

SOUTH WEBER CITY
PLANNING COMMISSION AGENDA

PUBLIC NOTICE is hereby given that the **Planning Commission of SOUTH WEBER CITY**, Davis County, Utah, will meet in a **REGULAR** public meeting on **March 10, 2016**, at the **South Weber City Council Chambers, 1600 East South Weber Drive**, commencing at **6:30 p.m.**

A WORK MEETING WILL BE HELD PRIOR TO THE REGULAR PLANNING COMMISSION MEETING AT 6:00 P.M. TO DISCUSS AGENDA ITEMS, CORRESPONDENCE, AND/OR FUTURE AGENDA ITEMS

THE AGENDA FOR THE REGULAR MEETING IS AS FOLLOWS:

- 6:30 P.M. Pledge of Allegiance
- Approval of Meeting Minutes – Commissioner Walton
 - February 25, 2016
- Approval of Agenda
- Declaration of Conflict of Interest

Administrative Actions (Application of Ordinances):

- 6:35 P.M. **Public Hearing and Action on Conditional Use Permit:** request for Essential Learning Preschool located at 2456 E. Deer Run Dr. (Parcel 13-139-0002), by applicant Sarah Kap.
- 6:45 P.M. **Public Hearing and Action on Preliminary Subdivision:** application for South Weber Drive Commercial Subdivision (2 lots), located at approx. 2470 E. South Weber Dr. (Parcel 13-034-0044), 4.23 acres; developer: Dan Murray.

Legislative Recommendations (Discretionary):

- 7:00 P.M. **Public Hearing and Action on Land Use Ordinance:** Amendments to Code Sections 10.03.050C (Powers and Duties); 11.02.010B3 & 5 (General Responsibilities); and adding H. to 1.05.060 (Ordinances and Resolutions; Procedures).

Discussion Items (No Action Taken):

- 7:05 P.M. Public Comments – Please keep public comments to 3 minutes or less per person
- 7:10 P.M. Planning Commissioner Comments (Johnson, Winsor, Pitts, Walton, Osborne)
- 7:15 P.M. Adjourn

THE UNDERSIGNED DEPUTY RECORDER FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED OR POSTED TO:

CITY OFFICE BUILDING
Utah Public Notice website
www.utah.gov/pmn

www.southwebercity.com
TO EACH MEMBER OF THE PLANNING COMMISSION

THOSE LISTED ON THE AGENDA

DATE: March 7, 2016

ELYSE GREINER, DEPUTY RECORDER

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, INDIVIDUALS NEEDING SPECIAL ACCOMMODATIONS DURING THIS MEETING SHOULD NOTIFY ELYSE GREINER, 1600 EAST SOUTH WEBER DRIVE, SOUTH WEBER, UTAH 84405 (801-479-3177) AT LEAST TWO DAYS PRIOR TO THE MEETING.

Agenda times are flexible and may be moved in order, sequence, and time to meet the needs of the Commission

SOUTH WEBER CITY PLANNING COMMISSION MEETING

DATE OF MEETING: 25 February 2016

TIME COMMENCED: 6:33 p.m.

PRESENT: COMMISSIONERS:

Debi Pitts
Rob Osborne
Wes Johnson
Taylor Walton
Wayne Winsor

CITY PLANNER:

Barry Burton

DEPUTY RECORDER:

Elyse Greiner

Transcriber: Minutes transcribed by Michelle Clark

A PUBLIC WORK MEETING was held at 6:00 p.m. to REVIEW AGENDA ITEMS

PLEDGE OF ALLEGIANCE: Commissioner Pitts

VISITORS: Mandy Buckway and Brandon Buckway.

APPROVAL OF THE MEETING MINUTES – Commissioner Pitts

- 11 February 2016

Commissioner Pitts moved to approve the meeting minutes of 11 February 2016 as written. Commissioner Johnson seconded the motion. Commissioners Johnson, Osborne, Pitts, Walton, and Winsor voted yes. The motion carried.

APPROVAL OF THE AGENDA: Commissioner Winsor moved to approve the agenda as written. Commissioner Johnson seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

DECLARATION OF CONFLICT OF INTEREST: None

Administrative Actions (Application of Ordinances):

Commissioner Johnson moved to open the public hearing for conditional use permit for First Stop Preschool located at 7537 S. 1740 E. (Parcel 13-274-0008), applicant Mandy Buckway.

Commissioner Winsor seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

***** PUBLIC HEARING *****

Public Hearing and Action on Conditional Use Permit: Request for First Stop Preschool located at 7537 S. 1740 E. (Parcel 13-274-0008), by applicant Mandy Buckway:

Commissioner Osborne said the Planning Commission discussed this item in the work meeting. There was no public comment.

Commissioner Winsor moved to close the public hearing for conditional use permit for First Stop Preschool located at 7537 S. 1740 E. (Parcel 13-274-0008), applicant Mandy Buckway. Commissioner Johnson seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

***** PUBLIC HEARING CLOSED *****

Commissioner Winsor moved to approve the conditional use permit for First Stop Preschool located at 7537 S. 1740 E. (Parcel 13-274-0008), applicant Mandy Buckway. Commissioner Pitts seconded the motion. Commissioners Osborne, Pitts, Johnson, Walton, and Winsor voted yes. The motion carried.

Discussion Items (No Action Taken):

PLANNING COMMISSION COMMENTS:

Commissioner Pitts:

Bee Keeping: Barry asked Commissioner Pitts how she feels about the bee legislation currently taking place. Barry said there are individuals who are allergic and need the ability to choose a home where they are safe and not living next door. Commissioner Pitts said there is a small regulation now in that you need to be licensed through the State Agriculture.

Commissioner Walton:

2700 East and South Weber Drive: He is wondering if there is an update concerning 2700 East and South Weber Drive because he was almost involved in an accident this morning. Commissioner Osborne said it was his understanding that UDOT was to be contacted concerning the striping. Barry said there needs to be a “right turn only” sign coming out of Maverik and turning right onto 2700 East. He said the City needs to send a request to UDOT for the sign. The Planning Commission discussed the possibility of removing the right turn arrows and the solid white line. The Planning Commission requested City staff contact UDOT and have them take a look at the concerns.

ADJOURNED: Commissioner Johnson moved to adjourn the Planning Commission meeting at 6:47 p.m. Commissioner Walton seconded the motion. Commissioners Johnson, Osborne, Pitts, Walton, and Winsor voted yes. The motion carried.

APPROVED: _____ Date

Chairperson: Rob Osborne

Transcriber: Michelle Clark

Attest:

Deputy Recorder: Elyse Greiner

DRAFT

SOUTH WEBER CITY PLANNING COMMISSION MEETING WORK MEETING

DATE OF MEETING: 25 February 2016

TIME COMMENCED: 6:00 p.m.

PRESENT: COMMISSIONERS:

Debi Pitts
Rob Osborne
Wes Johnson
Wayne Winsor
Taylor Walton

CITY PLANNER:

Barry Burton

DEPUTY RECORDER:

Elyse Greiner

Transcriber: Minutes transcribed by Michelle Clark

VISITORS: Mandy Buckway and Brandon Buckway.

Elyse announced that Duncan Murray is no longer the City Manager. Tom Smith will be the new City Manager and Elyse Greiner will be the new City Recorder.

Approval of Meeting Minutes of 11 February 2016: There were no amendments to the minutes.

Planning Commission Meeting Schedule: Elyse asked the Planning Commission members if they want to continue with two meetings per month or one. The Planning Commission discussed with the recently approved land use regulation ordinance there won't be any new subdivision applications coming in, which may slow down the need to meet twice a month. It was suggested to go with the one meeting a month until the six month expiration of the land use regulation ordinance. After further discussion, the Planning Commission decided to keep the two meetings a month schedule.

Hill Air Force Base Contamination: The Planning Commission discussed Brent Poll's recent effort to contact residents concerning the HAFB contamination. Commissioner Osborne said Mr. Poll has his facts and HAFB has their facts.

Public Hearing and Action on Conditional Use Permit: Request for First Stop Preschool located at 7537 S. 1740 E. (Parcel 13-274-0008), by applicant Mandy Buckway: Barry Burton, City Planner, asked if the resident has any plans to fence their backyard. Mandy said she would like to keep it open, and doesn't plan on being outside with the children. She said she will have ten to twelve students; twelve max. She will have one part time employee; her sister. She will teach a Tuesday and Thursday afternoon class for three and four year olds. The morning session will be held on Tuesday, Wednesday, and Thursday mornings for pre kindergarteners for 2.5 hours per session. There will be no overlapping of drop off and pick up. Elyse stated a State license is required if she is doing sessions more than two days a week and Barry confirmed the

requirement. Mandy said she would voluntarily get a State license. Elyse said she would look into the day and time limit requirement again. Elyse discussed the possibility of issuing the business license now for two days a week and amending the business license if need be to add more sessions once a State license was obtained. Mandy said ok to that. Mandy said that she doesn't plan on opening the preschool until September; she just wanted to get everything taken care of in advance. Commissioner Winsor asked about a sign. Mandy said she is not doing a sign. Commissioner Pitts asked how she will advertise. Mandy said by word of mouth. Elyse asked the Commission if what she is providing in the packet is sufficient for them for a conditional use permit for a preschool. The Planning Commission felt the information received was sufficient. Council Member Walton asked if the City is aware of any sex offenders next to preschools. Elyse said no, that the City code doesn't regulate day cares and preschools in that way. She said the City can adopt the State requirements to add some regulation. The Planning Commission didn't feel that would be necessary.

ADJOURNED: 6:30 p.m.

DRAFT

PUBLIC HEARINGS NOTICE
South Weber City

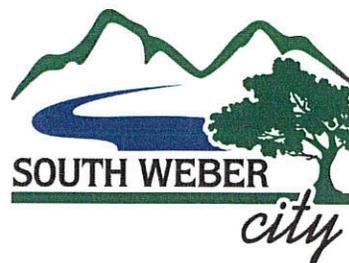
Notice is hereby given that on Thursday, March 10, 2016, at approx. 6:30 p.m., in the South Weber City Council Chambers, 1600 E. South Weber Dr., South Weber, Davis County, Utah, the following public hearings will be held before the Planning Commission: (1) a conditional use permit application request for Essential Learning Preschool located at 2456 E. Deer Run Dr. (Parcel 13-139-0002), by applicant Sarah Kap; (2) a preliminary subdivision application for South Weber Drive Commercial Subdivision (2 lots), located at approx. 2470 E. South Weber Dr. (Parcel 13-034-0044), 4.23 acres; developer: Dan Murray; and (3) amendments to Code Sections 10.03.050C (Powers and Duties); 11.02.010B3 & 5 (General Responsibilities); and adding H. to 1.05.060 (Ordinances and Resolutions; Procedures). A copy of the associated information for the hearings is on file for review at the South Weber City Office. The public is invited to attend and make comments. In compliance with the Americans with Disabilities Act, individuals needing special accommodation during the public hearings should notify Elyse Greiner at 801-479-3177 two days prior to the meeting date.

For Office Use Only

Application #: 2016-02
Fees received by: EG Date of submittal: 2/18/16
Amount Paid: 200.00 Receipt #: 13-082029

Initial Review, all of the required supporting materials have been provided: EG

PC Meeting Date: 3/10/16



**Conditional Use Application
Residential Zone**

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Daycare/Preschool | <input type="checkbox"/> Service Accessory | <input type="checkbox"/> Twin Home |
| <input type="checkbox"/> Planned Dwelling Group | <input type="checkbox"/> Model Home | <input type="checkbox"/> Group Home |
| <input type="checkbox"/> Recreational Vehicle Park | <input type="checkbox"/> Hobby Kennel | <input type="checkbox"/> Dog Kennel |
| <input type="checkbox"/> Electronic Comm. Facility | <input type="checkbox"/> Rental Unit | <input type="checkbox"/> Other Requiring CU _____ |

Property Address: 2456 E. Deer Run Drive So. Weber, Ut 84405

Parcel Number(s): 131390002 Total Acres: .34

Current Zone: RM If Rezoning, to what zone: _____ Bordering Zones: RM

Surrounding Land Uses: residential

Business Name (if applicable): Essential Learning Preschool

Anticipated # of Employees: 0 1-10 11-20 21+

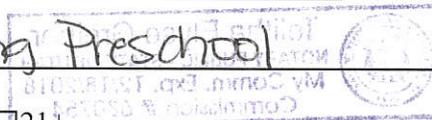
Anticipated # of Customers on a Daily Basis: 0 1-10 11-20 21+

Available Parking Spaces: _____

Sign Description (if any): Now Registering w/ Phone # & Name

#Residential Units (if applicable): _____

#of Dogs (Kennels Only): _____



2 Sessions 2 1/2 hrs
M W

Contact Information

Property Owner(s)

Name: Sarah Kap
Address: 2456 E. Deer Run Drive
City/State/Zip: So. Weber Ut 84405
Phone: 801-458-8071
Fax: _____
Email: Kap.family@hotmail.com

Authorized Agent

(Owner Must Sign Authorization Form)

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
Fax: _____
Email: _____

Best Way/Preferred Method of Contact:

Email Phone Fax Mail

Best Way/Preferred Method of Contact:

Email Phone Fax Mail

PROJECT: Essential Learning Preschool LLC
PROPERTY PARCEL NUMBER(S): 131390002

APPLICANT'S AFFIDAVIT

State of Utah)
County of davis)

I/We Sarah Kap § _____, the sole owner(s)/authorized agent of the owner(s) of the property involved in this application, located at 2456 DEER RUN DRIVE, swear the statements and answers contained herein, in the attached plans, and other exhibits, thoroughly, to the best of my/our ability, present the argument in behalf of the application requested herewith, and that the statements and information above referred to are in all respects true and correct to the best of my/our knowledge and belief. I/We do also hereby give permission to South Weber City to place a city "public notice" sign on the property contained in this application for the purpose of notification of the conditional use application and to enter the property to conduct any inspections related to this application.

Dated this 11 day of February, 2016.

Signed: Sarah Kap
Property Owner or Agent

Property Owner or Agent

Subscribed and sworn to before me on this 11 day of February, 2016.

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L



Telitha Elyse Greiner
Notary Public

AGENT AUTHORIZATION

State of Utah)
County of _____)

I/We _____, the sole owner(s) of the real property located at _____, South Weber, Utah, hereby appoint _____ § _____ as my/our agent with regard to this application affecting the above described real property, and authorize said agent to appear on my/our behalf before any city commission, board or council considering this application.

Dated this _____ day of _____, _____.

Signed: _____
Property Owner or Agent

Property Owner or Agent

Subscribed and sworn to before me on this _____ day of _____, _____.

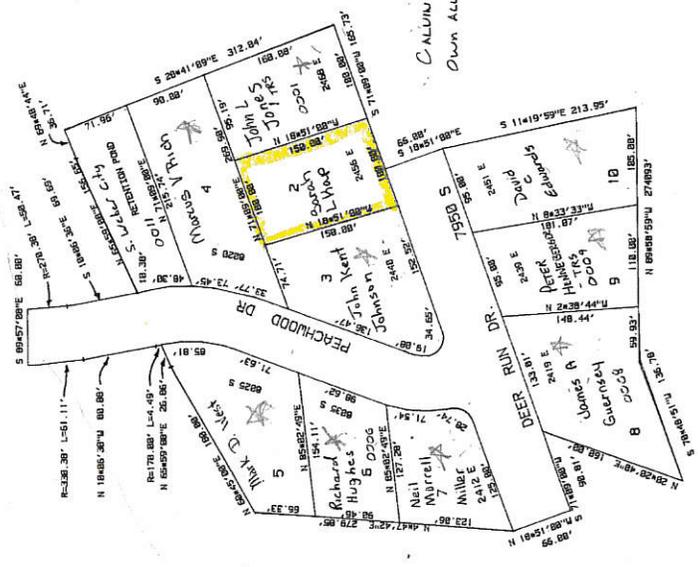
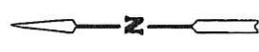
S
E
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L

Notary Public

Salt Lake Meridian
SCALE 100 FEET - ONE INCH

DEER RUN ESTATES UNIT NO. 3

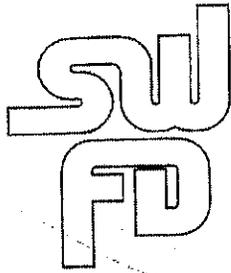
SOUTH WEBER CITY
LOTS 1 THRU 10



2490 E. Deer Run Dr.
13-139-0002

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South Weber Fire Department

7365 South 1375 East
South Weber, UT 84405
Phone: 801-476-8907

Inspection Report

Business Name: Preshool **Date:** 2/16/2016
Location: 2456 Deer Run
Inspector: Frank Patrick **Phone:** 801 866-3650

Owner: Sarah Kap **Agent:** _____
Address: same **Address:** _____
Phone: 801-453-3077 **Phone:** _____

1. Construction Type: Walls: Wood Stud Brick CMU Other _____
Number of Floors: 4; Floor Type wood joist
Roof Type: pitched; Asphalt Shingles Metal Roof
Other _____; Number of Stories: 3

2. Protection:
A. Portable fire extinguishers (Meet NFPA Code as to type, location and signage): Remarks: _____
B. Alarm equipment: Fire Smoke Description CO
C. Emergency Exits: Adequate Location: Back Door
D. House Numbers: NFPA Standard Remarks: _____
E. Fire Hydrant: Distance: 200; Location: 2439 Deer Run

3. Heat: Type NG LPG Oil Other Type/Condition: good

4. Electrical: Condition: good; Fuse Box Accessible Location: Down Stairs
Extension Cords Exposed Wiring Bad Electrical Covers, etc _____

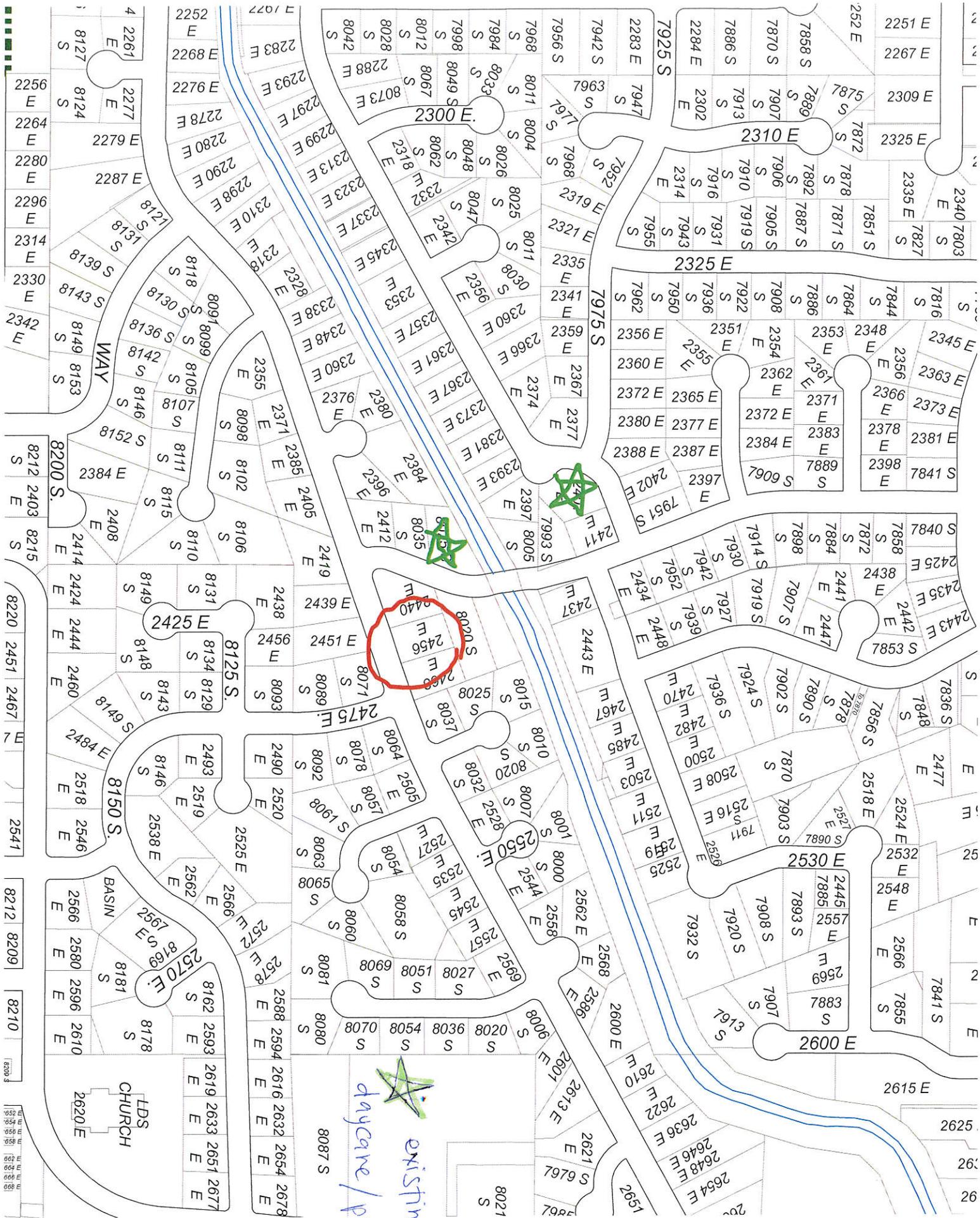
COMMERCIAL
N/A
F. Sprinklers: Wet Dry Complete Partial
G. Standpipe: Wet Dry Condition of hose _____
Threads NST
H. 2" drain test press. _____; Threads NST
F.D. Connection Location _____ Accessible

Occupancy Hazards: List hazards and if properly protected
1. _____
2. _____
3. _____
4. _____

Remarks:

Recommended for License **Conditional** **Denial** **Revocation**

Inspectors initial: FR **Re-inspection Date:** _____



existing
daycare/preschool

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LDS
CHURCH

SOUTH WEBER DRIVE COMMERCIAL SUBDIVISION

By Barry Burton 3.7.16

APPLICANT: Murray Family Holdings (Dan Murray)

REQUEST: Preliminary Plat approval South Weber Drive Commercial Subdivision.

GENERAL INFORMATION: This property at the northwest corner of South Weber Drive and 2700 East (Frontage Rd.) is zoned C-H. The C-H zone has no minimum lot size requirements but this property has long been anticipated as strip of commercial use along South Weber Dr. The proposal is to divide one .8 acre lot off of the east end of the strip leaving the remaining 3.44 acres to be divided in the future as buyers or tenants are found.

Utilities are available to the site and we have will serve letters. Secondary water is only available to a portion of the property. The developer is asking that we allow the east end of the property be allowed to develop using culinary water for landscaping, but the landscaping will be xeriscaping.

TITLE REPORT: The title report is fairly benign noting only that records are not yet available to determine if 2015 taxes have been paid.

GEOTECHNICAL REPORT: This report does not contain any red flags for development of the property. There are areas where non-engineered fill has been placed from depths of 1.5' to 6'. If structures are to be built in these areas, the fill must be removed and, if necessary, replaced with structural fill. Because of the variation of the fill across the site, it recommends that a geotechnical engineer be employed to assure that all unconsolidated fills are removed prior to any building construction.

STAFF RECOMMENDATION: I recommend granting preliminary approval to this subdivision with the provision that all recommendations of the geotech report be followed and a recommendation to allow culinary water to be used for a water conservative type landscaping on the portion of the subdivision that has no secondary water.

MEMORANDUM

TO: South Weber City Planning Commission

FROM: Brandon K. Jones, P.E.
South Weber City Engineer 

CC: Elyse Greiner – South Weber City Recorder
Barry Burton – South Weber City Planner
Mark Larsen – South Weber City Public Works Director

RE: **SOUTH WEBER DRIVE COMMERCIAL SUBDIVISION**
Preliminary Review

Date: March 9, 2016

Our office has completed a review of the preliminary plans received on February 24, 2016.

General Items:

1. UDOT has granted access to the three driveway locations shown on the preliminary plat, and all driveways will be constructed as a part of Phase 1.
2. A Geotechnical Report has been received. All concerns will be addressed at the time when the building is being constructed.
3. It is our understanding that there is not sufficient secondary water infrastructure available in order to serve the east end of the property. Culinary water is the only option.
4. The storm drain lines and detention basin will be private.

Recommendation: We recommend that preliminary approval be granted subject to the following conditions:

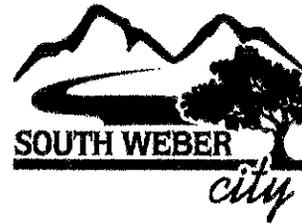
5. Our office will provide address information for the final plat.
6. Final Plat to have a 15' sewer easement and a 10' water easement, for any location where the lines are considered public (the City will not be responsible for any private lines).
7. Get a letter from the South Weber Secondary Water Improvement District stating that they do not have the ability to serve the east end of the property with secondary water.
8. The Public Works Staff will have to approve the culinary/secondary service connection.
9. The sidewalk needs to be extended at the east end of the property.

For Office Use Only

Fees received by: EG Date of submittal: 2/24/16
Amount Paid: 600.00 Receipt #: 13-082064

Initial Review, all of the required supporting materials have been provided: EG

PC Meeting Date: 3/10/16 or 3/24/16



Preliminary Plan Application

Project/Subdivision Name: South Weber Drive Commercial Subdivision
Approx. Location: NW Corner South Weber Dr. & Frontage Road
Parcel Number(s): 13-034-0044 Total Acres: 4.23
Current Zone: CH If Rezoning, to what zone: _____ Bordering Zones: _____
Surrounding Land Uses: Staker Parsons Pit, Maverik, Highmark Charter School
Number of Lots: 2 # Lots per Acre: _____
Phase: _____ of _____ PUD: Yes / No

Contact Information

Developer or Agent

Name: Dan L Murray
Company Name: Murray Family Holdings
Address: 1907 No J 400 West J
City/State/Zip: Centerville, Ut. 84014
Phone: (801) 710-7102 Fax: N/A
Email: dan.murray@murrayfamilyinvestments.com

Best Way/Preferred Method of Contact:

Email Phone Fax Mail

Developer's Engineer

Name: Scott Argyle
Company: HA Entellus
License #: 189586
Address: 181 No. 200 W.
City/State/Zip: Bountiful, Ut. 84010
Phone: (801) 298-2236 Fax: (801) 298-5983
Email: sargyle@entellus.com

Best Way/Preferred Method of Contact:

Email Phone Fax Mail

Surveyor

Check here if same as Engineer

Name: Von Hill
Company: HA Entellus
License #: 166385
Address: 181 No. 200 W.
City/State/Zip: Bountiful Ut. 84010
Phone: (801) 298-2236 Fax: (801) 298-5983
Email: vhill@entellus.com

Property Owner(s)

Check here if same as Developer

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____ Fax: _____
Email: _____

Preliminary Plan Requirements

- Complete all conditions/requirements set by the Sketch Plan committee
- 2 Sets of Mailing Labels – listing the names/ mailing addresses for property owners within 300' for the outer boundaries of the property
 - A list of delineating parcel numbers for each of the surrounding property owners
- Current Title Report
- Draft of easements/agreements with adjacent property owners (if applicable)
- Draft of Covenants, Conditions, and Restrictions (if applicable)
- Complete Utility Notification Form
- A letter of approval from applicable Secondary Water provider stating date of plans reviewed and date approved
- A written statement from the Army Corps of Engineers regarding wetland mitigation (if applicable)
- Preliminary Storm Drain Calculations (See Storm Drain Ordinance)

One full sized (24" x 36"), one reduced (11" x 17"), and one electronic PDF form shall be submitted of the following (north to face up or to the right):

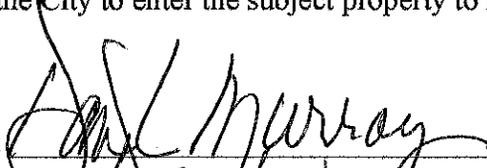
- Information to Include on all Drawings:** This is in addition to information required by sketch plan application, and is not limited to the following:
 - The approved name of the subdivision and the words "Preliminary Plat – Not to be Recorded" listed on each page
 - Written indication of design criteria to be used in design of improvements
 - Dimensions shown in feet and decimals
 - Bearings shown in degrees, minutes, and seconds
 - Contours at two foot intervals for predominant ground slopes between level and ten percent
 - Contours at five foot intervals for predominant ground slopes greater than ten percent
 - Location and sizes of proposed sanitary sewers and other sewage disposal facilities
 - Location and sizes of culinary water facilities
 - Location and size of storm drainage facilities and detention basins
 - Wetland Delineation (if applicable)
 - Boundaries of areas subject to flooding or storm water overflow in accordance with FEMA's flood plain mapping
 - Width and direction of flow of all watercourses
 - Include existing and proposed irrigation and natural runoff channels/courses
 - Location, proposed names, widths and typical cross section of streets, curbs, gutter, sidewalks, and other improvements of proposed street right-of-ways and access easements
 - Dimensions and locations of all existing or proposed dedications, easements, and deed restrictions
 - Location of any improvements that may be required to be constructed beyond the boundaries of the subdivision (as appropriate)
 - Type and size of fencing shown along canals, waterways, and agricultural land

*All plans must be prepared and stamped by a licensed and/or certified professionals including, but not limited to, architects, landscape architects, land planners, engineers, surveyors, transportation engineers or other professionals as deemed necessary by the City Planner.

Applicant Certification

I certify under penalty of perjury that this application and all information submitted as a part of this application are true, complete, and accurate to the best of my knowledge. I also certify that I am the owner of the subject property and that the authorized agent noted in this application has my consent to represent me with respect to this application. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that The City of South Weber may rescind any approval, or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the South Weber City Land Development Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. Additionally, I agree to pay all fees associated with this project, as set by the current adopted Consolidated Fee Schedule as well as any fees associated with any City Consultant (i.e. engineer, attorney). The applicant shall also be responsible for all collection fees incurred including a collection fee of up to 40% (pursuant to the provisions of the Utah Code Ann. §12-1-11). I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

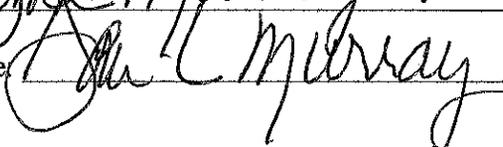
Applicant's Signature:



Date:

2/22/2016

Property Owner's Signature:



Date:

2/22/2016

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company National Commercial Services
215 South State Street, Ste. 380, Salt Lake City, UT 84111
Phone: (801)536-3100 | Fax: (866)344-5051

First American Title Insurance Company National Commercial
Services
215 South State Street, Ste. 380
Salt Lake City, UT 84111

February 17, 2016

Order Number: 676219-1

Attn: Cathy Prestwich - Jacqueline Harrah

Additional copies, if any, have been sent to the following parties:

RE: Proposed Owner/Applicant: Murray Family Holdings

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

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

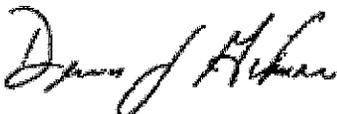
Our obligation under this commitment is limited by the following:

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

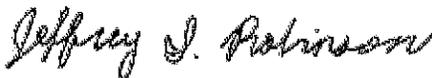
The Commitment is not valid with out SCHEDULE A and Sections 1 and 2 of SCHEDULE B.

Underwritten by:

First American Title Insurance Company



Dennis J. Gilmora
President



Jeffrey S. Robinson
Secretary

SCHEDULE A

ESCROW/CLOSING INQUIRIES should be directed to your Escrow Officer: Cathy Prestwich at (801)536-3100 located at 215 South State Street, Ste. 380, Salt Lake City, UT 84111.

Effective Date: February 5, 2016 at 7:30 a.m.

1. Policy or (Policies) to be issued:

Endorsements	PREMIUM	\$
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2. The estate or interest in the land described or referred to in this commitment and covered herein is fee simple and title thereto is at the effective date hereof vested in:

Murray Family Holdings, LLC, a Utah limited liability company

3. The land referred to in this Commitment is located in Davis County, UT and is described as:

Parcel 1:

2 portions of a 150 foot strip along the North side of South Weber Drive, more particularly defined and described as follows:

Beginning at a point which is on the North line of the South Weber Drive as located by Final Order of Condemnation recorded November 13, 2003 as Entry No. 1931798 in Book 3416 at Page 192 of Davis County Official Records, said point being North 0°15'50" East 252.43 feet along the Section line and North 89°31'17" West 1323.28 feet and North 0°19'37" East 386.07 feet from the East Quarter Corner of Section 35, Township 5 North, Range 1 West, Salt Lake Base and Meridian, Davis County, Utah, and running thence North 0°19'37" East 150.00 feet; thence South 89°28'41" East 30.38 feet to a point of curvature to a 1119.31-foot radius curve to the left; thence Easterly along the arc of said curve for a distance of 427.46 feet (chord bearing and distance = North 79°34'54" East 424.86 feet); thence North 68°38'30" East 365.11 feet to a point of curvature of a 1505.32-foot radius curve to the right; thence Easterly along the arc of said curve for a distance of 302.66 feet (chord bearing and distance = North 74°24'06" East 302.15 feet); thence North 80°09'42" East 117.36 feet; thence North 88°25'09" East 45.23 feet to a point of curvature of a 324.64-foot radius curve to the left; thence Southerly along the arc of said curve for a distance of 55.49 feet (chord bearing and distance = South 04°56'32" East 55.42 feet); thence South 09°50'18" East 49.08 feet; thence South 35°45'18" West 56.03 feet; thence South 80°09'42" West 117.56 feet to a point of curvature to a 1355.32-foot radius curve to the left; thence Westerly along the arc of said curve for a distance of 272.50 feet (chord bearing and distance = South 74°24'06" West 272.04 feet); thence South 68°38'30" West 365.11 feet to a point of curvature of a 1269.31-foot radius curve to the right; thence Westerly along the arc of said curve for a distance of 484.74 feet (chord bearing and distance = South 79°34'54" West 481.80 feet); thence North 89°28'41" West 29.87 feet to the point of beginning.

Less and excepting therefrom the following 2 portions:

- (1) The west sixty feet (60 feet) of Parcel 1; and

(2) A sixty foot (60') wide strip, running north and south, in the middle of Parcel 1.

Said 2 portions excepted from Parcel 1 above are within the following description, which is also less and excepted from said Parcel 1:

A part of the Northeast Quarter of Section 35, Township 5 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point 1111.65 feet North 0°06'21" West along the Section line and 76.62 feet West from the Southeast corner of said Quarter Section; running thence South 88°25'09" West 45.23 feet; thence South 80°09'42" West 117.56 feet; thence Southwesterly along the arc of a 1505.32 foot radius curve to the left a distance of 302.66 feet (Long Chord bears South 74°24'06" West 302.15 feet); thence South 68°38'30" West 184.05 feet; thence South 21°21'30" East 150.00 feet; thence South 68°38'30" West 60.00 feet; thence North 21°21'30" West 150.00 feet; thence South 68°38'30" West 121.06 feet; thence Southwesterly along the arc of a 1119.31 foot radius curve to the right a distance of 402.98 feet (Long Chord bears South 78°57'17" West 400.81); thence South 0°02'34" East 150.00 feet; thence Southwesterly along the arc of a 1269.31 foot radius curve to the right a distance of 25.95 feet (Long Chord bears South 89°56'12" West 25.95 feet); thence North 89°29'18" West 34.05 feet to the West line of the Southeast Quarter of the Northeast Quarter; thence North 0°02'34" West 379.50 feet along said line; thence North 45°02'54" East 416.75 feet; thence South 89°43'30" East 1025.03 feet; thence South 19°44'58" West 219.88 feet to the point of beginning. Less that portion taken by Final Order of Condemnation recorded November 13, 2003 as Entry No. 1931798 in Book 3416 at Page 192 of Davis County Official Records.

Said property is also known by the street address of:

No situs address has been assigned

UT

**SCHEDULE B - Section 1
Requirements**

The following are the requirements to be complied with:

1. Pay the agreed amounts for interest in the land and/or the mortgage or deed of trust to be insured.
2. Pay us the premiums, fees and charges for the policy. In the event the transaction for which this commitment is furnished cancels, a cancellation fee will be imposed.
3. Provide us with releases, reconveyances or other instruments, acceptable to us, including payment of any amounts due, removing the encumbrances shown in Schedule B-2 that are objectionable to the proposed insured.
4. Provide us with copies of appropriate agreements, resolutions, certificates, or other evidence needed to identify the parties authorized to execute the documents creating the interest to be insured.
5. The documents creating the interest to be insured must be signed, delivered and recorded.
6. You must tell us, in writing, the name of anyone not referred to in this Commitment who will receive an interest in, or who will make a loan secured by a deed of trust or mortgage secured by, the land described in this Commitment.
7. After we have received the information requested in these requirements, together with any other information about the transaction, we will have the right to add requirements to this Schedule B-1 or special exceptions to Schedule B-2.

**SCHEDULE B - Section 2
Exceptions**

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interest or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easements or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments and any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
8. Taxes for the year 2015 have not been examined. The tax rolls are currently inaccessible. Tax Parcel No. 13-034-0044
9. Taxes for the year 2016 now a lien, not yet due. Tax Parcel No. 13-034-0044

Subject to the right of the Davis County Assessor to recapture escaped taxes by virtue of the fact that the years of 2011 and 2012 were not assessed.

(The following affects the subject land together with other land not included herein)

10. Any charge upon the land by reason of its inclusion in Central Weber Sewer Improvement District and South Weber City.

(The following affects the subject land together with other land not included herein)

- 11. Reservations contained in that certain Patent recorded October 19, 1889 as Entry No. 4736 in Book K of Deeds at Page 588 of Official Records.

(The following affects the Easterly and Southerly portions of the subject land together with other land not included herein)

- 12. Perpetual Easements in favor of the Utah Department of Transportation, for purposes including construction thereon cut and/or fill slopes and appurtenant parts thereof, to facilitate the construction of a frontage road, incident to the widening of existing State Highway 89 known as Project No. 0089, as created by Final Order of Condemnation, recorded November 13, 2003 as Entry No. 1931798 in Book 3416 at Page 192 of Official Records.
(note: Vehicular access is limited to openings permitted by the Utah State Department of Transportation)
- 13. Development Agreement, by and between Staker & Parson Companies and South Weber City, a municipal corporation of the State of Utah, and the terms, covenants, conditions and restrictions thereof, recorded March 12, 2004 as Entry No. 1969513 in Book 3495 at Page 266 of Official Records.
- 14. Subject to a restrictive covenant as set forth in that certain Special Warranty Deed recorded August 19, 2014 as Entry No. 2818994 in Book 6084 at Page 359 of official records, prohibiting the use of the Property for the (i) mining, excavation or extraction of sand, gravel, overburden, dolomite, limestone, sandstone, boulders, stones or rocks suitable for use in building, construction and road making (including concrete, asphalt, roadbeds, railroad ballast or other use), (ii) resale yard for aggregates, (iii) operation of an asphalt plant or asphalt-related business, (iv) operation of concrete block plant, (v) operation of concrete batch plant (including both ready-mix plants and central-mix plants) or related business.
- 15. The State Construction Registry discloses the following Preliminary Notice(s): None

The name(s) Murray Family Holdings, LLC, a Utah limited liability company, has/have been checked for judgments, State and Federal tax liens, and bankruptcies and if any were found, are disclosed herein .

Title inquiries should be directed to Richard Strong @ (801)578-8870.

NOTE: The policy(ies) to be issued as a result of this Commitment contain an Arbitration Clause set forth in the Conditions/Conditions and Stipulations Section. The following is included for the information of the proposed insured(s):

Any matter in dispute between you and the company may be subject to arbitration as an alternative to court action pursuant to the rules of the American Arbitration Association or other recognized arbitrator, a copy of which is available on request from the company. Any decision reached by arbitration shall be binding upon both you and the company. The arbitration award may include attorney's fees if allowed by state law and may be entered as a judgment in any court of proper jurisdiction.

In the event the transaction for which this commitment was ordered "cancels", please refer to Paragraph B under Schedule B, Section 1 for required cancellation fee.

CONDITIONS

1. DEFINITIONS

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

2. LATER DEFECTS

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

3. EXISTING DEFECTS

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

4. LIMITATION OF OUR LIABILITY

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

comply with the Requirements

or

eliminate with our written consent any Exceptions shown in Schedule B

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

5. CLAIMS MUST BE BASED ON THIS COMMITMENT

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



PRIVACY POLICY

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from public records or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our web site at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial services providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products and services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

c2001 The First American Corporation - All Rights Reserved

When Recorded, Mail To:
Murray Family Holdings, LLC
Attn.: Dan Murray
1907 North 400 West
Centerville, Utah 84014

[Space Above for Recorder's Use]

**DECLARATION OF EASEMENTS,
COVENANTS, CONDITIONS AND RESTRICTIONS OF THE
SOUTH WEBER DRIVE COMMERCIAL SUBDIVISION**

THIS DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS OF THE SOUTH WEBER DRIVE COMMERCIAL SUBDIVISION (this "**Declaration**") is made and entered into on this ___ day of _____, 2016, by MURRAY FAMILY HOLDINGS, LLC, a Utah limited liability company ("**Declarant**").

RECITALS

A. Declarant is the owner of that certain real property situated in the County of Weber, State of Utah (the "**Encumbered Property**"), as more particularly described on Exhibit A attached hereto and by this reference made a part hereof.

B. Declarant desires to grant and establish certain easements, covenants, conditions and restrictions upon the Encumbered, all in accordance with the provisions of this Declaration.

TERMS AND CONDITIONS

NOW, THEREFORE, Declarant hereby declares that the Encumbered Property shall be held, sold and conveyed subject to the following easements, covenants, conditions and restrictions, which are for the purpose of protecting the value and desirability of, and which shall run with, the Encumbered Property and be binding on all parties having any right, title or interest in the Encumbered Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

ARTICLE I — DEFINITIONS

1.1 Definitions. When used in this Declaration, the following terms shall have the meaning indicated:

- A. "**City**" shall mean the City of South Weber.
- B. "**Declarant**" shall have the meaning ascribed in the Preamble of this Declaration.
- C. "**Encumbered Property**" shall have the meaning ascribed to such term in Recital

A hereof.

D. "**Owner**" shall mean and refer to the record owner, whether one or more persons or entities, of fee simple title to any portion of the Encumbered Property, including contract sellers, but excluding those having an interest merely as security for the performance of an obligation.

E. **“Declaration”** shall mean and refer to this Declaration of Easements, Covenants, Conditions and Restrictions of the South Weber Drive Commercial Subdivision and all amendments hereto.

F. **“Lot”** shall mean and refer to each of the two (2) individual lots within the South Weber Drive Commercial Subdivision as depicted on the Plat, as the same may be amended from time to time.

G. **“Plat”** shall mean and refer to the official subdivision plat of the South Weber Drive Commercial Subdivision filed for record in the Official Records of the Weber County Recorder, as the same may be amended from time to time.

H. **“Person”** shall mean and refer to any legal entity or natural person.

I. **“Project”** shall mean and refer to the South Weber Drive Commercial Subdivision which presently consists of two (2) individual lots, but may be amended from time to time as provided herein.

ARTICLE II — GRANT AND SUBMISSION

Declarant hereby submits the Encumbered Property situated in the city of South Weber, Weber County, Utah, and more particularly described herein to the provisions of this Declaration, and to the easements, covenants, conditions, and restrictions hereunder.

ARTICLE III — PROPERTY RIGHTS AND EASEMENTS

3.1 Easements. Every Owner of a lot in the Encumbered Property shall have a right and easement of enjoyment in and to such easements depicted on the Plat, as now existing or in the future provided by amendment to the Plat. Such easements shall pass with the title to every Lot. As depicted on the Plat, three (3) driveway locations along South Weber Drive have been approved by the Utah Department of Transportation and access from each Lot to one or more of the driveway locations shall be established by reciprocal easement and maintenance agreements to be recorded against the Encumbered Property at such time as the Plat (or any amendment thereto) is recorded with the Office of the Weber County Recorder.

3.2 Delegation of Use. Any Owner may delegate his right of enjoyment to such easements to his tenants or successors or assigns.

ARTICLE IV — COVENANTS, CONDITIONS AND RESTRICTIONS

The foregoing submission of Properties is made upon and subject to the following covenants, conditions and restrictions:

4.1 Name. The Project, as submitted to the provisions of this Declaration, shall be known as "South Weber Drive Commercial Subdivision," which currently consists of two (2) individual lots.

4.2 Description of the Lots. The Project consists of individual lots, each of which will include the improvements depicted on the Plat and/or authorized by the City of South Weber, Utah. All authorized improvements shall be constructed in a style and of materials architecturally compatible with the other improvements on the Project, and in accordance with the terms and conditions of this Declaration. The lots, their improvements on the Encumbered Property, and their approximate dimensions, are depicted on the Plat.

4.3 Exterior Building Material Requirements. All structures within the Project shall comply with a modern rustic design, incorporating a color palette of earth tones. Each structure shall include fifteen percent (15%) of the exterior wall surface in stone and, excluding window surfaces, the balance of the exterior surface should use stucco or fiber cement siding, or a similar material palette pre-approved by Declarant in accordance with the terms and conditions of this Declaration. Aluminum or plastic siding are strictly prohibited in the Project.

4.4 Parking. Each Owner of a Lot in the Project shall be responsible to meet any and all City parking requirements on such Owner's respective Lot.

4.5 Storm Drainage. Each Owner of a Lot shall be responsible to detain, on such Owner's Lot, its storm water requirements as provided by the City. Any and all connections from a Lot Owner's on-site detention to the public storm drainage system shall be through and across the public utility easement on the Encumbered Property along South Weber Drive. Storm drain piping size shall be designated by Declarant and/or specified on the Plat.

4.6 Water. Unless modified subsequent to the recording of this Declaration, each Owner of a Lot shall be responsible to make the culinary water connection for such Lot to the public water system within South Weber Drive.

4.7 Landscaping. All Lots within Landscape Area A shown on the Plat shall be landscaped in a xeriscape design with vegetation served by culinary water, as approved by South Weber City. Lots in Landscape Area B have a limited secondary water allotment and shall be landscaped with, but not more than, .044 square feet of grass area for each square foot of the Lot, and the balance of the required landscape area for such Lot shall incorporate a rock or cobble ground cover with .187 trees and .561 shrubs per 1,000 square feet of Lot size. By way of example only, a one (1) acre Lot shall be limited to 1,916 square feet of grass area ($43,560 \times .044 = 1,916.64$), 8 trees ($43.56 \times .187 = 8.146$), and 24 shrubs ($43.56 \times .561 = 24.43$). All trees and shrubs shall be watered with a drip irrigation system. Moreover, all landscape plans are subject to review and acceptance by the Declarant prior to site plan or building permit submittals to South Weber City, as further provided herein.

The allowable area of grass and allowable number of trees and shrubs associated with each lot in Landscape Area B is based upon a water allocation of 2,800 gallons per day, or .034 gallons per square foot of lot area. In addition to each lot being restricted in the amount of grass area and number of trees and shrubs, each lot will be restricted in the amount of water used as set forth herein. For information purposes only, the water calculations have been based upon 10 foot radius spray heads, half heads for the grass areas using .82 gallons per minute for a maximum of 40 minutes, trees and shrubs have been calculated using a drip irrigation system with two emitters per tree or shrub, each emitter dispensing 2 gallons per hour for a one hour period.

4.8 Availability of Secondary Water. For property located in Landscape Area B, the availability of secondary water is established by agreement between the Declarant and Staker Parsons Companies who own the irrigation delivery line providing secondary water to Landscape Area B. Staker Parson Company reserves the right to terminate the delivery of secondary water to Landscape Area B at any time with 60 days notice thereof to Owners of lots within Landscape Area B. Property Owners within Landscape Area B will also be required to enter into a maintenance agreement with Staker Parsons Company for the delivery line.

ARTICLE V — LIMITATION OF USE OF LOTS

5.1 Purposes. Every Lot shall be used for light commercial, retail, or other similar business purposes.

5.2 No Obstructions. Except for portions of the Project expressly designated on the Plat, there shall be no obstructions of the easements provided herein, and nothing shall be stored in such a way as to block ingress and egress to and from the Project.

5.3 No Offensive Activity. No Owner shall permit illegal, noxious, annoying or offensive activity, or activity which becomes a nuisance to other Owners, to be carried on in or about such Owner's Lot. Each Owner shall keep their Lot in a clean and orderly condition at all times.

5.4 Prohibited Uses. The following uses are prohibited on any Lot in the Project:

A. The display or distribution of drug paraphernalia or sexually related paraphernalia, except as the same may be legally dispensed by a physician or surgeon, dentist, or pharmacist, duly licensed to practice such profession in the State of Utah.

B. The manufacture, distribution, sales, or dispensing in any manner of illegal drugs, or any type of illegal drug activity or consumption.

C. The sale or dispensing of alcoholic beverages, unless it is legally dispensed (a municipal license for the sale thereof) in conjunction with the sale of food (restaurant). The sale of food shall represent more than 65% of total sales from the restaurant.

D. The showing, displaying, viewing, renting, or selling of movie films or other similar content within the Project which would be classified as "X" rated under present standards of criteria for such classification and rating.

E. Gambling.

F. The establishment or maintenance of a bawdy house, bar, nightclub, or tavern.

G. Any other act or condition, which shall be lewd, obscene, or licentious.

ARTICLE VI — ARCHITECTURAL CONTROL

No building, fence, wall or other structure shall be constructed or installed upon the Encumbered Property, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Declarant, acting reasonably. If the Declarant fails to approve or disapprove any plans and specifications so submitted within thirty (30) days after submission, approval shall not be required and compliance with this Article will be deemed to have been met. If any improvement to the Encumbered Property requires the approval of the City, the Owner shall not commence the construction of any such improvement until the City and the Declarant (or its authorized agent) have granted written approval. Once approved, all such improvements shall be constructed in a good and workmanlike manner, as expeditiously as reasonably possible, and in accordance with such approvals.

ARTICLE VII — GENERAL PROVISIONS

7.1 Enforcement. The Declarant or any Owner shall have the right to enforce all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration in any manner permitted by law. The failure to enforce any right herein contained shall in no event be deemed a waiver of the right to do so thereafter.

7.2 Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no wise affect any other provisions which shall remain in full force and effect.

7.3 Amendment. A majority of the Owner's of the Lots (with each Lot being entitled to one (1) vote) shall be required to amend this Declaration or such other instruments associated with the Encumbered Property. Any amendment to the Declaration or other instruments associated with the Encumbered Property shall be publicly acknowledged through the recordation of an instrument executed by a majority of the Owner's of the Lots or in such other manner as may be required by law.

7.4 Interpretation. The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a commercial subdivision. Failure to enforce any provision hereof shall not constitute a waiver of the right to enforce said provision or any other provision hereof.

7.5 Counterparts. This Declaration may be executed simultaneously in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

7.6 Governing Law and Jurisdiction. Interpretation and enforcement of this Declaration shall be according to the laws of the state of Utah. Jurisdiction and venue of any dispute arising hereunder shall be in Weber County, Utah.

7.7 Default. If any party governed by the terms of this Declaration defaults under any provision hereof, that defaulting party shall pay all costs and attorneys' fees incurred by any other party to enforce the provisions hereof, whether such costs and attorney's fees were incurred through the filing of a formal lawsuit or otherwise.

7.8 Effective Date. This Declaration shall take effect upon recordation with the Office of the Weber County Recorder.

7.9 Paragraphs, Numbers, and Headings. Headings and paragraph numbers have been inserted herein solely for convenience and reference and shall not be construed to affect the meanings, constructions or effect hereof.

[signature and acknowledgement to follow]

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set its hand on this _____ day of _____, 2016.

MURRAY FAMILY HOLDINGS, LLC,
a Utah limited liability company

By: _____
Danny Lee Murray, Manager

STATE OF UTAH)
):ss
COUNTY OF _____)

On this _____ day of _____, 2016, personally appeared before me Danny Lee Murray, the Manager of Murray Family Holdings, LLC, a Utah limited liability company, who acknowledged to me that this instrument was signed by him in his capacity as Manager for such company.

Notary Public
State of Utah

**REPORT
GEOTECHNICAL AND SLOPE STABILITY
CONSULTATION STUDY
PROPOSED
SOUTH WEBER COMMERCIAL PROJECT
NORTH SIDE OF SOUTH WEBER DRIVE
AT APPROXIMATELY 2470 EAST
SOUTH WEBER, UTAH**

April 1, 2015

Job No. 264-001-14

Prepared for:
Murray Family Investments, LLC
1907 North 400 West
Centerville, Utah 84014

Prepared by:
Gordon Geotechnical Engineering, Inc.
4426 South Century Drive, Suite 100
Salt Lake City, Utah 84123
Tel: 801-327-9600
Fax: 801-327-9601
www.gordongeotech.com

April 1, 2015
Job No. 264-001-14

Murray Family Investments, LLC
1907 North 400 West
Centerville, Utah 84014

Attention: Mr. Dan Murray

Ladies and Gentlemen:

Re: Report
Geotechnical and Slope Stability Consultation Study
Proposed South Weber Commercial Project
North Side of South Weber Drive at Approximately 2470 East
South Weber, Utah

1. INTRODUCTION

1.1 GENERAL

This report presents the results of our geotechnical and slope stability consultation study performed at the site of the proposed South Weber Commercial Project which is located on the north side of South Weber Drive at approximately 2470 East in South Weber, Utah. The general location of the site with respect to major topographic features and existing facilities, as of 1998, is presented on Figure 1, Vicinity Map. A detailed location of the site showing existing roadways and surrounding facilities, on an air photograph base, is presented on Figure 2, Area Map. A more detailed layout of the site showing the proposed locations of lots and roadways, site-specific topography, and existing facilities is presented on Figure 3, Site Plan. The test pits locations of the excavated in conjunction with this study are also presented on Figure 3.

During the course of this study, many of the discussions and recommendations presented within this report were discussed with the owner.

1.2 OBJECTIVES AND SCOPE

The objectives and scope of our study were planned in discussions between Mr. Dan Murray of Murray Family Investments, LLC and Mr. Patrick Emery of Gordon Geotechnical Engineering, Inc. (G²).

In general, the objectives of this study were to:

1. Define and evaluate the subsurface soil and groundwater conditions across the site.
2. Provide appropriate foundation, earthwork, slope stability, and geoseismic recommendations to be utilized in the design and construction of the proposed structures.

In accomplishing these objectives, our scope has included the following:

1. Review of geologic hazard maps and available past geotechnical/geological reports in the area of the site.
2. Site reconnaissance.
3. A field program consisting of the excavating, logging, and sampling of four test pits.
4. A laboratory testing program.
5. Engineering analysis.
6. Preparation of this summary report

1.3 AUTHORIZATION

Authorization was provided by returning a signed copy of our Professional Services Agreement No. 14-1024 dated October 21, 2014.

1.4 PROFESSIONAL STATEMENTS

Supporting data upon which our recommendations are based are presented in subsequent sections of this report. Recommendations presented herein are governed by the physical properties of the soils encountered in the exploration test pits, projected groundwater conditions, and the layout and design data discussed in Section 2., Proposed Construction, of this report. If subsurface conditions other than those described in this report are encountered and/or if design

and layout changes are implemented, G² must be informed so that our recommendations can be reviewed and amended, if necessary.

Our professional services have been performed, our findings developed, and our recommendations prepared in accordance with generally accepted engineering principles and practices in this area at this time.

2. PROPOSED CONSTRUCTION

Several small commercial retail structures are planned for the approximately four-acre site. The structures will be one to two levels in height and of wood-frame/masonry construction established slab-on-grade. Building size and layout information was not yet available at the time of this report; however, it is our understanding that the structures will be located on the south side of the site along South Weber Drive. At-grade asphalt concrete parking/roadway areas will be constructed on the north side of the structures. The site is located adjacent to the Staker Parsons South Weber Gravel Pit. Beyond the site boundary to the north, there is a relatively steep slope down to the bottom of the gravel pit.

Maximum wall and column loads are anticipated to be on the order of 50 to 90 kips and 3 to 4 kips per lineal foot, respectively. Real loads are defined as the total of all dead plus frequently applied (reduced) live loads. Floor slab loads will be relatively light, on the order of 200 pounds per square foot or less.

Site development will require a minor amount of earthwork in the form of site grading with cuts and fills on the order of two to three feet.

2.1 ENGINEERING GEOLOGY SETTING

Our initial office program consisted of a detailed review of topographic maps, geologic maps, and historical aerial photographs of the area. Review of publicly available plans for the Staker Parsons South Weber Gravel Pit indicate that the slopes adjacent to active mining must be cut no steeper than 1.25 horizontal to 1.0 vertical and the floor of the pit may extend no more than 180 feet in depth. Final slopes shall be re-graded and re-vegetated to maintain long-term stability. Currently the pit reaches depths of 160 feet in areas further to the north and west. At the time of the field work, the majority of the slope forming the northern boundary of the site consisted of two tiers approximately 50 to 60 feet tall with an approximately 10 to 20 foot wide flat area in between the tiers.

Subsequent to our field work, we were notified by Dan Murray, the property owner, that Staker Parsons mining operations in the area adjacent to the site was completed and they had begun re-grading the slope in order to reduce the steepness. We returned to the site on February 5, 2015 to observe the earthwork operations and measure the height and slope subsequent to the earthwork. At the time of the February 5, 2015 site visit, the slope re-grading

had been started to the west of the site and was progressing to the east. The western half of the steep slope adjacent to and north of the site had been re-graded. It is our understanding that the operations will continue to the east beyond the site.

After re-grading, the area consisted of two slopes with an approximately 30- to 50-foot wide flat bench between the slopes. Based on our field measurements, each slope extended down to the north at a slope of 2.5 Horizontal to 1.0 Vertical (2.5H:1.0V). The total elevation change from the site to the bottom of the slope is on the order of 100 to 120 feet.

In the engineering geology review, no evidence of past or imminent slope instability was observed. This is based upon site observations and air photograph interpretation of the area over the last 10 to 15 years. The test pits excavated encountered alluvial deposits of sand and gravel with relatively flat bedding. No offsets or deformations in the bedding were observed. Although the maximum explored depth was 20 feet, review of nearby geotechnical studies as well as our experience in the area indicates that these alluvial deposits are relatively deep. Lacustrine deposits are anticipated at depths greater than 50 feet below the ground surface. No groundwater seepage into the gravel pit was observed at the base of the slope.

3. SITE INVESTIGATIONS

3.1 FIELD PROGRAM

In order to define and evaluate the subsurface soil and groundwater conditions at the site, 4 test pits were excavated to depths of 18 to 20 feet below existing grade. The test pits were excavated with a moderate-sized track-mounted backhoe. Locations of the test pits are presented on Figure 3.

The field portion of our study was under the direct control and continual supervision of an experienced member of our geotechnical staff. During the course of the excavation operations, a continuous log of the subsurface conditions encountered was maintained. In addition, disturbed bag samples and some small relatively undisturbed samples of the typical soils encountered were obtained for subsequent laboratory testing and examination. The soils were classified in the field based upon visual and textural examination. These classifications have been supplemented by subsequent inspection and testing in our laboratory. Detailed graphical representation of the subsurface conditions encountered is presented on Figures 4A through 4D, Log of Test Pits. Soils were classified in accordance with the nomenclature described on Figure 5, Unified Soil Classification System.

Following completion of excavating operations, one and one-quarter-inch diameter slotted PVC pipe was installed in some of the explorations in order to provide a means of monitoring the groundwater fluctuations.

3.2 LABORATORY TESTING

3.2.1 General

In order to provide data necessary for our engineering analyses, a laboratory testing program was completed. The program included moisture, density, consolidation, partial gradation, and chemical tests. The following paragraphs describe the tests and summarize the test data.

3.2.2 Moisture and Density Tests

To aid in classifying the soils and to help correlate other test data, moisture and density tests were performed on selected samples. The results of these tests are presented on the test pit logs, Figures 4A through 4D.

3.2.3 Partial Gradation Tests

To aid in classifying the granular soils, partial gradation tests were performed. Results of the test are tabulated below:

Test Pit No.	Depth (feet)	Percent Passing No. 4 Sieve	Percent Passing No. 200 Sieve	Soil Classification
TP-1	10.0	25.0	2.7	GP
TP-2	8.0	30.6	1.7	GP
TP-2	14.0	100.0	2.3	SP
TP-4	19.0	100.0	2.2	SP

3.2.4 Consolidation Tests

To provide data necessary for our settlement analyses, a consolidation test was performed on a representative sample of the fine-grained cohesive soils encountered in the exploration test pits. The results of these tests indicate that the clays are moderately over-consolidated and will exhibit relatively low to moderate compressibility characteristics when loaded below the preconsolidation pressure. Detailed results of the tests are maintained within our files and can be transmitted to you, at your request.

3.2.5 Chemical Tests

To determine if the site soils will react detrimentally with concrete, chemical tests were performed on a representative sample of the soils encountered at the site. The results of the chemical tests are tabulated on the following page.

Test Pit No.	Depth (feet)	Soil Classification	pH	Total Water Soluble Sulfate (mg/kg-dry)
TP-3	4.5	CL	8.0	7.3

4. SITE CONDITIONS

4.1 SURFACE

At the time of the field work, the site consisted of a rectangular strip containing approximately four-acres of vacant land. The site is partially covered by asphalt concrete pavements and the remainder is blanketed with non-engineered fills. Vegetation consists of a slight growth of waist-high weeds and grasses. A fill pile approximately six to seven feet in height was observed in the northeastern portion. The topography of the site slopes down to the west with an overall relief on the order of five to seven feet.

The site is situated on the south side of the Staker Parsons South Weber gravel pit. The crest of an approximately 100 to 120 foot deep slope down to the base of the active gravel pit forms the northern boundary of the site. The deepest portions of the pit are approximately 160 feet in elevation below South Weber Drive. At the time of the field work the average slope was on the order of 2.0 horizontal to 1.0 vertical with portions as steep as 1.25 horizontal to 1.0 vertical. A small berm of soil approximately two to three feet high was observed along the crest of the slope. Some cracking was observed on the uphill sides of the berm along the eastern portion of the slope. This area was approximately 10 to 20 feet to the north of the site boundary. It is our understanding that occasionally the excess fines from the mining operations are dumped over the crest of the slope as a means of dust control. The cracking observed is anticipated to be related to surficial sloughing due to the dumping of "fines".

The site is bordered on the west by similar vacant land; on the east by the Highway 89 southbound off ramp and a transit park-n-ride lot; and on the south by South Weber Drive followed by the High Mark Charter School.

Subsequent to the field work, discussions with Dan Murray indicate that Staker Parsons has begun placing material at the toe of the slope adjacent to the site as part of their reclamation plans. We returned to the site on February 5, 2015 to observe the re-grading and to update our slope measurements. It is our understanding that mining operations are complete in that portion of the pit and the slope will be further stabilized by re-seeding after it has been re-graded.

Representative photographs of the site are shown on Figure 6, Photographs.

4.2 SUBSURFACE SOIL AND GROUNDWATER

The soil conditions encountered in each of the test pits, to the depths penetrated, were relatively similar. In each of the test pits, non-engineered fill was encountered at the surface and extending to depths of one and one-half to six feet. The non-engineered fill consists of silty clay with varying sand and gravel content and occasional pieces of concrete debris. The fill varies in stiffness, is moist, brown to dark brown, and anticipated to exhibit variable and most likely, poor engineering characteristics.

Underlying the fill in Test Pits TP-1, TP-3, and TP-4, and extending to depths of 6 to 11 feet is natural silty clay with trace fine sand grading to fine sandy clay with depth. The clay is medium stiff, moist, brown, and is anticipated to exhibit moderate strength and compressibility characteristics under the anticipated loading range.

Underlying the fill in Test Pit TP-2, the clay in the remainder of the Test Pits, and extending to depths of 12 to 14 feet is fine and coarse gravel/cobbles with some fine sand. The gravel/cobbles are medium dense, moist, brown, and projected to exhibit high strength and low compressibility characteristics under the anticipated loading range.

During the field work, the sidewalls of the gravel pit slope were inspected. The alluvial sands and gravels (which in other areas are overlain by silty clay) appeared to extend to the full depth of the gravel pit excavation, approximately 120 feet below the site grade.

Underlying the gravel/cobbles and extending to the maximum explored depth of 18 to 21 feet is fine to medium sand with trace silt. The sand is loose/medium dense, moist, brown, and is projected to exhibit high strength and low compressibility characteristics under the anticipated loading range. No evidence of disturbance due to past slope instability or liquefaction was observed.

The lines designating the interface between soil types on the test pit logs generally represent approximate boundaries. In-situ, the transition between soil types may be gradual.

During excavation operations, groundwater was not encountered at the maximum explored depth, 21 feet.

5. DISCUSSIONS AND RECOMMENDATIONS

5.1 SUMMARY OF FINDINGS

The proposed structures may be supported upon conventional spread and continuous wall foundations over suitable natural soils and/or structural fill extending to suitable natural soils.

The most significant geotechnical aspect of the site is the non-engineered fill encountered to depths of one and one-half to six feet at each test pit location. Non-engineered fills must be completely removed below the building footprint and rigid pavement areas. Non-engineered fills may remain below flexible pavement provided that they are properly prepared as stated in Section 5.2.1, Site Preparation.

Non-engineered fills are suitable for re-use as structural fill provided that they meet the requirements stated in Section 5.2.3, Structural Fill. However, it should be noted that compaction of fine-grained soils (clays and silts) as structural site grading fill will be very difficult, if not impossible, during wet and cold periods of the year.

Due to the variable nature of the non-engineered fills, a qualified geotechnical engineer must aid in verifying that all non-engineered fills have been completely removed prior to the placement of structural site grading fills, floor slabs, footings, or foundations.

Detailed discussions pertaining to earthwork, foundations, floor slabs, lateral resistance, slope stability, and the geoseismic setting of the site are discussed in the following sections.

5.2 EARTHWORK

5.2.1 Site Preparation

Preparation of the site must consist of the removal of all non-engineered fills, loose surficial soils, topsoil, debris, and other deleterious materials from beneath an area extending at least three feet beyond the perimeter of the proposed building, rigid pavement, and exterior flatwork areas.

The non-engineered fills may remain in flexible pavement areas as long as they are properly prepared. Proper preparation will consist of scarifying and moisture conditioning the upper eight inches and recompacting to the requirements of structural fill. However, it should be noted that compaction of fine-grained soils (clays and silts) as structural site grading fill will be very difficult, if not impossible, during wet and cold periods of the year.

Subsequent to the above operations and prior to the placement of footings, structural site grading fill, or floor slabs, the exposed natural subgrade must be proofrolled by passing moderate-weight rubber tire-mounted construction equipment over the surface at least twice. If any loose, soft, or disturbed zones are encountered, they must be completely removed in footing and floor slab areas and replaced with granular structural fill. If removal depth required is greater than two feet, G² must be notified to provide further recommendations. In pavement areas, unsuitable soils encountered during recompaction and proofrolling must be removed to a maximum depth of two feet and replaced with compacted granular structural fill.

5.2.2 Temporary Excavations

Groundwater is anticipated to be at depths greater than 50 feet. Temporary construction excavations in cohesive soil, not exceeding four feet in depth, may be constructed with near-vertical sideslopes. Temporary excavations up to eight feet deep in fine-grained cohesive soils (clays) may be constructed with sideslopes no steeper than one-half horizontal to one vertical. Temporary excavations up to eight feet deep in granular soils (sands and gravels) may be constructed with sideslopes no steeper than one horizontal to one vertical.

Excavations encountering loose and/or saturated cohesionless soils (not anticipated) will be very difficult and will require very flat sideslopes and/or shoring, bracing, and dewatering as these soils will tend to flow into the excavation.

All excavations must be inspected periodically by qualified personnel. If any signs of instability or excessive sloughing are noted, immediate remedial action must be initiated.

5.2.3 Structural Fill

Structural fill is defined as all fill which will ultimately be subjected to structural loadings, such as imposed by footings, floor slabs, pavements, etc. Structural fill will be required as backfill over foundations and utilities, as site grading fill, and possibly as replacement fill below footings. All structural fill must be free of sod, rubbish, topsoil, frozen soil, and other deleterious materials.

Structural site grading fill is defined as structural fill placed over relatively large open areas to raise the overall grade. For structural site grading fill, the maximum particle size shall not exceed four inches; although occasional larger particles not exceeding six inches in diameter may be incorporated if placed randomly in a manner such that "honeycombing" does not occur and the desired degree of compaction can be achieved. The maximum particle size within structural fill placed within confined areas shall be restricted to two inches.

The on-site non-engineered fills and natural soils may be utilized as structural site grading fill. It should be noted that unless moisture control is maintained, utilization of fine-grained soils as structural site grading fill will be very difficult, if not impossible, during wet and cold periods of the year. Only granular soils are recommended as structural fill in confined areas, such as around foundations and within utility trenches.

All imported granular structural fills should consist of a fairly well-graded mixture of sand and gravel containing less than 18 percent fines (percent by weight of material passing the No. 200 sieve).

To stabilize soft subgrade conditions (if needed), a mixture of coarse gravels and cobbles (stabilizing fill) should be utilized. A layer of stabilizing fill approximately 12 to 18 inches thick is typically sufficient to stabilize most soft/disturbed areas.

Non-structural site grading fill is defined as all fill material not designated as structural fill and may consist of any cohesive or granular soils not containing excessive amounts of degradable material.

5.2.4 Fill Placement and Compaction

All structural fill shall be placed in lifts not exceeding eight inches in loose thickness. Structural fills shall be compacted in accordance with the percent of the maximum dry density as determined by the AASHTO¹ T-180 (ASTM² D-1557) compaction criteria in accordance with the following table:

Location	Total Fill Thickness (feet)	Minimum Percentage of Maximum Dry Density
Beneath an area extending at least 3 feet beyond the perimeter of the structure	0 to 8	95
Outside area defined above	0 to 5	90
Outside area defined above	5 to 8	92
Road base	-	96

Structural fills greater than eight feet thick are not anticipated at the site.

Subsequent to stripping and prior to the placement of structural site grading fill, the subgrade must be prepared as discussed in Section 5.2.1, Site Preparation, of this report. In confined areas, subgrade preparation should consist of the removal of all loose or disturbed soils.

Non-structural fill may be placed in lifts not exceeding 12 inches in loose thickness and compacted by passing construction, spreading, or hauling equipment over the surface at least twice.

Coarse gravel and cobble mixtures (stabilizing fill), if utilized, shall be end-dumped, spread to a maximum loose lift thickness of 15 inches, and compacted by dropping a backhoe bucket onto the surface continuously at least twice. As an alternative, the fill may be compacted by passing moderately heavy construction equipment or large self-propelled compaction equipment at least twice. Subsequent fill material placed over the coarse gravels and cobbles shall be adequately placed so that the "fines" are "worked into" the voids in the underlying coarser gravels and cobbles.

¹ American Association of State Highway and Transportation Officials

² American Society for Testing and Materials

5.2.5 Utility Trenches

All utility trench backfill material below structurally loaded facilities (flatwork, floor slabs, roads, etc.) shall be placed at the same density requirements established for structural fill. If the surface of the backfill becomes disturbed during the course of construction, the backfill shall be proofrolled and/or properly compacted prior to the construction of any exterior flatwork over a backfilled trench. Proofrolling shall be performed by passing moderately loaded rubber tire-mounted construction equipment uniformly over the surface at least twice. If excessively loose or soft areas are encountered during proofrolling, they shall be removed to a maximum depth of two feet below design finish grade and replaced with structural fill.

Most utility companies and City-County governments are now requiring that Type A-1a or A-1b (AASHTO Designation – basically granular soils with limited fines) soils be used as backfill over utilities. These organizations are also requiring that in public roadways the backfill over major utilities be compacted over the full depth of fill to at least 96 percent of the maximum dry density as determined by the AASHTO T-180 (ASTM D-1557) method of compaction. We recommend that as the major utilities continue onto the site that these compaction specifications are followed.

The on-site clays and silts are not suitable for re-use as trench backfill. The granular soils are suitable.

5.3 SETBACK FROM STEEP SLOPE

We recommend that the proposed commercial structure have a minimum setback of 25 feet from the crest of the steep slope. Paved parking/roadway areas must have a minimum setback of five feet from the steep slope. Additionally, the site should be graded or a berm/curb and gutter constructed to direct surface water away from the steep slope.

5.4 SPREAD AND CONTINUOUS WALL FOUNDATIONS

5.4.1 Design Data

The proposed structures may be supported upon conventional spread and continuous wall foundations established upon suitable natural soils and/or structural fill extending to suitable natural soils. Under no circumstances shall footings be placed overlying non-engineered fills.

For design, the following parameters are provided with respect to the projected loading discussed in Section 2., Proposed Construction, of this report:

Minimum Recommended Depth of Embedment for Frost Protection	- 30 inches
Minimum Recommended Depth of Embedment for Non-frost Conditions	- 15 inches
Recommended Minimum Width for Continuous Wall Footings	- 18 inches
Minimum Recommended Width for Isolated Spread Footings	- 24 inches
Recommended Net Bearing Pressure for Real Load Conditions	
For footings on suitable natural <u>fine-grained soils</u>	- 2,000 pounds per square foot
For footings on suitable natural <u>granular soils</u> and/or granular structural fill extending to suitable natural soils	- 2,500 pounds per square foot
Bearing Pressure Increase for Seismic Loading	- 50 percent*

* Does not apply to edge bearing pressure.

The term “net bearing pressure” refers to the pressure imposed by the portion of the structure located above lowest adjacent final grade. Therefore, the weight of the footing and backfill to the lowest adjacent final grade need not be considered. Real loads are defined as the total of all dead plus frequently applied live loads. Total load includes all dead and live loads, including seismic and wind.

5.4.2 Installation

Under no circumstances shall the footings be established upon non-engineered fills, loose or disturbed soils, rubbish, construction debris, other deleterious materials, frozen soils, or within ponded water. If unsuitable soils are encountered, they must be completely removed and replaced with compacted structural fill.

The width of structural replacement fill below footings should be equal to the width of the footing plus one foot for each foot of fill thickness.

5.4.3 Settlements

Settlements of foundations designed and installed in accordance with above recommendations and supporting maximum projected structural loads are anticipated to be on the order of one-half to five-eighth of an inch. Settlements are expected to occur rapidly with approximately 60 to 70 percent of the settlements occurring during construction.

5.5 LATERAL RESISTANCE

Lateral loads imposed upon foundations due to wind or seismic forces may be resisted by the development of passive earth pressures and friction between the base of the footings and the supporting soils. In determining frictional resistance, a coefficient of 0.45 should be utilized for footings on granular soils. For footings established on natural clay, a coefficient of 0.40 should be utilized. Passive resistance provided by properly placed and compacted granular structural fill above the water table may be considered equivalent to a fluid with a density of 300 pounds per cubic foot. Below the water table, this granular soil should be considered equivalent to a fluid with a density of 150 pounds per cubic foot.

A combination of passive earth resistance and friction may be utilized provided that the friction component of the total is divided by 1.5.

5.6 FLOOR SLABS

Floor slabs shall be established upon suitable natural soils and/or upon structural fill extending to suitable natural soils. Under no circumstances shall floor slabs be established upon non-engineered fills, topsoil, loose/disturbed soils, sod, rubbish, deleterious materials, frozen soils, or within ponded water. In order to provide a capillary break and to facilitate curing of the concrete, it is recommended that floor slabs be directly underlain by at least four inches of "free-draining" fill, such as "pea" gravel or three-quarters- to one-inch minus clean gap-graded gravel. Exterior flatwork may be established directly on aggregate base extending to suitable natural soils.

Settlement of lightly loaded floor slabs (average uniform pressure of 200 pounds per square foot) is anticipated to be on the order of one-quarter of an inch.

5.7 PAVEMENTS

The existing non-engineered fill soils will exhibit poor engineering characteristics for the support of pavements. Loose/disturbed soils or topsoil shall be removed under rigid pavements. The pavement sections on the following page are recommended.

Parking Areas

(Light Volume of Automobiles and Light Trucks,
Occasional Medium-Weight Trucks,
and No Heavy-Weight Trucks)
[1 equivalent 18-kip axle load per day]

Flexible:

2.5 inches	Asphalt concrete
7.0 inches	Aggregate base
Over	Properly prepared natural soils, properly prepared existing non-engineered fill, and/or structural site grading fill extending to suitable stabilized natural soils.

Rigid:

5.0 inches	Portland cement concrete (non-reinforced)
4.0 inches	Aggregate base
Over	Properly prepared natural soils, and/or structural site grading fill extending to suitable stabilized natural soils.*

* Rigid pavements shall not be placed over non-engineered fills, even if properly prepared.

Primary Roadway Areas

(Moderate Volume of Automobiles and Light Trucks,
Light Volume of Medium-Weight Trucks,
and Occasional Heavy-Weight Trucks)
[5 equivalent 18-kip axle loads per day]

Flexible:

3.0 inches	Asphalt concrete
8.0 inches	Aggregate base
Over	Properly prepared natural soils, properly prepared existing non-engineered fill, and/or structural site grading fill extending to suitable stabilized natural soils.

Rigid:

5.5 inches	Portland cement concrete (non-reinforced)
5.0 inches	Aggregate base
Over	Properly prepared natural soils, and/or structural site grading fill extending to suitable stabilized natural soils.*

* Rigid pavements shall not be placed over non-engineered fills, even if properly prepared.

For dumpster pads, we recommend a pavement section consisting of six and one-half inches of Portland cement concrete, four inches of aggregate base, over properly prepared natural stabilized subgrade or site grading structural fills.

These rigid pavement sections are for non-reinforced Portland cement concrete. Concrete should be designed in accordance with the American Concrete Institute (ACI) and joint details should conform to the Portland Cement Association (PCA) guidelines. The concrete should have a minimum 28-day unconfined compressive strength of 4,000 pounds per square inch and contain 6 percent \pm 1 percent air-entrainment.

5.8 CEMENT TYPES

The laboratory tests indicate that the natural soils tested contain a negligible amount of water soluble sulfates. Based on our test results, concrete in contact with the on-site soil will have a low potential for sulfate reaction (ACI 318, Table 4.3.1). Therefore, all concrete which will be in contact with the site soils may be prepared using Type I/II or IA/IIA cement.

5.9 GEOSEISMIC SETTING

5.9.1 General

As of July 2013, the State of Utah has adopted the International Building Code (IBC) 2012 and International Residential Code (IRC) 2012. The IRC 2012 code determines the seismic hazard for a site based upon 2008 mapping of bedrock accelerations prepared by the United States Geologic Survey (USGS) and the soil site class. The USGS values are presented on maps incorporated into the IBC code and are also available based on latitude and longitude coordinates (grid points).

The structures must be designed in accordance with the procedure presented in Section 1613, Earthquake Loads, of the IBC 2012 edition.

5.9.2 Faulting

Based upon our review of available literature, no active faults are known to pass through or immediately adjacent to the site. The site is located outside fault investigation zones identified by Davis County. The nearest active fault is the Ogden segment of the Wasatch Fault zone approximately 0.5 miles east/southeast of the site.

5.9.3 Soil Class

For dynamic structural analysis, the Site Class D - Stiff Soil Profile as defined in Table 1613.5.2, Site Class Definitions, of the IBC 2012 can be utilized.

5.9.4 Ground Motions

The IBC 2012 code is based on 2008 USGS mapping, which provides values of short and long period accelerations for the Site Class B-C boundary for the Maximum Considered Earthquake (MCE). This Site Class B-C boundary represents a hypothetical sandstone bedrock surface and must be corrected for local soil conditions. The following table summarizes the peak ground and short and long period accelerations for a MCE event and incorporates a soil amplification factor for a Site Class D soil profile in the second column. Based on the site latitude and longitude (41.1278 degrees north and -111.9122 degrees west, respectively), the values for this site are tabulated on the following page.

Spectral Acceleration Value, T Seconds	Site Class B-C Boundary [mapped values] (% g)	Site Class D [adjusted for site class effects] (% g)
Peak Ground Acceleration	50.6	50.6
0.2 Seconds (Short Period Acceleration)	$S_S=126.4$	$S_{MS}=126.4$
1.0 Seconds (Long Period Acceleration)	$S_1=47.8$	$S_{M1}=72.8$

The IBC 2012 code design accelerations (S_{DS} and S_{D1}) are based on multiplying the above accelerations (adjusted for site class effects) for the MCE event by two-thirds.

5.9.5 Liquefaction

Liquefaction is defined as the condition when saturated, loose, finer-grained sand-type soils lose their support capabilities because of excessive pore water pressure which develops during a seismic event.

Due to the lack of a shallow groundwater table and the relatively dense nature of the subsurface soils encountered, liquefaction is not likely to occur at the site during the design seismic event.

5.10 SLOPE STABILITY

5.10.1 General

As stated previously, there is no evidence of past or imminent slope instability at the site. There may be some evidence of surficial, very shallow disturbance.

In evaluating the stability of the slope, two procedures have been followed. The first projects that the slope consists of cohesionless non-saturated granular soils. Under this scenario, an infinite slope stability analysis is applicable. In reality, although the sands and gravels may visually appear to be clean, they do contain trace to some fines, primarily silts. The silt combined with soil moisture and a fabric, which develops in natural undisturbed soils, imparts a slight "apparent cohesion." This "apparent cohesion" is the reason why the slopes in the site soils stand at very steep slopes for extended periods of time. When considering the "apparent cohesion," circular slope stability analyses can be performed. These analyses depict circular failure surfaces exiting within the lower portion of the slope where it flattens, and near the crest of the slope. The calculated factor of safety utilizing infinite slope stability analyses for a slope of 2.5 horizontal to 1.0 vertical is on the order of 1.3. It must be noted that the infinite slope analyses is very conservative in the fact it does not account for the "apparent cohesion."

Due to the amount of silt in the slope soils, an infinite slope movement is unlikely. If slope failure were to occur, it would be primarily in the form of a circular failure. A circular slope stability analysis is shown in the following sections:

In order to evaluate the mass deep-seated slope stability conditions, an analysis were performed with the microcomputer program, SLIDE (Version 6.0), utilizing the modified Bishops method for a circular failure surface. The analysis included both static and seismic acceleration conditions after constructing the proposed structures.

Conservative soil parameters were used based upon the soils encountered in our exploration test pits as well as deep borings from other nearby studies. The soils strength parameters utilized in this analysis are presented in Section 5.10.2, Soil Strength.

The configuration for the global stability model was developed based upon observations and measurements from the field work as well as topographic maps in the area. A cross-section was created in the area of the steepest slope. The location of the cross-section is shown on Figure 2.

5.10.2 Soil Strength

In order to study the mass deep-seated slope stability conditions, a preliminary analysis was performed. Conservative soil parameters were utilized based upon the soils encountered in the test pits. Due to the primarily granular nature of the soils, non-saturated conditions will prevail; therefore, steady drained strength characteristics were used for both static and seismic conditions. The following conservative soil parameters were used:

Soil Parameter	Parameter (units)
Cohesion	100 (psf)
Friction Angle	36 (degrees)
Unit Weight	120 (pcf)

5.10.3 Analysis Results

The results of the global stability analysis are tabulated on the following page.

Condition	Seismic Coefficient	Lowest Factor of Safety	Recommended Minimum Allowable Factor of Safety
Static	--	2.16	1.5
Pseudo-Static Seismic	0.27	1.15	1.0

Based on our study, the site is suitable for the construction of the proposed commercial structures provided that they have a minimum of a 25 foot setback from the crest of the slope. During a seismic event, the slope will likely experience shallow surficial sloughing. It is our understanding that the slope will be re-vegetated as part of slope reclamation agreement with Staker Parson. Vegetation will protect against the surficial sloughing expected during the design seismic event.

It is critical that construction and mining operations do not impact the integrity of the slope. It is, therefore, essential that no soil be stockpiled within 40 feet of the crest of the slope. Additionally, soil must not be mined from the base of the slope. Surface water must be directed away from the slope during and after construction.

The results of the slope stability analysis are attached in Appendix A, Slope Stability Results. Density and strength parameters utilized are also summarized on these figures.

5.11 SITE VISITS

As stated previously, due to the variable nature of the non-engineered fills encountered, a qualified geotechnical engineer must aid in verifying that all non-engineered fills have been completely removed prior to the placement of structural site grading fills, floor slabs, footings, or foundations.

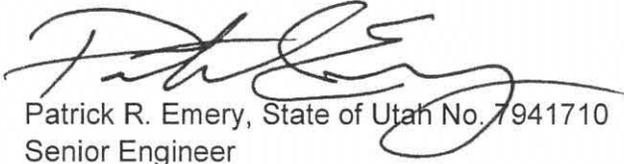
Job No. 264-001-14
Geotechnical Consultation Study
April 1, 2015

We appreciate the opportunity of providing this service for you. If you have any questions or require additional information, please do not hesitate to contact us.

Respectfully submitted,

Gordon Geotechnical Engineering, Inc.

Reviewed by:



Patrick R. Emery, State of Utah No. 7941710
Senior Engineer



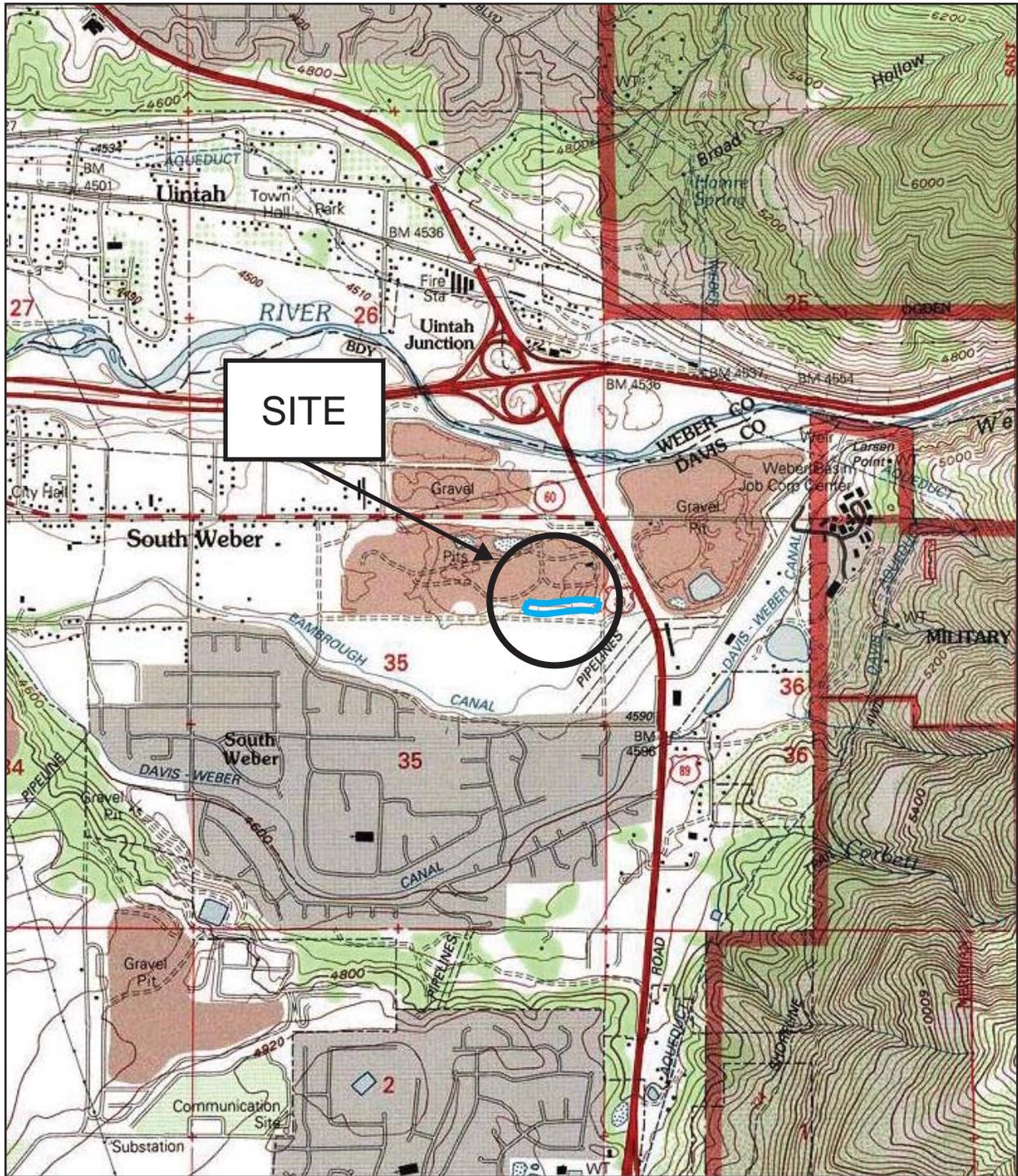
William J. Gordon, State of Utah No. 146417
Principal Engineer

PRE/WJG:sn

- Encl. Figure 1, Vicinity Map
Figure 2, Area Map
Figure 3, Site Plan
Figures 4A through 4D, Log of Test Pits
Figure 5, Unified Soil Classification System
Figure 6, Photographs
Appendix A Slope Stability Results

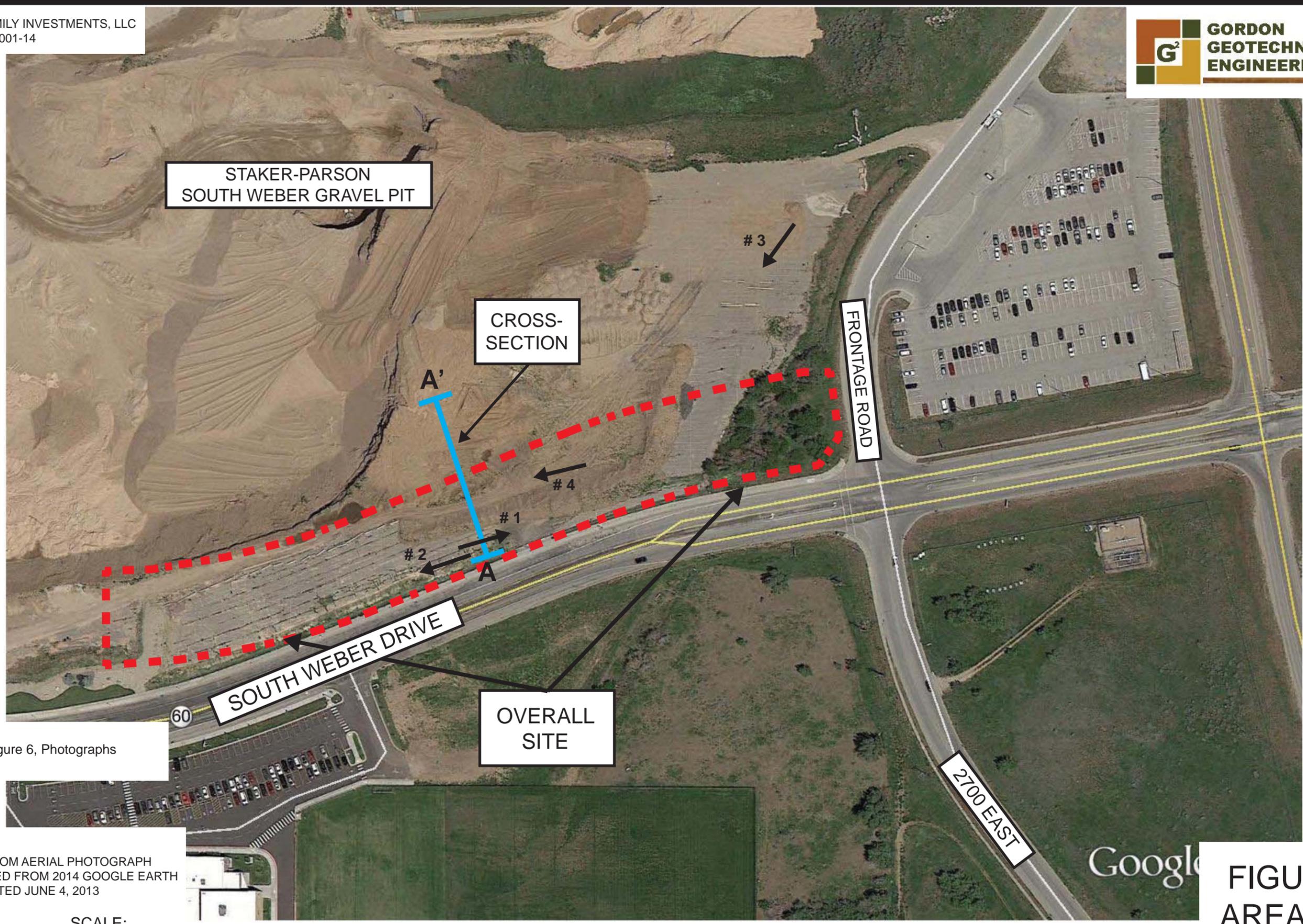
Addressee (3 + email)





REFERENCE:
USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE MAPS
TITLED "OGDEN, UTAH", AND "KAYSVILLE, UTAH"
BOTH DATED 1998

**FIGURE 1
VICINITY MAP**



STAKER-PARSON
SOUTH WEBER GRAVEL PIT

CROSS-
SECTION

FRONTAGE ROAD

SOUTH WEBER DRIVE

OVERALL
SITE

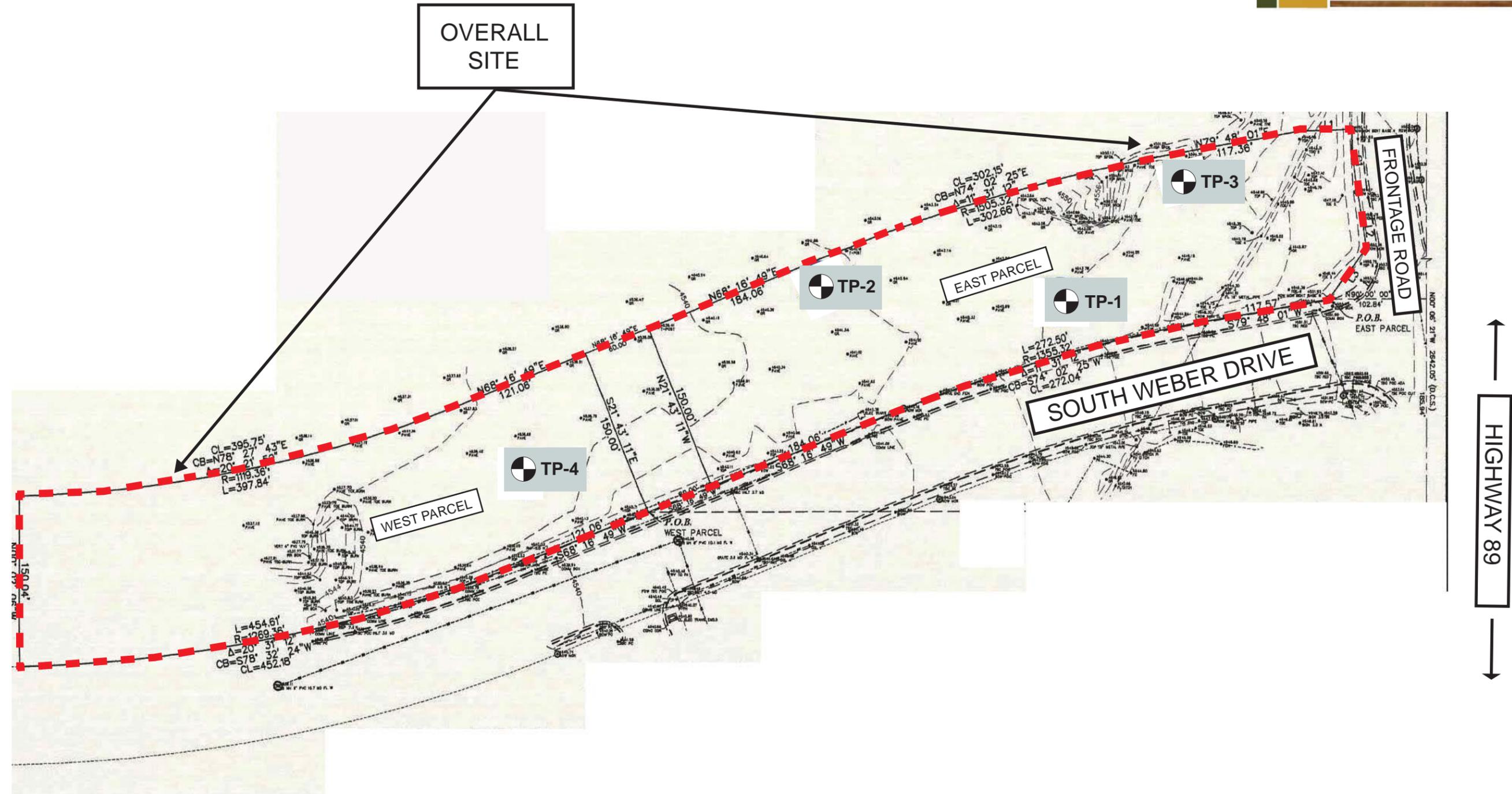
2700 EAST

↑ ## see Figure 6, Photographs
→

REFERENCE:
ADAPTED FROM AERIAL PHOTOGRAPH
DOWNLOADED FROM 2014 GOOGLE EARTH
IMAGERY DATED JUNE 4, 2013

SCALE:
feet ————— 1000
meters ————— 400

FIGURE 2
AREA MAP



NOT TO SCALE

↑
FIGURE 3
SITE PLAN

REFERENCE:
ADAPTED FROM DRAWING ENTITLED
"DAN MURRAY - ALTA, SHEET 2 OF 2
BY HILL & ARGYLE, INC. DATED JUNE 18, 2014

Project Name: Proposed South Weber Commercial Project
 Location: N Side of S Weber Dr at Approx. 2470 E, South Weber, UT
 Excavating Method: JBC 214S - Backhoe
 Elevation: ---
 Remarks:

Project No.: 264-001-14
 Client: Murray Family Investments, LLC
 Date Excavated: 11-05-14
 Water Level: No groundwater encountered.

DESCRIPTION	GRAPHIC LOG	Water Level	DEPTH FT.	SAMPLE TYPE	SAMPLE SYMBOL	BLOWS/FT.	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTIC LIMIT (%)	REMARKS
Ground Surface			0									moist "stiff"
SILTY CLAY, FILL with some fine to coarse sand and gravel; dark brown (CL-FILL)												
SILTY CLAY with some fine to medium sand; brown (CL)												moist "medium stiff"
grades fine to coarse sandy clay			5	TW			11.9	101				
				TW			14.7	92				
FINE AND COARSE GRAVEL with some fine to coarse sand and cobbles, trace silt, and occasional boulders to 24" in diameter; brown (GP)												moist "medium dense"
			10	B			6.9		2.7			
FINE TO MEDIUM SAND with trace silt; brown (SP)												moist "loose"/"medium dense"
grades light brown			15	B								
				B								
Excavation refusal at 18.0' due to caving/ravelling. Stopped sampling at 12.5'. Sidewall caving at 18.0'. No groundwater encountered at time of excavating.			20									
			25									

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary for a proper understanding of the nature of the subsurface material.

FIGURE 4A

Project Name: Proposed South Weber Commercial Project
 Location: N Side of S Weber Dr at Approx. 2470 E, South Weber, UT
 Excavating Method: JBC 214S - Backhoe
 Elevation: ---
 Remarks:

Project No.: 264-001-14
 Client: Murray Family Investments, LLC
 Date Excavated: 11-05-14
 Water Level: No groundwater encountered.

DESCRIPTION	GRAPHIC LOG	Water Level	DEPTH FT.	SAMPLE TYPE	SAMPLE SYMBOL	BLOWS/FT.	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTIC LIMIT (%)	REMARKS
Ground Surface			0									moist "stiff"
SILTY CLAY, FILL with some fine to coarse sand and gravel; asphalt concrete pieces and concrete chucks to 2' in diameter; brown (CL-FILL)			0 to 5	B								
FINE AND COARSE GRAVEL with some cobbles and fine to coarse sand and trace silt, brown (GP)			5 to 10	B			1.9		1.7			moist "medium dense"
grades with boulders to 24" in diameter			10 to 15									
FINE TO MEDIUM SAND with trace silt; brown (SP)			15 to 20	B			3.6		2.3			moist "medium dense"
			20 to 25	B								
Stopped excavating at 20.0' due to end of reach. Stopped sampling at 12.5'. No significant sidewall caving. No groundwater encountered at time of excavating.												

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary for a proper understanding of the nature of the subsurface material.

FIGURE 4B

Project Name: Proposed South Weber Commercial Project
 Location: N Side of S Weber Dr at Approx. 2470 E, South Weber, UT
 Excavating Method: JBC 214S - Backhoe
 Elevation: ---
 Remarks:

Project No.: 264-001-14
 Client: Murray Family Investments, LLC
 Date Excavated: 11-05-14
 Water Level: No groundwater encountered.

DESCRIPTION	GRAPHIC LOG	Water Level	DEPTH FT.	SAMPLE TYPE	SAMPLE SYMBOL	BLOWS/FT.	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTIC LIMIT (%)	REMARKS
Ground Surface			0									moist "stiff"
SILTY CLAY, FILL with some fine to coarse sand and gravel; dark brown (CL-FILL)												moist "stiff"
SILTY CLAY with some fine sand; dark brown (CL)												moist "stiff"
grades fine to coarse sandy clay			5	TW			16.4		100			"medium stiff"
				B								
FINE AND COARSE GRAVEL with some fine to coarse sand and cobbles and trace silt, brown (GP)												moist "medium dense"
FINE TO MEDIUM SAND with trace silt; brown (SP)												moist "medium dense"
Stopped excavating at 18.0'. Stopped sampling at 5.5'. Sidewall caving at 18.0'. No groundwater encountered at time of excavating.			20									
			25									

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary for a proper understanding of the nature of the subsurface material.

FIGURE 4C

Project Name: Proposed South Weber Commercial Project
 Location: N Side of S Weber Dr at Approx. 2470 E, South Weber, UT
 Excavating Method: JBC 214S - Backhoe
 Elevation: ---
 Remarks:

Project No.: 264-001-14
 Client: Murray Family Investments, LLC
 Date Excavated: 11-05-14
 Water Level: No groundwater encountered.

DESCRIPTION	GRAPHIC LOG	Water Level	DEPTH FT.	SAMPLE TYPE	SAMPLE SYMBOL	BLOWS/FT.	MOISTURE (%)	DRY DENSITY (PCF)	% PASSING 200	LIQUID LIMIT (%)	PLASTIC LIMIT (%)	REMARKS
Ground Surface			0									
SILTY CLAY, FILL with some fine to coarse sand and gravel; dark brown (CL-FILL)												
SILTY CLAY with some fine sand; dark brown (CL)												moist "medium stiff"
grades with fine to medium sandy clay; brown				B								
FINE AND COARSE GRAVEL with some cobbles, boulders to 24" in diameter, and fine to coarse sand and trace silt, moderately cemented; brown (GP)												moist "medium dense"
				B								
FINE TO MEDIUM SAND with trace silt; brown (SP)												moist
				B			5.0		2.2			
Stopped excavating at 20.0' due to end of reach. Stopped sampling at 19.5'. No significant sidewall caving. No groundwater encountered at time of excavating.												

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary for a proper understanding of the nature of the subsurface material.

FIGURE 4D

UNIFIED SOIL CLASSIFICATION SYSTEM				GRAPH SYMBOL	LETTER SYMBOL	TYPICAL DESCRIPTIONS		
FIELD IDENTIFICATION PROCEDURES								
COARSE GRAINED SOILS More than half of material is larger than No. 200 sieve size.	GRAVELS More than half of coarse fraction is larger than No. 4 sieve size. (For visual classifications, the 1/4" size may be used as equivalent to the No. 4 sieve size.)	CLEAN GRAVELS (Little or no fines)	Wide range in grain size and substantial amounts of all intermediate particle sizes.		GW	Well graded gravels, gravel-sand mixtures, little or no fines.		
			Predominantly one size or a range of sizes with some intermediate sizes missing.		GP	Poorly graded gravels, gravel-sand mixtures, little or no fines.		
		GRAVELS WITH FINES (Appreciable amount of fines)	Non-plastic fines (for identification procedures see ML below).		GM	Silty gravels, poorly graded gravel-sand-silt mixtures.		
			Plastic fines (for identification procedures see CL below).		GC	Clayey gravels, poorly graded gravel-sand-clay mixtures.		
	SANDS More than half of coarse fraction is smaller than No. 4 sieve size. (The No. 200 sieve size is about the smallest particle visible to the naked eye)	CLEAN SANDS (Little or no fines)	Wide range in grain sizes and substantial amounts of all intermediate particle sizes.		SW	Well graded sands, gravelly sands, little or no fines.		
			Predominantly one size or a range of sizes with some intermediate sizes missing.		SP	Poorly graded sands, gravelly sands, little or no fines.		
		SANDS WITH FINES (Appreciable amount of fines)	Non-plastic fines (for identification procedures see ML below).		SM	Silty sands, poorly graded sand-silt mixtures.		
			Plastic fines (for identification procedures see CL below).		SC	Clayey sands, poorly graded sand-clay mixtures.		
FINE GRAINED SOILS More than half of material is smaller than No. 200 sieve size. (The No. 200 sieve size is about the smallest particle visible to the naked eye)	IDENTIFICATION PROCEDURES ON FRACTION SMALLER THAN No. 40 SIEVE SIZE							
	SILTS AND CLAYS Liquid limit less than 50	None to slight	Quick to slow	None		ML	Inorganic silts and very fine sands, rock flour, silty or clayey fine sand with slight plasticity.	
			Medium to high	None to very slow	Medium		CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays.
			Slight to medium	Slow	Slight		OL	Organic silts and organic silt-clays of low plasticity.
		SILTS AND CLAYS Liquid limit greater than 50	Slight to medium	Slow to none	Slight to medium		MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts.
			High to very high	None	High		CH	Inorganic clays of high plasticity, fat clays.
			Medium to high	None to very slow	Slight to medium		OH	Organic clays of medium to high plasticity.
	HIGHLY ORGANIC SOILS	Readily identified by color, odor, spongy feel and frequently by fibrous texture.				Pt	Peat and other highly organic soils.	

1. Boundary classifications - Soils possessing characteristics of two groups are designated by combinations of group symbols. For example GW-GC, well graded gravel-sand mixture with clay binder.
 2. All sieve sizes on this chart are U.S. standard.

GENERAL NOTES

- In general, Unified Soil Classification Designations presented on the logs were evaluated by visual methods only. There fore, actual designations (based on laboratory testing) may differ.
- Lines separating strata on the logs represent approximate boundaries only Actual transitions may be gradual.
- Logs represent general soil conditions observed at the point of exploration on the date indicated.
- No warranty is provided as to the continuity of soil conditions between individual sample locations.

LOG KEY SYMBOLS

	Thin Wall
	No Recovery
	3-3/4" ID D&M Sampler
	3" ID D&M Sampler
	California Sampler

CEMENTATION

DESCRIPTION	DESCRIPTION
Weakly	Crumbles or breaks with handling of slight finger pressure
Moderately	Crumbles or breaks with considerable finger pressure
Strongly	Will not crumble or breaks with finger pressure

MODIFIERS

DESCRIPTION	%
Trace	<5
Some	5 - 12
With	>12

MOISTURE CONTENT

DESCRIPTION	FIELD TEST
Dry	Absence of moisture, dusty, dry to the touch
Moist	Damp but no visible water
Wet	Visible water, usually soil below Water Table

FINE - GRAINED SOIL TORVANE POCKET PENETROMETER

CONSISTENCY	SPT (blows/ft)	UNDRAINED SHEAR STRENGTH (tsf)	UNCONFINED COMPRESSIVE STRENGTH (tsf)	FIELD TEST
Very Soft	<2	<0.125	<0.25	Easily penetrated several inches by Thumb. Squeezes through fingers.
Soft	2 - 4	0.125 - 0.25	0.25 - 0.5	Easily penetrated 1" by Thumb. Molded by light finger pressure.
Medium Stiff	4 - 8	0.25 - 0.5	0.5 - 1.0	Penetrated over 1/2" by Thumb with moderate effort. Molded by strong finger pressure.
	8 - 15	0.5 - 1.0	1.0 - 2.0	Indented about 1/2" by Thumb but penetrated only with great effort
Very Stiff	15 - 30	1.0 - 2.0	2.0 - 4.0	Readily indented by Thumbnail
Hard	>30	>2.0	>4.0	Indented with difficulty by Thumbnail

COARSE - GRAINDE SOIL

APPARENT DENSITY	SPT (blows/ft)	RELATIVE DENSITY (%)	FIELD TEST
Very Loose	<4	0 - 15	Easily penetrated with 1/2" reinforcing rod pushed by hand
Loose	4 - 10	15 - 35	Difficult to penetrated with 1/2" reinforcing rod pushed by hand
Medium Dense	10 - 30	35 - 65	Easily penetrated a foot with 1/2" reinforcing rod driven with 5-lb hammer
	30 - 50	65 - 85	Difficult to penetrated a foot with 1/2" reinforcing rod driven with 5-lb hammer
Very Dense	>50	85 - 100	Penetrated only a few inches with 1/2" reinforcing rod driven with 5-lb hammer

STRATIFICATION

DESCRIPTION	THICKNESS
SEAM	1/16 - 1/2"
LAYER	1/2 - 12"
DESCRIPTION	THICKNESS
Occasional	One or less per foot of thickness
Frequent	More than on per foot of thickness

FIGURE 5



#1 Facing east-northeast toward the eastern half of the site.



#2 Facing west-southwest toward the western half of the site.



#3 Facing southwest toward the upper portion of the gravel pit slope.

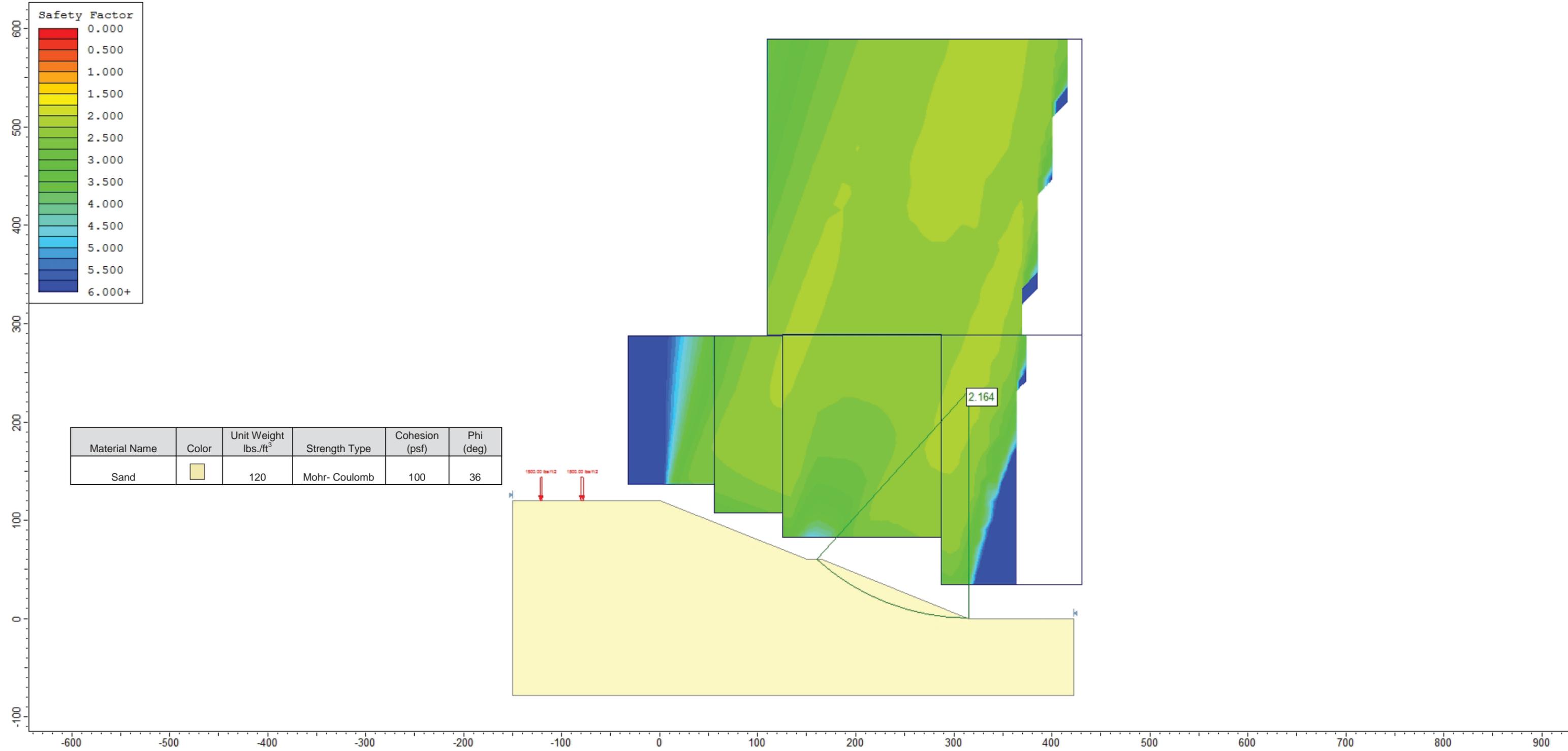


#4 Facing west toward Test Pit TP-2.

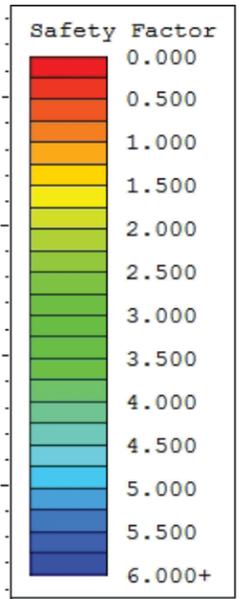
APPENDIX A

Slope Stability Analysis Results

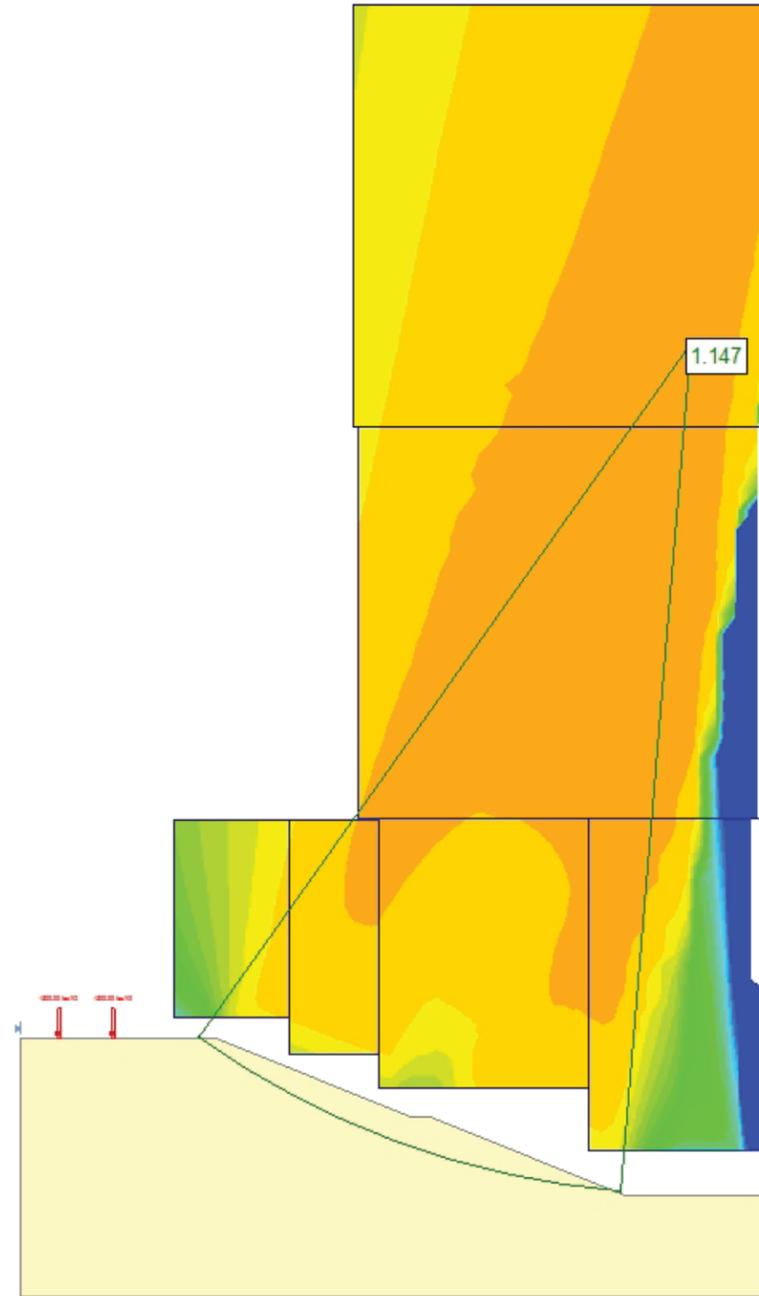
STATIC CONDITIONS



SEISMIC CONDITIONS

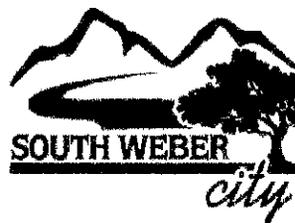


Material Name	Color	Unit Weight lbs./ft ³	Strength Type	Cohesion (psf)	Phi (deg)
Sand		120	Mohr- Coulomb	100	36



All Plans Must Reflect The Following Date
& South Weber City Stamp:

RECEIVED
FEB 24 2016
BY: _____



*If a utility can not be reached to sign this form, a letter stating service will be provided from that utility is acceptable, provided that the same plans have been shown to all utilities. Plans will not be approved by the city until this document is completed and returned.

Utility Notification Form

Project/Subdivision	Developer or Agent
Name: <u>South Weber Drive</u> <u>Commercial Subdivision</u>	Name: <u>Dan L Murray</u>
<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial	Company Name: <u>Murray Family Holdings, LLC</u>
Approx. Location: <u>S. Weber Dr. / Frontage</u>	Address: <u>1907 No. 400 West</u>
Parcel Number(s): <u>13-034-0044</u>	City/State/Zip: <u>Centerville, Ut. 84014</u>
Number of Lots: <u>2</u>	Phone: <u>(801) 910-7102</u>
Phase: _____ of _____ PUD: Yes / No	Fax: _____
	Email: <u>dan.murray@murrayfamilyinvestments.com</u>

QUESTAR GAS

Name: _____ Title: _____ Phone: _____
(please print)
Signature: SEE ATTACHED Date: _____

COMCAST CABLE TV

Name: _____ Title: _____ Phone: _____
(please print)
Signature: SEE ATTACHED Date: _____

QWEST

Name: _____ Title: _____ Phone: _____
(please print)
Signature: _____ Date: _____

ROCKY MOUNTAIN POWER

Name: _____ Title: _____ Phone: _____
(please print)
Signature: SEE ATTACHED Date: _____

February 10, 2016

Dan Murray
Dan.murray@murrayfamilyinvestments.com

Request: none

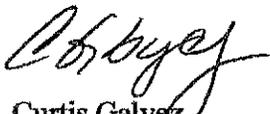
Dear Mr. Murray:

Rocky Mountain Power will supply power to property located at or near 2500 E South Weber Dr, South Weber, UT with the following provisions:

- Applicant will apply for power by calling 1-888-221-7070
- Applicant or Developer will supply a signed, approved recorded property plat map with lot numbers, addresses, and section corners identified if applicable.
- Residential and Commercial Developer will supply an electronic copy of the subdivision by e-mail, (Auto-cad version 2011), to the estimator assigned to the project.
- Residential Subdivision Developer will pay all costs which are non-refundable above the \$750.00 per lot allowance according to line extension tariff, regulation 12.
- All single lot applicants will be subject to the line extension rules and regulation 12.
- Applicant is responsible to sign a contract after job is approved by Rocky Mountain Power management, and pay any associated costs before work can be scheduled or materials ordered.
- Rocky Mountain Power engineering review may be required and may be subject to additional charges according to our filed line extension tariff, regulation 12.

If you have any questions regarding these provisions, please feel free to call me at 801-629-4318.

Respectfully,



Curtis Galvez
Journeyman Estimator
Rocky Mountain Power
Ogden Operations



February 09, 2016

To Whom It May Concern:

This letter is to verify that Comcast service is available to South Weber Drive Commercial Subdivision. Located at corner of South Weber Dr. & Frontage Rd., South Weber Utah. Comcast will generally provide all materials and labor to provide broad band services from the property line to the point of service, in a trench provided by the property owner.

The cost of installation, construction and provision of cable service will be part of the contract negotiations with the Owner of the Property or a designated representative. This letter is not to be considered a contract or guarantee of service. Furthermore, all permits, licenses and rights of access must be provided by the Owner prior to any provision of services.

Please be advised that we require a minimum of 90 days for project approvals and construction **after we receive a signed contract**.

Please contact Paul Merrit at 801-401-2638 for services available and with any contractual concerns.

We look forward to working with you on this Project; please feel free to contact me at 801-401-3017 with any questions or concerns.

Sincerely,



Greg Miller
Comcast Cable
801 401-3017 office
801 401-3036 fax
1350 E Miller Avenue
Salt Lake City, Utah 84106

February 23, 2016

MURRAY FAMILY INVESTMENTS.

Dear Dan Murray:

Re: Natural Gas Service Availability Letter

Natural gas can be made available to serve the SOUTH WEBER DR
COMMERCIAL SUB.development when the following requirements are met:

1. Developer provides plat maps, drawings, construction schedules, average size of homes, units, and/or buildings that will be served by natural gas, and any and all other relevant information regarding commercial and residential uses, including but no limited to, proposed natural gas appliances (number and type of appliances per unit, homes, building).
2. Review and analysis by Questar Gas' Engineering and/or Pre-Construction Department to determine load requirements. System reinforcement requirements and estimated costs to bring natural gas to the development.
3. Address & unit total BTU's

Upon completion of Questar Gas' review of the development's natural gas requirements, agreements will be prepared, as necessary, for high pressure, intermediate high pressure and/or service line extensions required to serve the development. These service extensions must be paid in advance.

To accommodate your construction schedule and provide cost estimates to you, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Comeau". The signature is written in a cursive, somewhat stylized font.

Robert Comeau
Pre-Construction Representative

SOUTH WEBER WATER IMPROVEMENT DISTRICT

7924 S. 1900 E.
South Weber, UT 84405
Phone (801) 475-4749
Fax (801) 475-0508
Emergency (801) 510-8073
Maintenance
Rorie Stott (801) 336-8951

BOARD DIRECTORS
Ferrin Calder 479-4475
Owen Cash 479-7858
Jan Ukena 479-8749
Jeffery Monroe 479-5213
Leslie Waters 479-6634

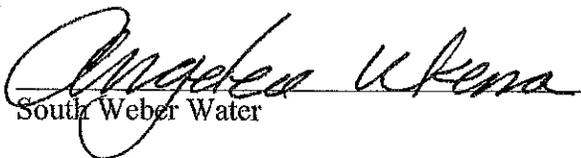
To: South Weber City,

The South Weber Water Improvement District can furnish secondary water to Dan Murray's west lot of 2.03 acres along South Weber Drive contingent of:

1. Parson's allowing Mr. Murray to connect to their secondary water line.
2. Mr. Murray purchase 1 share of water for the property.

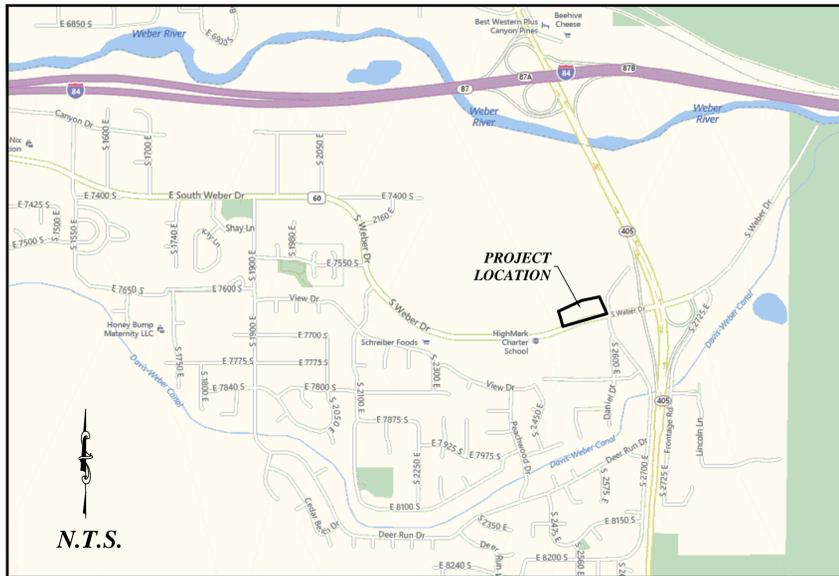
South Weber Water Improvement District cannot provide secondary water to Mr. Murray East lot of 2.1 acres.

DATED this 16 day of February 2016


South Weber Water

Thank you,

South Weber Water Improvement District



N.T.S.

VICINITY MAP

CONSTRUCTION TO CONFORM TO OWNER'S SPECIFICATIONS

STREET IMPROVEMENTS
 ALL IMPROVEMENTS WITHIN THE UDOT RIGHT-OF-WAY ARE TO BE CONSTRUCTED TO CONFORM TO UDOT STANDARDS AND SPECIFICATIONS.
 ALL IMPROVEMENTS WITHIN THE SOUTH WEBER CITY RIGHT-OF-WAY ARE TO BE CONSTRUCTED TO CONFORM TO SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.
 ALL PRIVATE IMPROVEMENTS ARE TO BE CONSTRUCTED TO CONFORM TO THE NOTES AND DETAILS SHOWN ON THIS SET OF PLANS.

1) SEWER IMPROVEMENTS
 ALL SEWER IMPROVEMENTS ARE TO BE CONSTRUCTED TO CONFORM TO THE SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.

2) WATER IMPROVEMENTS
 ALL WATER IMPROVEMENTS ARE TO BE CONSTRUCTED TO CONFORM TO THE SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.

3) STORM DRAIN IMPROVEMENTS
 ALL PUBLIC STORM DRAIN IMPROVEMENTS ARE TO BE CONSTRUCTED TO CONFORM TO THE SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.
 ALL PRIVATE STORM DRAIN IMPROVEMENTS ARE TO BE CONSTRUCTED TO CONFORM TO THE NOTES AND DETAILS SHOWN ON THIS SET OF PLANS.

4) PLANS, STANDARDS AND SPECIFICATIONS
 THE CONTRACTOR IS TO KEEP A COPY OF THE APPROVED PLAN ON SITE DURING ANY CONSTRUCTION.
 THE CONTRACTOR IS TO OBTAIN A COPY OF ALL PERTINENT STANDARDS AND SPECIFICATIONS PRIOR TO THE PRE-CONSTRUCTION MEETING.

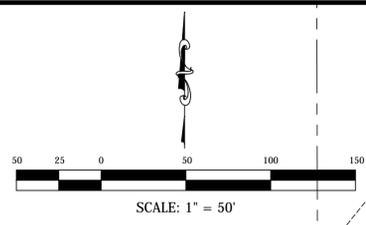
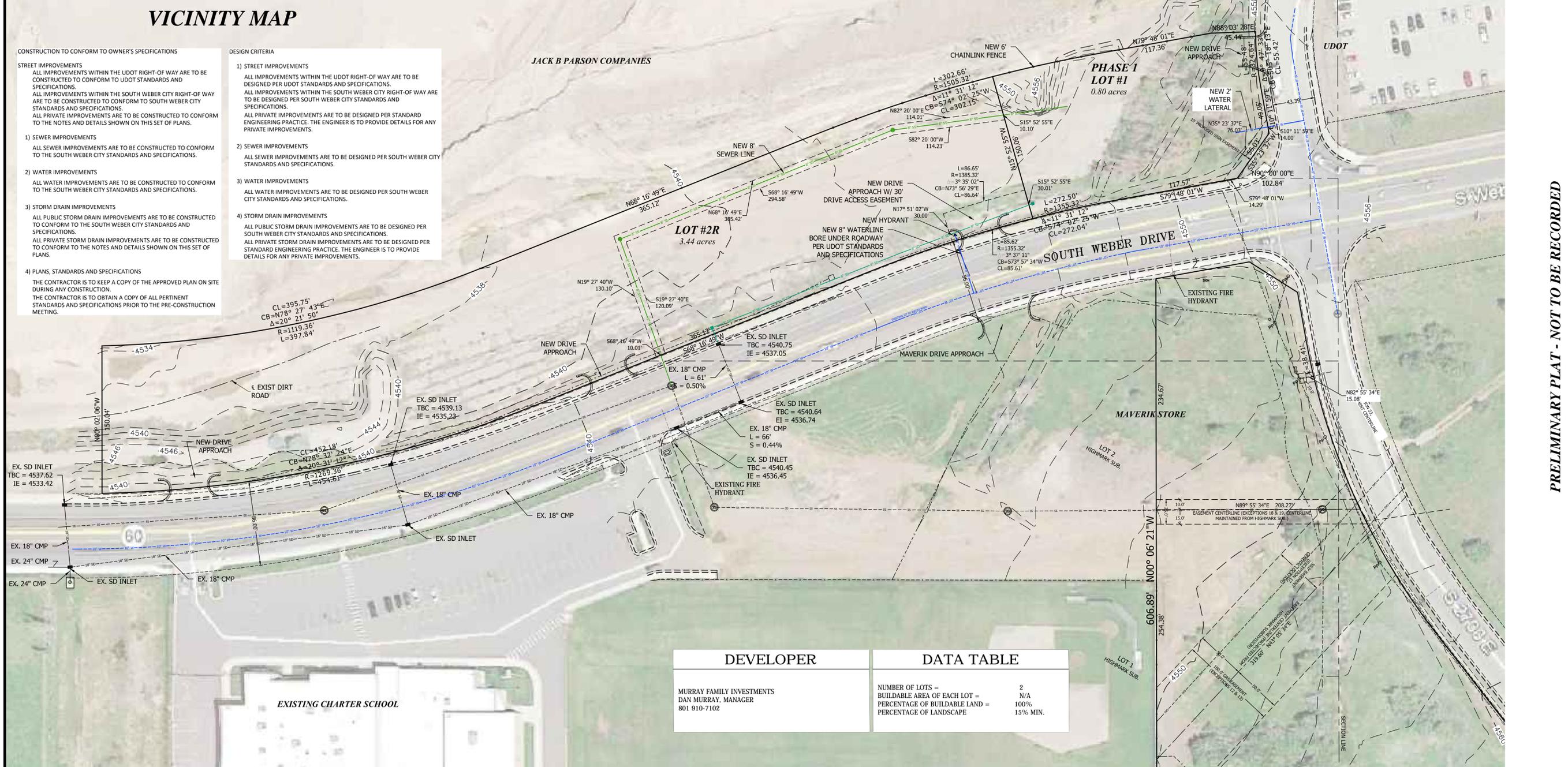
DESIGN CRITERIA

1) STREET IMPROVEMENTS
 ALL IMPROVEMENTS WITHIN THE UDOT RIGHT-OF-WAY ARE TO BE DESIGNED PER UDOT STANDARDS AND SPECIFICATIONS.
 ALL IMPROVEMENTS WITHIN THE SOUTH WEBER CITY RIGHT-OF-WAY ARE TO BE DESIGNED PER SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.
 ALL PRIVATE IMPROVEMENTS ARE TO BE DESIGNED PER STANDARD ENGINEERING PRACTICE. THE ENGINEER IS TO PROVIDE DETAILS FOR ANY PRIVATE IMPROVEMENTS.

2) SEWER IMPROVEMENTS
 ALL SEWER IMPROVEMENTS ARE TO BE DESIGNED PER SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.

3) WATER IMPROVEMENTS
 ALL WATER IMPROVEMENTS ARE TO BE DESIGNED PER SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.

4) STORM DRAIN IMPROVEMENTS
 ALL PUBLIC STORM DRAIN IMPROVEMENTS ARE TO BE DESIGNED PER SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.
 ALL PRIVATE STORM DRAIN IMPROVEMENTS ARE TO BE DESIGNED PER STANDARD ENGINEERING PRACTICE. THE ENGINEER IS TO PROVIDE DETAILS FOR ANY PRIVATE IMPROVEMENTS.



PRELIMINARY PLAT - NOT TO BE RECORDED

181 North 200 West, Suite #4
 Bountiful, Utah 84010
 Phone 801-298-2236
 Fax 801-298-5983



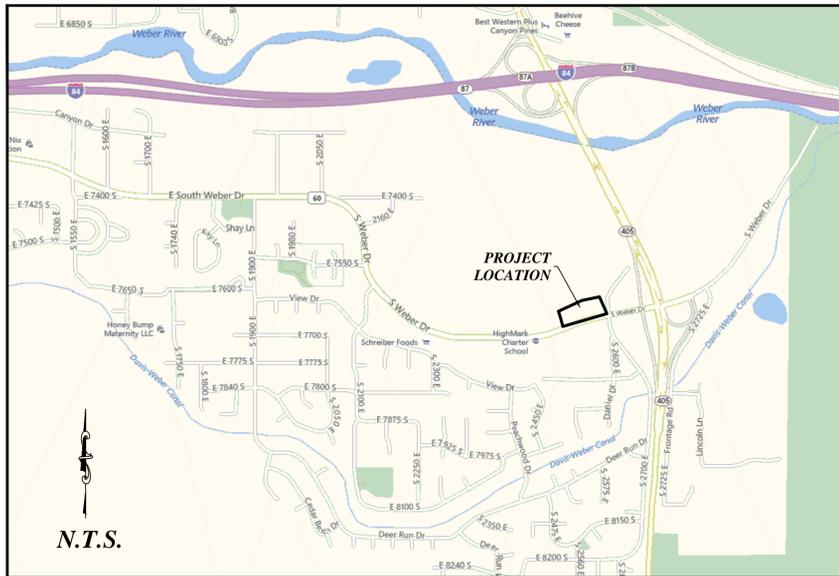
PRELIMINARY
NOT FOR
CONSTRUCTION

SOUTH WEBER DRIVE COMMERCIAL SUBDIVISION

PRELIMINARY PLAT
 STREET ADDRESS
 PARCELS LOCATED IN THE NW 1/4 OF SECTION 36 AND THE NE 1/4 OF SECTION 35, T.5N., R.1W., S.1R. & M. SOUTH WEBER CITY, DAVIS COUNTY, UTAH

DEVELOPER	DATA TABLE								
MURRAY FAMILY INVESTMENTS DAN MURRAY, MANAGER 801 910-7102	<table border="1"> <tr> <td>NUMBER OF LOTS =</td> <td>2</td> </tr> <tr> <td>BUILDABLE AREA OF EACH LOT =</td> <td>N/A</td> </tr> <tr> <td>PERCENTAGE OF BUILDABLE LAND =</td> <td>100%</td> </tr> <tr> <td>PERCENTAGE OF LANDSCAPE =</td> <td>15% MIN.</td> </tr> </table>	NUMBER OF LOTS =	2	BUILDABLE AREA OF EACH LOT =	N/A	PERCENTAGE OF BUILDABLE LAND =	100%	PERCENTAGE OF LANDSCAPE =	15% MIN.
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DRAWN BY	BC	DATE	1/25/2016
APPROVED	STA	DATE	1/25/2016
REV.	BY	DATE	01/27/2016
	JH		
SHEET			
Cprelim plat - 1			
SHEET NAME			
PRELIMINARY PLAT			
DRAWING NAME			
SITE PLAN - rev 17			
PROJECT NO.			
1074002			



N.T.S.

VICINITY MAP

CONSTRUCTION TO CONFORM TO OWNER'S SPECIFICATIONS

STREET IMPROVEMENTS
 ALL IMPROVEMENTS WITHIN THE UDOT RIGHT-OF-WAY ARE TO BE CONSTRUCTED TO CONFORM TO UDOT STANDARDS AND SPECIFICATIONS.
 ALL IMPROVEMENTS WITHIN THE SOUTH WEBER CITY RIGHT-OF-WAY ARE TO BE CONSTRUCTED TO CONFORM TO SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.
 ALL PRIVATE IMPROVEMENTS ARE TO BE CONSTRUCTED TO CONFORM TO THE NOTES AND DETAILS SHOWN ON THIS SET OF PLANS.

1) SEWER IMPROVEMENTS

ALL SEWER IMPROVEMENTS ARE TO BE CONSTRUCTED TO CONFORM TO THE SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.

2) WATER IMPROVEMENTS

ALL WATER IMPROVEMENTS ARE TO BE CONSTRUCTED TO CONFORM TO THE SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.

3) STORM DRAIN IMPROVEMENTS

ALL PUBLIC STORM DRAIN IMPROVEMENTS ARE TO BE CONSTRUCTED TO CONFORM TO THE SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.
 ALL PRIVATE STORM DRAIN IMPROVEMENTS ARE TO BE CONSTRUCTED TO CONFORM TO THE NOTES AND DETAILS SHOWN ON THIS SET OF PLANS.

4) PLANS, STANDARDS AND SPECIFICATIONS

THE CONTRACTOR IS TO KEEP A COPY OF THE APPROVED PLAN ON SITE DURING ANY CONSTRUCTION.
 THE CONTRACTOR IS TO OBTAIN A COPY OF ALL PERTINENT STANDARDS AND SPECIFICATIONS PRIOR TO THE PRE-CONSTRUCTION MEETING.

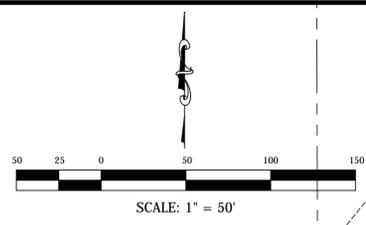
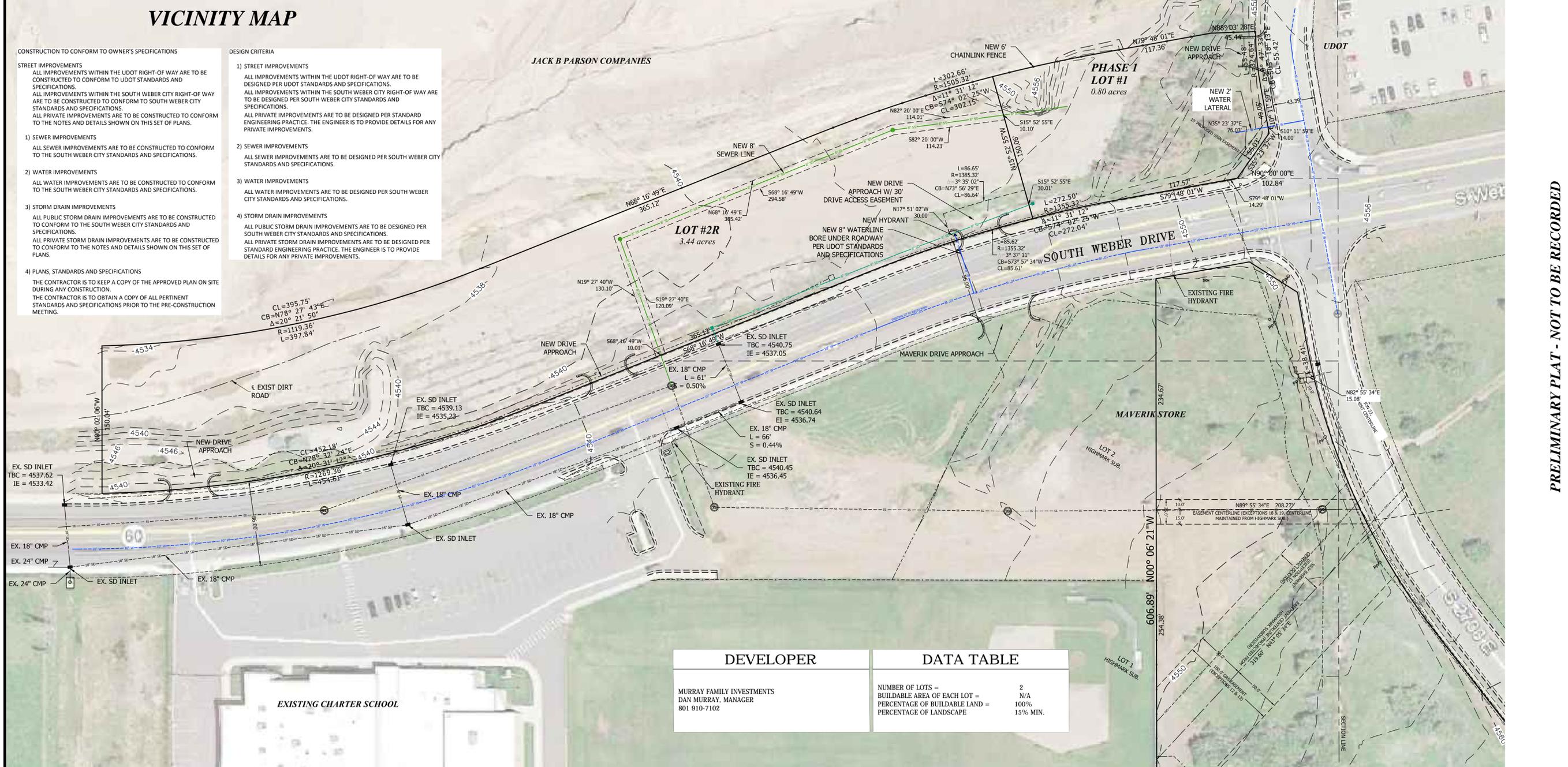
DESIGN CRITERIA

1) STREET IMPROVEMENTS
 ALL IMPROVEMENTS WITHIN THE UDOT RIGHT-OF-WAY ARE TO BE DESIGNED PER UDOT STANDARDS AND SPECIFICATIONS.
 ALL IMPROVEMENTS WITHIN THE SOUTH WEBER CITY RIGHT-OF-WAY ARE TO BE DESIGNED PER SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.
 ALL PRIVATE IMPROVEMENTS ARE TO BE DESIGNED PER STANDARD ENGINEERING PRACTICE. THE ENGINEER IS TO PROVIDE DETAILS FOR ANY PRIVATE IMPROVEMENTS.

2) SEWER IMPROVEMENTS
 ALL SEWER IMPROVEMENTS ARE TO BE DESIGNED PER SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.

3) WATER IMPROVEMENTS
 ALL WATER IMPROVEMENTS ARE TO BE DESIGNED PER SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.

4) STORM DRAIN IMPROVEMENTS
 ALL PUBLIC STORM DRAIN IMPROVEMENTS ARE TO BE DESIGNED PER SOUTH WEBER CITY STANDARDS AND SPECIFICATIONS.
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PRELIMINARY PLAT - NOT TO BE RECORDED

181 North 200 West, Suite #4
 Bountiful, Utah 84010
 Phone 801-298-2236
 Fax 801-298-5983



PRELIMINARY
NOT FOR
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SOUTH WEBER DRIVE COMMERCIAL SUBDIVISION

PRELIMINARY PLAT
 STREET ADDRESS
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Proposed Code Amendments:

10.03.050 (c) Powers And Duties

C. Public Hearings; Reports And Recommendations: For purposes of holding public hearings, the Planning Commission is recognized as the Land Use Authority for South Weber City, as defined by Utah State Code (UCA) 10-9a-103(24). The Planning Commission shall hold public hearings for the general plan, subdivision plats and ordinances, zoning map changes, and/or any other land use ordinances, applications, and amendments, as required by UCA 10-9a-103; 10-9a-404, 502, 503, 602, and 608, or as otherwise required. The planning commission may hold public hearings and shall do so as required by law. It may make reports and recommendations relating to the plan and development of the city to public officials and agencies, other organizations and citizens. It may recommend to the executive or legislative officials programs for public improvements. The Planning Commission may also hold additional public hearings as deemed necessary by the City. It may make reports and recommendations relating to the plan and development of the City to public officials and agencies, other organizations and citizens. It may recommend to the executive or legislative officials programs for public improvements. The City Council shall not hold any public hearing for any land use ordinances, applications, or amendments unless specifically required by: (1) state law; or (2) a procedural motion approved by the City Council.

11.02.010(b)(3) & (5) General Responsibilities

3. Planning Commission: For purposes of holding public hearings, the Planning Commission is recognized as the Land Use Authority for South Weber City, as defined by Utah State Code (UCA) 10-9a-103(24). The Planning Commission shall hold public hearings for the general plan, subdivision plats and ordinances, zoning map changes, and/or any other land use ordinances, applications, and amendments, as required by UCA 10-9a-103; 10-9a-404, 502, 503, 602, and 608, or as otherwise required. The Planning Commission may also hold additional public hearings as deemed necessary by the City. The planning commission shall act as an advisory body to the city council. It is charged with making investigations, reports and recommendations on proposed subdivisions as to their conformance to the general plan and land use title, and other pertinent documents. The planning commission shall recommend approval, approval with conditions or disapproval of the proposed subdivision plans to the city council.

5. City Council: The city council has final jurisdiction in the approval of subdivision plans; the establishment of requirements for, and design standards of, public improvements; and the acceptance of lands and public improvements that may be proposed for dedication. ~~The city council shall hold a public hearing on the proposed subdivision recommended to it by the planning commission. The city council shall provide reasonable notice of the public hearing as required by state law.~~ The City Council shall not hold any public hearing for any land use ordinances, applications, or amendments unless specifically required by: (1) state law; or (2) a procedural motion approved by the City Council. If required to hold a public hearing, the City Council shall provide reasonable notice of the public hearing as required by state law. If the city council rejects or modifies a proposed subdivision, it may provide suggestions to the planning commission for its consideration.

Adding:

1.05.060 (H) Public Hearings

H. The City Council shall not hold any public hearing for any resolutions, ordinances, applications, amendments, or other agenda items unless specifically required by: (1) state law; or (2) a procedural motion approved by the City Council.