



TO: Mayor and City Council

FROM: Matthew J. Dixon, City Manager

RE: September 17, 2019 Council Meeting

WORK SESSION

- **South Ogden Days** – Ember Herrick, Special Events Coordinator, will be sharing information she’s gathered from the various departments regarding the 2019 South Ogden Days event. She will then be very interested to learn how you felt as a city council and what, if any, ideas do you have regarding changes, improvements, etc. you’d like her to be aware of for the 2020 event.

DISCUSSION/ACTION ITEMS

- **Ordinance 19-11 – Authorizing the conveyance of an underground easement at approximately 4101 Palmer Drive.** On January 15, 2019 the council approved Resolution 18-53 allowing AT&T the ability to construct a cell tower at Club Heights Park. Since that time, AT&T has been working to get the new tower installed. This ordinance approves an easement to allow Rocky Mountain Power the ability to bring power to the tower. This easement has been reviewed by staff and it is recommended for council approval. As an aside, AT&T recently remitted \$150,000 for the city’s installation of new lights for the Club Heights Park. Staff will now be moving forwarding in gathering bids and preparing for the installation of these lights.

E mdixon@southogdencity.com

O 801-622-2702

F 801-622-2713

3950 Adams Ave. Suite 1

South Ogden City, UT 84403

SouthOgdenCity.com



**NOTICE AND AGENDA
SOUTH OGDEN CITY COUNCIL
PRE-COUNCIL WORK SESSION**

TUESDAY, SEPTEMBER 17, 2019

PRE-COUNCIL WORK SESSION – 5 PM

REGULAR COUNCIL MEETING - 6 PM

Notice is hereby given that the South Ogden City Council will hold a pre-council work session beginning at 5 pm Tuesday, September 17, 2019, in the EOC located at 3950 Adams Avenue, South Ogden, Utah. No action can or will be taken on any items discussed during pre-council work sessions. Discussion of agenda items is for clarification only.

PRE-COUNCIL WORK SESSION AGENDA

I. CALL TO ORDER – Mayor Russell Porter

II. REVIEW OF AGENDA

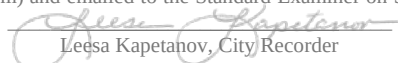
III. DISCUSSION ITEMS

A. South Ogden Days 2019 Debrief

IV. ADJOURN

Posted to the State of Utah Website September 13, 2019.

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted at the Municipal Center (1st and 2nd floors), on the City's website (southogdencity.com) and emailed to the Standard Examiner on September 13, 2019. Copies were also delivered to each member of the governing body.


Leesa Kapetanov, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-622-2709 at least 48 hours in advance.



NOTICE AND AGENDA SOUTH OGDEN CITY COUNCIL MEETING

TUESDAY, SEPTEMBER 17, 2019

PRE-COUNCIL WORK SESSION – 5 PM

REGULAR COUNCIL MEETING - 6 PM

Notice is hereby given that the South Ogden City Council will hold their regularly scheduled City Council Meeting, Tuesday, September 17, 2019, beginning at 6:00 p.m. in the Council Chambers located at 3950 So. Adams Avenue, South Ogden, Utah. Any member of the council may be joining the meeting electronically.

CITY COUNCIL MEETING AGENDA

I. OPENING CEREMONY

- A. **Call to Order** – Mayor Russell Porter
- B. **Prayer/Moment of Silence** -
- C. **Pledge of Allegiance** – Council Member Mike Howard

- II. **PUBLIC COMMENTS** – This is an opportunity to address the mayor and council with any concerns, suggestions, or praise. No action can or will be taken at this meeting on comments made.
Please limit your comments to three minutes.

III. RESPONSE TO PUBLIC COMMENT

IV. RECOGNITION OF SCOUTS AND STUDENTS

V. CONSENT AGENDA

- A. Approval of August 20, 2019 Council Meeting and August 27, 2019 Special City Council Meeting Minutes
- B. Approval of Beer License for ‘The Horse’ Located at 3611 Washington Boulevard
- C. Approval of Regency at Crossroads Subdivision Lot 9 Amendment

VI. DISCUSSION / ACTION ITEMS

- A.** Approval of **Ordinance 19-11** – Approving an Utility Easement for Rocky Mountain Power in Club Heights Park for AT&T Cell Tower

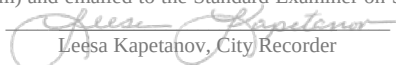
VII. REPORTS/DIRECTION TO CITY MANAGER

- A.** City Council Members
- B.** City Manager
- C.** City Attorney
- D.** Mayor

VIII. ADJOURN

Posted to the State of Utah Website September 13, 2019.

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted at the Municipal Center (1st and 2nd floors), on the City's website (southogdencity.com) and emailed to the Standard Examiner on September 13, 2019. Copies were also delivered to each member of the governing body.


Leesa Kapetanov, City Recorder

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MINUTES OF THE SOUTH OGDEN CITY COUNCIL PRE-COUNCIL WORK SESSION AND SPECIAL CITY COUNCIL MEETING

TUESDAY, AUGUST 20, 2019

PRE-COUNCIL WORK SESSION – 5 PM IN EOC ROOM

SPECIAL COUNCIL MEETING – 6 PM IN COUNCIL ROOM

PRE-COUNCIL WORK SESSION MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Sallee Orr, Brent Strate, Adam Hensley, Susan Stewart, and Mike Howard

STAFF MEMBERS PRESENT

City Manager Matt Dixon, City Attorney Ken Bradshaw, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, Finance Director Steve Liebersbach, City Planner Mark Vlastic, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Walt Bausman

Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking the link

http://www.southogdencity.com/document_center/Sound%20Files/CC190820_1700.mp3 or by requesting a copy from the office of the South Ogden City Recorder.

I. CALL TO ORDER

- Mayor Porter called the meeting to order at 5:03 pm and called for a motion to open
00:00:00

Council Member Howard so moved, followed by a second from Council Member Strate. Council Members Orr, Strate, Hensley, Stewart, and Howard all voted aye.

II. REVIEW OF AGENDA

The mayor skipped this agenda item.

35
36 **III. DISCUSSION ITEMS**

37 Note: The mayor went to item III.B., discussion on the FY2020 Budget, first.
38

39 **B. FY2020 Budget**

- 40 • Overview by Finance Director Steve Liebersbach

41 00:01:01

- 42 • Discussion by Council

43 00:21:26
44

45 **A. Review of Bid/Time Frame for Burch Creek Park Project**

- 46 • Overview by City Manager Matt Dixon and Planner Mark Vlasic

47 00:33:20

Mr. Vlasic had prepared a visual presentation. See
Attachment A

- 48 • Questions/Discussion by Council

49 00:43:23
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54 **IV. ADJOURN**

55 At 6:04 pm Mayor Porter called for a motion to adjourn the work session.
56

57 **Council Member Howard so moved, followed by a second from Council Member Stewart. The**
58 **voice vote was unanimous in favor of the motion.**

59 01:01:15
60

COUNCIL MEETING MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Sallee Orr, Brent Strate, Adam Hensley, Susan Stewart, and Mike Howard

STAFF MEMBERS PRESENT

City Manager Matt Dixon, City Attorney Ken Bradshaw, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, Planner Mark Vlasic, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Shannon Larsen, Len Bamba, Michael Booth, Joseph Booth, Max DeCaria, Trent Nelson, Rob Birch, Walt Bausman, Joyce Hartman

Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking this link

http://www.southogdencity.com/document_center/Sound%20Files/CC190820_1807.mp3

or by requesting a copy from the office of the South Ogden City Recorder.

I. OPENING CEREMONY

A. Call To Order

- Mayor Porter called the meeting to order at 6:07 pm and called for a motion to convene.

00:00:00

Council Member Hensley so moved. Council Member Strate seconded the motion. In a voice vote Council Members Orr, Strate, Hensley, Stewart, and Howard all voted aye.

B. Prayer/Moment Of Silence

The mayor led everyone in a moment of silence.

C. Pledge Of Allegiance

Council Member Hensley led the Pledge of Allegiance.

II. PUBLIC COMMENTS

There were no comments from the public.

III. RESPONSE TO PUBLIC COMMENT

Not applicable.

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IV. RECOGNITION OF SCOUTS/STUDENTS PRESENT

- The mayor invited any scouts present to come forward. Joseph Booth from Troop 256 came forward, as did his father and scout leader Mike Booth
00:01:38

V. CONSENT AGENDA

- A. Approval of August 6, 2019 Minutes
- B. Set Date for Special City Council Meeting (August 27, 2019 at 6 pm) to Canvass the Primary Election
- C. Declaring Certain Fleet Items as Surplus to the City’s Needs
 - Mayor Porter read through the consent agenda and asked if there were any questions
00:02:21
 - Council Member’s comments
00:02:45
 - Motion
00:06:46

Council Member Hensley moved to approve the consent agenda with the correction pointed out by Council Member Stewart. The motion was seconded by Council Member Strate. The voice vote was unanimous in favor of the motion.

VI. DISCUSSION /ACTION ITEMS

The mayor began with Item D under ‘Discussion/Action Items’.

- D. Discussion/Direction on Level of Bond Funding
 - Overview of park options/bonding levels by Planner Mark Vlastic
00:07:41
 - Discussion by Council
00:21:46
 - The consensus of the Council was to move forward with Option 1 and have it ready to vote on at their next meeting
00:26:44
- A. Consideration of **Resolution 19-47** – Adopting the FY2020 Budget
 - Comments by Council Member Strate and call for setting tax rate at .0028
00:28:10
 - Council discussion
00:32:12
 - Motion
00:40:35

Council Member Strate moved to adopt Resolution 19-47, changing the certified tax rate to .0027. Council Member Hensley seconded the motion. Mayor Porter asked if there was any more discussion. Council Member Orr commented she felt it was a good idea to cut the rate based on the increased development coming into the city. The mayor then called the vote:

Council Member Hensley-	Yes
Council Member Howard-	Yes
Council Member Stewart-	Yes
Council Member Strate-	Yes
Council Member Orr-	Yes

The motion stood.

B. Consideration of Resolution 19-48 – Approving an Interlocal Agreement with Weber County for RAMP Funding

- | | |
|------------------|--------------------------------------|
| • Staff Overview | 00:42:00 |
| • Discussion | There was no discussion on this item |
| • Motion | 00:42:38 |

Council Member Howard moved to adopt Resolution 19-48, followed by a second from Council Member Hensley. There was no discussion. The mayor then called the vote:

Council Member Strate -	Yes
Council Member Orr -	Yes
Council Member Hensley -	Yes
Council Member Howard -	Yes
Council Member Stewart -	Yes

Resolution 19-48 was adopted.

C. Consideration of Resolution 19-49 – Approving an Agreement with Staker and Parson Companies for 2019 Street Maintenance Projects

- | | |
|------------------------|----------|
| • Staff Overview | 00:42:55 |
| • Discussion/questions | 00:44:19 |
| • Motion | 00:47:49 |

Council Member Hensley moved to adopt Resolution 19-49. The motion was seconded by Council Member Strate. The mayor asked if there was further comments, and seeing none, he called the vote:

Council Member Stewart -	Yes
Council Member Hensley -	Yes

189 Council Member Orr - Yes
190 Council Member Howard - Yes
191 Council Member Strate - Yes
192

193 The agreement was approved.
194
195
196

197 **VIII. REPORTS/DIRECTION TO CITY MANAGER**

- 198 A. City Council Members
199 • Council Member Hensley- Nothing to report
200 • Council Member Howard- 00:48:23
201 • Council Member Stewart - 00:48:39
202 • Council Member Orr - 00:49:27
203 • Council Member Strate - 00:55:19
204 B. City Manager: 00:56:41
205 C. City Attorney: Nothing to report
206 E. Mayor 00:57:39
207

208
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210 **IX. ADJOURN**

- 211 • Mayor Porter called for a motion to adjourn
212 01:01:22
213

214 Council Member Strate so moved. Council Member Orr seconded the motion. The voice vote
215 was unanimous in favor of the motion.
216

217 The meeting adjourned at 7:12 pm.
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225 I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Pre-Council
226 Work Session and Council Meeting held Tuesday, August 20, 2019.
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228 
229 Kapetanov, City Recorder

Date Approved by the City Council

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ATTACHMENT A

Presentation of Options of Burch Creek Park

Cost Review



Burch Creek Park Master Plan
January 18, 2019

Burch Creek Park - Illustrative

Example images



© 2000 by John Wiley & Sons, Inc.



1101b Regensburg, Germany
(numbered 1101)

[illegible]

Figure 5 shows a typical



Figure 10.10



Received March 28, 2002; Accepted May 13, 2002



Suppose now that $\mathcal{F}$ is a



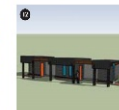
2022-2023



De la 2^a a la 4^a



EXAMINATION



Assignez le cours



Online at www.Factbase.org

Legend

- Natural Grass Field
- Walking Trail
- Prehistoric Steel Music Shelter (24')
- Hill Climb Play Feature
- Fitness Trail (Twp.) - 3 Total
- Lookouts on Top of Hill
- Sliding Hill
- Prehistoric Steel Pavilion (32' x 32')
- Playground
- Entry Plaza with Tunnel/Water Feature
- Middle Ball Courts - 8 Total
Small Shelters - 4 Total
- Restrooms
- Shower/Detention Booth
- Waterside Education Feature (In coop with local Lake Waukegan Conservation)

Description

A quintessential Neighborhood Park with a regional draw and appeal, the design responds to the site's hilly site and strong landscape. The hill becomes a primary orientation and play/natural station, while the tunnel and underground freight yard shed.

A multi-use park, adjacent to a 30-stall parking lot serves as the starting point for the Hiking journey, providing easy access to the woods. The only small obstacle of this walk for us, however, is a small playground for preschool and eight pre-kindergarten. A narrow water pond is located on the western perimeter of the park beyond the parking lot and will stay mostly dry in the park.

[illegible]

While the forces dividing the book and school yards are maintained, a new access point is opened near the sand edge of the park, dividing across between the two areas. Multi-purpose fields are also on the main grounds. Architecturally consistent restroom buildings help to frame the two sides into a single outdoor space.



OPTION 1: Project as Designed

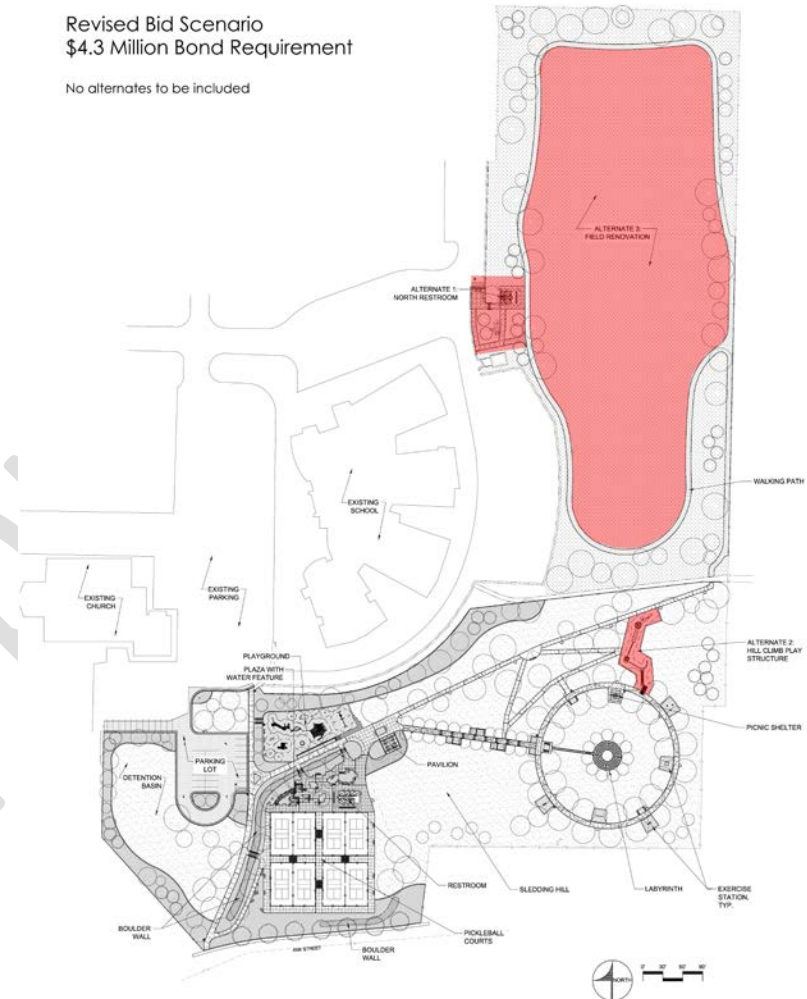
Revised bid requires bonding for \$4,292,000

Includes the following features and amenities:

- A 14,000 sf asphalt parking area
- Eight post-tension pickleball courts with shelters
- Park plaza including planting areas, seating, shade structures, interactive water feature and restroom
- Utilities, power, water, storm drain, sewer
- Play areas
- Boulder retaining walls
- Concrete sidewalks
- Concrete retaining walls and stairways at playground and up hill
- Picnic and shade shelters
- Benches, litter receptacles, flagpole and bike racks
- Site lighting
- Planting with trees, shrubs, mulch, and required irrigation
- Plaza and interactive water feature
- Labyrinth on top of hill
- Exercise equipment stations on top of hill
- Asphalt walking path on school property

Revised Bid Scenario
\$4.3 Million Bond Requirement

No alternates to be included

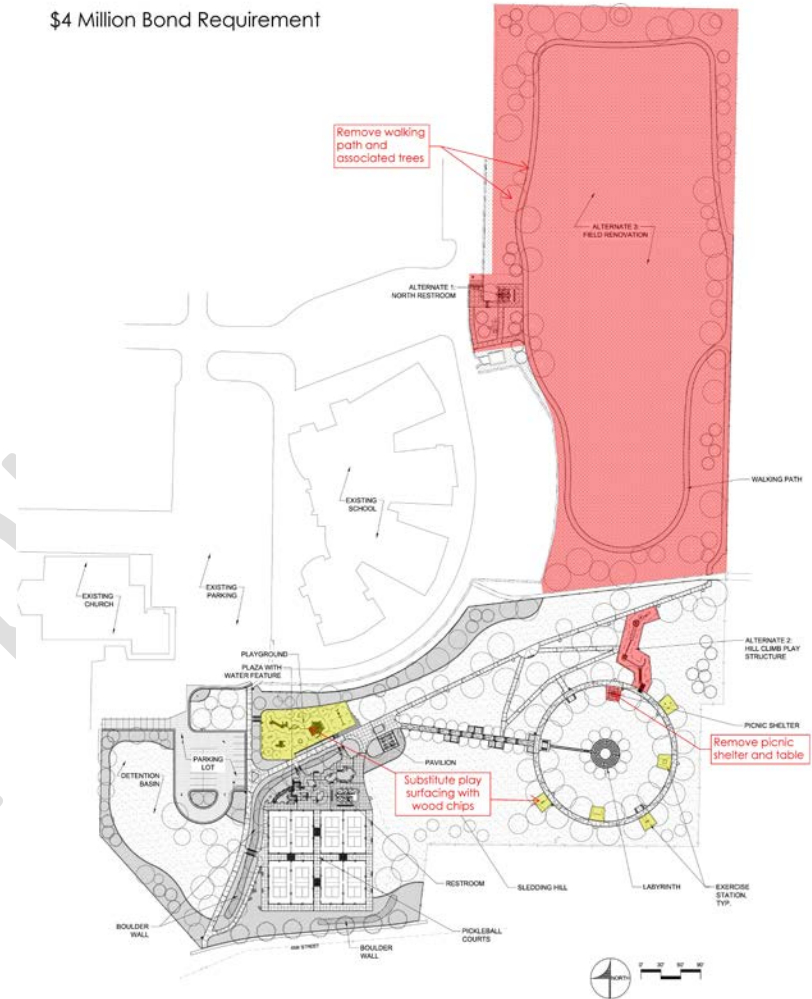


OPTION 2: \$4 Million Bond Requirement

The following would be removed:

- Remove asphalt walking path on school property
- Remove additional trees along the walking path on school property
- Remove 16 x 16 picnic shelter and one picnic table on top of the hill
- Substitute 12" Engineered Wood Fiber (EWF) in lieu of rubber surfacing

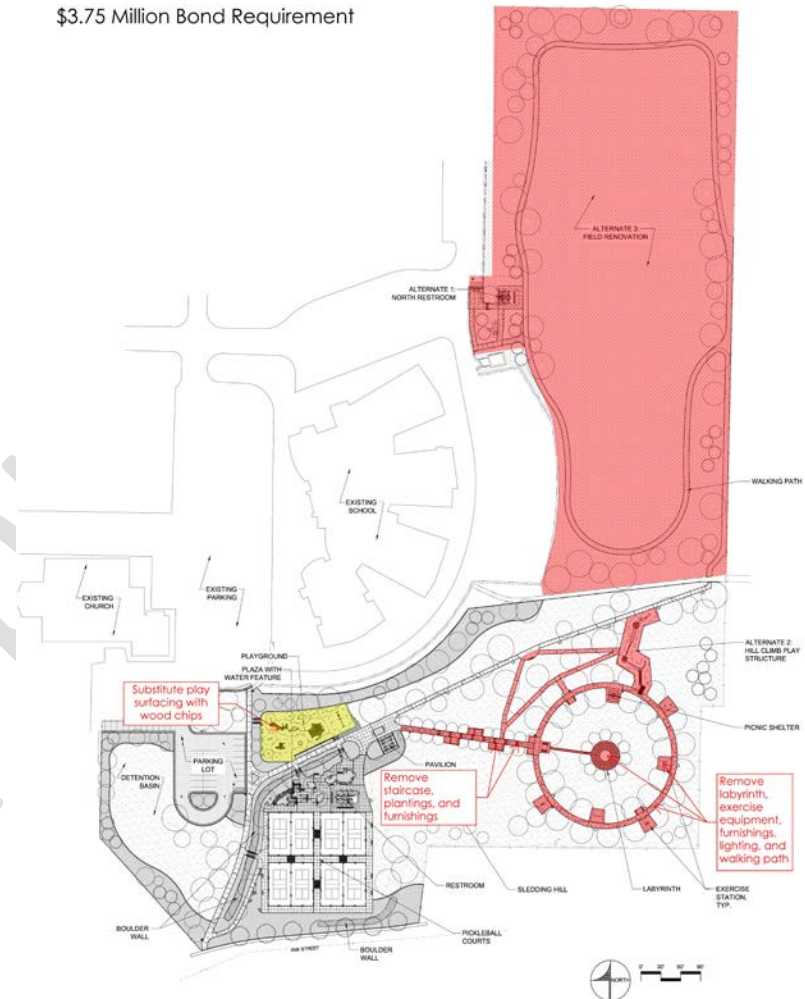
\$4 Million Bond Requirement



OPTION 3: \$3.75 Million Bond Requirement

The following would be removed in addition to the items from Option 2:

- Remove labyrinth on top of hill
- Remove exercise equipment and surfacing on top of hill
- Remove concrete stairs and walk up to and on top of hill
- Remove 8 x 14 trellis shelter, 11 benches, and 5 litter receptacles
- Remove trees and shrubs along stair system to top of hill
- Add sod and irrigation in areas with removed items

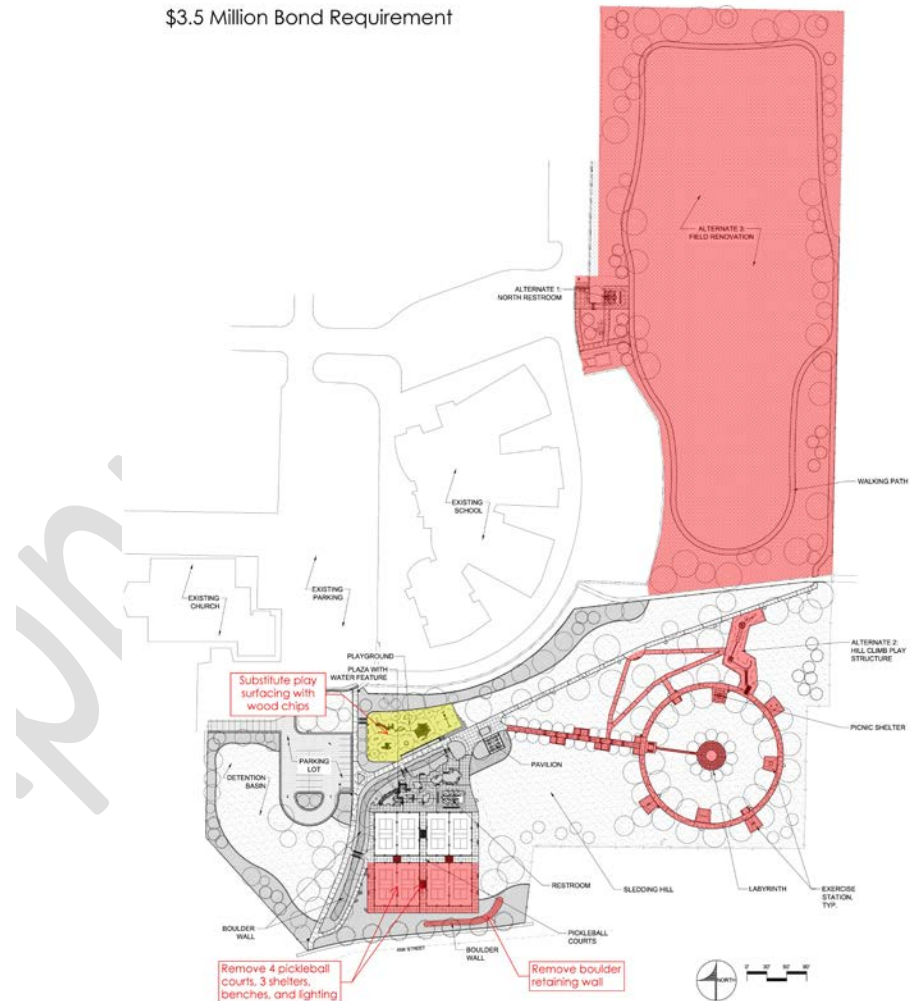


OPTION 4: \$3.5 Million Bond Requirement

The following would be removed in addition to the items from Options 2 and 3:

- Remove two sets of two pickleball courts, 3 shelters, and 3 benches
- Remove small rock retaining wall
- Remove pickle ball lighting associated with removed courts
- Add sod and irrigation in areas with removed items

\$3.5 Million Bond Requirement





**MINUTES OF THE
SOUTH OGDEN CITY
SPECIAL MEETING**

**TUESDAY, AUGUST 27, 2019 – 5:00 PM
CITY COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT

Mayor Pro Tem Sallee Orr, Council Members Brent Strate, Susan Stewart, and Mike Howard

COUNCIL MEMBERS EXCUSED

Mayor Russell Porter

STAFF MEMBERS PRESENT

City Manager Matthew Dixon, City Attorney Ken Bradshaw, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Walt Bausman, Robert Birch

Note: The time stamps indicated in blue correspond to the audio recording of this meeting, which can be found by clicking

http://www.southogdencity.com/document_center/Sound%20Files/CC190827_1806.mp3

You can also request a copy of the recording from the South Ogden City Recorder's office.

I. OPENING CEREMONY

A. Call to Order – Mayor Pro Tem Sallee Orr

B. Pledge of Allegiance – Council Member Susan Stewart

- Mayor Pro Tem Orr called the meeting to order at 6:06 pm and called for a motion to open the meeting 00:00:00

Council Member Howard so moved, followed by a second from Council Member Strate. Council Members Orr, Strate, Hensley, Stewart, and Howard all voted aye.

II. DISCUSSION/ACTION ITEMS

A. Consideration of Resolution 19-50 – Conducting and Approving the Canvass of the 2019 Primary Election

- Staff overview 00:01:09
- Motion 00:08:50

Note: The canvass documents presented to the Council can be seen in Attachment A.

Council Member Howard moved to approve Resolution 19-50. The motion was seconded by Council Member Hensley. Mayor Pro Tem Orr called the vote:

Council Member Stewart-	Yes
Council Member Hensley-	Yes
Council Member Howard-	Yes
Council Member Strate-	Yes
Mayor Pro Tem Orr-	Yes

The Primary Election canvass was approved.

B. Consideration of Resolution 19-51 – Approving an Agreement with Hogan Construction for Construction of Burch Creek Park

- Council Member Howard requested the hill climb be included in the scope of the project and ensuing discussion 00:09:47
- Motion 01:04:16

Council Member Howard moved to approve Resolution 19-51 with a provision of being able to discuss as a council the other alternative options. Council Member Strate seconded the motion. Mayor Pro Tem Orr asked if there was further discussion. City Manager Dixon asked Robert Birch, the representative from Hogan Construction, to come forward and answer some questions. He answered several questions from staff and Council. There was no further discussion. The mayor pro tem proceeded with the vote:

Council Member Strate-	Yes
Council Member Howard-	Yes
Council Member Stewart-	No
Council Member Hensley-	No
Mayor Pro Tem Orr-	No

The motion failed.

- Council Member Hensley made a new motion 01:11:09

Council Member Hensley moved to approve Resolution 19-51 as presented in the packet. The motion was seconded by Council Member Stewart. The mayor pro tem called the vote:

Council Member Stewart-	Yes
Council Member Strate-	Yes
Council Member Hensley-	Yes
Council Member Howard-	Yes
Mayor Pro Tem Orr-	Yes

Resolution 19-51 was adopted.

- After the vote, Council Member Hensley stated as a member of the prevailing side, he would entertain discussion on the matter at a later council meeting; he had wanted the contract approved so work could move forward

01:12:59

III. ADJOURN

At 7:20 pm, Mayor Pro Tem Orr called for a motion to adjourn.

01:13:47

Council Member Stewart moved to adjourn, followed by a second from Council Member Strate. The voice vote was unanimous in favor of the motion.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Special Work Session held Tuesday, August 27, 2019.


Leesa Kapetanov, City Recorder

Date Approved by the City Council

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Attachment A
Canvass Documents

Summary Results Report
2019 PRIMARY
August 13, 2019

OFFICIAL RESULTS
South Ogden City
Weber County

STATISTICS

	TOTAL
Registered Voters - Total	7,646
Ballots Cast - Total	2,146
Voter Turnout - Total	28.07%

South Ogden City Council South Ogden City Council
Vote For 3

	TOTAL	VOTE %
SALLEE ORR	1,343	24.97%
BRENT J. STRATE	915	17.01%
ADAM S. HENSLEY	813	15.12%
JEANETTE C SMYTH	735	13.67%
JEREMY D. HOWE	581	10.80%
JORGE BARRAGAN	569	10.58%
JUAN ARCE	422	7.85%
Total Votes Cast	5,378	100.00%

South Ogden City, Utah
Municipal Primary Election
August 13, 2019

Summary of Votes Cast – 7646 Active Registered Voters		
Election Day Voters	27	1.3%
By-Mail-Early-Provisional	2119	98.7%
Total	2146	28.1%

By Mail Ballot Summary	
Ballots Mailed	7646
Ballots Returned and Counted	2119
Ballots Returned Undeliverable	341 (4.5%)
Ballots not Counted	33

Reasons for not counting	Qty
Returned Past Deadline	19
Returned unsigned	3
No ID verification	1
Signatures did not match the voter record	10
Totals	33

Each voter whose ballot was not counted was given a chance to correct the deficiency. They were sent a letter and were personally contacted by phone and then by email if those were known.

Provisional Ballot Summary	
Provisional Ballots Cast	0
Ballots Not Counted	0

	STATISTICS		
	Registered Voters - Total	Ballots Cast - Total	Voter Turnout - Total
SOG001	396	94	23.74%
SOG002	478	137	28.66%
SOG003	619	135	21.81%
SOG004	580	203	35%
SOG005	720	221	30.69%
SOG006	314	102	32.48%
SOG007	674	158	23.44%
SOG008:U	59	6	10.17%
SOG008:X	733	217	29.6%
SOG009:U	93	19	20.43%
SOG009:X	559	99	17.71%
SOG010	811	270	33.29%
SOG011	805	324	40.25%
SOG012:U	0	0	0%
SOG012:X	805	161	20%
Totals	7,646	2,146	

	South Ogden City Council South Ogden City Council							
	VOTE FOR 3							
	SALLE ORR	JUAN ACE	JOSE BAROJAN	JEANETTE C SMITH	BRENT J STRATE	JEREMY D HOWE	ADAM S HENSELEY	Total Votes Cast
SO001	58	48	30	24	25	26	23	234
SO002	67	45	91	36	24	30	12	305
SO003	89	50	39	47	42	47	38	352
SO004	105	56	51	62	78	95	78	525
SO005	142	51	62	60	92	64	75	546
SO006	81	18	29	35	28	24	50	265
SO007	110	25	33	52	74	31	73	398
SO008:U Suppressed								
SO008:X	135	35	64	94	93	63	69	533
SO009:U	17	1	8	7	9	1	10	53
SO009:X	72	18	35	45	40	22	27	259
SO010	171	33	32	97	150	60	113	656
SO011	190	21	54	113	186	63	188	815
SO012:U	0	0	0	0	0	0	0	0
SO012:X	102	21	41	59	72	54	54	403
Totals	1,339	422	569	731	913	500	810	5,364



Audit Summary Report

County: WEBER Election: PRIMARY 2019

County Clerk's Signature: Ricky Hester Date: 8/26/19

Signature Affidavit Audit Summary (complete only if applicable)

1. Number of signature affidavits audited: 249
2. Did the signature audit reveal any inconsistencies between a signature's initial verification and the audit?

☐ YES*

☒ NO

(*If YES, please attach an explanation any inconsistencies)

An audit of 233 paper ballots was conducted and no differences between the cast vote record and the votes cast on the ballot were found.

BOARD OF CANVASS CERTIFICATION

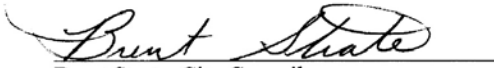
2019 SOUTH OGDEN MUNICIPAL PRIMARY ELECTION

The undersigned South Ogden City Board of Canvassers and the South Ogden City Recorder do hereby certify the election results of the 2019 Primary Election held on the 13th day of August, 2019, as appears from the attached official returns of said election as filed and on record in the office of the City Recorder of South Ogden City.

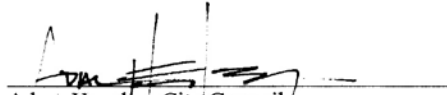
IN WITNESS WHEREOF, we have hereunto subscribed our signatures this 27th day of August, 2019.



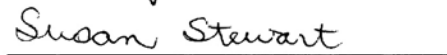
Sallee Orr, Mayor Pro Tem
Board of Canvassers



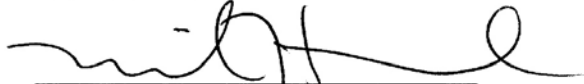
Brent Strate, City Council
Board of Canvassers



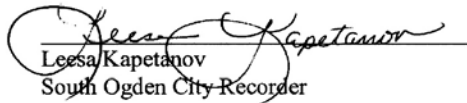
Adam Hensley, City Council
Board of Canvassers



Susan Stewart, City Council
Board of Canvassers



Mike Howard, City Council
Board of Canvassers



Leesa Kapetanov
South Ogden City Recorder

STAFF REPORT



SUBJECT: Beer License for 'The Horse' Located at 3611
Washington Boulevard
AUTHOR: Leesa Kapetanov
DEPARTMENT: Administration
DATE: September 17, 2019

RECOMMENDATION

Staff recommends approval of the beer license.

BACKGROUND

Although 'The Horse' has been in South Ogden for many years, it is changing ownership and a new beer license must be approved for the new owners. As part of the process, the owners must submit background checks and the application must be approved by the chief of police. This is for a Class A license, which allows beer to be served and consumed on the premises, whether food is purchased with the drink or not.

ANALYSIS

The current code requires the City Council to approve all new beer licenses.

SIGNIFICANT IMPACTS

None

ATTACHMENTS

Application



BEER LICENSE APPLICATION

Business Name The Horse
Business Address 3611 Washington Blvd. So. Ogden, UT 84403
Owner(s) Name(s) Carla Baxter + Aaron McCrady
Home Address 1755 Whispering Oaks, Ogden UT 84403
Date of Birth 11-14-66 Driver's License No. 147510843
5-2-80 160316682
Please attach current criminal background for applicant

I, we, Carla Baxter + Aaron McCrady
3611 Washington Blvd So Ogden, UT 84403
(If partnership, names and addresses of all partners; if corporation, please attach names and addresses of all principal officers)

hereby apply for a license to conduct the business of (check one):

☒ **Class "A"** -- entitles the licensee to sell beer on draft or in original containers, only on the licensed premises for consumption on or off the licensed premises in accordance with the Utah Liquor control Act and the Ordinances of the City. **License is \$250.00 per year.**

☐ **Class "B"** -- entitles the licensee to sell beer in original containers only on the licensed premises for consumption off the licensed premises in accordance with the Utah Liquor Control Act and the Ordinances of the City. **License is \$100 per year.**

☐ **Class "C"** -- entitles the licensee to sell beer on the licensed premises in original containers only, not for takeout, but for consumption with meals on the premises in accordance with the Utah Liquor Control Act and the Ordinances of the City. Applicant must be engaged in business of sales of food in area where beer is sold and the annual gross receipts from sale of food must exceed the annual gross receipts from sale of beer. **License is \$200.00 per year.**

I have complied with the requirements and possess the qualifications specified in the Utah Liquor Control Act and the South Ogden City Ordinances.

Carla Baxter
[Signature]
Owner/Agent Signature

8-8-19
8-8-19
Date

Office Use Only

Approved by the Chief of Police:

Tavin Arche
Signature

8-22-19
Date

Approved by the South Ogden City Council:

Date

STAFF REPORT



SUBJECT: Amendment to Regency at Crossroads Lot 9
Subdivision
AUTHOR: Leesa Kapetanov
DEPARTMENT: Administration
DATE: September 17, 2019

RECOMMENDATION

Staff recommends approval of the subdivision amendment

BACKGROUND

This is an amendment to a commercial subdivision existing within a building located at 1452 Ridgeline Drive. The amendment simply adjusts the interior configuration of the lots. A notice was sent to property owners within 300 feet of the building, stating that if anyone objected to the amendment, they should file the written objection with me by August 26. No objections were received.

ANALYSIS

The code states that if the applicant collects signatures of approval from all the owners within the plat, and no objections are received, a public hearing does not need to be held. Since both these conditions were met, the Planning Commission considered this item without a public hearing at their September 12 meeting. They forwarded it to the council with a recommendation to approve.

SIGNIFICANT IMPACTS

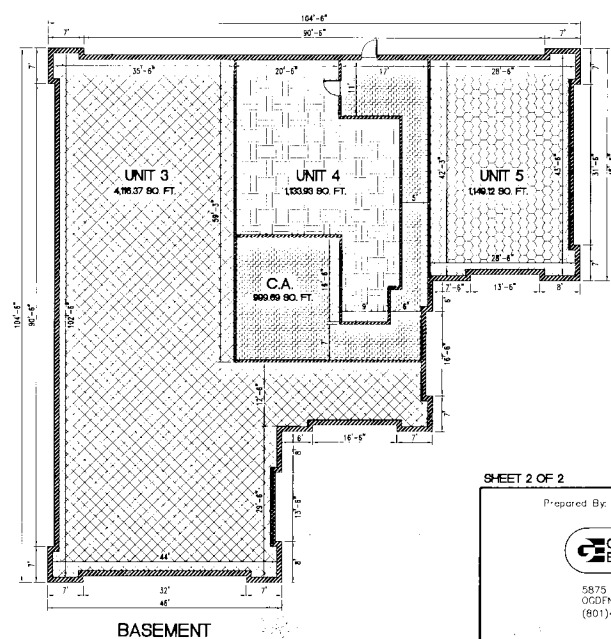
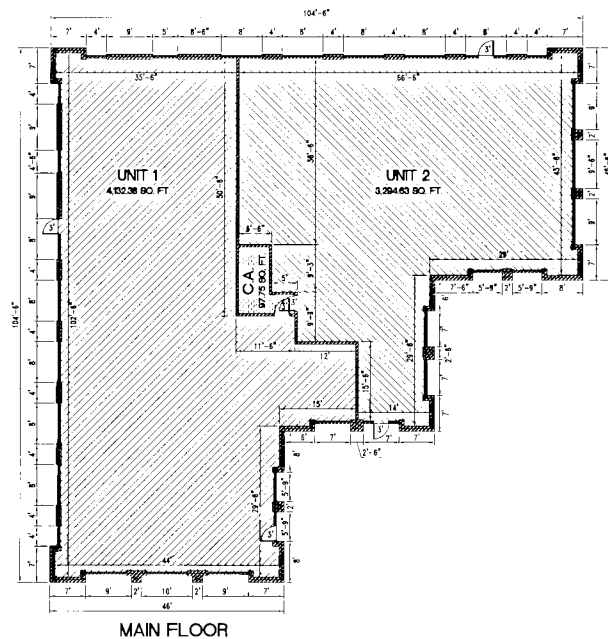
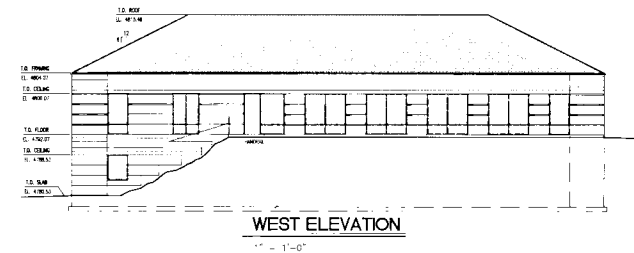
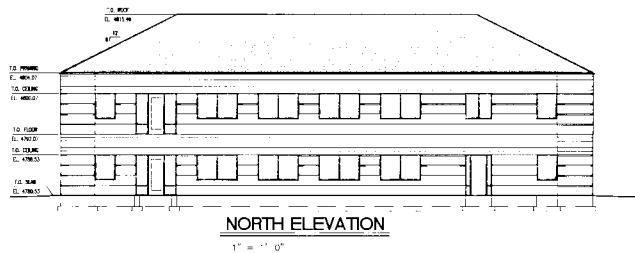
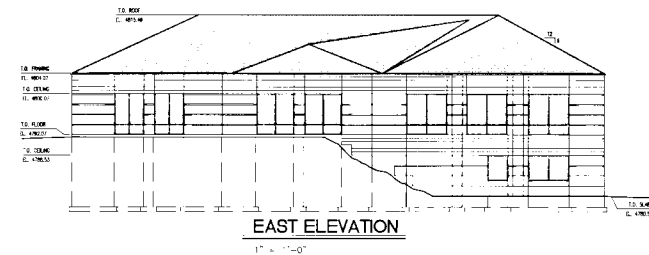
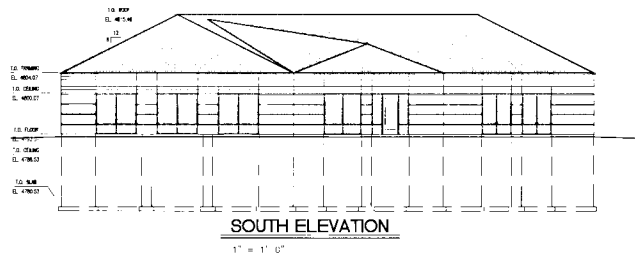
None

ATTACHMENTS

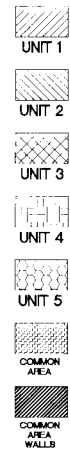
Existing plat and proposed amended plat.

REGENCY AT CROSSROADS [REDACTED] LOT 9

A COMMERCIAL CONDOMINIUM PROJECT
A PART OF THE NORTHWEST 1/4 OF SECTION 22
T5N, R1W, S1B&M, U.S. SURVEY
SOUTH OGDEN CITY, WEBER COUNTY, UTAH
JANUARY 2004
SHEET 2 OF 2



LEGEND



SHEET 2 OF 2

Prepared By:



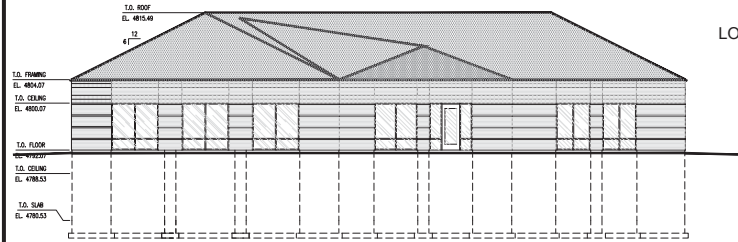
5875 S. ADAMS AVE.
OGDEN, UT 84405
(801)476-0202

COUNTY RECORDER

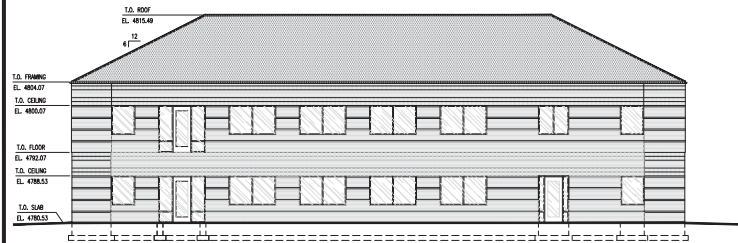
ENTRY NO. 2001077 IF PAID
\$165.00 FILED FOR RECORD AND
RECORDED 23-Jan-11 AT
IN 4:01P BOOK OF OFFICIAL
RECORDS, PAGE 18 RECORDED
FOR Mountain View Title
Doug Crofts
COUNTY RECORDER
BY: Camie Klets

REGENCY AT CROSSROADS LOT 9 AMENDED

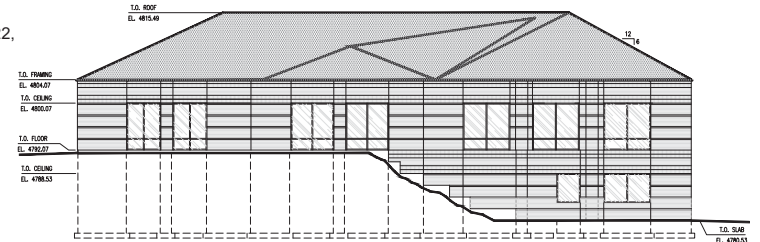
AMENDING UNITS 1 & 3
A COMMERCIAL CONDOMINIUM PROJECT
LOCATED IN THE NORTHWEST QUARTER OF SECTION 22,
TOWNSHIP 5 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN,
SOUTH OGDEN CITY, WEBER COUNTY, UTAH
JUNE 2019



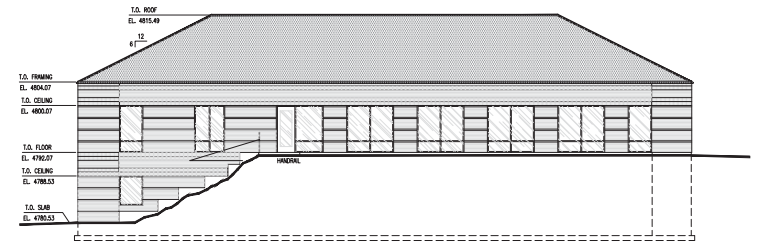
SOUTH ELEVATION



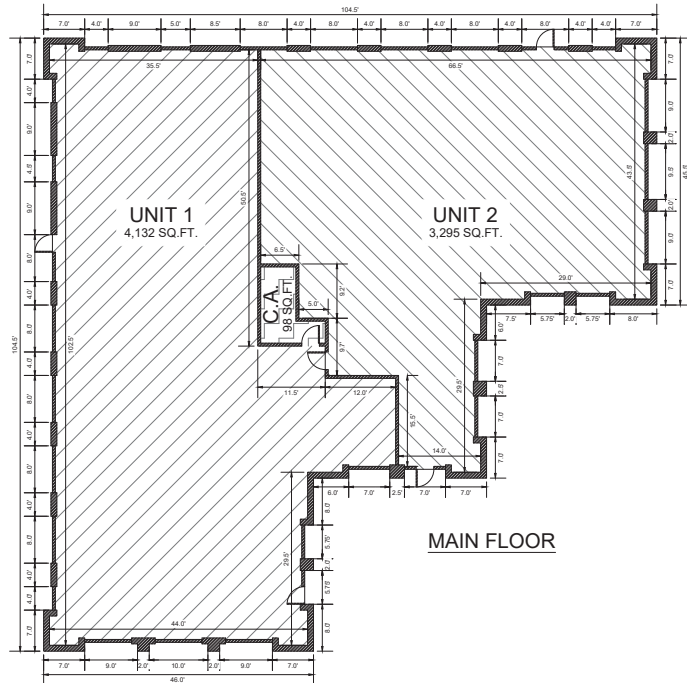
NORTH ELEVATION



EAST ELEVATION



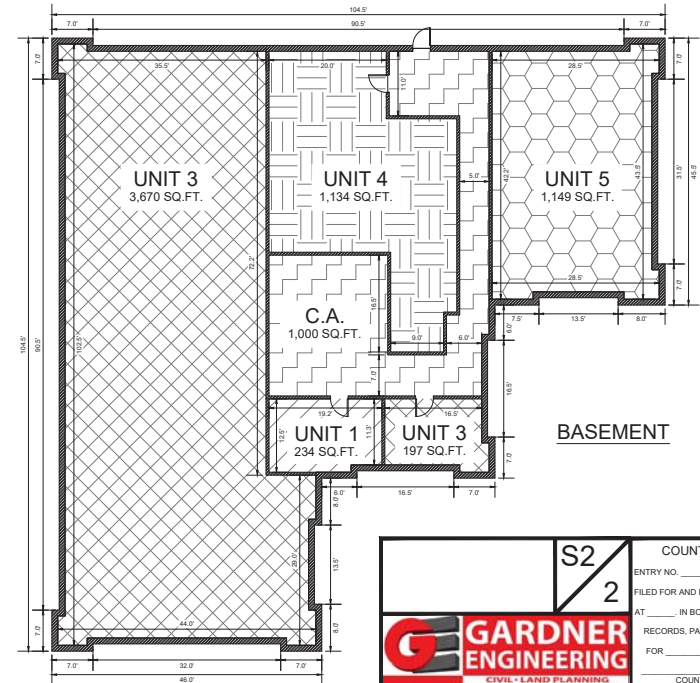
WEST ELEVATION



MAIN FLOOR

LEGEND

- UNIT 1
- UNIT 2
- UNIT 3
- UNIT 4
- UNIT 5
- COMMON AREA
- COMMON AREA WALLS



BASEMENT

GARDNER ENGINEERING CIVIL • LAND PLANNING MUNICIPAL • LAND SURVEYING 2150 SOUTH 375 EAST OGDEN, UT OFFICE: 801-476-0202 FAX: 801-476-0066	S2 2	COUNTY RECORDER ENTRY NO. _____ FEE PAID _____ FILED FOR AND RECORDED _____ AT _____ IN BOOK _____ OF OFFICIAL _____ RECORDS, PAGE _____, RECORDED _____ FOR _____ COUNTY RECORDER _____ BY: _____
--	-----------------------	---

ORDINANCE NO. 19-11

AN ORDINANCE OF SOUTH OGDEN CITY, AUTHORIZING THE CONVEYANCE OF AN UNDERGROUND RIGHT OF WAY EASEMENT ON CITY PROPERTY LOCATED AT APPROXIMATELY 4101 PALMER DRIVE

Section 1 – Recitals

WHEREAS, the City of South Ogden (“City”) is authorized to convey interests in real property by Utah Code § 10-8-2(1)(a)(iii); and

WHEREAS, Rocky Mountain Power requires an easement in order to provide power to a communication tower located at approximately 4101 Palmer Drive (the “Property”); and

WHEREAS, it is in the best interests of the City and of the public to grant a nonexclusive underground right of way easement to Rocky Mountain Power across a portion of the Property.

NOW, THEREFORE, BE IT ORDAINED by the CITY OF SOUTH OGDEN:

Section 2 – Grant of Easement

The City hereby grants the easement as described in Attachment A to Rocky Mountain Power for the purposes described in Attachment A and authorizes the execution and recording of the grant of easement substantially in the form attached hereto as Attachment A.

Section 3 – Repealer of Conflicting Enactments

All orders, ordinances, and resolutions regarding the subject matter of this ordinance, which have been adopted by the City, or parts, which conflict with this ordinance are, for such conflict, repealed, except that this repeal shall not be construed to revive any act, order, or resolution, or part, previously repealed.

Section 4 – Prior Ordinances and Resolutions

The body and substance of any prior ordinances and resolutions, with their specific provisions, where not otherwise in conflict with this ordinance, are reaffirmed and readopted.

Section 5 – Savings Clause

If any provision of this ordinance shall be held or deemed or shall be invalid, inoperative, or unenforceable such reason shall not render any other provisions or provisions invalid, inoperative, or unenforceable to any extent whatever, this ordinance being deemed the separate, independent, and severable act of the City Council of South Ogden City.

Section 6 – Date of Effect

This ordinance takes effect immediately upon publication and recording, but in no case sooner than 14 days after the date of this ordinance.

DATED this ____ day of September, 2019.

by: _____
Russell L. Porter, Mayor

Attested and recorded:

Leesa Kapetanov, CMC
City Recorder

ATTACHMENT A

to Ordinance 19-11

REV05042015

Return to:
Rocky Mountain Power
Lisa Louder
1407 West North Temple Ste. 110
Salt Lake City, UT 84116

Project Name: Ogden Palmer
WO#:
RW#:

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, City of South Ogden, a Utah municipal corporation ("Grantor"), hereby grants Rocky Mountain Power, an unincorporated division of PacifiCorp, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way Ten (10) feet in width and One Hundred Ninety Five (195) feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of underground electric power transmission, distribution, and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, and vaults on, across, or under the surface of the real property of Grantor in Weber County, State of Utah more particularly described as follows and as more particularly described and/or shown on **Exhibit A**, attached hereto and by this reference made a part hereof:

Legal Description: 10' WIDE UTILITY EASEMENT LEGAL DESCRIPTION

A TEN (10) FOOT WIDE UTILITY EASEMENT SITUATED IN THE COUNTY OF WEBER, STATE OF UTAH, AND IS DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 8, THENCE ON A BEARING BASED UPON NAD83 STATE PLANE UTAH NORTH ZONE COORDINATE SYSTEM, SOUTH 19°02'32" WEST, 596.51 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 87°43'11" EAST, 16.50 FEET;

THENCE SOUTH 02°16'49" WEST, 40.00 FEET;

THENCE NORTH 87°43'11" WEST, 5.00 FEET TO THE CENTERLINE OF SAID EASEMENT, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

THENCE SOUTH 02°16'49" EAST, 30.99 FEET;

THENCE NORTH 86°04'35" EAST, 66.96 FEET;

THENCE SOUTH 01°10'31" EAST, 43.14 FEET;

THENCE NORTH 88°53'58" EAST, 53.47 FEET TO THE POINT OF TERMINUS.

Assessor Parcel No.

06-019-0012

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way clear of all brush, trees, timber, structures, buildings, and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place or store any flammable materials (other than agricultural crops), or light any fires, on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors, and assigns.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under, or in connection with this grant of easement. Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

Dated this _____ day of _____, 2019.

City of South Ogden, a
Utah municipal corporation

By: _____
Russell L. Porter, Mayor

Acknowledgment by Trustee, or Other Official or Representative Capacity:

STATE OF UTAH)
) ss.
County of Weber)

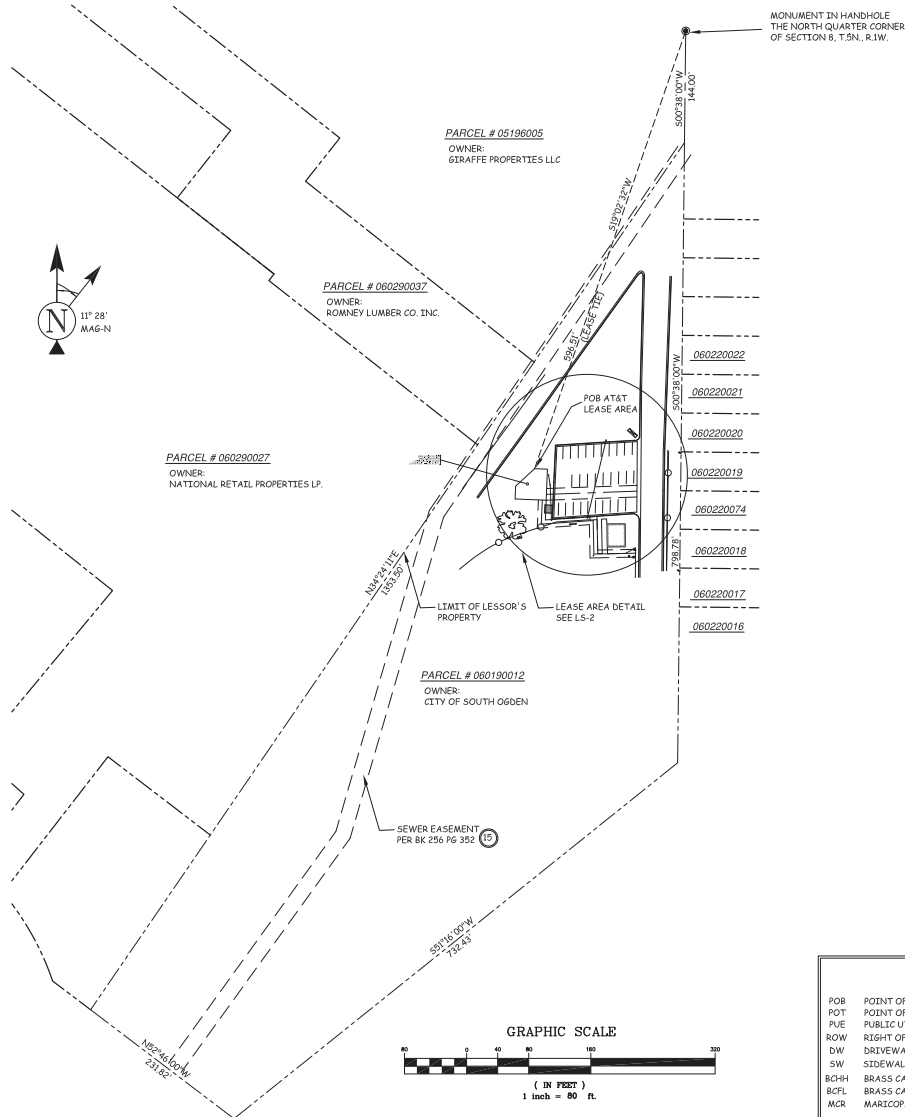
On this ____ day of _____, 2019, before me, the undersigned Notary Public in and for said State, personally appeared Russell L. Porter, known or identified to me to be the person whose name is subscribed as Mayor of the City of South Ogden and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(notary signature)

NOTARY PUBLIC FOR _____ (state)
Residing at: _____ (city, state)
My Commission Expires: _____ (d/m/y)

EXHIBIT A - page 1



LESSOR'S LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF WEBER, STATE OF UTAH,
AND IS DESCRIBED AS FOLLOWS:
A PARCEL OF LAND IN THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 1
WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY.

BEGINNING AT A POINT SOUTH 0°38' WEST 144 FEET FROM THE 1/4 CORNER BETWEEN SECTIONS 5 AND 8; AND RUNNING THENCE SOUTH 0°38' WEST 798.78 FEET; THENCE SOUTH 51°16' WEST 732.43 FEET; THENCE NORTH 52°46' WEST 231.82 FEET; THENCE NORTH 34°24'11" EAST 1353.5 FEET TO THE POINT OF BEGINNING.

BENCHMARK

ELEVATIONS WERE ESTABLISHED FROM PROCESSING GPS DATA WITH AND CONSTRAINING TO NGS "CORS" STATIONS AND APPLYING GEOID12b SEPARATIONS AND ARE AT NAVD88 DATUM

BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE
NAD83 COORDINATE SYSTEM UTAH NORTH ZONE, DETERMINED BY
GPS OBSERVATIONS.

SURVEYOR'S NOTES

REFERENCE IS MADE TO THE TITLE REPORT ORDER #01459-35291,
ISSUED BY STEWART TITLE INSURANCE AGENCY, DATED 4/23/18.
ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT
AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE
BEEN PLOTTED (EXCEPT FOR ROOFTOPS). SURVEYOR HAS NOT
PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY
DEFECT IN TITLE ISSUED.

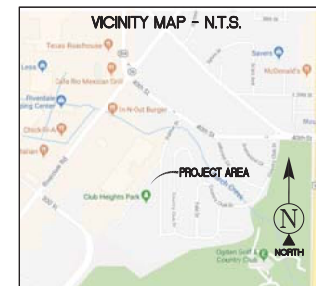
THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD
INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY
OF THE PROPERTY.

UTILITY NOTES

SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT BLUE STAKE AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/ OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

SURVEY DATE

6.1.18



LEGEND

POB	POINT OF BEGINNING		SPOT ELEVATION
POT	POINT OF TERMINUS		POSITION OF GEODETIC COORDINATE
PUE	PUBLIC UTILITY EASEMENT		FIRE HYDRANT
ROW	RIGHT OF WAY		WATER CONTROL VALVE
DRW	DRIVEWAY		FIRE HYDRANT
SW	SIDEWALK		POWER POLE
BCH#	BRASS CAP IN HANDHOLE		LIGHT POLE
BCFL	BRASS CAP FLUSH		SEWER MANHOLE
MCR	MARICOPA COUNTY RECORDS		FOUND AS SHOWN

		
OVERHEAD ELECTRIC	PROPERTY LINE	CHAIN LINK FENCE



4393 RIVERBOAT ROAD, SUITE 400
TAYLORSVILLE, UT 84123

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS
PROPRIETARY & CONFIDENTIAL TO AT&T WIRELESS

ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO AT&T
WIRELESS IS STRICTLY PROHIBITED



50 116TH AVENUE SE, SUITE 210
BELLEVUE, WA 98004



2925 E. RIGGS RD
SUITE 8-191
CHANDLER, AZ 85249
(480) 656-7912 OFFICE
(480) 219-5195 FAX

A	6-9-18	PRELIMINARY
REV.	DATE	REVISION DESCRIPTION

PROJECT INFORMATION:

CAP_NSB-NEWGATE MALL

UTL03128

4101 S. PALMER DR.
SOUTH OGDEN, UTAH 84405
WEBER COUNTY

DRAWN BY:

BY: NC	CHECKED BY: JC
-----------	-------------------

SHEET TITLE:

SITE SURVEY

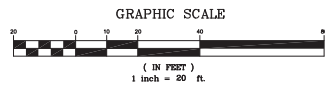
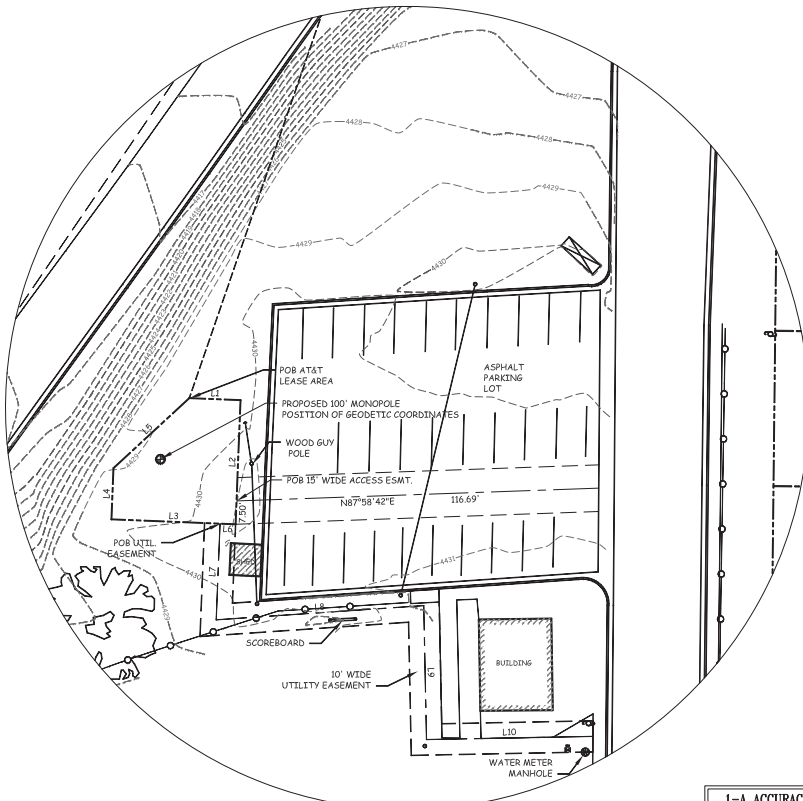
SHEET NUMBER:

LS-1

REV.:

1

EXHIBIT A - page 2



LINE TABLE		
LINE	LENGTH	BEARING
L1	16.50	S87°43'11"E
L2	40.00	S02°16'49"W
L3	40.00	N87°43'11"W
L4	16.50	N02°16'49"E
L5	33.23	N47°16'49"E
L6	5.00	N87°43'11"W
L7	30.99	S02°16'49"W
L8	66.96	N86°04'35"E
L9	43.14	S01°10'31"E
L10	53.47	N88°53'58"E

AT&T LEASE AREA LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF WEBER, STATE OF UTAH, AND IS DESCRIBED AS FOLLOWS:
A PARCEL OF LAND IN THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 8, THENCE ON A BEARING BASED UPON NAD83 STATE PLANE UTAH NORTH ZONE COORDINATE SYSTEM, SOUTH 19°02'32" WEST, 596.51 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87°43'11" EAST, 16.50 FEET; THENCE SOUTH 02°16'49" WEST, 40.00 FEET; THENCE NORTH 87°43'11" WEST, 40.00 FEET; THENCE NORTH 02°16'49" EAST, 16.50 FEET; THENCE NORTH 47°16'49" EAST, 33.23 FEET TO THE POINT OF BEGINNING;

AN AREA CONTAINING 1324 SQ. FT OR 0.03 ACRES MORE OR LESS.

ACCESS AND UTILITY EASEMENT LEGAL DESCRIPTION

A FIFTEEN (15) FOOT WIDE ACCESS AND UTILITY EASEMENT SITUATED IN THE COUNTY OF WEBER, STATE OF UTAH, AND IS DESCRIBED AS FOLLOWS:
A PARCEL OF LAND IN THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 8, THENCE ON A BEARING BASED UPON NAD83 STATE PLANE UTAH NORTH ZONE COORDINATE SYSTEM, SOUTH 19°02'32" WEST, 596.51 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87°43'11" EAST, 16.50 FEET; THENCE SOUTH 02°16'49" WEST, 32.50 FEET TO THE CENTERLINE OF SAID EASEMENT, LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; THENCE NORTH 87°58'42" EAST, 116.69 FEET TO THE POINT OF TERMINUS.

10' WIDE UTILITY EASEMENT LEGAL DESCRIPTION

A TEN (10) FOOT WIDE UTILITY EASEMENT SITUATED IN THE COUNTY OF WEBER, STATE OF UTAH, AND IS DESCRIBED AS FOLLOWS:
A PARCEL OF LAND IN THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY.

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 8, THENCE ON A BEARING BASED UPON NAD83 STATE PLANE UTAH NORTH ZONE COORDINATE SYSTEM, SOUTH 19°02'32" WEST, 596.51 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87°43'11" EAST, 16.50 FEET; THENCE SOUTH 02°16'49" WEST, 40.00 FEET; THENCE NORTH 87°43'11" WEST, 5.00 FEET TO THE CENTERLINE OF SAID EASEMENT, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; THENCE SOUTH 02°16'49" EAST, 30.99 FEET; THENCE NORTH 86°04'35" EAST, 66.96 FEET; THENCE SOUTH 01°10'31" EAST, 43.14 FEET; THENCE NORTH 88°53'58" EAST, 53.47 FEET TO THE POINT OF TERMINUS.

1-A ACCURACY CERTIFICATION

THE HORIZONTAL ACCURACY OF THE LATITUDE AND LONGITUDE AT THE CENTER OF EACH SECTOR FALLS WITHIN FIFTEEN (15) FEET. THE ELEVATIONS (NAVD83) OF THE GROUND AND FIXTURES FALL WITHIN THREE (3) FEET.

CENTER OF PROPOSED TOWER
LATITUDE 41° 11' 20.28" NORTH
LONGITUDE 111° 58' 42.58" WEST
ELEVATION 4429.2' (NAVD83)

SCHEDULE B EXCEPTIONS:

TITLE REPORT ORDER #0459-3529, ISSUED BY STEWART TITLE INSURANCE AGENCY, DATED 4/23/18.
1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met. (NONE PROVIDED)

2. 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. Proceedings by a public officer or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met. (NONE PROVIDED)

3. Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof. (NONE PROVIDED)

4. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records. (NONE PROVIDED)

5. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records. (NONE OBSERVED)

6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; ditch rights; (d) minerals of whatever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel and other hydrocarbons in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities related thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed. (NONE PROVIDED)

7. 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. (NONE PROVIDED)

8. Taxes for the year 2018 are now a lien, but not yet due. Tax ID No. 06-019-0012. (2017 taxes were paid in the amount of \$3,395.17) (NOT SURVEY RELATED)

9. Said property is located within the boundaries of Weber Basin Water Conservancy District, Central Weber Sewer Improvement District (733-3013), and South Ogden City (389-4413), and is subject to the charges and assessments levied thereunder. (NOT SURVEY RELATED)

10. RESOLUTION NO. 23-2009, CREATING AND ESTABLISHING A SPECIAL SERVICE DISTRICT THROUGHOUT ALL OF WEBER COUNTY, TO BE KNOWN AS THE "WEBER AREA DISPATCH 911 AND EMERGENCY SERVICES DISTRICT" and the terms, conditions and limitations contained therein: Recorded: January 24, 2006 Entry No.: 2156401 (NOT SURVEY RELATED)

11. CERTIFICATE OF CREATION OF THE NORTHERN UTAH ENVIRONMENTAL RESOURCE AGENCY ("NUERA") and the terms, conditions and limitations contained therein: Recorded: January 20, 2015 Entry No.: 2718461 (NOT SURVEY RELATED)

12. Water rights, claims or title to water, whether or not the matters are shown by the Public Records. (NONE PROVIDED)

13. Minerals of whatever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed. (NONE PROVIDED)

14. The lack of access to and from subject property by means of any public road, right of way or easement. (ACCESS AVAILABLE VIA PALMER DR.)

15. EASEMENT SET FORTH IN JUDGMENT ON DECLARATION OF TAKING and the terms, conditions and limitations contained therein: Recorded: January 25, 1947 (PLOTTED, NO EFFECT ON LEASE AREA OR EASEMENTS) Entry No.: 126474 Book/Page: 256/351

16. Any matters that might be disclosed by an accurate survey of said premises.

17. The rights of parties in possession of subject property under unrecorded Contracts, Leases, Rental or Occupancy Agreements and any claims and/or liens thereunder. (NONE PROVIDED)

18. The transaction contemplated in connection with this Report is subject to the review and approval of the Company's Corporate Underwriting Department. The Company reserves the right to add additional items or make further requirements after such review.

⑨ SCHEDULE B EXCEPTION NUMBER PER TITLE REPORT

LEGEND

POB	POINT OF BEGINNING	SPOT ELEVATION
POT	POINT OF TERMINUS	POSITION OF GEODETTIC COORDINATES
PUE	PUBLIC UTILITY EASEMENT	WATER CONTROL VALVE
ROW	RIGHT OF WAY	FIRE HYDRANT
DW	DRIVEWAY	POWER POLE
SW	SIDEWALK	LIGHT POLE
BOH	BRASS CAP IN HANDHOLE	SEWER MANHOLE
BCFL	BRASS CAP FLUSH	FOUND AS NOTED
MCR	MARICOPA COUNTY RECORDS	
OVERHEAD ELECTRIC	PROPERTY LINE	CHAIN LINK FENCE



4393 RIVERBOAT ROAD, SUITE 400
TAYLORSVILLE, UT 84123

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO AT&T WIRELESS
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50 116TH AVENUE SE, SUITE 210
BELLEVUE, WA 98004



2925 E. RIGGS RD
SUITE 8-101
CHANDLER, AZ 85249
(480) 656-7912 OFFICE
(480) 219-5195 FAX

REV.	DATE	REVISION DESCRIPTION
A	6-9-18	PRELIMINARY

PROJECT INFORMATION:

CAP_NSB-NEWGATE MALL

UTL03128

4101 S. PALMER DR.
SOUTH OGDEN, UTAH 84405
WEBER COUNTY

DRAWN BY: NC
CHECKED BY: JC

SHEET TITLE:

SITE SURVEY

SHEET NUMBER: REV.:

LS-2

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