

Welcome to

Garden City

Utah

Where Families Play

After recording mail to:

Town of Garden City

PO Box 207

Garden City, Utah 84028

TOWN OF GARDEN CITY

TERMINATION OF ENCUMBRANCE AGREEMENT AND COVENANT TO RUN WITH THE LAND

ON THIS 20th DAY OF FEBRUARY, 2019 COMES NOW the Town of Garden City, a Class 4 municipality, acting by and through its duly appointed Mayor, (hereinafter known as the "town"), and Carmen and Connie Vella, resident of the Town of Garden City, Utah (hereinafter known as the "owner") and owner of certain real property in the Town of Garden City, Rich County state of Utah, known generally as 41-17-030-0028, 41-17-030-0029, 41-17-030-0030, 41-17-030-0031, 41-17-030-0032, and 41-17-030-0033 and more particularly described as follows:

Parcel #1: LOT 28, RASPBERRY PATCH ESTATES UNIT #2
Parcel #2: LOT 29, RASPBERRY PATCH ESTATES UNIT #2
Parcel #3: LOT 30, RASPBERRY PATCH ESTATES UNIT #2
Parcel #4: LOT 31, RASPBERRY PATCH ESTATES UNIT #2
Parcel #5: LOT 32, RASPBERRY PATCH ESTATES UNIT #2
Parcel #6: LOT 33, RASPBERRY PATCH ESTATES UNIT #2
(hereinafter known as "property").

Owner is desirous of releasing the Encumbrance Agreement and Covenant to run with the land (hereinafter known as "covenant") which was recorded October 28, 2010 filing no. 80630, in book A11, page 1962, in the office of the Recorder of Rich County, Utah. Owners hereby request this Termination of Encumbrance Agreement and Covenant to Run with the Land (hereinafter known as "termination") as follows:

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

WHEREAS, the covenant was presented to the Garden City Town Council and approved by a unanimous vote of the Council; and

WHEREAS, the owner is desirous of utilizing his land and improvements in a manner not allowed by the stipulations of the covenant; and

P.O. Box 207 • 69 North Paradise Parkway • Garden City, Utah 84028

Phone: (435) 946-2901 • Fax (435) 946-8852

Email: townofgardenclty@gmail.com • Website: www.gardencityut.us

Termination of Covenant to run with the land
Carmen and Connie Vella
February 21, 2019
Page 2

WHEREAS, the town is willing to grant the termination of covenant based on an inspection of the property made by to determine the property is in conformity with the Garden City ordinances or statutes on the date listed;

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

To Terminate the Encumbrance Agreement and Covenant to Run with the Land, granted to Connie & Richard Weber October 28, 2010 filing no. 80630, in book A11, page 1962, in the office of the Recorder of Rich County, Utah.

DATED this 21st day of February, 2019.

APPROVED:

Attest:

Mike Leonhardt, Mayor

Kathy Hislop, Town Clerk/Recorder

Connie Vella, Owner

Carmen Vella, Owner

State of Utah)

)§

County of Rich)

On the _____ day of _____, 2019, personally appeared before me Connie Vella who duly acknowledged to me that he executed the same.

Notary

State of Utah)

)§

County of Rich)

On the _____ day of _____, 2019, personally appeared before me Connie Vella who duly acknowledged to me that he executed the same.

Notary

**Application for Project Review
Garden City, Utah**

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

Type of Application (check all that apply):

- ☐ Annexation
- ☐ Appeal
- ☐ Conditional Use Permit
- ☐ Condominium/Townhouse
- ☒ Encumbrance - Uh
- ☐ Extension of Time

- ☐ Lot Split/Lot Line Adjustment
- ☐ PUD Conceptual
- ☐ PUD Phase Approval/Preliminary or Final
- ☐ PRUD Conceptual
- ☐ PRUD Phase Approval/Preliminary or Final
- ☐ Subdivision
- ☐ Vacation of Subdivision
- ☐ Variance
- ☐ Water Transfer
- ☐ Zone Change
- ☐ Other Land Use Permit _____

Ordinance Reference:

11A-301
11B-400
11C-500
11E-524 or 11E-525

Subdivision 11E-503/PUD or PRUD
11F-107-A-2
11E-506
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11E-100
11E-523
11B-308
13A-1300

Project Name: Vella Connie Current Zone: Ros Proposed Zone: _____

Property Address: 588 Raspberry Patch Rd GC UT 84028

Parcel # _____ - see attached

Contact Person: Burt Carlisle Phone #: 435-590-7901

E-mail address: CSC@burt@gmail.com

Mailing Address: PO Box 647 Garden City

Applicant (if different): Burt Carlisle Phone #: 435-590-7901

Mailing Address: Same

Property Owner of Record (if different): Vella Connie Phone #: 801-557-5039

Mailing Address: PO Box 647

Project Start date: 4-1-19 Completion date: 4/1/20

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

Un-Encumbrance For the Six lots
#28 #29 #30 #31 #32 #33
To be Un Encumbered

Lot Size in acres or square feet: 2^{acres} Number of dwellings or lots: 6

Non-residential building size: _____

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

[Signature] CSCH
Signature of Applicant

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

[Signature]
Signature of Owner of Record

Connie Vella
Signature of Owner of Record

Signature of Owner of Record

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

31, 32, 33 to be encumbered

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Town of Garden City
PO Box 207
Garden City, Utah 84028

TOWN OF GARDEN CITY

Covenant to run with the land

ON THIS 21st DAY OF FEBRUARY, 2019 COMES NOW the Town of Garden City, a Class 4 municipality, acting by and through its duly appointed Mayor, (hereinafter known as the "town") and Carmen & Connie Vella, property owner in the Town of Garden City, Utah (hereinafter known as the "owners") and owners of certain real property in the Town of Garden City, Rich County, State of Utah, known generally as 41-17-030-0028, 41-17-030-0029, and 41-17-030-0030, more particularly described as follows:

Parcel #1: LOT 28, RASPBERRY PATCH ESTATES UNIT #2
Parcel #2: LOT 29, RASPBERRY PATCH ESTATES UNIT #2
Parcel #3: LOT 30, RASPBERRY PATCH ESTATES UNIT #2

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

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

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

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

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

For and in consideration the encumbrance permit granted by the town, owners, their successors in interest heirs or assigns, covenant and irrevocably agree that the above described 3

parcels of real property shall remain in common ownership of the owners or their successors in interest heirs or assigns and shall not, under any circumstances so long as the encumbrance permit shall be effective, be sold separately or for any reason shall one parcel be segregated from ownership interest of the other parcel. In the event that such segregation or separate ownership shall occur, the owner of parcel 1, 2 and 3 as described above, covenants and agrees to forthwith demolish and remove from the property any and all structures not in conformance with the Garden City Ordinances or regulations at the time of the segregation or separation. The structures not in conformance with the Garden City Ordinances or requirements at the time of the segregation or separation will be removed or demolished within 30 days of any such segregation of ownership.

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

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

Covenant to run with the land
Carmen & Connie Vella
February 21, 2019
Page 3

DATED this 21st day of February, 2019.

APPROVED:

Attest:

Mike Leonhardt, Mayor

Kathy Hislop, Town Clerk

Connie Vella, Owner

Carmen Vella, Owner

State of Utah)

County of _____)

On the _____ day of _____, 2019, personally appeared before me, _____
who duly acknowledged to me that he executed the same.

Notary

State of Utah)

County of _____)

On the _____ day of _____, 2019, personally appeared before me, _____
who duly acknowledged to me that he executed the same.

Notary

**Application for Project Review
Garden City, Utah**

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

Type of Application (check all that apply):

- ☐ Annexation
- ☐ Appeal
- ☐ Conditional Use Permit
- ☐ Condominium/Townhouse
- ☒ Encumbrance
- ☐ Extension of Time

- ☐ Lot Split/Lot Line Adjustment
- ☐ PUD Conceptual
- ☐ PUD Phase Approval/Preliminary or Final
- ☐ PRUD Conceptual
- ☐ PRUD Phase Approval/Preliminary or Final
- ☐ Subdivision
- ☐ Vacation of Subdivision
- ☐ Variance
- ☐ Water Transfer
- ☐ Zone Change
- ☐ Other Land Use Permit _____

Ordinance Reference:

11A-301
11B-400
11C-500
11E-524 or 11E-525

Subdivision 11E-503/PUD or PRUD
11F-107-A-2
11E-506
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11E-100
11E-523
11B-308
13A-1300

Project Name: Vella Connie Current Zone: Res Proposed Zone: _____

Property Address: 588 W Raspberry Patch Rd Harbor Village

Parcel # _____ - _____ - _____ See Attached

Contact Person: Burt Carlisle Phone #: 435-590-7901

E-mail address: LSC.H.burt@gmail.com

Mailing Address: PO Box 647 Garden City UT 84028

Applicant (if different): _____ Phone #: _____

Mailing Address: _____

Property Owner of Record (if different): Connie & Armen Vella Phone #: 801-557-5039

Mailing Address: P O Box 647 Garden City UT

Project Start date: 4-1-19 Completion date: 4-1-20

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

Encumbrance of Lots #28 #29
#30 of 588 West Raspberry Patch
Rd.

Lot Size in acres or square feet: 1 acre Number of dwellings or lots: 3

Non-residential building size: _____

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

[Signature] [Signature] CSC#
Signature of Applicant

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

[Signature]
Signature of Owner of Record

[Signature]
Signature of Owner of Record

Signature of Owner of Record

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

31, 32, 33 to Be encumbered



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PO Box 207
Garden City, Utah 84028

TOWN OF GARDEN CITY

Covenant to run with the land

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Parcel #1: LOT 31, RASPBERRY PATCH ESTATES UNIT #2
Parcel #2: LOT 32, RASPBERRY PATCH ESTATES UNIT #2
Parcel #3: LOT 33, RASPBERRY PATCH ESTATES UNIT #2

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

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

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

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

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

For and in consideration the encumbrance permit granted by the town, owners, their successors in interest heirs or assigns, covenant and irrevocably agree that the above described 3

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Email: townofgardencity@gmail.com • Website: www.gardencityut.us

parcels of real property shall remain in common ownership of the owners or their successors in interest heirs or assigns and shall not, under any circumstances so long as the encumbrance permit shall be effective, be sold separately or for any reason shall one parcel be segregated from ownership interest of the other parcel. In the event that such segregation or separate ownership shall occur, the owner of parcel 1, 2 and 3 as described above, covenants and agrees to forthwith demolish and remove from the property any and all structures not in conformance with the Garden City Ordinances or regulations at the time of the segregation or separation. The structures not in conformance with the Garden City Ordinances or requirements at the time of the segregation or separation will be removed or demolished within 30 days of any such segregation of ownership.

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

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

Covenant to run with the land
Carment & Connie Vella
February 21, 2019
Page 3

DATED this 21st day of February, 2019.

APPROVED:

Attest:

Mike Leonhardt, Mayor

Kathy Hislop, Town Clerk

Connie Vella, Owner

Carmen Vella, Owner

State of Utah)

County of _____)

On the _____ day of _____, 2019, personally appeared before me, _____
who duly acknowledged to me that he executed the same.

Notary

State of Utah)

County of _____)

On the _____ day of _____, 2019, personally appeared before me, _____
who duly acknowledged to me that he executed the same.

Notary

Application for Project Review Garden City, Utah

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

Type of Application (check all that apply):

- ☐ Annexation
- ☐ Appeal
- ☐ Conditional Use Permit
- ☐ Condominium/Townhouse
- ☒ Encumbrance
- ☐ Extension of Time

- ☐ Lot Split/Lot Line Adjustment
- ☐ PUD Conceptual
- ☐ PUD Phase Approval/Preliminary or Final
- ☐ PRUD Conceptual
- ☐ PRUD Phase Approval/Preliminary or Final
- ☐ Subdivision
- ☐ Vacation of Subdivision
- ☐ Variance
- ☐ Water Transfer
- ☐ Zone Change
- ☐ Other Land Use Permit _____

Ordinance Reference:

11A-301
11B-400
11C-500
11E-524 or 11E-525

Subdivision 11E-503/PUD or PRUD
11F-107-A-2
11E-506
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11E-100
11E-523
11B-308
13A-1300

Project Name: Carmen + Connie Vella Current Zone: _____ Proposed Zone: _____

Property Address: 578 Raspberry Patch Rd

Parcel # _____ - _____ - _____ - _____

Contact Person: Burt Carlisle Phone #: 435-590-7901

E-mail address: commonsensecustomhomes@gmail.com

Mailing Address: PO Box 647 Garden City UT 84028

Applicant (if different): _____ Phone #: _____

Mailing Address: _____

Property Owner of Record (if different): Connie Vella Phone #: _____

Mailing Address: P0 Box 647

Project Start date: 4-11-19 Completion date: 4-1-2020

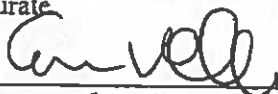
Describe the proposed project as it should be presented to the hearing body and in the public notices.

Approx 4000 Sq Ft Single Family
Dwelling upper floor Main
walk out Basement

Lot Size in acres or square feet: Approx 1 acre Number of dwellings or lots: 3 Lots

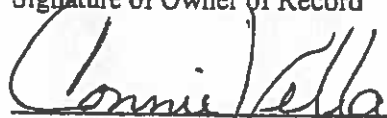
Non-residential building size: N/A

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


Signature of Applicant

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


Signature of Owner of Record


Signature of Owner of Record

Signature of Owner of Record

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

31, 32, 33 to Be encumbered



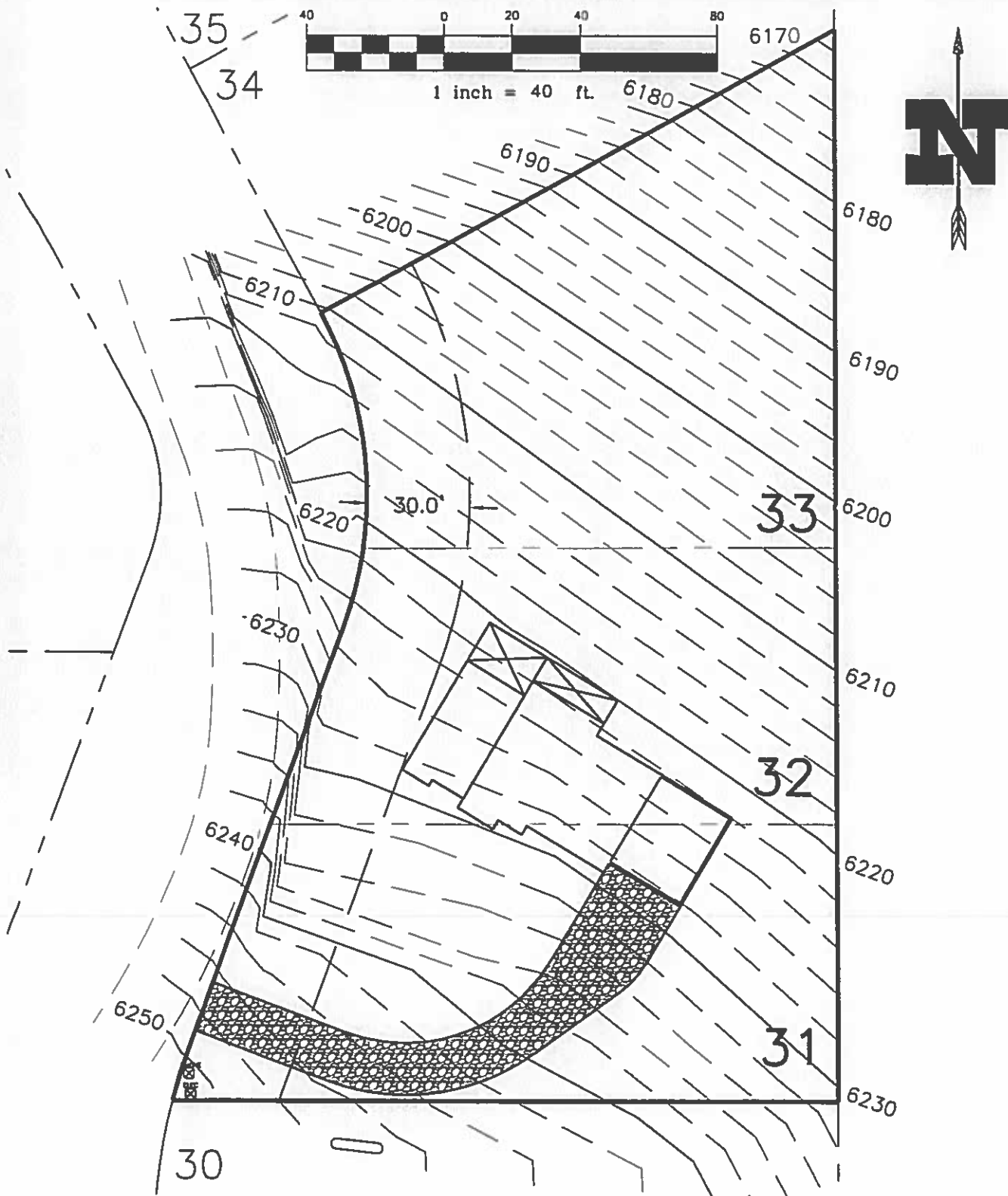
JSH



SURVEYING & DRAFTING INC.

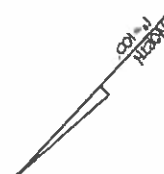
P.O. BOX 300 • WELLSVILLE, UTAH 84339

(435) 245-9090 • FAX (435) 245-9669 • MOBILE (435) 757-0085 • UTAH & IDAHO TOLL FREE 1-888-420-0268



1/1 1385

11/11/19



RAT No. _____
 Book _____ Page _____



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Garden City

Utah

Where Families Play

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Town of Garden City
PO Box 207
Garden City, Utah 84028

TOWN OF GARDEN CITY

Covenant to run with the land

ON THIS 21st DAY OF FEBRUARY, 2019 COMES NOW the Town of Garden City, a Class 4 municipality, acting by and through its duly appointed Mayor, (hereinafter known as the "town") and, Robert Argyle and Cynthia Argyle, property owner in the Town of Garden City, Utah (hereinafter known as the "owners") and owners of certain real property in the Town of Garden City, Rich County, State of Utah, known generally as 41-17-050-0050 and 41-17-050-0051, more particularly described as follows:

PARCEL #1: LOT 50, RASPBERRY PATCH ESTATES UNIT #IV

PARCEL #2: LOT 51, RASPBERRY PATCH ESTATES UNIT #IV

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

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

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

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

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

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

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Phone: (435) 946-2901 • Fax (435) 946-8852

Email: townofgardencity@gmail.com • Website: www.gardencityut.us

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

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4. THAT SHOULD THIS COVENANT have to be enforced, requiring the services of an attorney, either in Court, or in any administrative proceedings or otherwise, the Town shall be entitled to recover against the owners, or their successors, assigns, or heirs a reasonable attorney's fee for the enforcement of the covenant herein, as well as all costs and fees incurred therein.

5. OWNER, HIS HEIRS, SUCCESSORS IN INTEREST OR ASSIGNS promise to abide by the covenant and understand that the failure to abide by this covenant shall, be grounds for the Town to revoke the conditional use permit in addition to all other remedies, granted by the Town upon 10 days written notice to the property owners. Thereafter, the Town may enforce strict compliance with its land use planning and other ordinance allowable at law, and no claim or waiver estoppel shall apply as against the Town.

Covenant to run with the land
Robert Argyle and Cynthia Argyle
February 21, 2019
Page 3

DATED this 21st day of February, 2019.

APPROVED:

Attest:

Mike Leonhardt, Mayor

Kathy Hislop, Town Clerk

Robert Argyle, Owner

Cynthia Argyle, Owner

State of Utah)

County of _____)§

On the _____ day of _____, 2019, personally appeared before me, _____
who duly acknowledged to me that he executed the same.

Notary

State of Utah)

County of _____)§

On the _____ day of _____, 2019, personally appeared before me, _____
who duly acknowledged to me that he executed the same.

Notary

**Application for Project Review
Garden City, Utah**

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Type of Application (check all that apply):

- ☐ Annexation
- ☐ Appeal
- ☐ Conditional Use Permit
- ☐ Condominium/Townhouse
- ☒ Encumbrance
- ☐ Extension of Time

- ☐ Lot Split/Lot Line Adjustment
- ☐ PUD Conceptual
- ☐ PUD Phase Approval/Preliminary or Final
- ☐ PRUD Conceptual
- ☐ PRUD Phase Approval/Preliminary or Final
- ☐ Subdivision
- ☐ Vacation of Subdivision
- ☐ Variance
- ☐ Water Transfer
- ☐ Zone Change
- ☐ Other Land Use Permit _____

Ordinance Reference:

11A-301
11B-400
11C-500
11E-524 or 11E-525

Subdivision 11E-503/PUD or PRUD
11F-107-A-2
11E-506
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11E-100
11E-523
11B-308
13A-1300

Project Name: _____ Current Zone: _____ Proposed Zone: _____

Property Address: 688 Cambry Drive / 696 Cambry Drive, Garden City

Parcel # 41 - 17 - 050 - 0051 / 41 - 17 - 050 - 0050

Contact Person: Cindi Argyle Phone #: 435-720-1599

E-mail address: bcargyle@gmail.com

Mailing Address: 2035 S 370 W, Parry, UT 84302

Applicant (if different): Same Phone #: _____

Mailing Address: _____

Property Owner of Record (if different): Robert Argyle Phone #: 435-740-4264

Mailing Address: 2035 S 370W, Perry, UT 84302

Project Start date: Spring 2019 Completion date: Summer 2019

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

We would like to encumber the adjacent properties
in order to build a garage for the home located
on the property of 696 Cambry Drive.

14,400sf + 14,400sf = 28,800sf total
Lot Size in acres or square feet: _____ Number of dwellings or lots: 2 lots

Non-residential building size: approx. 400 sf.

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

Cynthia [Signature]
Signature of Applicant

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

[Signature]
Signature of Owner of Record

Cynthia [Signature]
Signature of Owner of Record

Signature of Owner of Record

Office Use Only

Date Received: _____

Fee: _____

By: _____

WEST

796.61'

EAST

200'

SOUTH

(6)

CADY DRIVE

OPEN SPACE

277.11'

NORTH

640'

CADY DRIVE

RECORDED

STATE OF UTAH, DAKE COUNTY

RECORDED AND FILED AT THE RECORDER OFFICE

DENNIS BULLOCK

TIME 1:32 PM.

ASSIGNED

FILE NO. 43627 Book 06 PAGE 211

DATE 03/25/93

FILED IN

Judith A. Adams

COUNTY RECORDER

STATE OF UTAH, DAIRY COUNTY
RECORDED AND FILED AT THE REQUEST OF
DENNIS BULLOCK

TIME 1:32 p.m.
ABSTRACTED _____
FILING N.O. 43627 Book 06
INDEX _____
FILED IN _____

DATE 03/25/93
FEE \$49.00
PAGE 211

Johnnie Adams
COUNTY RETURNED

Hubbard Avenue
COUNTY RECORDER

Planning Commission Comments
2-2019

RASPBERRY FARMS

Commission Member Hislop made the motion to approve the Preliminary Plat of Raspberry Farms Subdivision pending approval from the canal company along with Zan's feedback. The address changes, fire hydrants, etc. Commission Member Kurek seconded the motion. All in favor and the motion carried.

WATERDANCE RE-ZONE AND PUD DEVELOPMENT PLAT

Commission Member Kurek made the motion to table this for 30 days and for the next 7 days try to get as many questions put together as we can for Norm so that he has time to address it at the next meeting. Commission Member Stevens seconded the motion. All in favor and the motion carried. Both the Re-Zone and the Development Plan were tabled.

LONG RIDGE, PRELIMINARY PHASE I,

Commission Member Stocking made the motion to approve Phase I of Long Ridge at Bear Lake Subdivision with the notes of Zan's recommendations as amended, including Starlight Dr. needs to be 60' and cul de sac meets fire codes. Commission Member House seconded the motion. All in favor and the motion carried.

The recommendations of Zan:

- #4 – only leave in "Consider turning lots 12 and 13, 90 degrees and require screening along Persimmon Dr. for those lots and lot 11.
- #9 "No Access" be changed to "No Driveway Access".
- #C-1-2 – Take off "Consider a trail access similar to Cherimoya between parcels 10, 11 and 22."

**Application for Project Review
Garden City, Utah**

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

Type of Application (check all that apply):

- ☐ Annexation
- ☐ Appeal
- ☐ Conditional Use Permit
- ☐ Condominium/Townhouse
- ☐ Encumbrance
- ☐ Extension of Time

- ☐ Lot Split/Lot Line Adjustment
- ☐ PUD Conceptual
- ☐ PUD Phase Approval/Preliminary or Final
- ☐ PRUD Conceptual
- ☐ PRUD Phase Approval/Preliminary or Final
- ☐ Subdivision
- ☐ Vacation of Subdivision
- ☐ Variance
- ☐ Water Transfer
- ☒ Zone Change
- ☐ Other Land Use Permit _____

Ordinance Reference:

11A-301
11B-400
11C-500
11E-524 or 11E-525

Subdivision 11E-503/PUD or PRUD
11F-107-A-2
11E-506
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11E-100
11E-523
11B-308
13A-1300

Project Name: Waterdance Current Zone: C3-a Proposed Zone: PUD/PRUD.

Property Address: 185 S. 100 W.

Parcel # 41-21-400-0271

Contact Person: Norman Meacham Phone #: 435-757-6278

E-mail address: nmeacham@bearlake.com

Mailing Address: PO Box 361 Garden City UT 84028

Applicant (if different): The Lodge at Bear Lake Holdings LLC Phone #: same

Mailing Address: same

Property Owner of Record (if different): The Lodge at Bear Lake Holdings LLC Phone #: same.

Mailing Address: same

Project Start date: spring 2019 Completion date: _____

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

Zone change from C3 to PUD/PRUD.

Lot Size in acres or square feet: 15.924 acres Number of dwellings or lots: _____

Non-residential building size: _____

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

[Signature] for The Lodge at Bear Lake Holdings, LLC.

Signature of Applicant

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

[Signature] for The Lodge at Bear Lake Holdings LLC.

Signature of Owner of Record

Signature of Owner of Record

Signature of Owner of Record

Office Use Only

Date Received: 12-19-18
Fee: 600.00
By: SCM

Legal Description

Part of the Northwest Quarter of Section 21, Township 14 North, Range 5 East of the Salt Lake Base and Meridian, described as follows:

Commencing at a point which is North 00°52'25" East 131.92 feet (North 1.9 chains by record) from the Southwest Corner of the Northwest Quarter of Section 21, Township 14 North, Range 5 East of the Salt Lake Base and Meridian, said point also being the Northwest Corner of the Price Minor Subdivision; and running thence South 89°11'48" East 1167.55 feet (East 17.57 chains by record), along the North line of said Price Minor Subdivision to the West right of way line of 100 West Street; thence North 9.45 chains, more or less, along said right of way line to a point which is described by record as being North 11.35 chains and East 17.57 chains from the Southwest Corner of the Northwest Quarter of said Section 21; thence West 17.57 chains, more or less, to the West line of said Section 21 and a point which is described by record as being North 11.35 chains from the Southwest Corner of the Northwest Quarter of said Section 21; thence South 9.45 chains, more or less, along said West line to the point of beginning.

Less and Excepting therefrom any portion of the above described property lying within the bounds of 300 West Street, as described in that certain Road Dedication Plat recorded in Book G11, Page 549 in the office of the Recorder of Rich County, Utah.

Application for Project Review Garden City, Utah

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Type of Application (check all that apply):

- ☐ Annexation
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- ☐ PRUD Phase Approval/Preliminary or Final
- ☒ Subdivision
- ☐ Vacation of Subdivision
- ☐ Variance
- ☐ Water Transfer
- ☐ Zone Change
- ☐ Other Land Use Permit _____

Ordinance Reference:

11A-301
11B-400
11C-500
11E-524 or 11E-525

Subdivision 11E-503/PUD or PRUD
11F-107-A-2
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11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11E-100
11E-523
11B-308
13A-1300

Project Name: RASPBERRY FARM SUB Current Zone: C-1, C-3 Proposed Zone: _____

Property Address: 395 HIGHWAY 89

Parcel # 41 - 20 - 00 - 046

Contact Person: TED C. HOLMBERG Phone #: 801-712-7774

E-mail address: TEDC.HOLMBERG@GMAIL.COM

Mailing Address: 13974 FAIRWAY RIDGE RD, DRAPER, UTAH 84020

Applicant (if different): _____ Phone #: _____

Mailing Address: _____

Property Owner of Record (if different): LAKE SHORE LAND, LLC Phone #: 801-712-7774

Mailing Address: _____

Project Start date: APRIL 2019 Completion date: SUMMER 2019

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

4 LOT COMMERCIAL SUBDIVISION

Lot Size in acres or square feet: SEE PLAT Number of dwellings or lots: 4

Non-residential building size: _____

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

LAKE SHORE LAND, LLC
My Ted E. Helmsberg, Manager
Signature of Applicant

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

LAKE SHORE LAND, LLC
My Ted E. Helmsberg, Manager
Signature of Owner of Record

Signature of Owner of Record

Signature of Owner of Record

Office Use Only

Date Received: 1-22-19
Fee: 3540.00
By: SCM

After a season, do not forget to carry out a 100% check-up of the entire system, and to check the condition of the parts of the system. If the system is found to be in good condition, it is recommended that the system be replaced with a new one. If the system is found to be in poor condition, it is recommended that the system be replaced with a new one. If the system is found to be in poor condition, it is recommended that the system be replaced with a new one. If the system is found to be in poor condition, it is recommended that the system be replaced with a new one.

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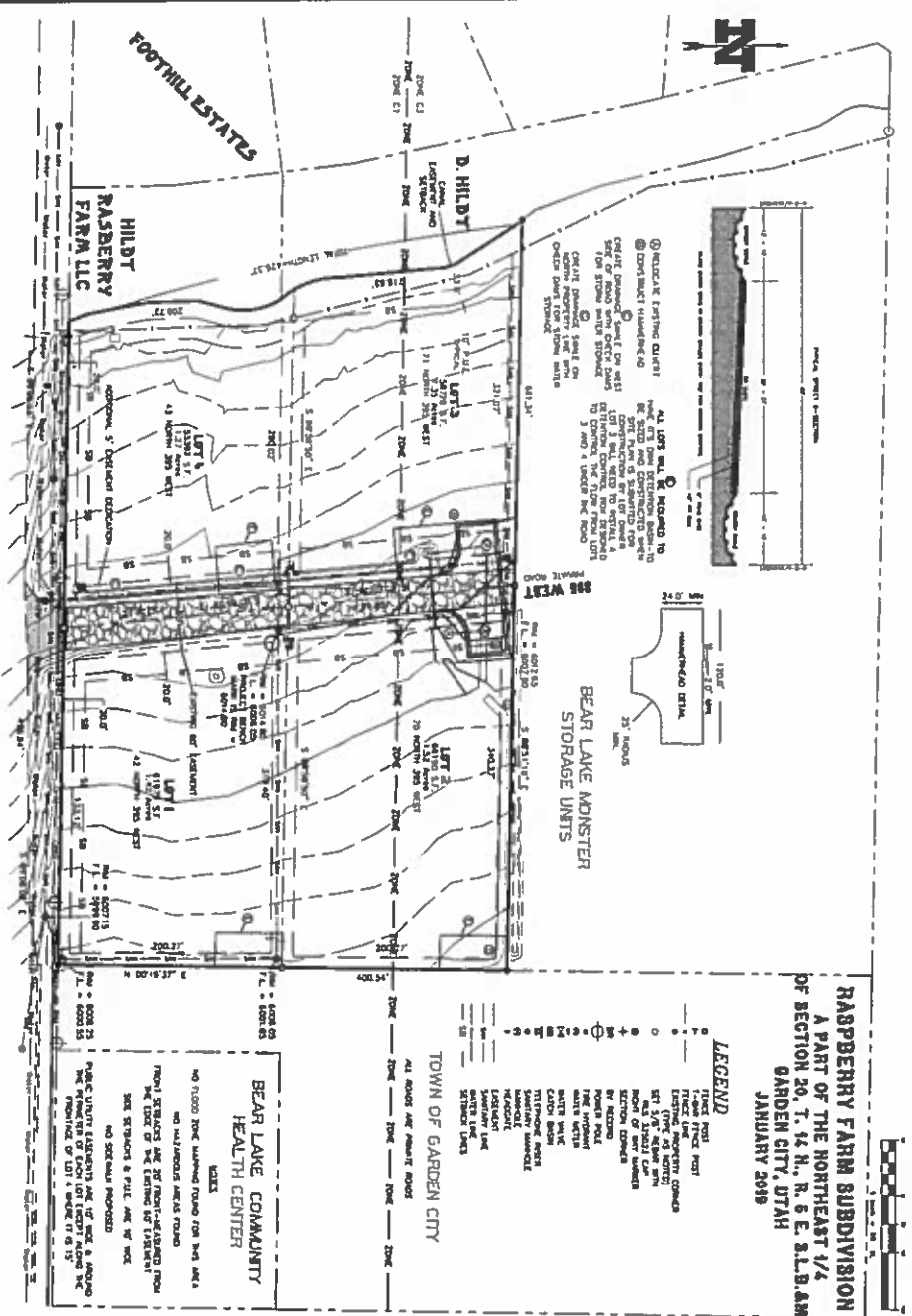
NO _____ PM of _____ A.M. 2011

[illegible]

STAFF OF THE

AND THE SAND COUNTY OF OSCEOLA IN SAND COUNTY OF MISSOURI
BE SCORED BY ME ABOVE OSCEOLA AND NOT ACKNOWLEDGED
TO ME THAT THEY SCORED IN FINELY AND POLARLY AND FOR THE
PLAYERS BETTER INTEREST.

P.O. BOX 300 • WELLSVILLE, UTAH 84339
(435) 245-8090 • TOLL FREE 1-800-420-0268



COUNTY RECORDER'S NO. _____

DATE OF DEED COUNTY OF _____ FILED _____

AND FILED AT THE OFFICE OF _____

DATE _____ TIME _____ A.M. _____

REGISTERED _____

NOTED BY FILE OF AULIS _____

_____ COUNTY RECORDER

PLANNING COMMISSION APPROVAL
by the Board of Planning and Zoning Commission Ad. Title

_____ Commission

COUNCIL APPROVAL AND ACCEPTANCE
presented by the Council on Planning and Zoning
approved and accepted Ad. Title

_____ Mayor

DEVELOPER INFORMATION

Name (Last, First, Middle)
 Title (Last, First, Middle)
 Company (Last, First, Middle)
 Address (Last, First, Middle)
 City (Last, First, Middle)
 State (Last, First, Middle)
 Zip (Last, First, Middle)

ENGINEER'S CERTIFICATE

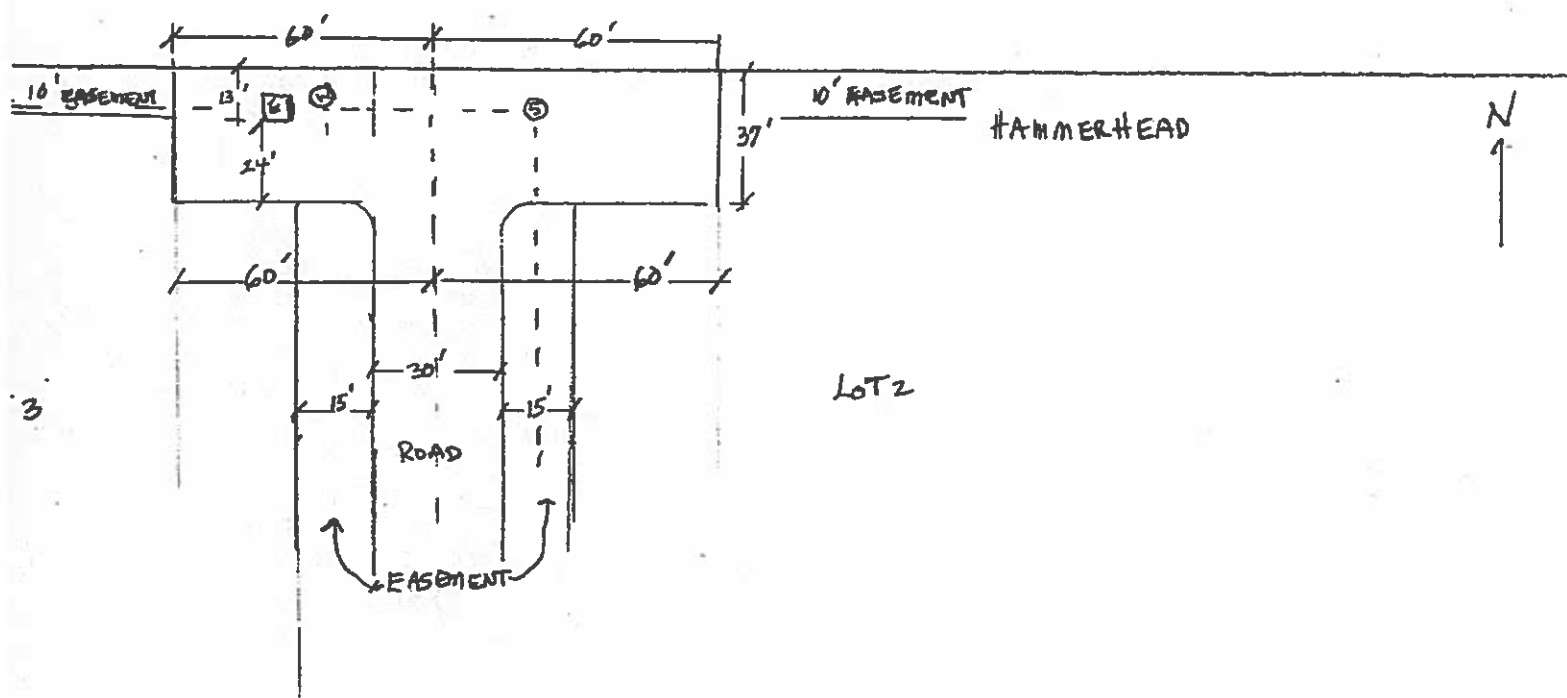
I, _____, hereby certify that _____ is a duly qualified engineer and is entitled to the use of the title of _____.

Dated _____ 19____

ROCKY M.T. POWER
 THE DOUGLASSIAN
 ACCEPTED BY ROCKY M. POWER
 DAY OF _____ A.D. 1911

APPROVING

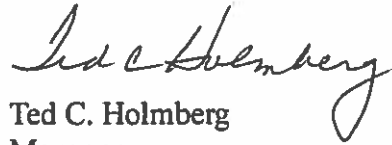
SUBVEYING & DRAFTING INC.
P.O. BOX 300 • WESTVILLE, OHIO 44339
(433) 243-0000 • TOLL FREE 1-800-420-0268



STATEMENT OF INTENDED USE

The intention of the use of the subdivision is for four commercial lots or what ever may be a use under the given zoning.

Lake Shore Land, LLC

A handwritten signature in cursive script, appearing to read "Ted C. Holmberg".

Ted C. Holmberg
Manager

SWAN CREEK CANAL COMPANY

PO BOX 499

GARDEN CITY UTAH 84028

jennysunflowers@gmail.com

President: Barry Negus Vice President: Paul Webb Secretary: Bill Cox

Board Members: Curtis Moldenhauer & Kirk Rich

Wednesday, February 13, 2019

To Whom it May Concern:

Swan Creek Canal Company is willing to grant permission to Mr. Ted Holmberg, his representative, or future property owner; to develop said property if the following items are followed:

1. All landscaping or development must be done within the allowed right of way or setbacks designated by the Swan Creek Canal Company 15' and 30' or the Town of Garden City, whichever is greater.
2. There is to be no compromising of the canal itself, or the current canal bank. The canal is not to be used as a dumping ground for any unwanted materials of any kind, playground, and rocks are not to be placed in the canal to create a dam of any sorts. The water must flow freely from May 1st – October 31st.
3. The existing trees and vegetation can stay on the canal bank, however; Swan Creek Canal Company reserves the right to come in and remove the trees or vegetation when and if they see fit.
4. No new trees or vegetation will be allowed or planted on the existing canal bank.
5. The property owner and any future property owner will be responsible for the maintenance of the canal or any tail ditch that may run through or by the property. Maintenance includes but is not limited to the following:
 - a. Keeping all debris cleaned away from the openings on both ends of a culvert to ensure easy flow of any water that may come down the canal.
 - b. All willows or any low hanging limbs from trees, or debris need to be removed to ensure free flowing of water.
6. Swan Creek Canal Company reserves the right to come on the property and perform maintenance as needed when they deem necessary.
7. All work being performed on the canal bank **MUST HAVE APPROVAL BY THE BOARD BEFORE WORK BEGINS.**

Sincerely,

Barry Negus - President

**Application for Project Review
Garden City, Utah**

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- ☐ Appeal
- ☐ Conditional Use Permit
- ☐ Condominium/Townhouse
- ☐ Encumbrance
- ☐ Extension of Time

- ☐ Lot Split/Lot Line Adjustment
- ☐ PUD Conceptual
- ☐ PUD Phase Approval/Preliminary or Final
- ☐ PRUD Conceptual
- ☐ PRUD Phase Approval/Preliminary or Final
- ☒ Subdivision
- ☐ Vacation of Subdivision
- ☐ Variance
- ☐ Water Transfer
- ☐ Zone Change
- ☐ Other Land Use Permit _____

Ordinance Reference:

11A-301
11B-400
11C-500
11E-524 or 11E-525

Subdivision 11E-503/PUD or PRUD
11F-107-A-2
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11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11C-1950, 11E-100, and 11F-100
11E-100
11E-523
11B-308
13A-1300

Project Name: Long Ridge @ Bear Lake Phase 1 Current Zone: RR Proposed Zone: Same

Property Address: Approx 300-400 W. 1400-1500 S., Garden City, UT

Parcel # 41-32-00-0005

Contact Person: Jeffrey Jorgensen Cell Phone #: 435-881-1999

E-mail address: jeffjorg2@gmail.com

Mailing Address: 1069 E. 2100 N., North Logan, UT 84341

Applicant (if different): _____ Phone #: _____

Mailing Address: _____

Property Owner of Record (if different): John K. Hansen & Norren Beck Hansen Family Trust Phone #: _____
Co-Trustees - Randall Hansen 435-881-1343
Bonnie H. Jorgensen 435-757-7674

Co-Trustees
Randall Hansen
1359 S. Bear Lake Blvd

Mailing Address: Garden City, UT 84028

Bonnie H. Jorgensen
1069 E. 2100 N.
North Logan, UT 84301

Project Start date: Spring 2019 Completion date: Fall 2019

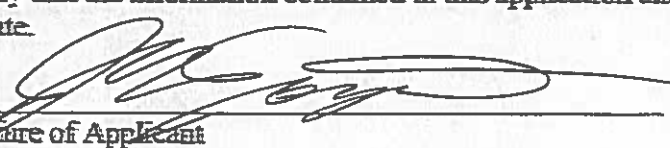
Describe the proposed project as it should be presented to the hearing body and in the public notices.

Subdivision of first phase of Long Ridge at
Bear Lake. Parcel # 41-32-000-0005 - about
39 acres total, this subdivides about 1/3 of it.
Intended use, residential homes.

Lot Size in acres or square feet: 12.64^{ac} Number of dwellings or lots: 13 lots

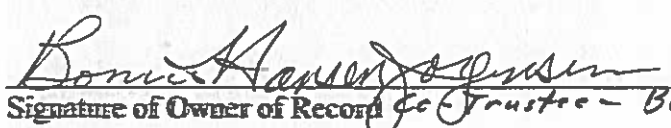
Non-residential building size: N/A

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


Signature of Applicant

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


Signature of Owner of Record Co-Trustee - Randall Hansen


Signature of Owner of Record Co-Trustee - Bonnie H. Hansen Jorgensen

Signature of Owner of Record

Office Use Only

Date Received: 3/16/19
Fee: 1-23-19
By: SCM

3000.00 dep.
630.00 prelim. plat
186.00 engineering

EXHIBIT C

Lands to be Dedicated to City
(Highlighted in white)

