Bradshaw | _____ | _____ |
| Council Member Erik Rowland | _____ | _____ |
| Council Member Heidi Franco | _____ | _____ |
| Council Member Kelleen L. Potter | _____ | _____ |

APPROVED:

Mayor Alan McDonald

ATTEST:

RECORDER

Date of First Publishing: _____

EXHIBIT 1

General Plan Amendment



TAB 5

ORDINANCE NO. 2015-27

AN ORDINANCE AMENDING THE HEBER CITY ZONING MAP

BE IT ORDAINED by the City Council of Heber City, Utah, that the property described in Exhibit 2 is rezoned from RA-2 Residential Agriculture to R-3 Residential on the Heber CITY ZONING MAP as shown on Exhibit 1.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the _____ day of _____, 2015.

ADOPTED and PASSED by the City Council of Heber City, Utah this _____ day of _____, 2015, by the following vote:

| | AYE | NAY |
|------------------------------------|-------|-------|
| Council Member Robert L. Patterson | _____ | _____ |
| Council Member Jeffery M. Bradshaw | _____ | _____ |
| Council Member Erik Rowland | _____ | _____ |
| Council Member Heidi Franco | _____ | _____ |
| Council Member Kelleen L. Potter | _____ | _____ |

APPROVED:

Mayor Alan McDonald

ATTEST:

RECORDER

Date of First Publishing: _____

EXHIBIT 1

Zoning Map Amendment



EXHIBIT 2

DESCRIPTION OF 3.34-AC PARCEL FOR R-3 ZONE CHANGE

Beginning at a point that is 1028.24 feet East and 706.69 feet South and 220.00 feet North $89^{\circ}51'15''$ East of the West Quarter Corner of Section 8, Township 4 South, Range 5 East of the Salt Lake Base and Meridian; and running
thence North $89^{\circ}51'15''$ East 75.52 feet;
thence North $89^{\circ}55'08''$ East 371.86 feet;
thence southerly 320.84 feet along a non-tangent curve to the left with a radius of 2736.00 feet (chord bears South $03^{\circ}34'09''$ East 320.65 feet)
thence South $89^{\circ}52'38''$ West 466.65 feet;
thence North $00^{\circ}07'22''$ West 320.32 feet to the point of beginning.
Contains 3.34 Acres.

TAB 6

Heber City Council
Meeting date: September 3, 2015
Report by: Anthony L. Kohler

Re: Chris Shurian Applications at 700 South 1200 West

- 1. General Plan Amendment**
- 2. Zoning Map Amendment**
- 3. Overlay Zone Map Amendment**

The petitioner is proposing a housing development aimed at seniors. The proposed development contains an assisted living center, 30 independent living units, and 36 senior 4-plex units. The site is currently zoned R-1 Residential, which permits detached single family dwellings on lots with 10,000 square feet and 100 feet of frontage.

Sherman's Landing is an approved but expired subdivision plat that was approved about 8 years ago on this site, containing 35 building lots under current zoning, and developed at approximately 2.5 units per acre. The current proposal would require a zone change.

To accommodate the proposal, the petitioner is proposing changing the General Plan Land Use Designation from Low Density Residential to Moderate Density Residential. The property would then be rezoned to R-2 Residential in order to accommodate the Clustered Open Space Overlay Zone (COSZ). With the proposed zoning designations, 5 units per acre would be permitted on the property. The proposal contains approximately 4.26 units per acre.

The COSZ requires 50 percent open space, a minimum of 10 acres for any development, permits attached housing, and can permit a non-residential use such as an assisted living center, if that use provides services to residents of the development.

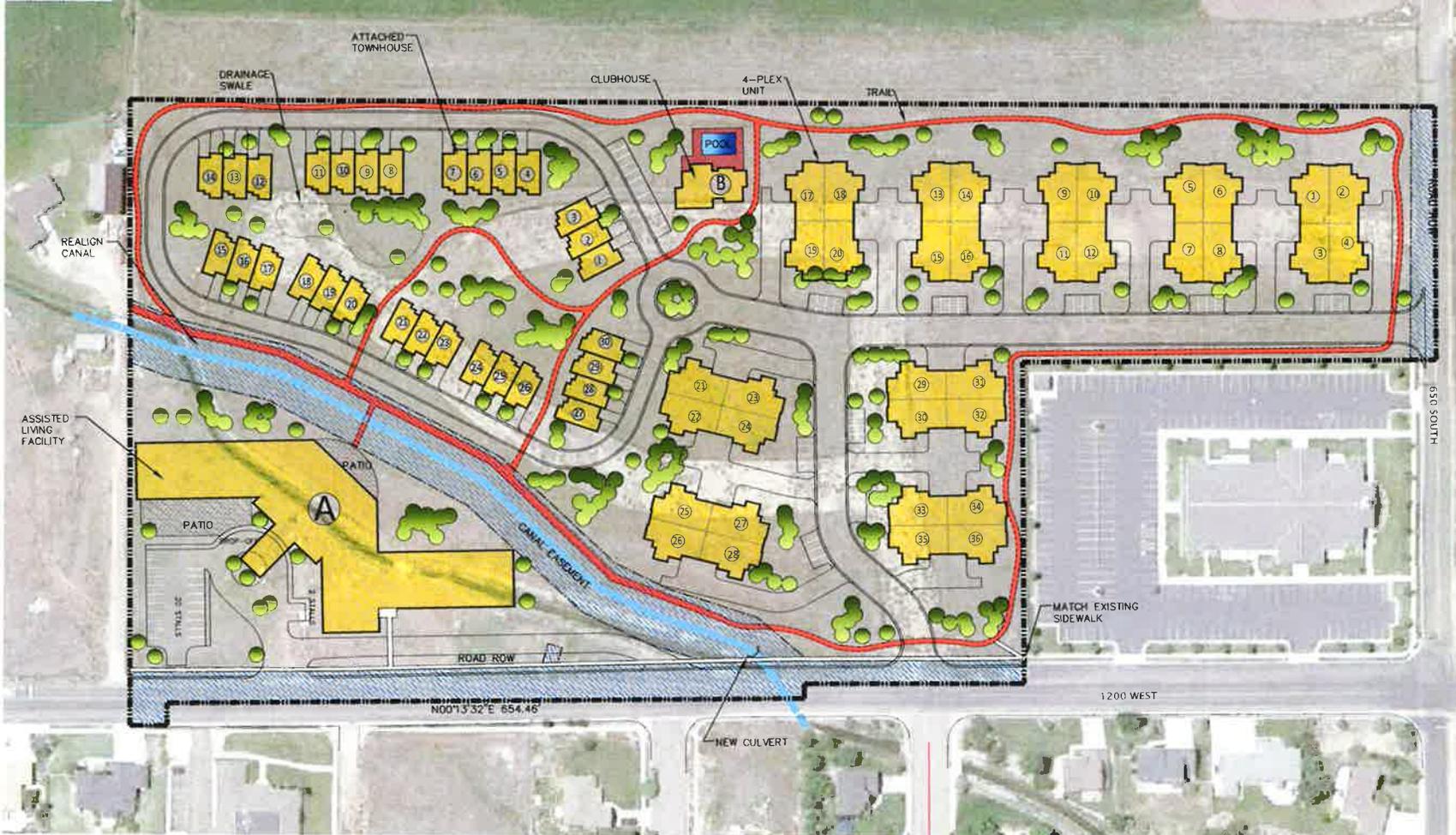
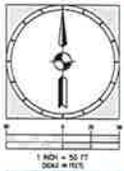
Map Amendments

On August 13, 2015 the Planning Commission held a public hearing to consider the 3 amendments, designating the land use from Low Density to Moderate Density Residential, amending the Zoning Map from R-1 to R-2 Residential and designating the property as COSZ on the Zoning Map. Riley Probst, an adjoining neighbor, expressed concern with the proposed rezone because it permits a higher density next to unincorporated properties.

The Planning Commission recommended approval of the proposed changes as consistent with statements in the general plan regarding housing for senior citizens and recommended a restriction on the zone change that requires the property to be developed for seniors, or else be rezoned back to R-1 Residential. The Planning Commission vote was 6 ayes and 1 nay. The general plan goals include:

1. Provide a variety of housing types for senior citizens, including assisted care centers, independent care centers, and targeted senior retirement communities. These facilities need to be located near critical support facilities, namely: medical, shopping, churches, etc.
2. Provide zoning regulations to encourage housing types for elderly or senior citizens including assisted care, independent care, and targeted senior retirement communities;

The Planning Commission also approved a concept plan for the property, which is attached for reference. The City Council would consider the proposed subdivision at the final approval stage.



LEGEND

| | |
|----------------------------|-------------------|
| JURISDICTION | |
| LEGAL JURISDICTION: | WEBER CITY |
| EXISTING PLANNING ZONE: | R-1 |
| PROPOSED PLANNING ZONE: | R-2 |
| PROPOSED USES | |
| TOTAL AREA: | 15.51 acres |
| PROPOSED DENSITY: | 4.20 units/acre |
| PROGRAM | |
| 4-Plex Apartments | 36 units |
| Multi-Family Street | 30 units |
| Community Clubhouse | 2,500 SF |
| Assisted Living Facility | 32,620 SF |
| PARKING TABULATIONS | |
| TOTAL UNITS: | 66 units |
| ON-SITE PARKING PROVIDED: | 66 in-unit garage |
| Guest Parking | 36 Stalls |
| Clubhouse Parking | 12 Stalls |
| Assisted Living Parking | 22 Stalls |

| | |
|--------------------|-------------------------------|
| PROJECT C15-024 | PREPARED FOR CHRIS SHURIAN |
| SHEET 1 | PROJECT SHERMAN'S LANDING |

CONCEPT SITE PLAN

LOCATED IN THE NORTHEAST 1/4
OF SECTION 04, TOWNSHIP 01
NORTH RANGE 01 EAST, SLSM

WASATCH COUNTY, UTAH

DRAWN BY: STS
REVIEWED BY: (signature)
SCALE: 1" = 50'
ISSUE DATE: 7/29/2015



Summit Engineering Group Inc.
1100 South Main Street, Suite 200
Salt Lake City, UT 84143
Phone: (801) 488-8888
Fax: (801) 488-8889
www.summiteng.com

ORDINANCE NO. 2015-28

AN ORDINANCE AMENDING THE HEBER CITY GENERAL LAND USE MAP

BE IT ORDAINED by the City Council of Heber City, Utah, that the Heber City GENERAL PLAN LAND USE MAP is **amended** to change the Land Use from Low Density Residential to Moderate Density Residential as shown on Exhibit 1.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the _____ day of _____, 2015.

ADOPTED and PASSED by the City Council of Heber City, Utah this _____ day of _____, 2015, by the following vote:

| | AYE | NAY |
|------------------------------------|-------|-------|
| Council Member Robert L. Patterson | _____ | _____ |
| Council Member Jeffery M. Bradshaw | _____ | _____ |
| Council Member Erik Rowland | _____ | _____ |
| Council Member Heidi Franco | _____ | _____ |
| Council Member Kelleen L. Potter | _____ | _____ |

APPROVED:

Mayor Alan McDonald

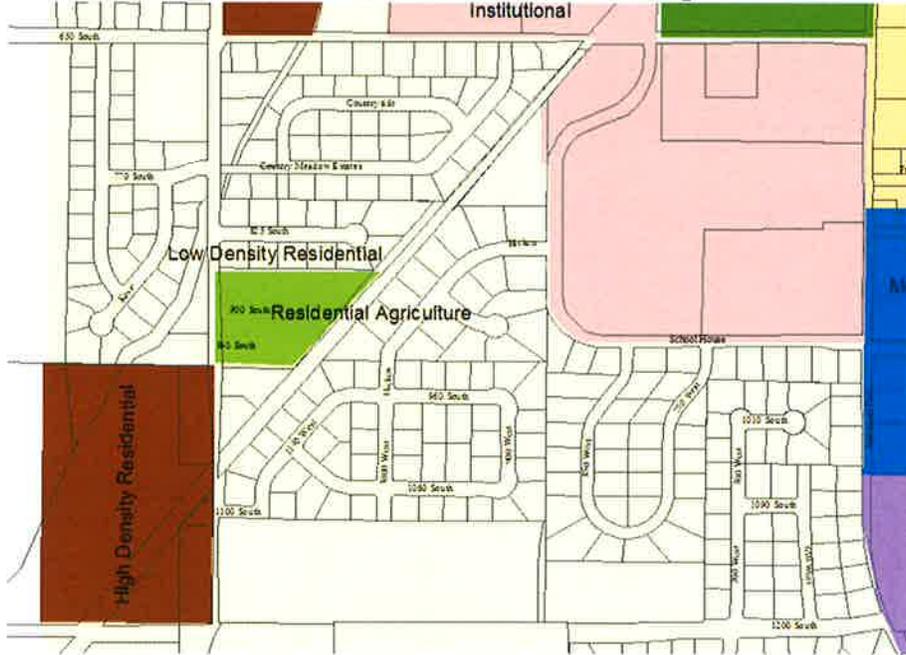
ATTEST:

RECORDER

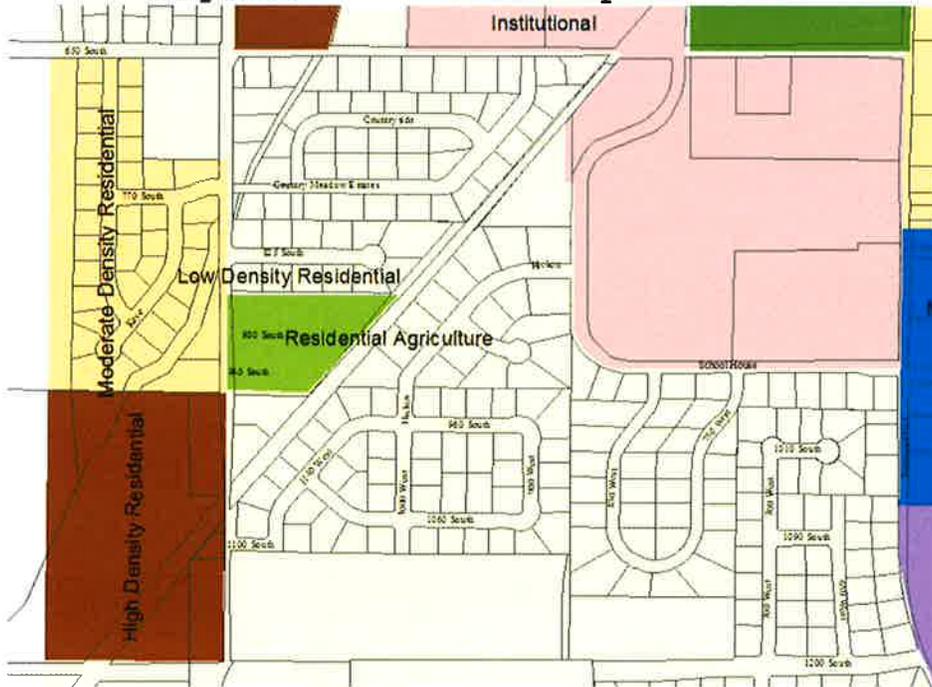
Date of First Publishing: _____

EXHIBIT 1

Existing General Plan Map



Proposed General Plan Map Amendment



Tab 7

ZONE CHANGE AGREEMENT
SHERMAN'S LANDING SENIOR COMMUNITY

THIS AGREEMENT is entered into this _____ day of _____, 2015, by and between Heber City (the "City") and Chris Shurian (the "Petitioner").

WHEREAS, Petitioner has submitted a petition to amend the Zoning Map to rezone the property to R-2 Residential with the COSZ Clustered Open Space Zone;

WHEREAS, the city finds the rezoning of this property is for the purpose of meeting the goals and objectives of the General Plan, specifically:

1. To provide a variety of housing types for senior citizens, including assisted care centers, independent care centers, and targeted senior retirement communities. These facilities need to be located near critical support facilities, namely: medical, shopping, churches, etc.
2. To provide zoning regulations to encourage housing types for elderly or senior citizens including assisted care, independent care, and targeted senior retirement communities;

NOW, THEREFORE, the Parties hereby agree as follows:

In the event the property described in Exhibit 2 is proposed for a use other than senior housing, the City may rezone the property back to R-1 Residential.

1. Once this agreement is signed by the respective parties with the requisite authority to bind the city and the Petitioner it shall be recorded with Wasatch County Recorder. Thereafter the Zone Change Ordinance will be executed by Heber City and these obligations will become binding upon the parties.
2. This agreement and the attached Exhibits contain the entire agreement between the parties and no statements, promises or inducements made by either party shall be binding unless modified by a written document approved by both parties.
3. This agreement shall be a covenant running with the land and shall be binding upon the parties and their assigns and successors in interest.
4. In the event there is a failure to perform any of the obligations of this agreement and it becomes necessary for either party to employ the services of an attorney, whether

such attorney is inside counsel or private counsel, either with or without litigation, on appeal or otherwise, the prevailing party in the controversy shall be entitled to recover its reasonable attorney's fees and any costs and expenses incurred to enforce this agreement.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands the day and year this agreement was first above written.

DATED this _____ day of _____, 2015.

HEBER CITY:

By: _____
Alan McDonald, Mayor

ATTEST:

Heber City Recorder

Petitioner:

By: _____
Chris Shurian

STATE OF UTAH)
 : ss.
COUNTY OF WASATCH)

On this _____ day of _____, 2015, personally appeared before me the above named authorized representative of Petitioner, who duly acknowledged to me that Petitioner is the owner in fee of the land described herein and executed the same as such.

NOTARY PUBLIC

EXHIBIT 2: LEGAL DESCRIPTION

**Parcel Serial Numbers: OHE-1693-0-001-044
 OHE-1694-0-001-044**

Parcel 1:

Beginning 2.86 chains South of the Northeast corner of the Southeast quarter of Section 1, in Township 4 South of Range 4 East of the Salt Lake Meridian; and running thence South 89°12' East 2.53 chains; thence South 0°48' West 15.50 chains; thence North 89°12' West 10.50 chains; thence North 0°48' East 15.50 chains; thence South 89°12' East 7.97 chains to the place of beginning.

Less and excepting the following described property:

Beginning at a point located East 158.60 feet and South 220.43 feet from the East quarter corner of Section 1, Township 4 South, Range 4 East, Salt Lake Base and Meridian; thence South 00° 25' 55" West 425.44 feet along the center line of South Field Road; thence North 89° 40' 45" West 339.69 feet to a set rebar with cap; thence North 00° 19' 15" East 425.43 feet to the center line of 650 South Street; thence South 89° 40' 45" East 340.51 feet along the center line of 650 South Street to the point of beginning.

Parcel 2:

Beginning at a point 18.90 chains South of the Northeast corner of Southeast quarter of Section 1, Township 4 South, Range 4 East of Salt Lake Base and Meridian; and running thence East 2.33 chains; thence South 5 chains; thence North 89° 12' West 10.50 chains; thence North 0° 48' East 5 chains; thence South 89° 12' East 8.17 chains to the place of beginning.

The above described tract of land however, is subject to right of way for public travel over a strip 2 rods in width of the eastern end of said tract of land.

ORDINANCE NO. 2015-29

AN ORDINANCE AMENDING THE HEBER CITY ZONING MAP

BE IT ORDAINED by the City Council of Heber City, Utah, that the property described in Exhibit 2 is rezoned from R-1 Residential to R-2 Residential with the COSZ Clustered Open Space Overlay Zone on the Heber CITY ZONING MAP as shown on Exhibit 1.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the ____ day of _____, 2015.

ADOPTED and PASSED by the City Council of Heber City, Utah this ____ day of _____, 2015, by the following vote:

| | AYE | NAY |
|------------------------------------|-------|-------|
| Council Member Robert L. Patterson | _____ | _____ |
| Council Member Jeffery M. Bradshaw | _____ | _____ |
| Council Member Erik Rowland | _____ | _____ |
| Council Member Heidi Franco | _____ | _____ |
| Council Member Kelleen L. Potter | _____ | _____ |

APPROVED:

Mayor Alan McDonald

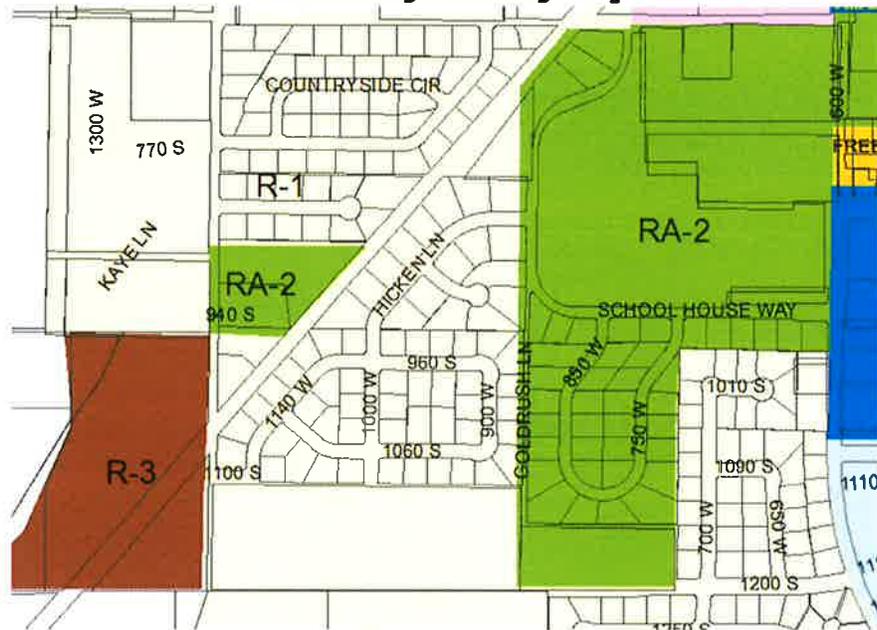
ATTEST:

RECORDER

Date of First Publishing: _____

EXHIBIT 1

Existing Zoning Map



Proposed Zoning Map Amendment

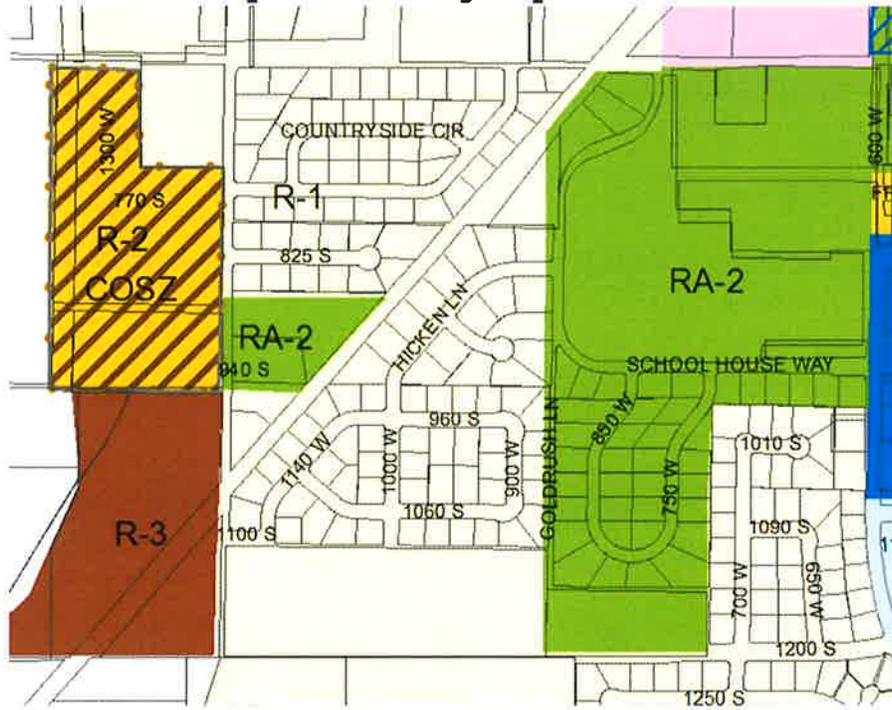


EXHIBIT 2

Parcel 1:

Beginning 2.86 chains South of the Northeast corner of the Southeast quarter of Section 1, in Township 4 South of Range 4 East of the Salt Lake Meridian; and running thence South 89°12' East 2.53 chains; thence South 0°48' West 15.50 chains; thence North 89°12' West 10.50 chains; thence North 0°48' East 15.50 chains; thence South 89°12' East 7.97 chains to the place of beginning.

Less and excepting the following described property:

Beginning at a point located East 158.60 feet and South 220.43 feet from the East quarter corner of Section 1, Township 4 South, Range 4 East, Salt Lake Base and Meridian; thence South 00° 25' 55" West 425.44 feet along the center line of South Field Road; thence North 89° 40' 45" West 339.69 feet to a set rebar with cap; thence North 00° 19' 15" East 425.43 feet to the center line of 650 South Street; thence South 89° 40' 45" East 340.51 feet along the center line of 650 South Street to the point of beginning.

Parcel 2:

Beginning at a point 18.90 chains South of the Northeast corner of Southeast quarter of Section 1, Township 4 South, Range 4 East of Salt Lake Base and Meridian; and running thence East 2.33 chains; thence South 5 chains; thence North 89° 12' West 10.50 chains; thence North 0° 48' East 5 chains; thence South 89° 12' East 8.17 chains to the place of beginning.

The above described tract of land however, is subject to right of way for public travel over a strip 2 rods in width of the eastern end of said tract of land.

The following is shown for informational purposes only: Tax Serial No. OHE-1693 and OHE-1694.

Tab 8

SPECIAL SERVICE OPERATOR AGREEMENT

THIS AGREEMENT made and entered into this _____ day of _____, 20___, by and between HEBER CITY MUNICIPAL CORPORATION, hereinafter called "Heber City" and Worldwide Warbirds, Inc., hereinafter called "Operator."

W I T N E S S E T H:

(1) In consideration of the covenants and agreements hereinafter set forth, Heber City hereby grants to the Operator, for the term of five years from the date of this Agreement, the right to provide scenic rides in vintage aircraft, flight training and aircraft rental at the Heber Valley Airport situated in Wasatch County, State of Utah.

(2) Operator agrees to comply with all the laws of the F.A.A. and the State of Utah which pertain to and govern service providers, business owners, the flying of aircraft and the operation, conduct and maintenance of airports and agrees to comply with all the provisions of the ordinances of Wasatch County, Utah, and Heber City, Utah, which are now in effect and which may become effective during the period of this lease which pertain to the flying and operation of aircraft and the conduct, maintenance and operation of airports, and any service providers or businesses located thereon.

(3) The privilege granted to said Operator is for the purpose of providing scenic rides in vintage aircraft, flight training and aircraft rental as a Special Services Operator as per Section 5 and 8 of the "Minimum Standards and Requirements for the Conduct of Commercial Aeronautical Services and Activities at Heber City Municipal Airport, Wasatch County, Utah, Effective April 3, 2014 and as amended or changed by mutual consent between Heber City and the Operator or as amended when deemed reasonable and necessary by the City Council for safety reasons or in order to

comply with State and Federal rules and regulations or in order to assure reasonable and competent service at said airport, and to do all things necessary to carry out said purposes.

(4) The Operator agrees to pay in advance as an Operator fee for the said operation privilege a sum per year consistent with the fee schedule attached hereto as "Schedule A," which fee schedule may be amended from time to time by the Heber City Council. The Operator shall be subject to all other fees that the City may impose on operators at the airport as to a unit or volume of service and shall be responsible for the collections and/or payment of such flow fees and/or other taxes and fees as may be appropriately assessed. The City reserves the right to terminate this agreement by giving a 60 day notice in the event the Operator's operation interferes with the development of the airport as per the Master Plan. However, in such event the City agrees to negotiate in good faith a new agreement compatible with the Master Plan. The annual rent is payable in advance.

(5) The Operator agrees to maintain the premises so occupied and/or used by the Operator in a manner so that the Operator's acts, conduct and services do not detract from the general appearance of the airport. Operator shall provide and maintain and keep clean and sanitary any required restrooms. The required restrooms (if any) shall be available to that portion of the public that has a legitimate reason for being on the airport property to the extent that the public is there in connection with Operator's operation. Operator shall further make a complete inspection at least once a week of all his/its facilities and service area at the airport and report immediately and abate any hazardous or dangerous conditions. Operator agrees to maintain his/its facilities and equipment in good and serviceable condition so as to serve the interest of the public and the City.

(6) Operator agrees that his/its facilities shall not be used as living quarters.

(7) Operator agrees to furnish said services on a fair, equal and not unjustly discriminatory basis to all users thereof.

(8) Operator is to charge fair, reasonable and not unjustly discriminatory prices for each unit of service, provided, however, that the Operator may make reasonable and non-discriminatory discounts, rebates, or other similar type of price reductions to volume purchasers or users.

(9) The Operator, in the operation and use of the Heber Airport, will not, on the grounds of race, color, or national origin, discriminate or permit discrimination against any person or group of persons in any manner prohibited by the Federal Aviation Regulations.

(10) It is specifically understood and agreed that nothing herein contained shall be construed as granting or authorizing the granting of an exclusive right within the meaning of Section 308 of the Federal Aviation Act.

(11) This agreement is personal with the said Operator and cannot be assigned by him/it to any other person or entity except upon the written consent of Heber City.

(12) Operator may not place buildings or other improvements upon the airport facilities without requesting and receiving permission from the City.

(13) The Operator specifically agrees sixty (60) days before the end of each year to make an appointment and meet with the City Council of Heber City to review his/its airport operations. The parties mutually agree that said review shall be for the purpose of acquainting all members of the City Council with the terms of said Lease and the administration there under and for the formulation of rules, regulations and policies to be implemented for the future operations.

(14) The Operator agrees to hold Heber City harmless from any damages or liability arising out of the Operator's, his/its agents' and employees' occupation, maintenance, management, or commercial activities at said airport. In this regard, the Operator agrees that it is his/its duty to inspect and maintain against all hazardous conditions that may exist or develop at his/its facilities. The Operator agrees to provide liability insurance, which insurance shall be in the minimum amount

set as per current insurance limits for defined Aeronautical Activities at municipal airports for Special Service Operators.

(15) The Operator shall at the request of Heber City supply to the Heber City Recorder an annual report which shall include gross income from all sources, together with a statement of expenses. This report shall be in the form of a complete operating statement and shall be submitted within thirty (30) days after the end of each calendar year.

(16) Operator may apply for a renewal of this operation privilege; however, Heber City may elect not to renew for cause in the event the Operator has not performed under the standards of this agreement.

(17) In case the Operator shall fail to pay the rent as herein provided or in case he/it shall default in or fail to keep any of the other covenants to be performed by him/it, and shall fail to remedy said default within a period of thirty (30) days after notice of said default, he/it shall forfeit all rights that he/it may have under and by virtue of this agreement and agrees to vacate the airport and cease and desist his/its operation on said premises within thirty (30) days of written notice, during which time Operator has the right to a City Council hearing.

CLERK AND RECORDER

HEBER CITY MUNICIPAL CORPORATION

Attested:

Michelle Kellogg, City Recorder

By: _____
Alan W. McDonald, Mayor

By: _____
Barry Hancock – Worldwide Warbirds, Inc., President

“SCHEDULE A”

SPECIAL SERVICE OPERATOR FEE SCHEDULE

| Gross Sales | Fee |
|-------------------|------------|
| 1 - 25,000 | 220.00 |
| 25,000 - 50,000 | 495.00 |
| 50,000 - 100,000 | 825.00 |
| 100,000 - 150,000 | 1,100.00 |
| 150,000 - 250,000 | 1,320.00 |
| 250,000 - 400,000 | 1,787.50 |
| 400,000 + | 2,200.00 + |

The annual fee is payable in advance based upon estimated gross sales which shall be the minimum fee for that year. If the annual report required by paragraph (16) shows the gross receipts to have exceeded the estimated gross sales, then the deficiency plus twenty percent shall be paid and the paragraph (16) gross receipts shall be the figure used to set the minimum fee for the following year.

Tab 9

SURVEY: MINIMUM LIABILITY INSURANCE FOR PRIVATELY OWNED HANGARS

Performed by the 36U Hangar Owners Group – Mar 30 to Apr 8, 2015

*NOTE: The following coverages are as explained by the indicated contact to the best of my understanding of how insurance rates work. I suggest you might want to consult with an attorney for a better explanation of “aggregate” vs. “each occurrence.”

Airport / Contact Info

Minimum Liability Insurance/comments

UTAH AIRPORTS:

KSLC Salt Lake International Airport, UT
Property Management Specialist Phil Bevan 801-575-2401

Varies by hangar size and size of business on case-by-case basis
KSLC examples* minimums:
FBO-size businesses: \$5M aggregate*
Corporate-size** hangars: \$2M aggregate* ON-AVERAGE
GA T-hangars: \$100,000

*Aggregate indicates the minimum insurance requirement includes other types of coverage in addition to liability insurance

**KSLC defines “corporate” as a privately owned hangar that can store 3-4 aircraft without having to move other aircraft to move one of them in/out. The only Heber hangars that appear to meet this definition are the 75x75 and 100x100 Daniel hangars.

U77 Spanish Fork – Springville – Woodhouse Airport, UT
Airport Manager Cris Child 801-420-8888

\$1M each occurrence (i.e. liability insurance only)

U14 Nephi Municipal, UT
Finance Manager Blair Painter 435-623-0822

\$2M aggregate*

KPVU Provo Municipal, UT
Airport Manager Steve Gleason 801-368-0383

\$2M aggregate*

KLGU Logan-Cache Airport, UT
Airport Manager Lee Ivie 435-752-8111

None required

KBMC Brigham City Airport, UT
Airport Manager Tyler Pugsley 435-226-1437

\$500k each occurrence (i.e. liability insurance only)

| | |
|--|---|
| KCNY Canyonlands Field, Moab, UT Airport Manager Judd Hill 435-259-4849 | \$1M each occurrence (i.e. liability insurance only) |
| KOGD Ogden-Hinkley Airport, UT Airport Manager Jon Greiner 801-629-8223 | \$1M each occurrence (i.e. liability insurance only) |
| KSGU St. George Municipal, UT Airport Operations Supervisor Brad Kitchen 435-627-4084 | \$2M aggregate* |
| KVEL Vernal – Uinta County Regional Airport Manager Kelly Harvey 435-219-0156 | waiting for return call |
| KCDC Cedar City Regional, UT Airport Manager Jeremy Valgardson 435-867-9408 | \$2M aggregate* |
| 74V Roosevelt Municipal, UT City Manager Justin Johnson 435-722-7167 | \$500k each occurrence (i.e. liability insurance only) |
| KPUC Carbon County Regional, Price, UT County Commissioner John Jones 435-650-4515 | Only three hangars total – Only one hangar is privately owned |
| KTVY Bolinder Field – Tooele Valley, UT Property Management Specialist Matt Jensen 801-575-2401 | Airport owns all hangars – No privately owned hangars |
| KENV Wendover Airport, UT Airport Director Jim Peterson 435-665-2308 | Airport owns all hangars – No privately owned hangars |

OTHER MOUNTAIN WEST AIRPORTS:

| | |
|--|--|
| KNFL Fort Collins – Loveland Municipal Airport, CO Airport Manager Jason Licon 970-962-2852 | FBO: \$3M (I'm not sure if each occurrence or aggregate) Non-commercial: \$1M each occurrence (i.e. liability insurance only) |
| KEGE Eagle County Regional, Vail, CO Airport Manager Greg Phillips 970-328-2648 | \$2M aggregate* |

| | |
|--|--|
| KGUC Gunnison – Crested Butte Regional, CO Airport Manager Rick Lamport 970-641-2304 | waiting for return call |
| KIDA Idaho Falls Regional Airport, ID Administrative Assistant Theresa Stone 208-612-8224 | \$1M each occurrence (i.e. liability insurance only) |
| KBIL Billings – Logan International, MT Airport Business Manager Marita Herold 406-237-6284 | waiting for return call |
| KDRO Durango – La Plata County Airport, CO Operation Specialist Tony Vicari 970-382-6052 | \$1M each occurrence (i.e. liability insurance only) |
| KRIL Rifle – Garfield County Regional, CO Airport Director Brian Condie 970-625-1091 X4118 | waiting for return call |
| KGJT Grand Junction Regional Airport, CO Business Manager Amy Jordan 970-244-9100 | \$1M each occurrence (i.e. liability insurance only) |
| KMTJ Montrose Regional Airport, CO Property & Contract Specialist Susan Wheeler 970-964-2479 | \$600k each occurrence (i.e. liability insurance only) |
| KHDN Yampa Valley Airport, Hayden, CO Administrative Assistant Kristen Miller 970-276-5001 | waiting for return call / email |
| KASE Aspen – Pitkin County Airport, CO Asst Director of Admin Brian Grefe 970-429-2853 | Airport and FBO own all hangars – No privately owned hangars |
| KJAC Jackson Hole Airport, WY Asst Airport Director Jeanne Kirkpatrick 307-413-1510 | Airport owns all hangars - No privately owned hangars Airport is on leased National Park land that cannot be sublet |
| KRKS Rock Springs – Sweetwater County Airport, WY Admin Secretary Shannon Lucero 307-352-6880 | Airport owns all hangars – No privately owned hangars |

Tab 10

HEBER CITY CORPORATION

ENGINEERING STAFF REPORT

| | |
|---|---------------------------------|
| MEETING TYPE: Regular Council Meeting | MEETING DATE: September 3, 2015 |
| SUBMITTED BY: Bart L Mumford | FILE NO: 09026 |
| APPROVED BY: Mark K. Anderson | |
| SUBJECT: FACILITIES MASTER PLAN - SEWER IMPACT FEE AMENDMENT SCOPE | |

PURPOSE

To recommend a scope of work and budget to amend the City's Capital Facilities Master Plan Sewer Impact Fee.

RECOMMENDED ACTION

That the Council approve: 1) the proposed scope of work for amending the City's Capital Facilities Master Plan Sewer Impact Fee, and 2) establish a budget of \$13,000 to complete the work.

BACKGROUND/HIGHLIGHTS

The last update to the City's capital facilities master plan occurred in 2011. City staff and Horrocks Engineering collaborated on preparing the update. This master plan has been a valuable resource to insure that adequate facilities have been incorporated into the many subdivisions built in the City. One project in the sewer section of the master plan is the North West Sewer project which will provide sewer capacity to the northern areas of the City, east of Highway 40, from 750 North to Coyote Lane. It has been determined that this project will cost significantly more than was originally anticipated in the last master plan update. The Council has requested that the sewer master plan and impact fee be reviewed and amended if necessary to insure that sufficient sewer fees are collected to cover the cost of the sewer improvements planned to accommodate growth.

Attached is a scope of work from Horrocks Engineers to review the current Sewer Facilities Master Plan growth projections, project costs, impact fee, and recommend any changes needed.

FISCAL IMPACT

Per the attached scope of work, the estimated cost to amend the current sewer facilities master plan \$12,007. It is recommended that a budget of \$13,000 be allocated for this work. Funding for this budget has not been allocated in the current fiscal year and needs to be approved by the Council.

LEGAL IMPACT

None

**Heber City 2015 Sewer Facilities Master Plan Update
Proposed Scope of Work Man-Hours**

| | | Contract Total | Total |
|-----------------------------|--|---------------------------|--------------|
| | | Amount | Hours |
| | | Labor rate | |
| Task 1 | Projected Wastewater Quantity | | |
| 1.01 | Projected Populations and Ultimate Heber City Boundary | \$488 | 4 |
| 1.02 | Update Existing Sewer Model | \$0 | |
| 1.03 | Model Future Growth and Create Buildout Model | \$0 | |
| 1.04 | Existing Sewer System Figures | \$0 | |
| 1.05 | Future Sewer System Figures | \$0 | |
| 1.06 | Residential and Non-Residential ERUs in Heber City | \$0 | |
| 1.07 | Sewer Flow Summary (State Requirements vs Actual) | \$0 | |
| Total Dollars Task 1 | | \$488.00 | 4 |
| Task 2 | Projected Sewer Improvements | | |
| 2.01 | Level of Service (LOS) | \$0 | 0 |
| 2.02 | Recommended Capital Improvements | \$0 | 0 |
| 2.03 | Five, Ten, Fifteen, and Twenty Year Needs | \$976 | 8 |
| 2.04 | Operating and Maintenance Improvements | \$0 | 0 |
| 2.05 | Capital Improvement Cost Estimates | \$1,232 | 12 |
| Total Dollars Task 2 | | \$2,208.00 | 20 |
| Task 3 | Economic Feasibility & Impact Fees | | |
| 3.01 | Administration of Impact Fees Laws | \$488 | 4 |
| 3.02 | Operating Fund (CIP non-impact fee eligible) | \$0 | 0 |
| 3.03 | Non-Operating Fund (CIP impact fee eligible) | \$0 | 0 |
| 3.04 | Developer Contributions and Reimbursement | \$488 | 4 |
| 3.05 | Impact Fee Analysis | \$1,952 | 16 |
| 3.06 | Five, Ten, Fifteen, and 20 Year Analysis | \$488 | 4 |
| Total Dollars Task 3 | | \$3,416.00 | 28 |
| Task 4 | Notices & Document Preparation | | |
| 4.01 | Public Hearing / Notices | \$1,376 | 16 |
| 4.02 | Executive Summary | \$488 | 4 |
| 4.03 | Draft Document / Meet with Heber City | \$1,464 | 12 |
| 4.04 | Final Document / City Council Meetings | \$1,564 | 14 |
| 4.05 | Appendix | \$244 | 2 |
| 4.06 | Document Final Revisions | \$344 | 4 |
| 4.07 | Production | \$415 | 6 |
| Total Dollars Task 4 | | \$5,895.00 | 58 |
| Project Total | | \$12,007.00 | 110 |

SOW Excludes:

Analysis of Operating and Maintenance Improvements and/or Costs
 Fee for advertisement in news paper or other required sources
 Written Impact Fee Ordinance
 User Fee/Utility Fee analysis
 Sewer Modeling and New Maps (to be completed with overall master plan update)
 New Recommended Capital Improvements will not be added or analyzed, only existing projects will be used
 Analysis of ERUs (Residential vs Non-Residential)
 Sewer Flow checks and comparisons