

TOWN OF APPLE VALLEY
Planning Commission
Hearing Notice

NOTICE IS HEREBY GIVEN THAT THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY WILL HOLD A **PUBLIC HEARING** DURING THE **PLANNING COMMISSION MEETING ON WEDNESDAY, JANUARY 6TH, 2021, AT 6:00 PM** AT 1777 N MEADOWLARK DR, APPLE VALLEY, UT 84737.

Pursuant to the Executive Order issued by Governor Gary Herbert on March 18, 2020 regarding Electronic Public Meetings, please be advised that the Planning Commission Meeting will be held electronically and will be broadcast via Zoom. Persons will be allowed to comment during the meeting via Zoom or by calling in. Meeting details and dial in phone numbers will be provided when the agenda for the meeting is published on the Town website or via <https://www.utah.gov/pmn>

Zoom Meeting ID: 832 3220 2519

Zoom Link: <https://us02web.zoom.us/j/83232202519>

The agenda shall be as follows:

1. Call to Order, Pledge, and Roll Call
2. Conflict of Interest Disclosures
3. Approval of Minutes for Prior Meetings
4. Public Hearings:
 - a. ZONE CHANGE of northwest section of parcel: AV-1329 from Open Space (OS) to Rural Estate 1 Acre (RE-1.0) Applicant; Travis Wells
 - b. ZONE CHANGE of parcels AV-1321-B & AV-1321-C from Open Space (OS) to Tourist Commercial (TC)
5. Planning Commission Business:
 - a. ZONE CHANGE of northwest section of parcel: AV-1329 from Open Space (OS) to Rural Estate 1 Acre (RE-1.0) Applicant; Travis Wells
 - b. ZONE CHANGE of parcels AV-1321-B & AV-1321-C from Open Space (OS) to Tourist Commercial (TC)
 - c. Discussion and Action on selection of Planning Commission Chairperson and Vice-Chairperson
6. Adjournment

Interested persons are encouraged to attend public hearings or present their views in writing at least one day prior to the meeting.

THE PUBLIC IS INVITED TO ATTEND ALL PLANNING COMMISSION MEETINGS

In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should notify the town at 435-877-1190.



Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

Fee: \$500.00 + Acreage Fee
1 – 100 Acres: \$50.00/Acre
101 – 500 Acres: \$25.00/Acre
501 + Acres: \$10/Acre

Zone Change Application

Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting

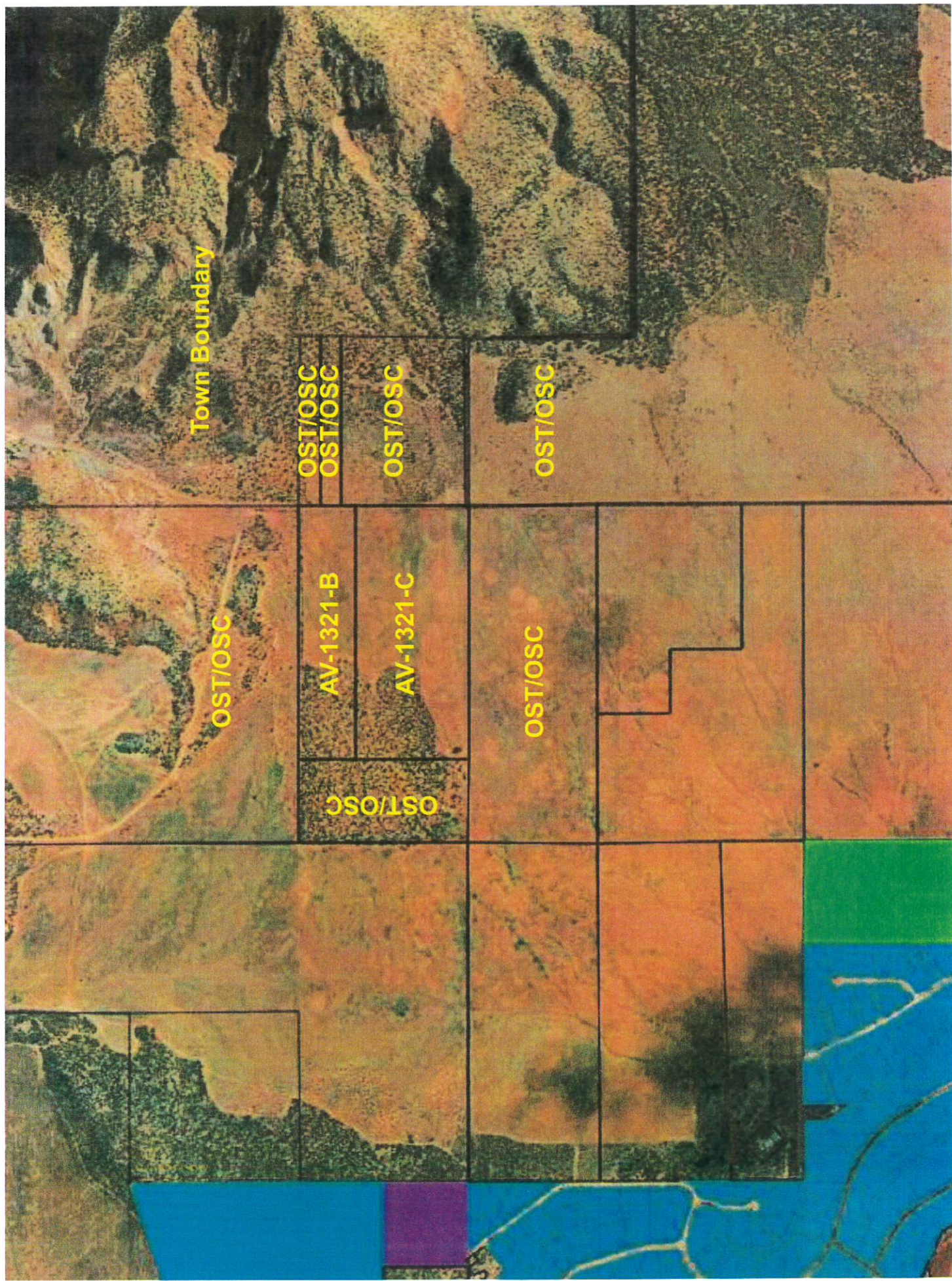
Name: Run Wild Holdings, LLC		Phone: [REDACTED]	
Address: [REDACTED]		Email: [REDACTED]	
City: Washington		State: UT	Zip: 84780
Agent: (If Applicable)		Phone:	
Address/Location of Property: Main Street		Parcel ID: AV-1321-B & AV-1321-C	
Existing Zone: OST/OSC		Proposed Zone: TC	
Reason for the request: We would like to eventually create a mountain bike centric campground. This property is at the intersection of several iconic and world class mountain bike trails.			

Submittal Requirements: The zone change application shall provide the following:

- ☒ A. The name and address of every person or company the applicant represents
- ☒ B. An accurate property map showing the existing and proposed zoning classifications
- ☒ C. All abutting properties showing present zoning classifications
- ☒ D. An accurate legal description of the property to be rezoned
- ☒ E. Stamped envelopes with the names and address's of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- ☒ F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

Note: To avoid delays in processing your Zone Change request, it is important that all applicable information noted above, along with the fee, is submitted with the application. An incomplete application will not be scheduled for the Planning Commission. Planning Commission meetings are held on the second and fourth Wednesday of each month at 6:00 pm. **Submission of a completed application does not guarantee your application will be placed on the next PC meeting agenda. It may be placed on the next available PC meeting agenda.**

Official Use Only	
Date Received: 12/21/2020	By: John Barlow
Date Application Deemed Complete: 12/21/2020	By: John Barlow



Town Boundary

OST/OSC
OST/OSC

OST/OSC

OST/OSC

OST/OSC

AV-1321-B

AV-1321-C

OST/OSC

OST/OSC

Attachment to that certain Warranty Deed executed by Matthew John Humphrey and Kerry Ann Humphrey, Trustees of Matthew & Kerry Ann Humphrey Revocable Trust, dated February 10, 2005 grantor(s), to Run Wild Holdings, LLC, a Utah limited liability company grantee(s).

Order No. 215586
Tax I.D. No. AV-1321-B

EXHIBIT "A"

PARCEL 1:

All of the North One-third Southeast Quarter Southeast Quarter (N1/3SE¼SE¼) and the East One-half North One-third Southwest Quarter Southeast Quarter (E½N1/3SW¼SE¼) Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and more particularly described as beginning at a point North 0°05'43" West, along the Section line, 879.37 feet from the Southeast corner of said Section 20, and running South 89°57'16" West 1981.12 feet; thence North 0°03'18" West 440.48 feet; thence North 89°59'31" East 1980.81 feet to a point on the Section line; thence South 0°05'43" East along the Section line 439.18 feet to the point of beginning.

PARCEL 2:

A Right-of-Way easement created by Warranty Deed, recorded JUNE 2, 2005, as Entry No. 948584, in Book 1750, at Pages 1308-1309, Official Washington County Records, over the East 25 feet of the following described property:

All of the South Two-Thirds Southeast Quarter Southeast Quarter (S2/3SE¼SE¼) and the East One-half South Two-Thirds Southwest Quarter Southeast Quarter (S2/3SW¼SE¼) of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian and more particularly described as beginning at the Southeast Corner of said Section 20, and running South 89°57'16" West along the Section line 1981.74 feet; thence North 0°03'18" West 879.37 feet; thence North 89°57'16" East 1981.12 feet; thence South 0°05'43" East 879.37 feet to the point of beginning.

PARCEL 3:

A 50 foot Right-of Way easement, created by Warranty Deed, recorded JUNE 2, 2005, as Entry No. 948584, in Book 1750, at Pages 1308-1309, Official Washington County Records, described as follows:

Beginning at the Southeast Corner of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 89°57'16" West, along the Section line, 2591.71 feet; thence South 0°04'45" East 50.00 feet; thence South 89°58'39" West 2639.81 feet; thence South 0°04'26" East 822.39 feet; thence South 89°55'34" West 50.00 feet to a point on the West boundary line of Section 29, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and a point on the East right-of-way line of a public street referred to as Rome Way; thence North 0°04'26" West along said Section line 872.43 feet to the Southwest Corner of said Section 20; thence North 89°58'39" East along the Section line, 2639.81 feet to the South Quarter Corner of said Section 20; thence North 0°03'18" West, along the Quarter Section line, 50.00 feet; thence North 89°57'16" East 2641.67 feet to a point on the Section line; thence South 0°05'43" East, along the Section line, 50.00 feet to the point of beginning.

Initials ____/____

Attachment to that certain Warranty Deed executed by Gary J McFadden and William P. McFadden, Co-Trustees of Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992, Gary J. McFadden, and Kathleen W McFadden, also known as Kathleen McFadden grantor(s), to Run Wild Holdings, LLC, a Utah limited liability company grantee(s).

Order No. 215584
Tax I.D. No. AV-1321-C

EXHIBIT "A"

Parcel 1:

The South Two-Thirds Southeast Quarter Southeast Quarter (S2/3SE1/4SE1/4) and the East One-half South Two-Thirds Southwest Quarter Southeast Quarter (S2/3SW1/4SE1/4) of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian and more particularly described as beginning at the Southeast Corner of said Section 20, and running South 89°57'16" West along the Section line 1981.74 feet; thence North 0°03'18" West 879.37 feet; thence North 89°57'16" East 1981.12 feet; thence South 0°05'43" East 879.37 feet to the point of beginning.

Parcel 2:

A Non-Exclusive 50 foot Right-of Way easement, created by Warranty Deed, recorded June 1, 2005, as Entry No. 948543, in Book 1750, at Pages 1086-1087, Official Washington County Records, described as follows:

Beginning at the Southeast Corner of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 89°57'16" West, along the Section line, 2591.71 feet; thence South 0°04'45" East 50.00 feet; thence South 89°58'39" West 2639.81 feet; thence South 0°04'26" East 822.39 feet; thence South 89°55'34" West 50.00 feet to a point on the West boundary line of said Section 29 and a point on the East right-of-way line of a public street referred to as Rome Way; thence North 0°04'26" West along said Section line 872.43 feet to the Southwest Corner of said Section 20; thence North 89°58'39" East along the Section line, 2639.81 feet to the South Quarter Corner of said Section 20; thence North 0°03'18" West, along the Quarter Section line, 50.00 feet; thence North 89°57'16" East 2641.67 feet to a point on the Section line; thence South 0°05'43" East, along the Section line, 50.00 feet to the point of beginning.

Initials ____/____

When recorded mail deed and tax notice to:
Run Wild Holdings, LLC, a Utah limited liability
company
1201 S Hillcrest Drive
Washington, UT 84780



SOUTHERN UTAH
TITLE COMPANY
"Doing good Deeds for over 70 years"
sutl.com

Order No. 215586 - SLH
Tax I.D. No. AV-1321-B

Space Above This Line for Recorder's Use

WARRANTY DEED

Matthew John Humphrey and Kerry Ann Humphrey, Trustees of Matthew & Kerry Ann Humphrey Revocable Trust, dated February 10, 2005, grantor(s), of , County of , State of , hereby CONVEY and WARRANT to

Run Wild Holdings, LLC, a Utah limited liability company, grantee(s) of Washington, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

See Water Rights Addendum to Land Deeds attached hereto and made a part hereof

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 10th day of December, 2020.

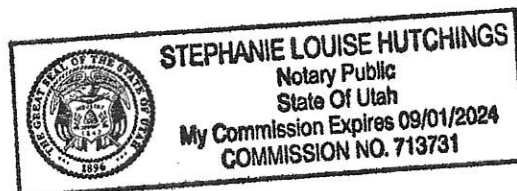
Matthew & Kerry Ann Humphrey Revocable
Trust, dated February 10, 2005

By: [Signature]
Matthew John Humphrey, Trustee

By: [Signature]
Kerry Ann Humphrey, Trustee

STATE OF Utah)
) ss.
COUNTY OF Washington)

On the 10th day of December, 2020, personally appeared before me, Matthew John Humphrey and Kerry Ann Humphrey, Trustees of Matthew & Kerry Ann Humphrey Revocable Trust, dated February 10, 2005, the signers of the within instrument who duly acknowledged to me that they executed the same.



[Signature]
NOTARY PUBLIC

My Commission Expires: 09/01/2024

Attachment to that certain Warranty Deed executed by Matthew John Humphrey and Kerry Ann Humphrey, Trustees of Matthew & Kerry Ann Humphrey Revocable Trust, dated February 10, 2005 grantor(s), to Run Wild Holdings, LLC, a Utah limited liability company grantee(s).

Order No. 215586
Tax I.D. No. AV-1321-B

EXHIBIT "A"

PARCEL 1:

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Initials mit zph

WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: Matthew John Humphrey and Kerry Ann Humphrey, Trustees of Matthew & Kerry Ann Humphrey Revocable Trust, dated February 10, 2005
 Grantee: Run Wild Holdings, LLC, a Utah limited liability company
 Tax ID Number(s): AV-1321-B

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

Check one box only

- 1 ☐ All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.
 2 ☒ Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked)
 3 ☐ No water rights are being conveyed.
 4 ☐ Water rights are being conveyed by separate deed.

Proceed to Section

A

B

C

C

Important Notes
(see other side)

Section

A	The water right(s) being conveyed include Water Right No(s). along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) ☐ All of Water Rights No(s). ☒ 3.40 acre-feet from Water Right No. 81-3419 for: N/A families 0.68 acres of irrigated land: stock water for N/A Equivalent Livestock Units; and/or for the following other uses N/A ☒ 0.50 acre-feet from Water Right No. 81-4516 for: N/A families 0.10 acres of irrigated land: stock water for N/A Equivalent Livestock Units; and/or for the following other uses N/A Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5 N5 N2
C	Disclosures By Grantor: (check all boxes that apply) ☐ Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: ☐ Culinary water service is provided by: ☐ Outdoor water service is provided by: ☐ There is no water service available to Grantor's Parcel(s). ☐ Other water related disclosures:	N6 N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

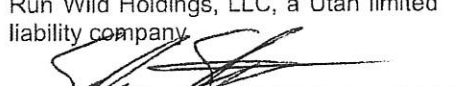
The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: Matthew & Kerry Ann Humphrey Revocable Trust,
dated February 10, 2005

Matthew John Humphrey, Trustee

Kerry Ann Humphrey, Trustee

Grantee's Acknowledgment of Receipt: Run Wild Holdings, LLC, a Utah limited liability company


Salem Levi Stanley, Member

Grantee's Address: 1201 S Hillcrest Drive, Washington, Utah 84780

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: Matthew John Humphrey and Kerry Ann Humphrey, Trustees of Matthew & Kerry Ann Humphrey Revocable Trust, dated February 10, 2005
 Grantee: Run Wild Holdings, LLC, a Utah limited liability company
 Tax ID Number(s): AV-1321-B

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

Check one box only

- | | | |
|---------------------------------------|---|----------------------|
| 1 ☐ | All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed. | Proceed to Section A |
| 2 ☒ | Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked) | B |
| 3 ☐ | No water rights are being conveyed. | C |
| 4 ☐ | Water rights are being conveyed by separate deed. | C |

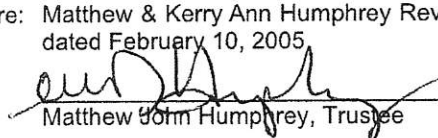
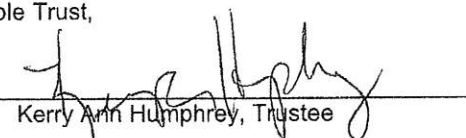
Important Notes
(see other side)

Section		
A	The water right(s) being conveyed include Water Right No(s). along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) ☐ All of Water Rights No(s). ☒ 3.40 acre-feet from Water Right No. 81-3419 for: N/A families 0.68 acres of irrigated land: stock water for N/A Equivalent Livestock Units; and/or for the following other uses N/A ☒ 0.50 acre-feet from Water Right No. 81-4516 for: N/A families 0.10 acres of irrigated land: stock water for N/A Equivalent Livestock Units; and/or for the following other uses N/A Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5 N5 N2
C	Disclosures By Grantor: (check all boxes that apply) ☐ Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: ☐ Culinary water service is provided by: ☐ Outdoor water service is provided by: ☐ There is no water service available to Grantor's Parcel(s). _ ☐ Other water related disclosures:	N6 N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature: Matthew & Kerry Ann Humphrey Revocable Trust,
dated February 10, 2005



 Matthew John Humphrey, Trustee Kerry Ann Humphrey, Trustee

Grantee's Acknowledgment of Receipt: Run Wild Holdings, LLC, a Utah limited liability company

Salem Levi Stanley, Member

Grantee's Address: 1201 S Hillcrest Drive, Washington, Utah 84780

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

NOTES TO WATER RIGHTS ADDENDUM TO LAND DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encouraged to conduct proper "due diligence" research into any water right before purchasing it.

- N1 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. **Failure to do so PROMPTLY may result in the loss of these water rights.** Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- N2 A water right often has one or more applications on file with the Utah Division of Water Rights that affect that water right, such as change applications, extension requests, and non-use applications. These applications should be transferred with the water right. The Grantee should review the water right applications and other documents on file with the Utah Division of Water Rights.
- N3 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If Section A is being completed, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- N4 100% of the water rights listed here are being conveyed to Grantee. A Report of Water Right Conveyance (see N1 above) should be filed on each water right listed here. The Water Rights listed in Section B may not provide sufficient water for all of the historic water uses.
- N5 Less than 100% of the water right listed is being conveyed to Grantee. The exact portion to be conveyed, expressed in terms of the beneficial uses associated with this portion of the water right must be described. This description generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply" [the amount of water allocated to each water right when more than one right is used on the same land or for the same livestock]; and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ECUS" which are quantified at the rate of 0.028 acre-feet per EAU for full-year use. Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- N6 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section C of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.
- N7 If culinary water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N8 If outdoor/secondary/irrigation water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N9 If this box is checked, the Grantee should investigate what water IF ANY is available for use on the Grantor's Parcel.
- N10 This space should be used for any other information that the Grantor has which is relevant to water issues associated with the Grantor's Parcel.

The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at 1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300 Telephone: 801-553-7240 Web Address: www.waterrights.utah.gov

When recorded mail deed and tax notice to:
Run Wild Holdings, LLC, a Utah limited liability
company

1201 S Hillcrest Drive
Washington, UT 84780



**SOUTHERN UTAH
TITLE COMPANY**
"Doing good Deeds for over 70 years"
sutco.com

Order No. 215584 - SLH
Tax I.D. No. AV-1321-C

Space Above This Line for Recorder's Use

WARRANTY DEED

Gary J McFadden and William P. McFadden, Co-Trustees of Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992, Gary J. McFadden, and Kathleen W McFadden, also known as Kathleen McFadden, grantor(s), of Salt Lake City, County of Salt Lake, State of Utah, hereby CONVEY and WARRANT to

Run Wild Holdings, LLC, a Utah limited liability company, grantee(s) of Washington, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

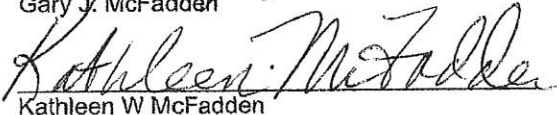
See Water Rights Addendum to Land Deeds attached hereto and made a part hereof

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 11th day of December, 2020.

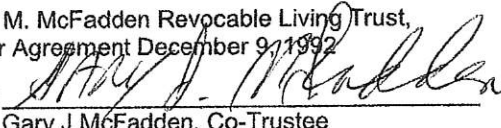


Gary J. McFadden



Kathleen W McFadden

Sybil M. McFadden Revocable Living Trust,
under Agreement December 9, 1992

By: 

Gary J McFadden, Co-Trustee

By: _____

William P. McFadden, Co-Trustee

See attachment for notary acknowledgment.

When recorded mail deed and tax notice to:
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Washington, UT 84780



**SOUTHERN UTAH
TITLE COMPANY**
"Doing good Deeds for over 70 years"
stille.com

Order No. 215584 - SLH
Tax I.D. No. AV-1321-C

Space Above This Line for Recorder's Use

WARRANTY DEED

Gary J McFadden and William P. McFadden, Co-Trustees of Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992, Gary J. McFadden, and Kathleen W McFadden, also known as Kathleen McFadden, grantor(s), of Salt Lake City, County of Salt Lake, State of Utah, hereby CONVEY and WARRANT to

Run Wild Holdings, LLC, a Utah limited liability company, grantee(s) of Washington, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

See Water Rights Addendum to Land Deeds attached hereto and made a part hereof

TOGETHER WITH all improvements and appurtenances there unto belonging, and being SUBJECT TO easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.

WITNESS the hand(s) of said grantor(s), this 10th day of December, 2020.

Gary J. McFadden

Kathleen W McFadden

Sybil M. McFadden Revocable Living Trust,
under Agreement December 9, 1992

By:

Gary J McFadden, Co-Trustee

X By:

William P. McFadden, Co-Trustee

See attachment for notary acknowledgment.

My Commission Expires:

Notary acknowledgment attachment to that certain Warranty Deed executed by Gary J McFadden and William P. McFadden, Co-Trustees of Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992, Gary J. McFadden, and Kathleen W McFadden, also known as Kathleen McFadden grantor(s), to Run Wild Holdings, LLC, a Utah limited liability company grantee(s)

Order No. 215584
Tax I.D. No. AV-1321-C

STATE OF Utah)
)
) ss.
COUNTY OF _____)

On the _____ day of December, 2020, personally appeared before me, Gary J. McFadden and Kathleen W McFadden, the signer(s) of the within instrument who duly acknowledged to me that he/she/they executed the same.

NOTARY PUBLIC

My Commission Expires:

STATE OF Utah)
)
) ss.
COUNTY OF Washington)

On the _____ day of December, 2020, personally appeared before me, Gary J McFadden, Co-Trustee of Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992, the signer of the within instrument who duly acknowledged to me that he/she executed the same.

NOTARY PUBLIC

My Commission Expires:

STATE OF New York)
)
) ss.
COUNTY OF Chautauqua)

On the 10th day of December, 2020, personally appeared before me, William P. McFadden, Co-Trustee of Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992, the signer of the within instrument who duly acknowledged to me that he/she executed the same.

Joan D. Wahl

NOTARY PUBLIC

My Commission Expires:

JOAN D. WAHL
Notary Public, State of New York
No. 01WA6087623
Qualified in Chautauqua County
Commission Expires February 18, 2023

Attachment to that certain Warranty Deed executed by Gary J McFadden and William P. McFadden, Co-Trustees of Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992, Gary J. McFadden, and Kathleen W McFadden, also known as Kathleen McFadden grantor(s), to Run Wild Holdings, LLC, a Utah limited liability company grantee(s).

Order No. 215584
Tax I.D. No. AV-1321-C

EXHIBIT "A"

Parcel 1:

The South Two-Thirds Southeast Quarter Southeast Quarter (S2/3SE1/4SE1/4) and the East One-half South Two-Thirds Southwest Quarter Southeast Quarter (S2/3SW1/4SE1/4) of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian and more particularly described as beginning at the Southeast Corner of said Section 20, and running South 89°57'16" West along the Section line 1981.74 feet; thence North 0°03'18" West 879.37 feet; thence North 89°57'16" East 1981.12 feet; thence South 0°05'43" East 879.37 feet to the point of beginning.

Parcel 2:

A Non-Exclusive 50 foot Right-of Way easement, created by Warranty Deed, recorded June 1, 2005, as Entry No. 948543, in Book 1750, at Pages 1086-1087, Official Washington County Records, described as follows:

Beginning at the Southeast Corner of Section 20, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South 89°57'16" West, along the Section line, 2591.71 feet; thence South 0°04'45" East 50.00 feet; thence South 89°58'39" West 2639.81 feet; thence South 0°04'26" East 822.39 feet; thence South 89°55'34" West 50.00 feet to a point on the West boundary line of said Section 29 and a point on the East right-of-way line of a public street referred to as Rome Way; thence North 0°04'26" West along said Section line 872.43 feet to the Southwest Corner of said Section 20; thence North 89°58'39" East along the Section line, 2639.81 feet to the South Quarter Corner of said Section 20; thence North 0°03'18" West, along the Quarter Section line, 50.00 feet; thence North 89°57'16" East 2641.67 feet to a point on the Section line; thence South 0°05'43" East, along the Section line, 50.00 feet to the point of beginning.

Initials



WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: Gary J McFadden and William P. McFadden, Co-Trustees of Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992, Gary J. McFadden, and Kathleen W McFadden, also known as Kathleen McFadden
 Grantee: Run Wild Holdings, LLC, a Utah limited liability company
 Tax ID Number(s): AV-1321-C

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

Check one box only

- 1 ☐ All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.
- 2 ☒ Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked)
- 3 ☐ No water rights are being conveyed.
- 4 ☐ Water rights are being conveyed by separate deed.

Proceed to Section

A
B
C
C

Important Notes
(see other side)

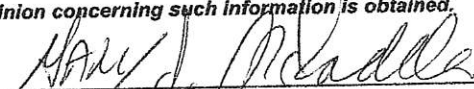
Section

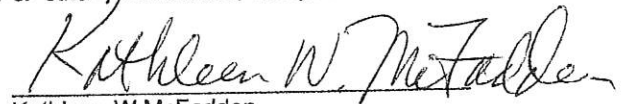
A	The water right(s) being conveyed include Water Right No(s). along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) ☐ All of Water Rights No(s). ☒ 10.0 acre-feet from Water Right No. 81-1490 for: N/A families 2.0 acres of irrigated land: stock water for N/A Equivalent Livestock Units; and/or for the following other uses N/A ☒ 12.80 acre-feet from Water Right No. 81-1490 for: N/A families 2.56 acres of irrigated land: stock water for N/A Equivalent Livestock Units; and/or for the following other uses N/A Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5 N5 N2
C	Disclosures By Grantor: (check all boxes that apply) ☐ Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: ☐ Culinary water service is provided by: ☐ Outdoor water service is provided by: ☐ There is no water service available to Grantor's Parcel(s). ☐ Other water related disclosures:	N6 N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

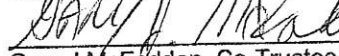
The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature:


 Gary J. McFadden


 Kathleen W McFadden

Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992


 Gary J McFadden, Co-Trustee

William P. McFadden, Co-Trustee

Grantee's Acknowledgment of Receipt:

Run Wild Holdings, LLC, a Utah limited liability company

Salem Stanley, Managing Member

Grantee's Address: 1201 S Hillcrest Drive, Washington, Utah 84780

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: Gary J McFadden and William P. McFadden, Co-Trustees of Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992, Gary J. McFadden, and Kathleen W McFadden, also known as Kathleen McFadden
 Grantee: Run Wild Holdings, LLC, a Utah limited liability company
 Tax ID Number(s): AV-1321-C

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

Check one box only

- | | | |
|---------------------------------------|---|----------------------|
| 1 ☐ | All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed. | Proceed to Section A |
| 2 ☒ | Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked) | B |
| 3 ☐ | No water rights are being conveyed. | C |
| 4 ☐ | Water rights are being conveyed by separate deed. | C |

Section		Important Notes (see other side)
A	The water right(s) being conveyed include Water Right No(s). along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) ☐ All of Water Rights No(s). ☒ 10.0 acre-feet from Water Right No. 81-1490 for: N/A families 2.0 acres of irrigated land: stock water for N/A Equivalent Livestock Units; and/or for the following other uses N/A ☒ 12.80 acre-feet from Water Right No. 81-1490 for: N/A families 2.56 acres of irrigated land: stock water for N/A Equivalent Livestock Units; and/or for the following other uses N/A Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5 N5 N2
C	Disclosures By Grantor: (check all boxes that apply) ☐ Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: ☐ Culinary water service is provided by: ☐ Outdoor water service is provided by: ☐ There is no water service available to Grantor's Parcel(s). ☐ Other water related disclosures:	N6 N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature:

Gary J. McFadden

Kathleen W McFadden

Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992

Gary J McFadden, Co-Trustee

William P. McFadden, Co-Trustee

Grantee's Acknowledgment of Receipt:

Run Wild Holdings, LLC, a Utah limited liability company

Salem Stanley, Managing Member

Grantee's Address: 1201 S Hillcrest Drive, Washington, Utah 84780

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: Gary J McFadden and William P. McFadden, Co-Trustees of Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992, Gary J. McFadden, and Kathleen W McFadden, also known as Kathleen McFadden
 Grantee: Run Wild Holdings, LLC, a Utah limited liability company
 Tax ID Number(s): AV-1321-C

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

Check one box only

- | | | |
|---------------------------------------|---|----------------------|
| 1 ☐ | All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed. | Proceed to Section A |
| 2 ☒ | Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked) | B |
| 3 ☐ | No water rights are being conveyed. | C |
| 4 ☐ | Water rights are being conveyed by separate deed. | C |

Important Notes
(see other side)

Section		
A	The water right(s) being conveyed include Water Right No(s). along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) ☐ All of Water Rights No(s). ☒ 10.0 acre-feet from Water Right No. 81-1490 for: N/A families 2.0 acres of irrigated land: stock water for N/A Equivalent Livestock Units; and/or for the following other uses N/A ☒ 12.80 acre-feet from Water Right No. 81-1490 for: N/A families 2.56 acres of irrigated land: stock water for N/A Equivalent Livestock Units; and/or for the following other uses N/A Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5 N5 N2
C	Disclosures By Grantor: (check all boxes that apply) ☐ Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: ☐ Culinary water service is provided by: ☐ Outdoor water service is provided by: ☐ There is no water service available to Grantor's Parcel(s). ☐ Other water related disclosures:	N6 N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature:

Gary J. McFadden

Kathleen W McFadden

Sybil M. McFadden Revocable Living Trust, under Agreement December 9, 1992

Gary J McFadden, Co-Trustee

William P. McFadden, Co-Trustee

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Salem Stanley, Managing Member

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NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

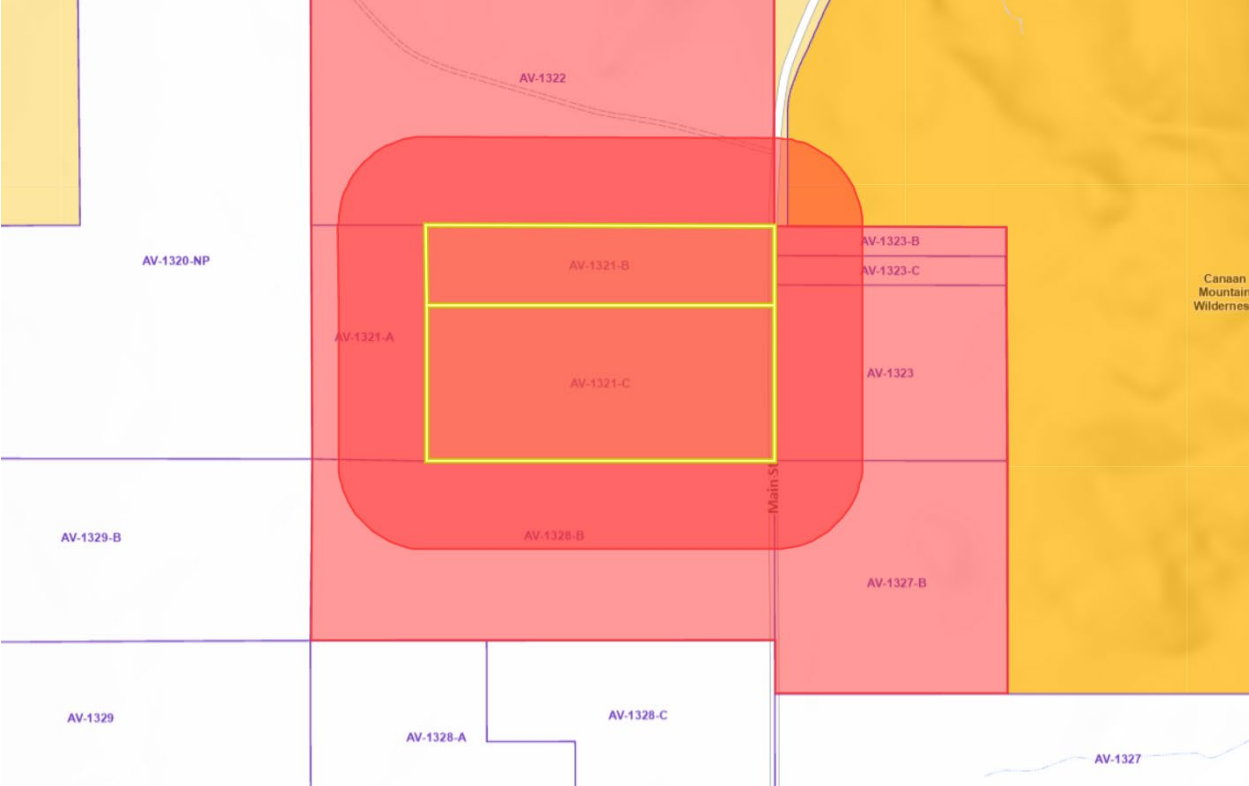
NOTES TO WATER RIGHTS ADDENDUM TO LAND DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encouraged to conduct proper "due diligence" research into any water right before purchasing it.

- N1 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. **Failure to do so PROMPTLY may result in the loss of these water rights.** Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- N2 A water right often has one or more applications on file with the Utah Division of Water Rights that affect that water right, such as change applications, extension requests, and non-use applications. These applications should be transferred with the water right. The Grantee should review the water right applications and other documents on file with the Utah Division of Water Rights.
- N3 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If Section A is being completed, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- N4 100% of the water rights listed here are being conveyed to Grantee. A Report of Water Right Conveyance (see N1 above) should be filed on each water right listed here. The Water Rights listed in Section B may not provide sufficient water for all of the historic water uses.
- N5 Less than 100% of the water right listed is being conveyed to Grantee. The exact portion to be conveyed, expressed in terms of the beneficial uses associated with this portion of the water right must be described. This description generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply" [the amount of water allocated to each water right when more than one right is used on the same land or for the same livestock]; and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ECUS" which are quantified at the rate of 0.028 acre-feet per EAU for full-year use. Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- N6 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section C of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.
- N7 If culinary water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N8 If outdoor/secondary/irrigation water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N9 If this box is checked, the Grantee should investigate what water IF ANY is available for use on the Grantor's Parcel.
- N10 This space should be used for any other information that the Grantor has which is relevant to water issues associated with the Grantor's Parcel.

The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at 1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300 Telephone: 801-553-7240 Web Address: www.waterrights.utah.gov





December 21, 2020

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST

Parcel Numbers: AV-1321-B and AV-1321-C

Address: See Map

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from OS/OST (Open Space/Open Space Transition Zone) to TC (Tourist Commercial) for the purpose building homes. The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following link:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.030_C_Commercial_Zones

The hearing will be held **Wednesday, January 6th, at 6:00 PM**. MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning Administrator, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.



1777 North Meadowlark Drive
Apple Valley, Utah 84737
Phone: (435) 877-1190
Fax: (435) 877-1192
www.applevalleyut.gov

The acting Planning and Zoning Administrator can be reached by phone at (435) 877-1190, or by email at administrator@applevalleyut.gov. Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner's property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

Kind Regards,

John Barlow,
Finance Director
Phone: (435) 877-1190
Fax: (435) 877-1192
www.applevalleyut.gov





Town of Apple Valley
1777 N Meadowlark Dr
Apple Valley UT 84737
T: 435.877.1190 | F: 435.877.1192
www.applevalleyut.gov

Fee: \$500.00 + Acreage Fee	
1 – 100 Acres:	\$50.00/Acre
101 – 500 Acres:	\$25.00/Acre
501 + Acres:	\$10/Acre

Zone Change Application

Applications Must Be Submitted A Minimum of 21 Days In Advance of The Planning Commission Meeting

Name:		Phone: [REDACTED]	
Address: [REDACTED]		Email: [REDACTED]	
City:	State:	Zip:	
Agent: (If Applicable)		Phone:	
Address/Location of Property:		Parcel ID:	
Existing Zone:		Proposed Zone:	
Reason for the request			

Submittal Requirements: The zone change application shall provide the following:

- ☒ A. The name and address of every person or company the applicant represents
- ☐ B. An accurate property map showing the existing and proposed zoning classifications
- ☐ C. All abutting properties showing present zoning classifications
- ☐ D. An accurate legal description of the property to be rezoned
- ☐ E. Stamped envelopes with the names and address's of all property owners within 500' of the boundaries of the property proposed for rezoning. Including owners along the arterial roads that may be impacted
- ☐ F. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence the applicant has control of the property

Note: To avoid delays in processing your Zone Change request, it is important that all applicable information noted above, along with the fee, is submitted with the application. An incomplete application will not be scheduled for the Planning Commission. Planning Commission meetings are held on the second and fourth Wednesday of each month at 6:00 pm. Submission of a completed application does not guarantee your application will be placed on the next PC meeting agenda. It may be placed on the next available PC meeting agenda.

Official Use Only	
Date Received:	By:
Date Application Deemed Complete:	By:

ZONE CHANGE APPLICATION - GENERAL INFORMATION

PURPOSE

All lands within the Town are zoned for a specific type of land use (single family residential, multi-family, commercial, etc.). Zoning occurs as a means to provide for a relationship between various types of land uses which promotes the health, safety, welfare, order, economics, and aesthetics of the community. Zoning is one of the main tools used to implement the Town's General Plan.

WHEN REQUIRED

A zone change request is required any time a property owner desires to make a significant change to the use of his/her land. The change may be from one zone density to another. Or, it may be to an entirely different type of use, such as a change from residential to commercial. Since the zone applied to your land limits what you can do, a rezoning application is typically the first step toward a change.

REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE

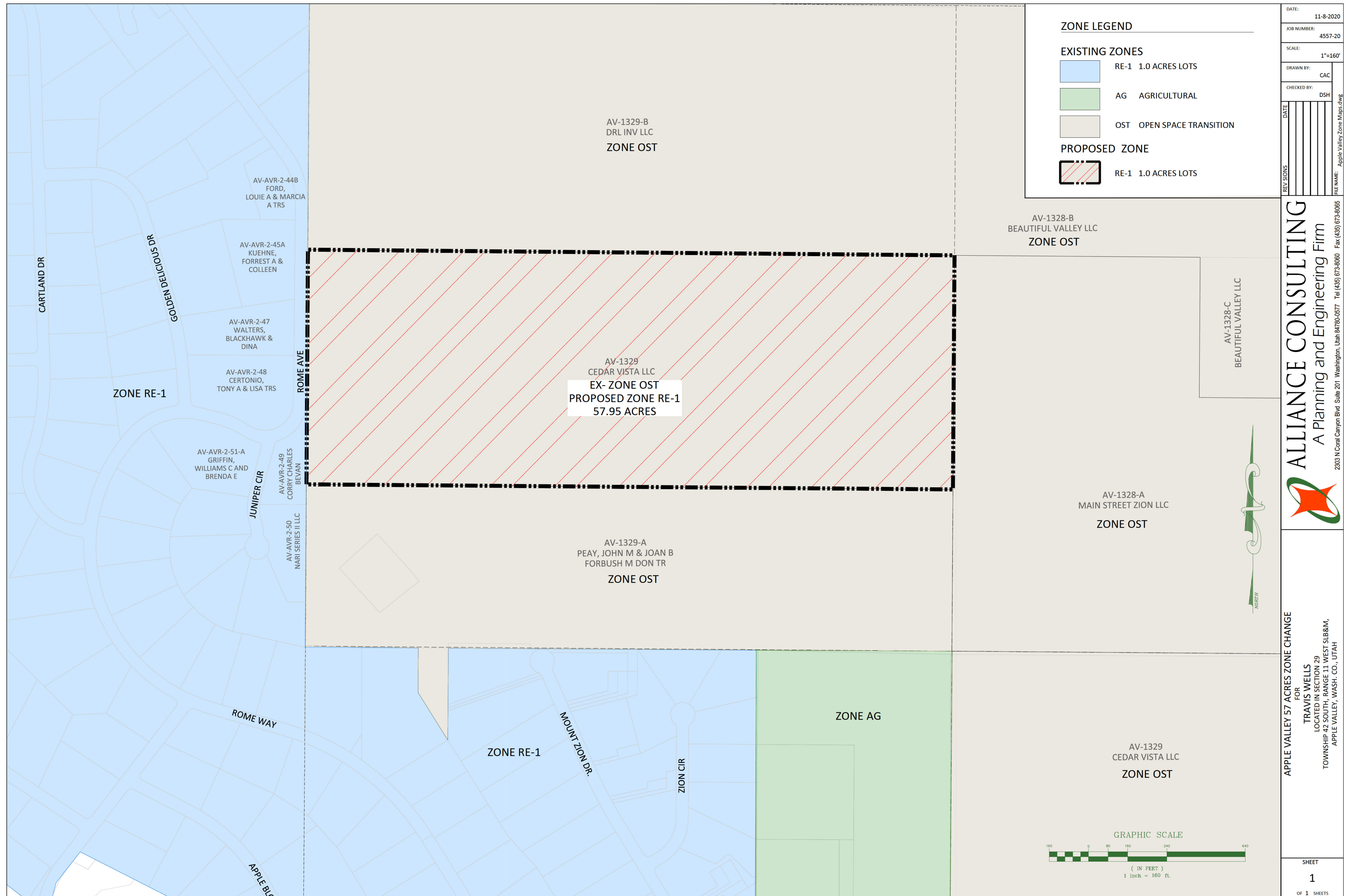
When approving a zone change, the following factors should be considered by the Planning Commission and Town Council:

1. Whether the proposed amendment is consistent with the Goals Objectives and Policies of the Town's General Plan;
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The extent to which the proposed amendment may adversely affect adjacent property and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways parks and recreation facilities police and fire protection schools storm water drainage systems water supplies and waste water and refuse collection

PROCESS

Submit a complete application After it is deemed complete staff will review the request and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the pub may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report and forward a recommendation to the Town Council of approval, approval with modifications, or denial of the zone change application

Upon receipt of the Planning Commission recommendation, typically one (1) week after the Planning Commission action, the Town Council will consider and act on the Commission's recommendation. The action of the Town Council is final. If denied, a similar application generally cannot be heard for a year.



STATE OF UTAH)

COUNTY OF WASHINGTON)

I (We) _____, being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

Property Owner

Property Owner

Subscribed and sworn to me this _____ day of _____, 20____.

Notary Public

Residing in: _____

My Commission Expires: _____

AGENT AUTHORIZATION

I (We), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.



Cedar Vista LLC
Property Owner

[Signature]
Property Owner

Subscribed and sworn to me this _____ day of _____, 20____.

Julia G. Lewis
Notary Public



AMENDMENT TO CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Title 30, Chapters 21 and 25, Idaho Code

Base Filing fee: \$30.00.

Complete and submit the application in duplicate.

FILED EFFECTIVE

2017 OCT -2 AM 10:32

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:
Cedar Vista, LLC
2. The date the certificate of organization was originally filed : September 10, 2012
3. The name of the limited liability company is amended to:

4. The complete street and mailing addresses of the principal office is amended to:

(Street Address)

(Mailing Address, if different)
5. The mailing address for future correspondence (annual reports) is amended to:

(Address)
6. The name and address of the managers/members shall be amended as follows:
Add: ☐ Delete: ☒ Richard H. Miller 2150 South 1300 East, Ste 150, Salt Lake City, UT 84106
(Name) (Address)
Add: ☐ Delete: ☐ _____
(Name) (Address)
Add: ☐ Delete: ☐ _____
(Name) (Address)
7. Signature of a manager, member, or authorized person.
Printed Name: John K Bagley
Signature: [Signature]
Printed Name: _____
Signature: _____

Secretary of State use only

IDAHO SECRETARY OF STATE

10/02/2017 05:00

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W117131

WALTERS BLACKHAWK & DINA
AV-AVR-2-47
1793 N ROME WAY
HURRICANE, UT 84737-4816

FULLMER SUSAN P, ET AL
AV-AVR-2-56
1584 N ROME WAY
HURRICANE, UT 84737

CLEVERLEY PAUL A
AV-AVR-2-37
1963 N ROME AVE
HURRICANE, UT 84737-4801

FORD LOUIE A & MARCIA A TRS
AV-AVR-2-44-C
1903 N ROME AVE
APPLE VALLEY , UT 84737

CORRY CHARLES BEVAN
AV-AVR-2-49
2573 LAKE ST
SALT LAKE CITY, UT 84106

RAINEY WORDELL J & DONNA ROSE TRS
AV-AVR-2-54
1360 E TELEGRAPH ST # 136
WASHINGTON, UT 84780

MAY FRANK C
AV-AVR-2-52-A
2135 CUMMINGS HWY
CHATTANOOGA, TN 37419

DRL INV LLC
AV-1329-B
5 ELIZABETH LN
DANVILLE, CA 94526

HENDEREK ROBYN, ET AL
AV-AVR-2-29
1758 N CARTLAND DR
APPLE VALLEY, UT 84737

JEFFS CAROLE J
AV-AVR-2-36
1871 N GOLDEN DELICIOUS DR
HURRICANE, UT 84737

CEDAR VISTA LLC
AV-1329
PO BOX 122
REXBURG, ID 83440

LEGRAND JOHN D & HEATHER A
AV-AVR-2-41
1933 N ROME AVE
HURRICANE, UT 84737

MAY FRANK C
AV-AVR-2-52-A
2135 CUMMINGS HWY
CHATTANOOGA, TN 37419

CERTONIO TONY A & LISA TRS
AV-AVR-2-48
2152 S ANGEL HEIGHTS DR
HURRICANE, UT 84737

DEWEY JOSHUA
AV-AVR-2-32
1781 N GOLDEN DELICIOUS DR
APPLE VALLEY, UT 84737

MILDON BRENT K TR
AV-AVR-2-42
PO BOX 124
OAKLEY, UT 84055-0124

BEAUTIFUL VALLEY LLC
AV-1328-B
550 N 160 W CIR
SAINT GEORGE, UT 84770

EWELL DWAYNE, ET AL
AV-AVR-2-41-B
PO BOX 74
TOQUERVILLE, UT 84774-0074

HURST HENRY WAYNE & PEARL K
AV-AVR-2-51
1744 N ROME WAY
APPLE VALLEY, UT 84737

CHAPPELL DOUGLAS W
AV-AVR-2-33
1791 N GOLDEN DELICIOUS DR
APPLE VALLEY, UT 84737-4831

PORTER JEFFRY RANDALL & LOLA CLAIRE TRS
AV-AVR-2-56-A
2426 W SPENCER CREST DR
BLUFFDALE, UT 84065

NELSON PRICE W & CONNIE M TRS
AV-AVR-2-35
1851 N GOLDEN DELICIOUS DR
HURRICANE, UT 84737-4870

FECHSER JOHN
AV-AVR-2-55
1604 N ROME WAY
APPLE VALLEY, UT 84737

PEAY JOHN M & JOAN B
AV-1329-C-1
1617 N MOUNT ZION DR
APPLE VALLEY, UT 84737-4884

BARLOW SAMUEL P
AV-AVR-2-43
1924 N ROME AVE
HURRICANE, UT 84737

CAM ALPAY
AV-AVR-2-57
4759 HACKAMORE DR
LAS VEGAS, NV 89103

KUEHNE FORREST A & COLLEEN
AV-AVR-2-45-A
1833 N ROME AVE
APPLE VALLEY, UT 84737

GUNN MARK W, ET AL
AV-AVR-2-53
1644 N ROME WAY
APPLE VALLEY, UT 84737-4817

BILANCIA SUZANNE M
AV-AVR-2-52
1664 N ROME WAY
APPLE VALLEY, UT 84737

DUVAL LAMBERT L
AV-AVR-2-34
1821 N GOLDEN DELICIOUS DR
HURRICANE, UT 84737

NARI SERIES II LLC

AV-AVR-2-50
261 ANTELOPE VILLAGE CIR
HENDERSON, NV 89012

PEAY JOHN M & JOAN B, ET AL

AV-1329-A
1617 N MOUNT ZION DR
APPLE VALLEY, UT 84737-4884

GRIFFIN WILLIAM C & BRENDA E

AV-AVR-2-51-A
1727 N JUNIPER CIR
APPLE VALLEY, UT 84737-4848

FORD LOUIE A & MARCIA A TRS

AV-AVR-2-44-B
1903 N ROME AVE
APPLE VALLEY , UT 84737

RIDING STEWART, ET AL

AV-AVR-2-46-A
41203 N HARDESTY
ELK, WA 99009

DARGER DAN R & IDA J

AV-AVR-2-30
1733 N ROME WAY
HURRICANE, UT 84737

MAIN STREET ZION LLC

AV-1328-A
11505 RIVOLLI DR
RENO, NV 89521

WILSTERMAN JOSEPH & BRITNIE K

AV-AVR-2-40
1892 N GOLDEN DELICIOUS DR
HURRICANE, UT 84737-4870



1777 North Meadowlark Drive
Apple Valley, Utah 84737
Phone: (435) 877-1190
Fax: (435) 877-1192
www.applevalleyut.gov

November 20th, 2020

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST
Parcel Numbers: AV-1329
Address: NW ¼ Section 29, T-42S R 11W, S.L.B. & M.

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from OS/OST (Open Space/Open Space Transition Zone) to RE-1 (Rural Estate 1-Acre) for the purpose building homes. The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following link:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.020_A_Agricultural_Zone

The hearing will be held **December 9th, at 6:00 PM**. MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning Administrator, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.

The acting Planning and Zoning Administrator can be reached by phone at (435) 877-1190, or by email at administrator@applevalleyut.gov. Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner's property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

Kind Regards,

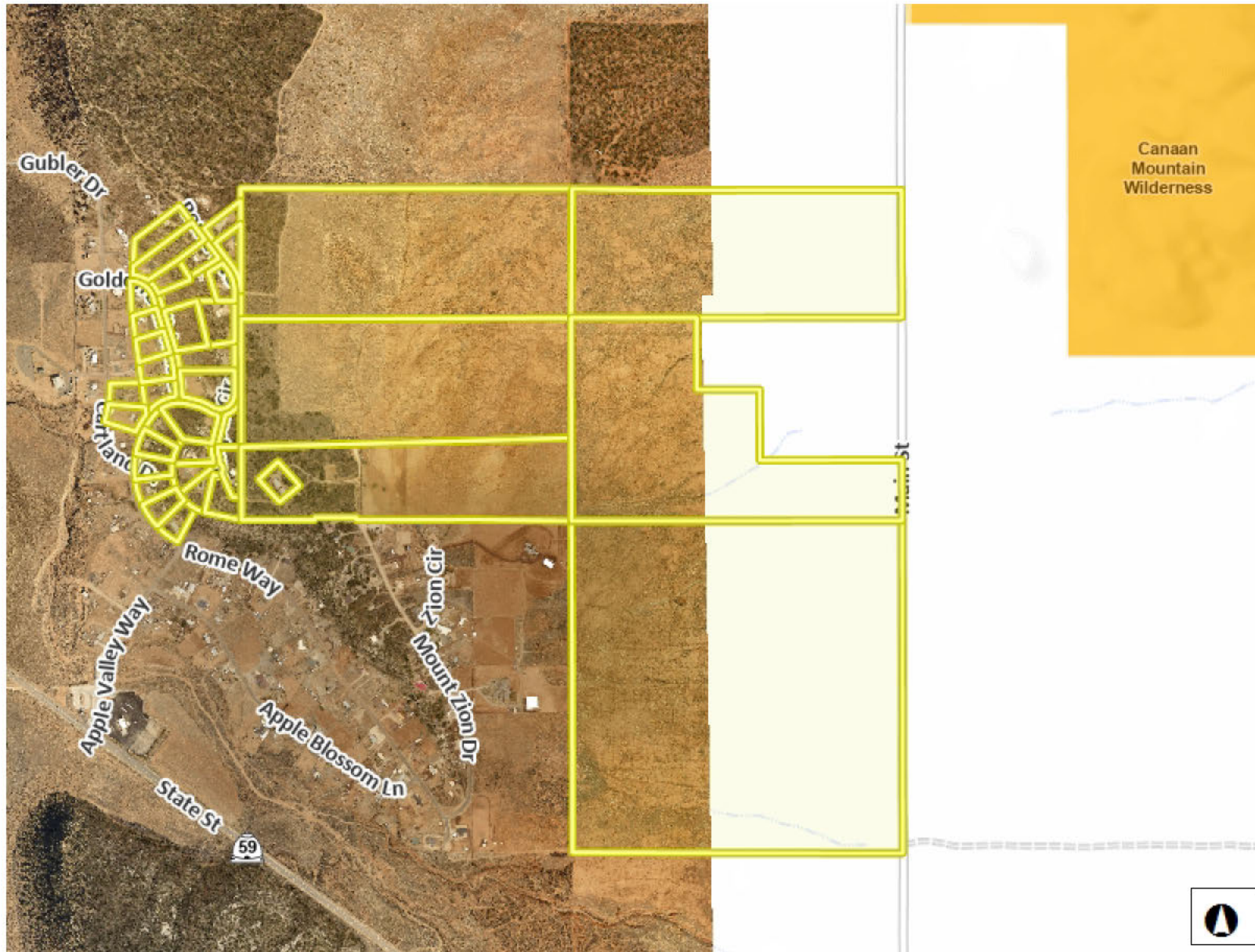
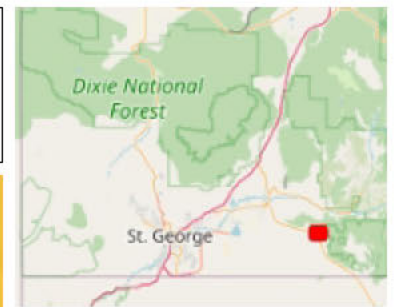
John Barlow,
Finance Director
Phone: (435) 877-1190
Fax: (435) 877-1192
www.applevalleyut.gov



Mayor Marty Lisonbee
Council Members: Debbie Kopp, Paul Edwardsen, Mike McLaughlin, and Dale Beddo



Apple Valley



Legend

- County Boundary Outline
- CountyMask
- Building Outlines
- Roads**
 - Interstate
 - State Route
 - Major
 - Minor
 - Dirt
- Waterbodies
- Watercourses**
 - <all other values>
 - Santa Clara River
 - Virgin River
- Hillshade**
 - High : 238
 - Low : 4
- Ownership**
 - U.S. Forest Service
 - U.S. Forest Service Wilderness
 - Bureau of Land Management
 - Bureau of Land Management Wild
 - National Park Service
 - Shivwits Reservation
 - Utah Division of Wildlife Resources



Notes

3,009.3 0 1,504.66 3,009.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.



Apple Valley AV-1329

Parcel 2 of Document No. 20170037242

The Northwest Quarter, Less and Excepting the South 40.0 acres (As measured along the South line) of the Northwest quarter of Section 29, Township 42 South, Range 11, West, Salt Lake Base and Meridian; Also Less and Excepting the following: Beginning at the Northwest Corner of Section 29, Township 42 South, Range 11 West, Salt Lake Base and Meridian, and running thence South $89^{\circ}57'52''$ East along the Section line 2639.81 feet to the North Quarter Corner of said Section 29; thence South $0^{\circ}05'25''$ East along the quarter Section line 1019.60 feet; thence North $89^{\circ}57'52''$ West 2639.41 feet to a point on the Section line; thence North $0^{\circ}06'46''$ West along the section line 1019.60 feet to the point of beginning.



TO: Planning Commission; Town Council; Mayor
FROM: John Barlow, Apple Valley Finance Director
DATE: December 8th, 2020
RE: Staff Review of Rezone Application

APPLE VALLEY PLANNING COMMISSION APPLICATION STAFF REPORT

Application Type: Rezone Application
Agent Name: Craig Coats (Alliance Consulting)
Project Address: NW ¼ Section 29, T-42S R 11W, S.L.B. & M.
Parcel/Lot Number: AV-1329
Current Zoning: Open Space (OS)
Proposed Zoning: Rural Estate 1 Acre (RE-1.0)
Legislative/Administrative Proceeding: Legislative
Approval Authority: Apple Valley Town Council
Appeal Authority: Apple Valley Appeal Authority

Date of Public Hearing: December 8th, 2020
Location of Public Hearing: Apple Valley Town Hall
Body of Public Hearing: Apple Valley Planning Commission
Notice to Mailed to Neighbors: November 20th, 2020

Summary of Application

The Applicant is requesting an amendment to the zoning map to change the northwest section of AV-1329 from Open Space to Rural Estate 1 Acre for the purposes of a proposed subdivision.

This would move the property from an allowed density of zero residential units to approximately 60 residential units.

General Plan and Zoning

The general plan map has this property designated open space (OS/OST); however, the applicant is has also requested that the Planning Commission consider changing that designation.

Standards for Approval/Denial



Apple Valley ordinance does not outline a standard for approval; however, the staff recommends at least considering the following:

1. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The extent to which the proposed amendment may adversely affect adjacent property; and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.

Staff Analysis

Please keep in mind that the list of consideration above and discussed below are NOT a comprehensive list of consideration, but a recommended minimum amount of consideration.

PZ Commission can make a recommendation based on: ANY RATIONAL BASIS. This is the most flexible level of discretion given to you under the law.

Is the applicant request consistent with the General Plan's (GP) goals, objectives, and policies?

The applicant's request is in line with the General Plan. The general plan map has the property designated as medium residential density.

Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?

The request zoning is consistent with the zoning and land use for property to the west of the applicant's property. The land uses to the east are very low density housing, agricultural, and open space.

Will the proposed amendment adversely affect adjacent property?

The proposed zoning may have negatively affect adjacent property by obstructing views and putting and increased demand on existing infrastructure; however, these adverse



effects could be mitigated with proper planning and infrastructure investment.

Is there adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection?

There is not adequate infrastructure to support this level of development. The following infrastructural investments would be needed to support this level of density;

1. improvements to roads,
2. improvements to storm water infrastructure,
3. improvements to water distribution systems, and
4. further studies are needed to understand the potential impact of wastewater.

Staff Recommendation

There are at least two key considerations for this application.

The first is determination of how best to balance property owner's rights to enjoy the full and best use of their property and the interest of adjacent property to enjoy their property. It is staff's recommendation, in situations like this, to fall back on high-level planning (i.e. the general plan), which would point toward approving the application.

The second consideration is the adequacy of the Town's systems to support the level of density. In this case, the Town's systems would rely heavily on the developer to include system and project specific improvements to support the would-be level of demand.



Caution

Ask yourself the following questions before voting.

1. Do I have a conflict of interest that has not been disclosed?
2. Am I granting this application based on who the applicant is?
3. In our discussion or in my own personal deliberations, did I/we consider the applicant's:
 - Color
 - Disability
 - Family Status
 - Sex/Gender
 - Race
 - Religion
 - National Origin
 - Familial Status
 - Military Service

If the answer is yes to any of the questions above, STOP. Consult with Town Staff, or the Town Attorney.



Sample Motions

(Approve without conditions) I move we recommend that the Town Council approve the zoning map amendment requested for the northwest quarter of parcel AV-1329 based on the findings set forth in the staff report and (if applicable) for the following additional reasons: _____.

(Approve with conditions) I move we recommend that the Town Council approve the zoning map amendment for the northwest quarter of parcel AV-1329 with the following conditions: [list conditions] _____.

(Deny) I move we recommend the Town Council deny the zoning map amendment requested for the northwest quarter of parcel AV-1329 based on the findings set forth in the staff report and (if applicable) for the following additional reasons:

(Postpone) I move we postpone considering the text amendment application to the next regular planning commission meeting, and direct staff to report back about _____.



December 21, 2020

RE: NOTICE OF PUBLIC HEARING — RE-ZONE REQUEST

Parcel Numbers: AV-1329

Address: NW ¼ Section 29, T-42S R 11W, S.L.B. & M.

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from OS/OST (Open Space/Open Space Transition Zone) to RE-1 (Rural Estate 1-Acre) for the purpose building homes. The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Apple Valley Land Use Ordinance, available in the Town Recorder's office or at the following link:

https://applevalley.municipalcodeonline.com/book?type=landordinances#name=10.10.050_RE_Rural_Estates_Zone

The hearing will be held **Wednesday, January 6th, at 6:00 PM**. MDT, at Apple Valley Town Hall, which is located at 1777 North Meadowlark Drive, Apple Valley, Utah 84737. Any objections, questions or comments can be directed by mail to the Town of Apple Valley, Attn: Planning and Zoning Administrator, 1777 North Meadowlark Drive, Apple Valley, Utah 84737, or in person at the Apple Valley Town Hall.



1777 North Meadowlark Drive
Apple Valley, Utah 84737
Phone: (435) 877-1190
Fax: (435) 877-1192
www.applevalleyut.gov

The acting Planning and Zoning Administrator can be reached by phone at (435) 877-1190, or by email at administrator@applevalleyut.gov. Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner's property in the proposed zoning map amendment, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Apple Valley Town Council.

You may have received a notice for this zone change request already. A second notice is being sent because the public hearing will need to be held again in order to fully comply with state noticing requirements and open and public meeting laws.

Kind Regards,

John Barlow,
Finance Director
Phone: (435) 877-1190
Fax: (435) 877-1192
www.applevalleyut.gov





AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH

)
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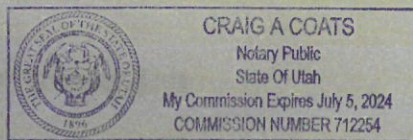
COUNTY OF WASHINGTON)

I (We) John K. Bagley, being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.

John K. Bagley
Property Owner

Property Owner

Subscribed and sworn to me this 9 day of December, 2020.



Craig A. Coats
Notary Public

Residing in: Wash. Co.

My Commission Expires: July 5, 2024

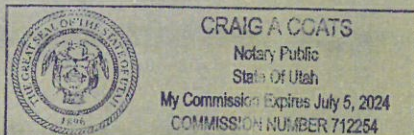
AGENT AUTHORIZATION

I (We), Cedar Vista LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Alliance Consulting to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.

John K. Bagley
Property Owner

Property Owner

Subscribed and sworn to me this 9 day of December, 2020.



Craig A. Coats
Notary Public

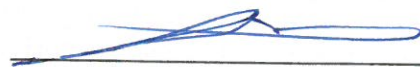
Residing in: Wash. Co

My Commission Expires: July 5, 2024

**AFFIDAVIT
PROPERTY OWNER**

STATE OF UTAH)
)
COUNTY OF WASHINGTON)

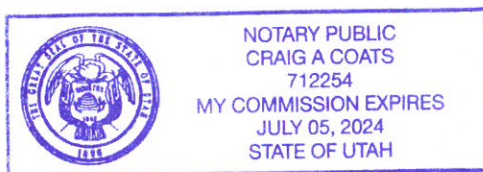
I (We) Travis Wells (TLW Investments LLC), being duly sworn, depose and say that I (We) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (We) also acknowledge that I (We) have received written instructions regarding the process for which I (We) am (are) applying and the Apple Valley Town planning staff have indicated they are available to assist me in making this application.



Property Owner

Property Owner

Subscribed and sworn to me this 21 day of Dec, 2020.





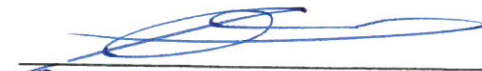
Notary Public

Residing in: Wash. Co.

My Commission Expires: July 05, 2024

AGENT AUTHORIZATION

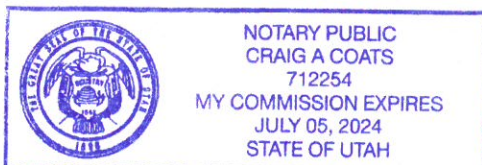
I (We), TLW Investments LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Alliance Consulting to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative body in the Town of Apple Valley considering this application and to act in all respects as our agent in matters pertaining to the attached application.



Property Owner

Property Owner

Subscribed and sworn to me this 21 day of Dec, 2020.





Notary Public

Residing in: Wash. Co.

My Commission Expires: July 05, 2024