

HEBER CITY CORPORATION
75 North Main Street
Heber City, Utah
Planning Commission Meeting
Thursday, August 8, 2013

7:00 p.m.
Regular Meeting

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

Public notice is hereby given that the monthly meeting of the Heber City Planning Commission will be in the Heber City Office Building, 75 North Main, South door, in the Council Chambers upstairs.

Pledge of Allegiance: By Invitation
Minutes: July 11, 2013, Regular Meeting

Item 1 Nathan Haack requests approval of the Haack Subdivision, a small subdivision located at approximately 850 East Center Street

Item 2 Haskell Homes requests Subdivision Final Approval for the Swift Creek Subdivision located south of Aspen Pointe Subdivision, north of Majestic Mountain Subdivision, west of Noble Visa Subdivision and Brown Estates approximately between 900 South to 1100 South and 800 East to 1000 East, located in the Southeast quarter of Section 5, Township 4 South, Range 5 East, SLB&M

Item 3 Boyer Company requests approval of a single family home development located at Industrial Parkway and 1200 South

Item 4 Red Ledges requests Subdivision Final Approval for Red Ledges Subdivision Phase 2D, located in the Red Ledges Development in the vicinity of Red Ledges Blvd. The main entrance to the Red Ledges Development is at 1851 East Center Street (Lake Creek Drive)

Item 5 Consideration of proposed 4.014 acre Gardner Annexation at 2530 South Southfield Road for airport land owned by Heber City

Administrative Items:

Those interested in the above items are encouraged to attend. Order of items may vary if needed. In compliance with the Americans with Disabilities Act, those needing special accommodations during this meeting or who are non-English speaking should contact Karen Tozier or the Heber City Planning and Zoning Department (435-654-4830) at least eight hours prior to the meeting.

Posted on August 1, 2013 in the Wasatch County Community Development Building, Wasatch County Library, Heber City Hall, the Heber City Website at www.ci.heber.ut.us and on the Utah Public Notice Website at <http://pmn.utah.gov>. Notice provided to the Wasatch Wave on August 1, 2013.

Karen Tozier, Planning Commission Secretary

1 HEBER CITY CORPORATION
2 75 North Main Street
3 Heber City, Utah
4 Planning Commission Meeting
5 Thursday, July 11, 2013

6 7:00 p.m.
7 Regular Meeting
8
9

Present: Planning Commission: Harry Zane
Michael Thurber
David Richards
Kieth Rawlings
Darryl Glissmeyer
Clayton Vance

Absent: Craig Hansen
Mark Webb

Staff Present: Planning Director Anthony Kohler
Planning Secretary Karen Tozier
City Engineer Bart Mumford

10 Others Present: Paul Berg and Jeff Riding.
11
12

13 Chairman Rawlings convened the meeting at 7:08 p.m. with a quorum present.
14

15 **Pledge of Allegiance: Commissioner Glissmeyer**
16 **Approval of Minutes: June 13, 2013, Regular Meeting**
17

18 No comments or concerns regarding the minutes from the Commission. Chairman Rawlings
19 stated if there were no comments to the minutes the Chair would entertain a motion to approve
20 the minutes for the June 13th Regular Meeting. Commissioner Glissmeyer stated his motion, "So
21 moved". Commissioner Zane seconded the motion. Voting Aye: Commissioners Zane,
22 Richards, Rawlings, Glissmeyer, and Vance. Absent: Commissioner Thurber. Voting Nay:
23 none. The motion passed.
24

25 **Item 1 Public Hearing to consider adoption of proposed Beekeeping Ordinance**
26

27 Anthony Kohler indicated that Heber City does not currently have an ordinance which would
28 permit beekeeping although there are some individuals in the City who are keeping bees. The
29 reason for the ordinance would be to promote the ability of people to grow gardens and crops as
30 long as this isn't a nuisance. He had provided a number of ordinances from other cities for the
31 Commission to review and the proposed ordinance had been drafted after Salt Lake City's
32 Ordinance.
33

34 Chairman Rawlings opened the public hearing to public comment. A member of the public, Jeff
35 Riding, indicated he would like to make some comments after he had had time to read the
36 proposed ordinance. Chairman Rawlings answered that they would hear his comments when he

37 was ready, to just raise his hand, and they would listen to any comments he had. Riding agreed
38 to this. There were no other members of the public in attendance and so Chairman Rawlings
39 closed the public hearing at this time.

40
41 The Commission discussed the proposed ordinance. Commissioner Zane commented on Item B
42 Hive Location by stating that he thought it would be alright for the adjoining property owner to
43 waive the placement of hives a minimum of five feet from the property line but that the
44 requirement for the hives to be at least six inches above the ground should not be waived under
45 any circumstances. There was further discussion on this, whether there should be a waiver to the
46 five foot requirement from the property line, hive flyway zone, flight path, and proximity to
47 property lines and possibly sidewalks. Jeff Riding indicated that many beekeepers will place a
48 two foot barrier in front of the hive, that bees will adjust their flight path; they will naturally go
49 up to avoid running into anything. When within five feet bees can not necessarily fly straight up.
50 There were questions as to how many bees are in a hive. Jeff Riding answered questions. He
51 expressed he hated to see restrictions. How many bees should be allowed? He explained that the
52 area bees need pertains to foraging area and not so much the size of the yard. Riding indicated
53 bees will range within one mile of their hive. Discussion on limiting the number of hives, on
54 apiary inspectors, inspections, bee diseases, and requiring or not requiring beekeepers to take a
55 class such as a community education three-night class. The Commissioners expressed their
56 thoughts on these topics. Jeff Riding brought up the topic in the ordinance that stated regardless
57 of tract size, where all hives are situated at least 200 feet in any direction from all property lines
58 of the tract on which the apiary is situated; there shall be no limit to the number of colonies. He
59 indicated that if he was a beekeeper and wanted to keep 25 hives on someone's land he would
60 hate to be restricted to have to have it in the center; it is usually on the property edges where
61 farmers are going to say, 'I don't plant, I don't irrigate this corner, so keep the bees over there',
62 as opposed to making it be in the center of the property. Discussion of this, after discussion
63 concluded Riding indicated he had no objections.

64
65 Commissioner Zane moved that we accept the proposed beekeeping ordinance that we've got a
66 draft here and also that provided they add the-they keep the hive six inches off the ground if they
67 have that waiver thing. Chairman Rawlings asked him, so you want to make that mandatory, six
68 inches above the ground no matter what? Commissioner Zane answered, "Yeah, no matter what
69 the deal is, six inches above the ground all the time". Chairman Rawlings repeated, "Six inches
70 above the ground no matter what, even, with adjacent property owner waiving the - okay, so if
71 that passes we might have to just make the change in the ordinance". Commissioner Thurber
72 seconded the motion. Commissioner Thurber asked what the reason was for the requirement for
73 the hives to be a minimum of six inches off the ground. Jeff Riding answered that this was for
74 purposes of providing adequate ventilation to the hive and also so that the bees can defend their
75 hive from vermin-type animals. Voting Aye: Commissioners Zane, Thurber, Richards,
76 Rawlings, Glissmeyer, and Vance. Voting Nay: none. The motion passed.

77
78 **Item 2** **Watts Enterprises requests a Master Plan Amendment / Concept Approval**
79 **for the Ranch Landing Development located at 500 East and approximately**
80 **800 South**

81
82 Anthony Kohler indicated he had a correction to his staff report and informed the Commission
83 that 500 East had been dedicated to the City from Watts Enterprises in 2009 with a warranty
84 deed. The City owns 500 East from 1200 South up to the northern edge of Ranch Landing (the

85 southern portion of 500 East). He suggested that we have the road dedicated before final
86 (approval). The school district still owns from 500 East from the northern edge of Ranch
87 Landing (the northern portion of 500 East). The Commission had questions on this. City
88 Engineer, Bart Mumford, answered their questions. He indicated the school has not dedicated
89 their portion of 500 East to the City yet. There are still negotiations over impact fees and some
90 last items related to the canal and that is what has held up recording this to dedicate it to the City.
91 Mumford explained that once there was a realization that this was in the area that had already
92 been dedicated to the City the second access was not an issue. There was brief discussion further
93 regarding 500 East and access.

94
95 Paul Berg, the Engineer for Watt's Enterprises, addressed the Commission. He explained that in
96 the previous master plan for Ranch Landing this was going to be townhomes. The townhomes
97 have been removed from the plan and they are now planning for an R-3 Single Family
98 Subdivision. They had taken a sliver of property from the condos to help maintain the landscape
99 feel that the road has along the side and they would do the same with the storm water pond. He
100 summarized that the commercial zone developed so far complies, the COSZ can still be in
101 compliance even though they are amending the master plan and this property just becomes a
102 standard R-3 subdivision.

103
104 The Commission reviewed and discussed the plat at this time. There was a question on the roads
105 that ended on the east and north of the plat. Bart Mumford answered that the standard required a
106 temporary cul-de-sac if the street were more than two lots deep and as this was only one lot deep
107 they do not require that; there was also the option to put a temporary turn-around in. Lot size
108 was reviewed, fire hydrants, setbacks and frontage were discussed and there was also discussion
109 on snow removal plans for Lots 9 and 16. Bart Mumford answered that generally they just push
110 the snow to the end but if there were to be a heavy snowstorm then it would need to be hauled
111 out. Commissioner Richards asked if utilities were okay. Bart Mumford indicated there were no
112 problems on utilities. The park strip and sidewalk, etc. were discussed. It was pointed out this
113 was a master plan amendment to their previous approval and this was also a subdivision concept
114 approval. Kohler explained the subdivision process to some of the newer Commissioners.

115
116 Commissioner Zane moved that we recommend approval for Watt's Enterprises' request of
117 Master Plan Amendment / Concept Approval for the Ranch Landing Development located at 500
118 East and approximately 800 South and ruling that it is consistent with the General Plan, Chapter
119 18.22 Clustered Open Space Zone, and Chapter 18.60 R-3 Residential Zone. Commissioner
120 Richards seconded the motion. Voting Aye: Commissioners Zane, Glissmeyer, Thurber,
121 Rawlings, Vance, and Richards. Voting Nay: none. The motion passed.

122 123 **Administrative Items:**

124
125 Chairman Rawlings asked about what land was left in the City that is zoned R-3 Residential that
126 has not yet been developed. Discussion on R-3 Zone and developments.

127
128 Commissioner Zane moved to adjourn the meeting. Commissioner Thurber seconded the
129 motion. Voting Aye: Commissioners Zane, Glissmeyer, Thurber, Rawlings, Vance, and
130 Richards. Voting Nay: none. The motion passed and the meeting adjourned at 8:09 p.m.

Re: Haack Small Subdivision

Mr. Haack is proposing a one lot subdivision at approximately 850 East Center. This and adjoining properties were annexed into the city about 8 years ago with the Mill Road Estates property to the south. This property was purchased by Nelsen Carter, who successfully rezoned the property to the R-2 Zone and subsequently received approval for a 4 lot single family subdivision. The current parcel being considered for a one-lot subdivision approval consists of Lots 2, 3, 4, and the road of the original Center Pointe Subdivision proposed by Mr. Carter.

Sometime between 2009 and 2012, the home which fronts upon Center Street and the remainder of the property (this parcel) were separated without subdivision approval by the city. Today both parcels are considered to be an illegal subdivision of property. Mr. Haack is approaching the city with a proposal to make his portion of the illegal split "legal" by getting the required subdivision approval from the city. The existing home is on a separate parcel owned by others and will still be considered an illegal lot. Mr. Haack is proposing to build one home on his property rather than 3 new building lots as originally proposed.

The proposed parcel is 63.33 feet wide and 1.06 acres in size. The R-3 Zone requires 80 feet of street frontage width for each lot and 8,000 square feet of area for each lot. To promote the infill of homes on larger lots, the city adopted an infill provision in 1998 in Section 18.12.200 that permits a lot to be split into 2 lots if the original lot is at least 1.8 times the area and 1.8 times the width required for a lot. This would require at least 144 feet of frontage and 14,400 square feet of area for the original lot. The original lot had 169 feet of frontage and about 1.3 acres, exceeding the requirements of the infill ordinance. The ordinance permits the city to place conditions upon the subdivision to maintain the characteristics and values of the area. One suggestion may be to require larger setbacks than required by the R-2 Zone (30 feet front, 6 feet and 8 feet side, and 25 feet rear setback minimums).

A fire hydrant exists across Center Street, placing the lot within the required 250 feet spacing. In similar subdivisions where curb and sidewalk are not adjoining a subdivision, the city has required deed restrictions requiring sidewalk, curb, gutter, and asphalt to be installed at a future date when such improvements are built nearby. The nearest sewer line is available in 750 East about 400 feet away. The property owner could therefore elect to utilize a septic tank, but would have to hook up onto sewer when sewer is brought within 300 feet of the property, which will occur when Broadhead Estates 2 is constructed to the west of this property. Water and secondary irrigation exists within Center Street in front of the property.

Suggested Motion of Approval

The proposed one-lot split is consistent with Heber City Code, Section 18.12.200 Small Lot Splits, Chapter 18.56 R-2 Residential Zone, and Title 17 Subdivisions, conditional upon the following:

1. A deed restriction be placed on the property requiring the property owner to pay for installation of curb, gutter, sidewalk, and asphalt improvements along the lot's street frontage at request of the city.
2. The future home be situated so the front door faces Center Street and be setback at least 30 feet from the property line to the north.
3. The driveway to the future home be constructed to meet the requirements of the fire code.
4. Any home constructed on the property be required to connect to sewer when a sewer line is constructed with 300 feet of the property.

Section 18.12.200 Small Lot Splits

A. Where a parcel of land at the time of adoption of the ordinance codified in this Title is at least one and eight-tenths times as wide and one and eight-tenths times as large in area as required for a lot in the zone, the planning commission may permit the division of a parcel into two lots provided:

1. Such division will not cause undue concentration of buildings;
2. The characteristics of the zone in which the lot is located will be maintained;
3. In the opinion of the planning commission, values in the area will be safeguarded;
4. To meet and preserve the requirements of 1, 2, 3, the Planning Commission may impose certain

restrictions. Those restrictions will constitute a covenant running with the land and shall be approved in writing by the owner and recorded against the property in the Wasatch County Recorder's Office.

B. Neighborhood Infill lots shall not be eligible for consideration pursuant to this Section. All Neighborhood Infill lots shall meet the minimum requirements of Section 18.83.040.

July 31, 2013

Heber City Corporation
Attn: Bart Mumford P.E.
75 North Main
Heber City, Utah 84032

Subject: Haack Subdivision – Concept Review

Dear Bart:

Horrocks Engineers recently reviewed the concept plan for the above referenced project located at 850 East Center Street. The following items need to be addressed.

General

- The 82 foot right-of-way width for Center Street needs to be shown to determine and check the amount of right-of-way being dedicated to Heber City.
- At DRC the lot was called an “illegal subdivision”. Lot 1 was previously split from the Nye property on the northwest corner without going through the Heber City subdivision process, and therefore should never have been allowed or recorded. Because the property was not properly split, it is recommended that a notice on the title of the adjacent lot, currently owned by Thomas A Nye Jr & Tera M Nye, be recorded that requires the Center Street right-of-way be dedicated to the City before any improvements to the lot may be approved by the City. Other required improvements along the frontage of the Nye property could also be included in the title notice, as deemed appropriate.
- The water rights for the lot will need to be submitted.
- The roadway improvements along Center Street frontage to widen the road to the current standard should be deed restricted.

Utilities

- The water and irrigation services for the lot should be shown. The utilities in Center Street need to be shown on the plan showing the service lines connecting the main lines. The culinary water service needs to connect to the water line on the north side of the road.

- There is not currently a sewer main line in Center Street to serve this lot. The plat needs to state that an 8 inch sewer line in Center Street from the east property corner to the existing manhole approximately 200 feet west of 750 E be installed or a County approved septic system be installed.

Please call our office with any questions or concerns regarding this project.

Sincerely,

HORROCKS ENGINEERS



Willa Motley, P.E.

cc: file
Summit Engineering
Heber Planning Department

FOUND HEBER CITY MONUMENT AT THE INTERSECTION OF CENTER STREET AND 500 EAST STREET

FOUND WASATCH COUNTY MONUMENT AT THE NORTHEAST CORNER SECTION 5 TOWNSHIP 4 SOUTH RANGE 5 EAST SALT LAKE BASE AND MERIDIAN

S89°59'57"E 251.64'

N88°48'54"W 2599.85' BASIS OF BEARING MEASURED BETWEEN MONUMENTS

932.61'

22.21' SOUTH

589°35'55"E 63.33'

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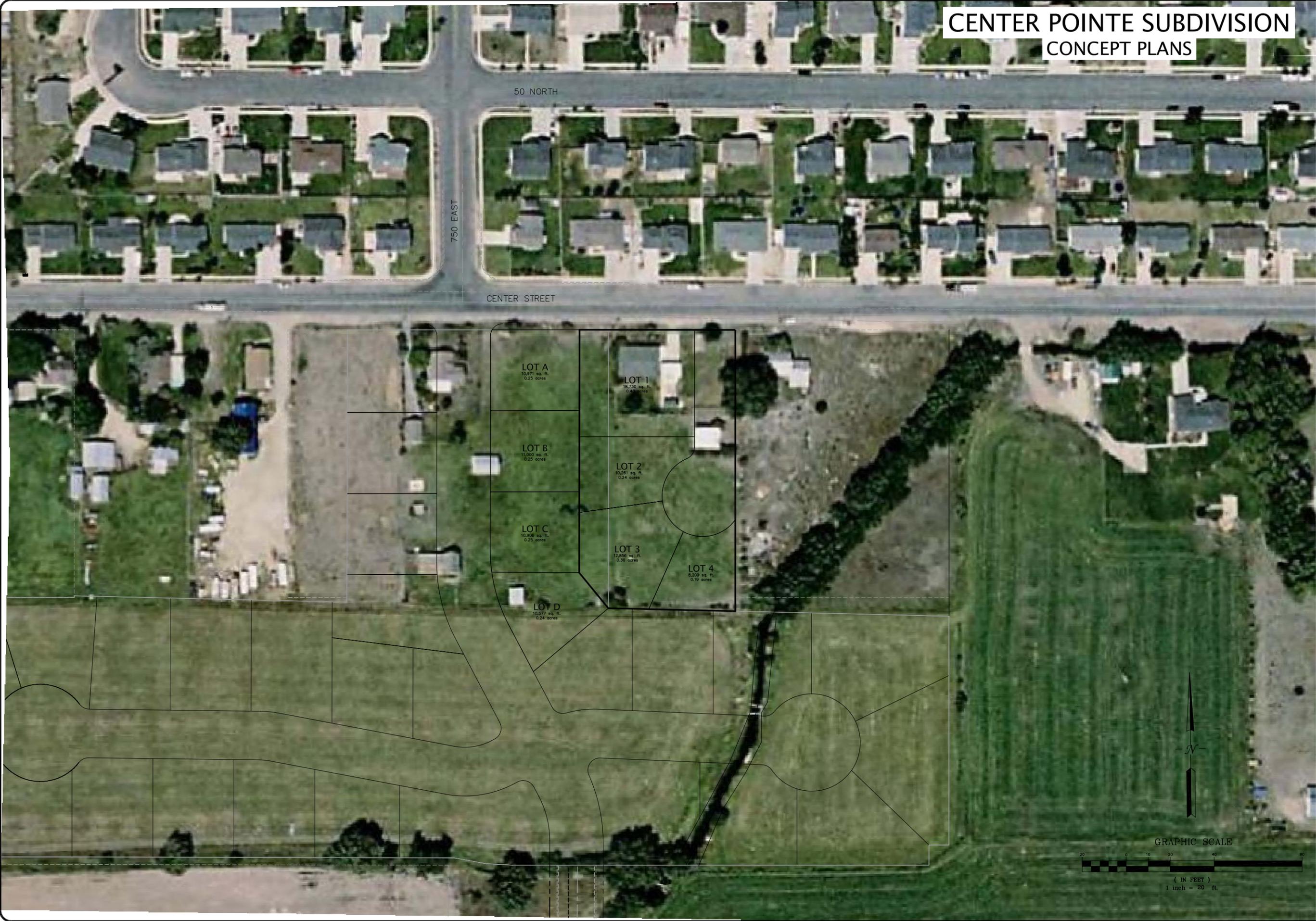
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CENTER POINTE SUBDIVISION CONCEPT PLANS



50 NORTH

750 EAST

CENTER STREET

LOT A
10,971 sq. ft.
0.25 acres

LOT 1
18,730 sq. ft.
0.43 acres

LOT B
11,000 sq. ft.
0.25 acres

LOT 2
10,261 sq. ft.
0.24 acres

LOT C
10,908 sq. ft.
0.25 acres

LOT 3
12,856 sq. ft.
0.30 acres

LOT 4
8,209 sq. ft.
0.19 acres

LOT D
10,577 sq. ft.
0.24 acres



PROJECT NO. C06-020	PROJECT NAME: CENTER POINTE SUBDIVISION	CITY/COUNTY ENGINEER APPROVAL	REVISIONS: DATE/ITEM	REVIEWED BY: BMB	SFS
SHEET NO. C-2	SHEET NAME: CONCEPT LAYOUT	SIGNATURE _____ DATE _____	DATE/ITEM	APPROVED BY: BMB	NOT FOR CONSTRUCTION
<small>Z:\SUMMIT Projects\CIVIL PROJECTS\C06-006 CARTER.DWG\C06-006 CONCEPT01.dwg 8/30/2006 5:10:40 PM MST</small>					



CENTER ST.
BOX 176
TULSA, OK 74402
918.465.9231
www.summiteng.com

HEBER CITY PLANNING COMMISSION

Staff report by: Anthony L. Kohler

Meeting Date: August 8, 2013

Item: Swift Creek Final Subdivision

The applicant is proposing final approval for the Swift Creek Subdivision. The subdivision received final approval in 2007 and the final approval has since lapsed, necessitating this request. The development is nearly identical to the original proposal, excepting some minor engineering details for utilities to meet updated engineering standards. Swift Creek contains 27 lots and is zoned R-2 Residential Zone. This property was annexed in 2007 as part of the Mcneil Schneider Annexation and is subject to an annexation agreement with Heber City. Many of the annexation conditions have been met as surrounding development has been constructed.

Since approved in 2007, the subdivisions to the north and east, notably Aspen Pointe and Browning Estates, have finalized construction and provided street access to Swift Creek. Offsite sewer flowing towards 1200 South and the waterline in Mill Road have been completed and can provide service to this subdivision. Majestic Mountain Estates to the south has also been completed and provides the necessary street frontage for lots 24 through 27. There is a Master Planned trail along the canal; an easement should be provided to connect the trail to the street on Lot 5 so the trail doesn't dead end. The irrigation easement along the west side of the subdivision is intended to be abandoned when the irrigation line is moved; the subdivision plat should make note of this issue.

RECOMMENDED MOTION

The proposed Swift Creek Final Subdivision is consistent with Chapter 17.16 General Subdivision Procedures, Section 17.20.010 Concept Plans, Chapter 17.24 Street Design Standards, Chapter 17.32 Lot Design Standards, Chapter 17.40 Improvements, Chapter 18.56 R-2 Residential Zone, conditional upon the final plat noting the irrigation easement will eventually be abandoned and the plat designate a trail easement connecting through Lot 5 from the canal trail to the street.

728 West 100 South, #2
Heber, UT 84032
www.horrocks.com



Heber Office
Tel: 435.654.2226
Fax: 435.657.1160

July 31, 2013

Heber City Corporation
Attn: Bart Mumford P.E.
75 North Main
Heber City, Utah 84032

Subject: Swift Creek Subdivision – Final Plan Review

Dear Bart:

Horrocks Engineers has recently reviewed the Swift Creek Subdivision final plans. The subdivision is located at approximately 1000 South 900 East in Heber City, just south of the Aspen Pointe Subdivision. The following issues should also be resolved prior to approval.

General

- The redline corrections on the plans and the plat need to be addressed prior to approval.

Storm Water

- The storm drain calculations and report needs to be submitted and reviewed.
- Because the proposed pond is adjacent to the canal, we recommend that a percolation test be performed while water is flowing in the canal. This will check the validity of the percolation rate used to design the retention pond.
- The storm drain pipe size calculations need to be submitted.

Please call our office with any questions or concerns regarding this project.

Sincerely,

HORROCKS ENGINEERS

A handwritten signature in blue ink that reads "Willa Motley".

Willa Motley, P.E.

cc: file
Summit Engineering
Heber Planning Department

SWIFT CREEK SUBDIVISION FINAL PLAT

BOUNDARY DESCRIPTION

BEGINNING NORTH 00°15'52" WEST ALONG A LINE RUNNING BETWEEN THE WASATCH COUNTY SURVEY MONUMENTS FOR THE SOUTHEAST AND NORTHEAST CORNERS OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, 706.89 FEET AND WEST 674.94 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR SAID SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

AND RUNNING THENCE NORTH 89°36'33" WEST 652.34 FEET; THENCE NORTH 00°30'40" WEST 647.54 FEET ALONG AN EXISTING FENCE LINE TO THE SOUTHWEST CORNER OF ASPEN POINT SUBDIVISION; THENCE SOUTH 89°56'15" EAST 653.83 FEET ALONG THE SOUTHERLY BOUNDARY OF THE ASPEN POINT SUBDIVISION; THENCE SOUTH 00°11'13" EAST 7.13 FEET; THENCE SOUTH 00°10'11" EAST 102.93 FEET; THENCE SOUTH 00°47'38" EAST 220.81 FEET; THENCE SOUTH 00°09'29" EAST 320.40 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS NORTH 00°15'52" WEST BETWEEN FOUND WASATCH COUNTY SECTION CORNER SURVEY MONUMENTS FOR THE SOUTHEAST AND NORTHEAST CORNERS OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, IN CONFORMANCE WITH UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS.

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 145796 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

BING CHRISTENSEN DATE

OWNERS DEDICATION

WE, THE UNDERSIGNED OWNERS OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE ON THIS PLAT, HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE DIVIDED INTO LOTS, STREETS, PARKS, OPEN SPACES, EASEMENTS, AND OTHER PUBLIC USES AS DESIGNATED ON THIS PLAT, AND NOW DO HEREBY DEDICATE UNDER THE PROVISIONS OF 10-9-807 UTAH CODE, WITHOUT CONDITION, RESTRICTION, OR RESERVATION, TO HEBER CITY, UTAH, ALL STREETS, WATER, SEWER, AND OTHER UTILITY IMPROVEMENTS, PUBLIC OPEN SPACES, PARKS, EASEMENTS, AND ALL OTHER PLACES OF PUBLIC USE, TOGETHER WITH ALL IMPROVEMENTS REQUIRED BY THE DEVELOPMENT AGREEMENT BETWEEN THE UNDERSIGNED AND HEBER CITY FOR THE BENEFIT OF THE CITY AND THE INHABITANTS THEREOF.

NAME DATE

NAME DATE

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WASATCH

ON THE _____ DAY OF _____, A.D. 2007 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNER(S) OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE (THEY) SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC MY COMMISSION EXPIRES

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF HEBER CITY, WASATCH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC. THIS _____ DAY OF _____, A.D. 2007.

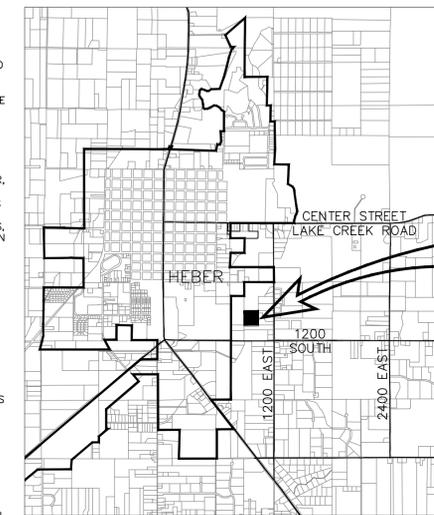
MAYOR CLERK-RECORDER

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. 2007, BY THE PLANNING COMMISSION OF HEBER CITY.

CHAIRMAN, PLANNING COMMISSION

WASATCH COUNTY RECORDER



ADDRESS TABLE

LOT	ADDRESS
LOT 1	815 EAST OLD MILL DRIVE
LOT 2	816 EAST OLD MILL DRIVE
LOT 3	970 SOUTH 820 EAST
LOT 4	990 SOUTH 820 EAST
LOT 5	1035 SOUTH 820 EAST
LOT 6	1017 SOUTH 820 EAST
LOT 7	1001 SOUTH 820 EAST
LOT 8	987 SOUTH 820 EAST
LOT 9	971 SOUTH 820 EAST
LOT 10	850 EAST OLD MILL DRIVE
LOT 11	845 EAST OLD MILL DRIVE
LOT 12	877 EAST OLD MILL DRIVE
LOT 13	975 EAST OLD MILL DRIVE
LOT 14	954 SOUTH 960 EAST
LOT 15	970 SOUTH 960 EAST
LOT 16	980 SOUTH 960 EAST
LOT 17	996 SOUTH 960 EAST
LOT 18	1000 SOUTH 960 EAST
LOT 19	999 SOUTH 960 EAST
LOT 20	995 SOUTH 960 EAST
LOT 21	983 SOUTH 960 EAST
LOT 22	971 SOUTH 960 EAST
LOT 23	955 SOUTH 960 EAST
LOT 24	985 EAST 1040 SOUTH
LOT 25	965 EAST 1040 SOUTH
LOT 26	941 EAST 1040 SOUTH
LOT 27	911 EAST 1040 SOUTH

LINE TABLE

LINE	LENGTH	BEARING
L1	15.46'	N61°58'01"W
L2	0.77'	N89°36'33"W
L3	7.22'	S18°49'07"W
L4	7.31'	S00°47'38"E
L5	0.85'	S00°10'11"E
L6	31.97'	N61°58'01"W
L7	33.97'	N58°04'39"W
L8	7.13'	S00°11'13"E
L9	2.36'	S89°51'04"W
L10	15.56'	S89°56'15"E

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHRD DIR	CHORD
C1	23.70'	15.00'	90°30'31"	15.13'	N44°35'40"E	21.31'
C2	23.43'	15.00'	89°29'29"	14.87'	N45°24'11"E	21.12'
C3	87.50'	180.00'	27°51'09"	44.63'	N76°13'21"W	86.64'
C4	23.43'	15.00'	89°29'29"	14.87'	N45°24'11"W	21.12'
C5	23.70'	15.00'	90°30'31"	15.13'	S44°35'49"W	21.31'
C6	91.15'	1656.56'	3°09'09"	45.58'	N17°14'33"E	91.13'
C7	56.60'	1656.56'	1°57'28"	28.30'	N14°41'15"E	56.60'
C8	23.56'	15.00'	90°00'00"	15.00'	N45°08'56"W	21.21'
C9	23.56'	15.00'	90°00'00"	15.00'	S44°51'04"W	21.21'
C10	59.02'	120.00'	28°10'55"	30.12'	N76°03'28"W	58.43'
C11	26.21'	551.42'	2°43'24"	13.11'	S15°04'14"W	26.21'
C12	85.80'	551.42'	8°54'56"	42.99'	S20°53'23"W	85.71'
C13	57.32'	409.06'	8°01'43"	28.71'	N03°51'56"E	57.27'
C14	45.05'	469.06'	5°30'12"	22.54'	N02°36'11"E	45.04'
C15	39.60'	117.00'	19°23'41"	19.99'	N09°02'24"E	39.42'
C16	50.78'	150.00'	19°23'41"	25.63'	N09°02'24"E	50.53'
C17	45.21'	183.00'	14°09'17"	22.72'	N06°25'12"E	45.09'
C18	51.70'	409.06'	7°14'28"	25.88'	N11°30'02"E	51.66'
C19	12.96'	15.00'	49°30'23"	6.92'	N39°52'27"E	12.56'
C20	28.54'	50.00'	32°42'18"	14.67'	S48°16'30"W	28.15'
C21	50.61'	50.00'	57°58'40"	27.71'	S02°55'31"W	48.48'
C22	50.70'	50.00'	58°03'39"	27.77'	S55°07'08"E	48.55'
C23	56.19'	50.00'	64°23'27"	31.48'	N63°38'19"E	53.28'
C24	51.52'	50.00'	59°01'56"	28.31'	N01°55'38"E	49.27'
C25	11.35'	15.00'	43°20'32"	5.96'	S05°55'03"E	11.08'
C26	9.93'	469.06'	11°2'49"	4.97'	N15°08'48"E	9.93'
C27	75.20'	469.06'	9°11'07"	37.68'	N09°56'50"E	75.12'
C28	166.55'	439.06'	21°44'02"	84.29'	N10°43'06"E	165.55'
C29	16.74'	183.00'	51°42'44"	8.37'	N16°07'02"E	16.73'
C30	73.78'	150.00'	28°10'55"	37.65'	N76°03'28"W	73.04'
C31	86.89'	50.00'	99°34'06"	59.13'	S86°54'33"W	76.36'
C32	12.12'	15.00'	46°18'09"	6.41'	S66°27'28"E	11.79'
C33	8.83'	551.42'	0°55'02"	4.41'	S32°56'35"W	8.83'
C34	100.85'	476.42'	12°07'43"	50.61'	S23°40'07"W	100.66'
C35	32.39'	476.42'	3°53'44"	16.20'	S15°39'24"W	32.39'
C36	33.80'	1731.56'	1°07'08"	16.80'	N14°16'04"E	33.80'
C37	64.83'	1731.56'	2°08'43"	32.42'	N15°53'59"E	64.83'
C38	55.81'	1731.56'	1°50'48"	27.91'	N17°53'44"E	55.81'

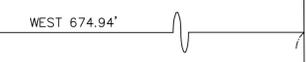
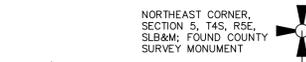
NOTES:
CANAL EASEMENT REQUIREMENTS: ADDITIONAL RESTRICTIONS APPLY TO PROPERTY WITH EASEMENT (SHOWN HEREON) IN FAVOR OF THE UNITED STATES BUREAU OF RECLAMATION. NO CUTS OR FILLS, OR ANY CHANGES TO THE TOPOGRAPHY ARE ALLOWED WITHIN THE UNITED STATES EASEMENT. NO STRUCTURES, ABOVE GROUND OR BELOW GROUND, ARE ALLOWED ON THE EASEMENT. THIS INCLUDES, BUT IS NOT LIMITED TO, FENCES, DECKS, SHEDS, OR FOOTINGS OF ANY KIND, FROM TIME TO TIME THE BUREAU OF RECLAMATION, OR ITS AGENTS, MAY EXERCISE THEIR RIGHT OF ACCESS TO THE EASEMENT IN ORDER TO MAINTAIN THE IRRIGATION DITCH. ANY OBSTACLES ERRECTED BY THE LOT OWNER, OR PREVIOUS LOT OWNERS, WILL BE REMOVED AT THE CURRENT LOT OWNER'S EXPENSE. IN ADDITION, THE FOLLOWING GUIDELINES APPLY:

- ABSOLUTELY NO REINFORCED CONCRETE SURFACES, TREES, SHRUBS, OR SPRINKLER SYSTEMS WILL BE ALLOWED WITHIN THE CANAL EASEMENT.
- OWNERS WILL ACCEPT RESPONSIBILITY TO MAINTAIN ACCESSIBLE EASEMENT AREAS AND WILL ALLOW FOR EQUIPMENT ACCESS THROUGH SAID EASEMENT. WASATCH COUNTY WATER EFFICIENCY PROJECT (WCWEP) WILL BE MAINTAINING CANAL AND MAY ACCESS EASEMENT WHEN NECESSARY.
- A FENCE ALONG THE EASEMENT LINE IS ENCOURAGED TO MAINTAIN SAFETY AND PROHIBIT FREE ACCESS BY UNSUPERVISED CHILDREN. ACCESS TO THE EASEMENT AREA BY HOMEOWNERS PROVIDED BY HOMEOWNER'S INSTALLATION OF A GATE.

PIPELINE EASEMENT REQUIREMENTS: ADDITIONAL RESTRICTIONS APPLY TO LOTS ABUTTING THE EXISTING IRRIGATION PIPELINE. THESE LOTS CONTAIN AN EASEMENT (SHOWN HEREON) IN FAVOR OF WASATCH COUNTY SPECIAL SERVICE AREA #1 (WSSA#1). NO CUTS OR FILLS, OR ANY CHANGES TO THE TOPOGRAPHY ARE ALLOWED WITHIN THE UNITED STATES EASEMENT. NO STRUCTURES, ABOVE GROUND OR BELOW GROUND, ARE ALLOWED ON THE EASEMENT. THIS INCLUDES, BUT IS NOT LIMITED TO, DECKS, SHEDS, OR FOOTINGS OF ANY KIND, FROM TIME TO TIME THE BUREAU OF RECLAMATION, OR ITS AGENTS, MAY EXERCISE THEIR RIGHT OF ACCESS TO THE EASEMENT IN ORDER TO MAINTAIN THE IRRIGATION DITCH. ANY OBSTACLES ERRECTED BY THE LOT OWNER, OR PREVIOUS LOT OWNERS, WILL BE REMOVED AT THE CURRENT LOT OWNER'S EXPENSE. IN ADDITION, THE FOLLOWING GUIDELINES APPLY:

- ABSOLUTELY NO CONCRETE SURFACES, TREES OR SHRUBS WILL BE ALLOWED WITHIN THE PIPELINE EASEMENT.
- HOMEOWNERS WILL ACCEPT RESPONSIBILITY TO MAINTAIN ACCESSIBLE EASEMENT AREAS AND WILL ALLOW FOR EQUIPMENT ACCESS THROUGH SAID EASEMENT. WASATCH COUNTY WATER EFFICIENCY PROJECT (WCWEP) WILL BE MAINTAINING PIPELINE AND MAY ACCESS EASEMENT WHEN NECESSARY.

RETENTION AREA REQUIREMENTS: THE RETENTION AREA EASEMENT ON LOT 13 ACCOMMODATES STORM DRAINAGE FOR THIS SUBDIVISION. HEBER CITY HAS THE RIGHT OF ACCESS THROUGH THIS LOT TO MAINTAIN AND REPAIR SAID FACILITIES. NO CUTS, FILLS, CHANGES TO TOPOGRAPHY, STRUCTURES ABOVE OR BELOW GROUND, INCLUDING BUT NOT LIMITED TO FENCES, DECKS, SHEDS, OR FOOTINGS OF ANY KIND ARE ALLOWED IN THE EASEMENT. ANY OBSTACLES ERRECTED WITHIN THIS EASEMENT WILL BE REMOVED AT THE CURRENT LOT OWNERS EXPENSE. THE OWNER OF THIS LOT IS RESPONSIBLE FOR LANDSCAPING AND IRRIGATION OF THE AREA. FENCES CONSTRUCTED AROUND THE EASEMENT SHALL CONTAIN A 12 FOOT WIDE GATE TO ACCOMMODATE ACCESS BY HEBER CITY CORPORATION.



WISHALAN, LLC

SAGE HOLDINGS, LLC

LEGEND

- SET HEBER CITY STREET MONUMENT
- SET 5/8" REBAR AND PLASTIC CAP STAMPED 145796 AT REAR LOT CORNERS.
- SET 1.17" COPPER PLUG STAMPED WP-RP 145796 AT POINTS WHERE EXTENSION OF SIDE LOT LINES INTERSECT CENTER OF CONCRETE ROAD CURB.
- PUBLIC UTILITY EASEMENT LINE. (NOTE: ALL PUBLIC UTILITY EASEMENTS ARE A WIDTH OF 10 FEET FROM PROPERTY LINE UNLESS DIMENSIONED OTHERWISE.)
- PROPERTY DEDICATED TO HEBER CITY AND EXISTING USER IRRIGATION CANAL EASEMENT
- PROPERTY DEDICATED TO HEBER CITY
- RETENTION POND EASEMENT (DEDICATED TO HEBER CITY)
- RETENTION POND EASEMENT (DEDICATED TO HEBER CITY)

Summit Engineering Group Inc.
155 WEST CENTER • PO BOX 176
HEBER CITY, UTAH 84032
PHONE: 435-654-9229
FAX: 435-654-9231

PROJECT NO.: C06-013
DRAWN BY: CAR
REVIEWED BY: CAR
APPROVED BY: BC
PRINT DATE: 7/10/2013

CITY ENGINEER APPROVAL

CITY ENGINEER _____ DATE _____

WASATCH COUNTY SURVEYOR

SIGNATURE DATE _____

GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft.

PROJECT NAME:
SWIFT CREEK SUBDIVISION
HEBER CITY, UTAH

FINAL SUBDIVISION PLAT
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 4 SOUTH, RANGE 5 EAST, S1B&M

SHEET 1 OF 1

ANNEXATION AGREEMENT
AND
COVENANT RUNNING WITH THE LAND
(McNeel/Schneider Annexation)

THIS AGREEMENT entered into this 2 day of November, 2006, by and between Heber City, hereinafter referred to as "City" and the undersigned as "Owner".

WHEREAS, the Owner has proposed annexation of 22.78 acres; and

WHEREAS, unique conditions exist resulting from the features on and around the property and the layout and design proposed by the Owner,

NOW, THEREFORE, the Parties hereby agree as follows:

1. Property shall be zoned R-2 Residential, consistent with the Heber City General Plan.
2. Owner of the property shall, prior to plat recordation of the property, transfer to the City all required water rights necessary for said development. Within sixty (60) days of plat recordation, after all required water has been transferred, any remaining water historically associated with the property that is surplus and is available for sale, shall first be made available to City for purchase at a price representative of fair market value, pursuant to a "First Right of Refusal" for and in behalf of the City. Any such "First Right of Refusal" shall be based upon verified, bona-fide offers.
3. Owner shall construct streets and utilities to property lines.
4. Owner shall comply with Chapter 18.102 of Heber City Code (the Affordable Housing Ordinance), through participation with the Wasatch County Housing Authority.
5. Owner of property shall dedicate sufficient land and construct an 8-foot wide asphalt trail along the canal that traverses southerly through the property, consistent with the Heber City General Plan.
6. Owner shall dedicate land for, and construct that portion of a 66 foot wide north and south collector road, located at approximately 800 East, consistent with the adopted Heber City Master Plan. Final street

alignment will be compatible with surrounding planned developments.

7. Owner shall dedicate land for, and construct that portion of a 66 foot wide east and west collector road, located at approximately 900 South. Final street alignment will be compatible with surrounding planned developments.
8. Owner shall construct a bridge that will allow the east and west road, located at approximately 900 South, to cross the Humbug Canal.
9. Owner shall dedicate a 70-foot right of way over the existing Humbug Canal (25 foot east and 45 foot west of canal centerline). Said right-of-way will be reduced to 60-feet (25-foot east and 35-feet west of the canal centerline) where the 12-inch master planned sewer can be relocated to the public road.
10. Owner will install the on-site portion of the 12-inch master planned sewer line to serve the annexed property, from the point where it connects to the sewer line within the property to the north (Aspen Point Estates), to the southern property line of the annexed property. An off-site extension of this master planned 12-inch sewer line will be required, to the existing sewer in 1200 South, prior to acceptance of any development on the annexed property.
11. City will reimburse, if installed by owner, the cost to oversize the 12-inch sewer line from 10-inches to 12-inches upon receipt of invoices of actual costs and upon final project acceptance.
12. City will provide, if installed by owner, a reimbursement agreement allowing potential reimbursement of the costs incurred to install the first 10-inches of the off-site portion of the 12-inch sewer line. Reimbursement will be prorated among those properties fronting and connecting directly into the off-site sewer line.
13. Owner will reimburse, if installed by development in Cook/Houston annexation, 60 percent of the actual cost of the first 10-inches of the off-site portion of the 12-inch sewer line upon development of owners property.
14. Development of the property is conditional upon developer acquiring secondary access to an existing

public street through properties to the south, east, and/or west of property, with said access dedicated to the City and constructed by the developer to the current adopted 60 foot right of way local street standard or 66 foot right of way collector standard as required by City.

15. Owner is responsible for acquiring and paying for any necessary offsite easements or dedications, and offsite utility construction for connection and servicing of the development with utilities that meet current standards, including, but not limited to sewer, water, secondary irrigation, streets, electricity, gas, and cable television.
16. At owner's expense, existing utilities shall be relocated into future public right of ways as needed to avoid conflict with the developer's proposed building pads.
17. This Agreement shall be a covenant running with the land, and shall be binding upon the parties and their assigns and successors in interest. This Agreement shall be recorded with the Wasatch County Recorder.
18. In the event there is a Failure to Perform under this Agreement and it becomes reasonably necessary for any party to employ the services of an attorney in connection therewith (whether such attorney be in-house or outside counsel), either with or without litigation, on appeal or otherwise, the losing party to the controversy shall pay to the successful party reasonable attorney's fees incurred by such party and, in addition, such costs and expenses as are incurred in enforcing this Agreement.
19. Time is of the essence of this Agreement. In case any party shall fail to perform the obligations on its part at the time fixed for the performance of such obligations by the terms of this Agreement, the other party or parties may pursue any and all remedies available in equity, at law, and/or pursuant to the terms of this Agreement.
20. This Agreement contains the entire agreement between the parties, and no statement, promise or inducement made by either party hereto, or agent of either party hereto which is not contained in this written Agreement shall be valid or binding. and this Agreement may not be enlarged, modified or altered except in writing

McNeel Schneider Boundary Description

Exhibit A

BEGINNING NORTH 00°15'52" WEST 1359.90 FEET ALONG THE SECTION LINE AND WEST 676.31 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN;

AND RUNNING THENCE SOUTH 00°22'30" EAST 653.41 FEET ALONG AN EXISTING FENCE LINE; THENCE NORTH 89°51'21" WEST 1,304.28 FEET ALONG AN EXISTING FENCE LINE TO A POINT ON THE HICKEN ANNEXATION; THENCE NORTH 00°27'50" WEST 953.58 FEET ALONG THE HICKEN ANNEXATION TO POINT ON THE CLEGG ANNEXATION; THENCE NORTH 89°59'22" EAST 650.45 FEET ALONG THE CLEGG ANNEXATION; THENCE SOUTH 00°39'06" EAST 302.98 FEET ALONG THE CLEGG ANNEXATION; THENCE SOUTH 89°56'53" EAST 653.83 FEET ALONG THE CLEGG ANNEXATION TO THE POINT OF BEGINNING.

CONTAINING 24.062

Heber City Planning Commission
Report by: Anthony L. Kohler
Date: August 8, 2013

Re: Valley Station Residential Development

The Boyer Company is proposing subdivision concept for property located at 1200 South 600 West. The proposed development would be comprised of single family detached housing. The property was annexed by Boyer Company a few years ago and is subject to an Annexation and Development Agreement.

The development is comprised of 113 units on 19.81 acres, at a density of 5.7 units per acre. The property is zoned Mixed Use Residential Commercial Zone (MURCZ), which permits a housing density of up to 20 units per acre. Originally this property was proposed to be comprised of 135 town homes on the western 9.47 acres at a density of 14.25 units per acre, so the current proposal is a significant reduction in housing density from the original proposal (see attached Meadow Walk plat for reference).

The proposed subdivision lots would front upon standard sized 60 foot wide public right of way streets. Industrial Parkway (600 West) is a planned Major Collector with a 72 foot right of way and 1000 South is a planned Existing Minor Collector. 1000 South improvements are already constructed, while 600 West will need curb, gutter, sidewalk, and asphalt widening.

The setbacks of the MURCZ require 30 foot front street setbacks for garages and 15 foot side and front street setbacks for other living space. Along 600 West, a designated Residential Transition Zone in the MURCZ, all buildings will need to be setback 30 feet from the 600 West street property line, while corner lots will need a 20 foot setback from the 600 West property line. Other side and rear property line setbacks are not designated in the MURCZ, but should be designated by the developer on the plat. Some distances to consider are 5 foot side setbacks and 20 foot rear setbacks.

For architecture, the MURCZ requires “All public street building façades shall be constructed with a combination of stucco, hardy board, brick and/or stone as outlined in the design criteria. The use of vinyl, aluminum, and steel siding along any public street facing building façade shall be prohibited.”

The MURCZ requires “At least 30% of the residential component of the MURCZ shall be open space, landscaped with lawn and trees, boulders, and sculptures, and provide recreational opportunities for residences of the development, such as tennis courts, swimming pools, playground equipment, walking trails, etc., and other features as approved by the City. The developer is proposing to calculate the area of the lot setbacks as open space, which does not appear to be prohibited by the ordinance. The developer is proposing a storm drain pond on the south of the project and a trail through the storm drain area as common open space. Along 600 West, the planter strips would be 8 feet wide, which is wider than the minimum 4 foot width, which is proposed to be counted as open space. This part assists in meeting the Residential Transition goals to buffer the existing residential development with berms, open space, and trees

along 600 West. Additionally, along all park strips in the development, the developer would require owners to plant 2 trees along each lot to enhance the street park strips.

The corner lots along 600 West, 300 West, and 1000 South have driveway accesses coming from the interior streets to minimize driveways on the arterial and collector streets. The street access to 600 West was moved from 1250 South to 1200 South, as that is a Master Planned Arterial Street. Lots 147 and 148 would preferably access to the south to minimize driveways in the cul-de-sac, to ease the burden for street plowing with fewer driveways.

The development will likely be phased, developing the eastern part of the development last in hopes that in the meantime a commercial developer will purchase that eastern part and develop a retail store. Before development, the developer will need to bring a preliminary and final application to the Planning Commission, then final application to the City Council.

RECOMMENDED MOTION OF APPROVAL

The proposed concept is consistent with Title 17 Subdivisions and Chapter 18.42.040 MURCZ, conditional upon the developer working with staff before Preliminary Approval to try to: replace the cul-de-sac with a through street, decrease the block length from Lot 171 to 202, alter lot locations to keep driveways away from intersections and limit driveway access to 600 West as much as feasible; and consistent with the Development agreement, construct the trail along the storm water easement.

Section 18.42.040 Site Design

B. Building Setbacks.

1. In the Mixed-Use Residential Commercial Zone, there shall be no area and width requirements. All commercial, service buildings and structures, gasoline pumps, and all buildings and structures shall be setback at least ten feet from any public street property line.

2. Residential buildings which have parking areas accessed from the rear of the building shall have minimum front street and side street property line setbacks of at least 15 feet, as measured from any public street property line, as long as the street meets the adopted street standard width for a public street. All other residential buildings shall be located at least 30 feet from any public street property line, unless a larger setback is required elsewhere in this Chapter. Buildings located in Residential Transition areas shall be subject to the setbacks as specified in Section 18.42.100.

Section 18.42.100 Residential Standards

A. **Vision Statement.** The MURCZ is intended to include a mixture of compatible commercial and residential development inclusive of retirement and residential development, attached and detached multi-family and single-family dwellings, condominium and townhouse developments, apartments, and planned unit developments. Residential development within the MURCZ is intended to be compatible with existing surrounding residential development where applicable. The residential portion shall be walkable and pedestrian friendly, with well maintained, high quality buildings and ample landscaped and open areas, include well designed parking and recreation facilities, and seamlessly integrate into the commercial portion of the MURCZ. The City shall require a development and maintenance agreement for the residential

component of the MURCZ to assure implementation of this vision statement and the purposes of the MURCZ.

B. **Subdivision.** All proposed units which involve the sale of property, such as a building lot, single-family home, townhouse, or condominium, shall be approved through the large scale subdivision process in Title 17, and the applicable documents such as plats, condominium declarations, etc., shall be approved and recorded prior to sale.

C. **Density.** The density of residential units within the MURCZ shall not exceed 20 residential units per acre.

D. **Open Space.** At least 30% of the residential component of the MURCZ shall be open space, landscaped with lawn and trees, boulders, and sculptures, and provide recreational opportunities for residences of the development, such as tennis courts, swimming pools, playground equipment, walking trails, etc., and other features as approved by the City.

E. **Affordable Housing.** Each development shall comply with Chapter 18.102 “Affordable Housing”.

F. **Parking.** Each residential unit shall be provided with 2 (two) off-street parking stalls. All required off-street parking stalls shall be located within a parking garage, except where it can be demonstrated that uncovered parking will not have a detrimental effect on public street traffic flows. No parking shall be located within any required setback area except for permitted driveways leading to the required parking areas.

G. **Architecture.** Residential buildings shall have a master planned architectural style. The design criteria of the MURCZ shall apply to all residential buildings. All public street building façades shall be constructed with a combination of stucco, hardy board, brick and/or stone as outlined in the design criteria. The use of vinyl, aluminum, and steel siding along any public street facing building façade shall be prohibited.

H. **Access.** Driveway access to public streets shall be minimized through driveway sharing onto private driveway access lanes. All private driveway accesses and roads shall be constructed to meet at least the fire apparatus road standard. All public streets shall meet the adopted street standards of the City.

I. **Residential Transition.** Residential buildings within the MURCZ which are located directly across the street from, or which directly abut existing residential development, shall have a housing product that is designed to appear like a single family dwelling. This residential transition area shall be confined to residential uses only.

1. Residential buildings within the residential transition area shall not exceed 35 (thirty-five) feet in height, measured from grade to the highest point of the building, excluding chimneys and antenna. In lieu of this height limitation, any building constructed taller than 35 feet shall be setback its distance in height from the public street property line or existing residential-development property line.

2. Residential buildings within the residential transition area shall be setback 30 feet from a public street property line and 20 feet from any side or rear property lines which abut existing residential development, and shall include a four (4) foot tall berm, landscaped with lawn and evergreen and deciduous trees and shrubs. The berm shall contain at least one tree and/or shrub per 10 feet of public street frontage or property line length, placed as deemed appropriate by a landscape architect.



July 31, 2013

Heber City Corporation
Attn: Bart Mumford P.E.
75 North Main
Heber City, Utah 84032

Subject: Cottages at Valley Station – Concept Review

Dear Bart:

Horrocks Engineers recently reviewed the concept plan for the above referenced project located on Industrial Parkway and 1300 South in Valley Station. The following items need to be addressed.

General

- The frontage to a garage needs to be changed to 30 feet per our discussions at DRC.

Streets

- The plan proposes a great deal of homes to front both 300 West and Industrial Parkway, minor and major collectors respectively. The alternative would be to have fences and backyard fronting these roads. With respect to safety and traffic engineering, it would be better if the plan was altered to show the backs of lots on 300 West and Industrial Parkway, with no homes fronting the streets.
- At DRC it was discussed that the most southerly road in the development should line up with the ring road in Valley Station on 300 West. The road is still shown to offset slightly. The road needs to be designed to align without an offset if possible.

Sewer

- The sewer line in Industrial Parkway from 1000 South to 910 South has limited capacity due to the current slope. The City will check this line for capacity. The developer will need to replace and/or upsize the line to handle additional flows from this development.

Please call our office with any questions or concerns regarding this project.

Sincerely,

HORROCKS ENGINEERS



Willa Motley, P.E.

cc: file
Focus Engineering
Boyer
Heber Planning Department

HEBER CITY RESEARCH AND DEVELOPMENT PARK

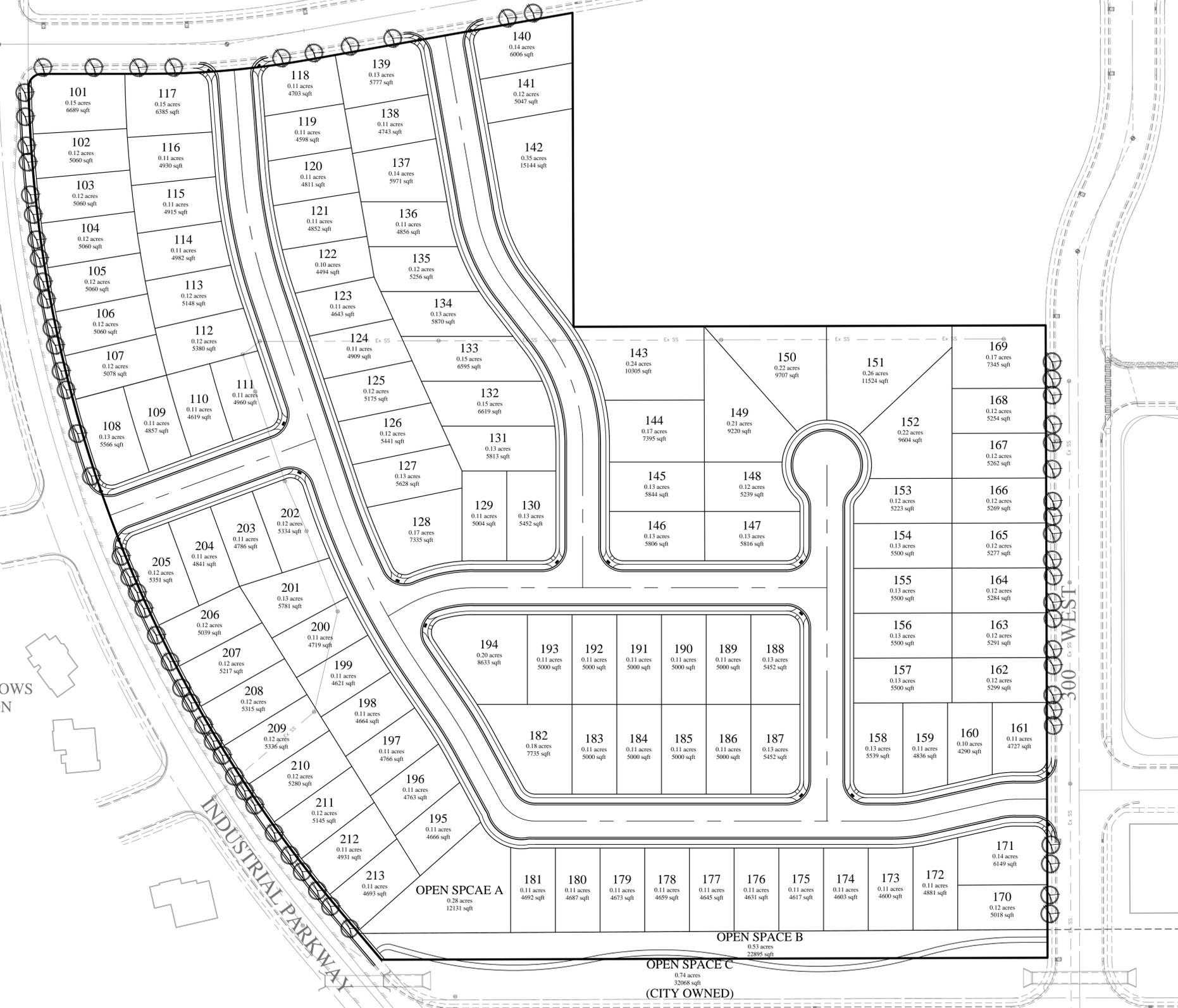
1000 SOUTH

ALPINE MEADOWS 2 SUBDIVISION

ALPINE MEADOWS SUBDIVISION

INDUSTRIAL PARKWAY

1300 SOUTH



CONCEPT NARRATIVE

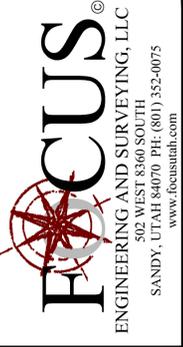
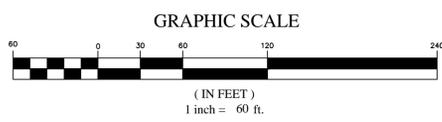
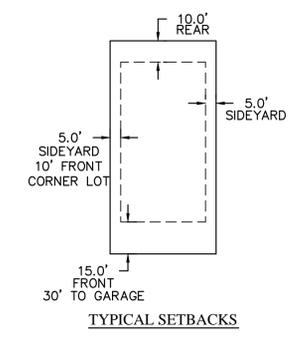
DENSITY	
ORIGINAL PROPERTY	19.81 ACRES
SINGLE FAMILY LOTS	113
TOTAL DENSITY	5.7 UNITS/ACRE
TOTAL DENSITY ALLOWED	20 UNITS/ACRE
OPEN SPACE	
COMMON OPEN SPACE (AVAILABLE TO THE PUBLIC)	.81 AC. (4%)
PARK STRIP OPEN SPACE (ALL OF THE PARKSTRIP AREA)	.81 AC. (4%)
PRIVATE OPEN SPACE (PRIVATE YARDS OUTSIDE THE BUILDABLE AREA)	6.57 AC. (33%)
TOTAL OPEN SPACE	8.19 AC. (41%)

LEGEND

	BOUNDARY
	ROW
	LOT LINE
	2.0' HIGHBACK CURB AND GUTTER
	EASEMENT
	EXIST. RCP SD
	EXIST. SDR-35 SEWER
	EXIST. SDR-21 C200 WATER
	EXIST. SECONDARY WATER
	EXIST. SD MH & INLET
	EXIST. SEWER MH
	EXIST. VALVE
	EXIST. FIRE HYDRANT
	EXIST. ELECTRICAL BOX
	EXIST. TRANSFORMER
	EXIST. STREET LIGHT

NOTES:

- INDUSTRIAL PARKWAY HAS AN 8' PARKSTRIP.
- APPROXIMATELY 2 STREET TREES/LOT WILL BE PROVIDED ON THE PERIMETER LOTS FRONTING AN EXISTING ROADWAY.



Cottages at Valley Station
Heber City, Utah
Concept Plan

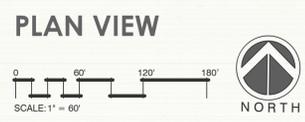
REVISION BLOCK	
#	DESCRIPTION
1	
2	
3	
4	
5	
6	

CONCEPT PLAN	
Scale: 1"=60'	Drawn: TBM
Date: 07/22/2013	Job #: 13-123
Sheet:	01



CONCEPT NARRATIVE

DENSITY	
ORIGINAL PROPERTY	19.81 ACRES
SINGLE FAMILY LOTS	113
TOTAL DENSITY	5.7 UNITS/ACRE
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PRIVATE OPEN SPACE (PRIVATE YARDS OUTSIDE THE BUILDABLE AREA)	6.57 AC. (33%)
TOTAL OPEN SPACE	8.19 AC. (41%)



COTTAGES AT VALLEY STATION

COLOR SITE PLAN

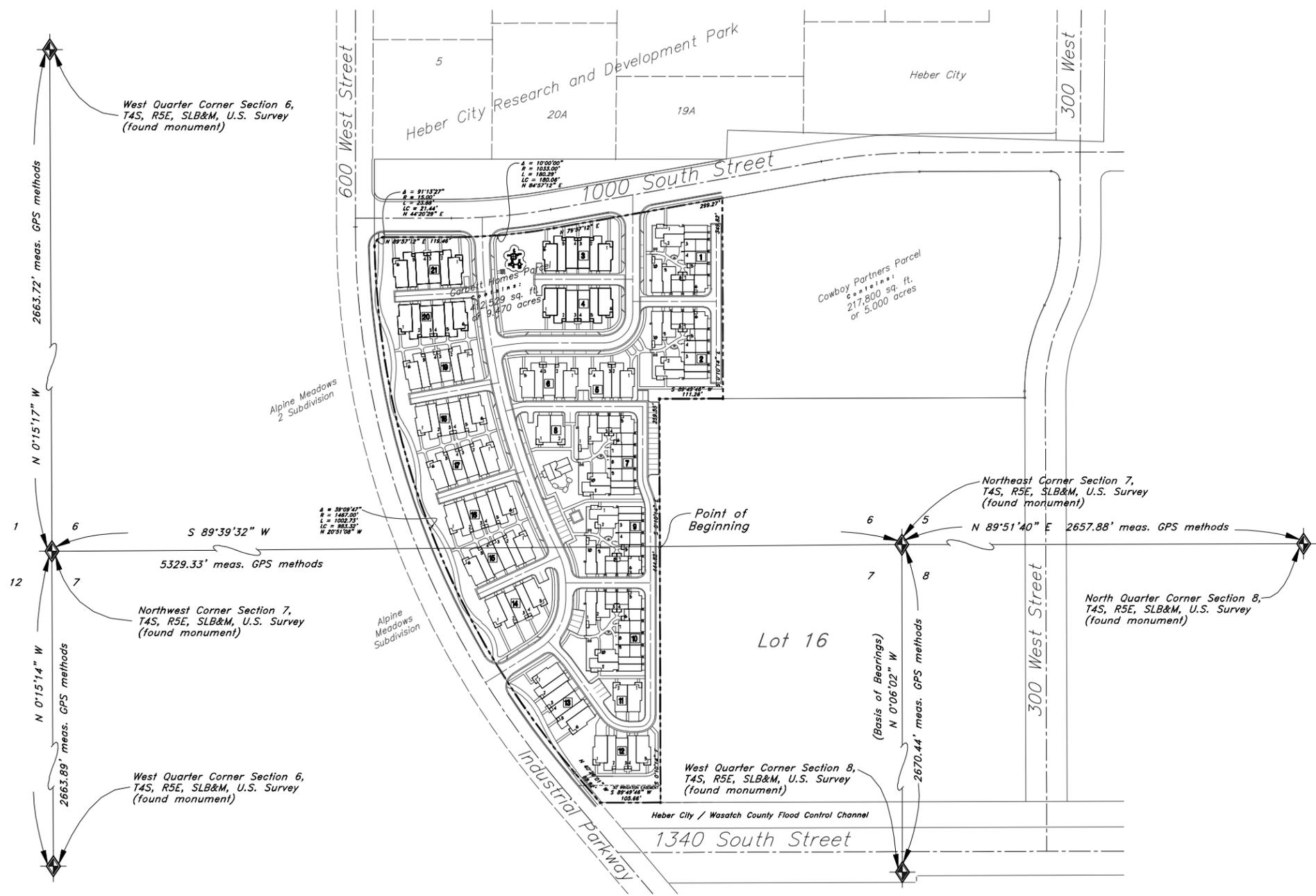


LOFTSIXFOUR
landscape architecture

9500 S. 500 W. SUITE 213 / 801-580-3325 / LOFTSIXFOUR.COM

Meadow Walk at Valley Station Subdivision

Being a part of the Southeast 1/4 of Section 6, and the Northeast 1/4 of Section 7,
Township 4 South, Range 5 East, Salt Lake Base and Meridian, U.S. Survey
Heber City, Wasatch County, Utah
April 2008



Surveyor's Certificate

I, _____, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. _____ as prescribed under the Laws of the State of Utah. I further certify that by the authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as Meadow Walk at Valley Station.

And that the same has been correctly surveyed and staked on the ground as shown on this plat.

Description

A part of the Southeast Quarter of Section 6 and the Northeast Quarter of Section 7, Township 4 South, Range 5 East, Salt Lake Base and Meridian, U.S. Survey in Wasatch County, Utah:

Beginning at a point 1955.13 feet South 89°39'32" West along a line between monuments found for the Southeast Corner and the Southwest Corner of said Section 6 from the Southeast Corner of said Section 6; and running thence South 0°10'14" East 444.82 feet to the North Line of the Heber City / Wasatch County Flood Control Channel Parcel; thence South 89°49'46" West 105.66 feet along said North Line to the Easterly Line of Industrial Parkway as it exists at 33.00 foot half-width; thence along said Easterly Line the following two courses: North 40°26'01" West 68.92 feet to a point of curvature; and Northwesterly and Northerly along the arc of a 1467.00 foot radius curve to the right a distance of 1002.73 feet (Central Angle equals 39°09'47" and Long Chord bears North 20°51'08" West 983.32 feet) to a point of continuous curvature; thence Northwesterly along the arc of a 15.00 foot radius curve to the right a distance of 23.88 feet (Central Angle equals 91°13'27" and Long Chord bears North 44°20'29" East 21.44 feet) to a point of tangency on the Southerly Line of future 1000 South Street as it is to be dedicated to 33.00 foot half-width; thence along said Southerly Line the following three courses: North 89°57'12" East 119.46 feet to a point of curvature; Northwesterly along the arc of a 1033.00 foot radius curve to the left a distance of 180.29 feet (Central Angle equals 10°00'00" and Long Chord bears North 84°57'12" East 180.06 feet) to a point of tangency; and North 79°57'12" East 299.27 feet; thence South 0°10'14" East 394.82 feet; thence South 89°49'46" West 111.26 feet; thence South 0°10'14" East 259.56 feet to the point of beginning.

Contains 412,529 sq. ft. or 9.470 acres.

Date _____ Utah RLS No. _____

Narrative

A line between monuments found for East Quarter Corner and the Northeast Corner of Section 7 was assigned the Wasatch County bearing of North 0°06'02" West as the Basis of Bearings to retrace most of the original deeds.

The State Highway Plans for Highway 40 and Highway 189 were acquired and honored to match right-of-way markers recovered on the ground. Monuments along the West line of Sections 6 and 7 were recovered and honored to establish the subdivisions to the West of 600 West Street which also matches the centerline monument recovered for Industrial Parkway.

The 1988 Conveyance of Record for the Heber City / Wasatch County Flood Control Channel was honored.

Acknowledgment

State of County of _____ } ss
On the _____ day of _____, 20____, personally appeared before me, the undersigned Notary Public, _____, who being by me duly sworn did say that he is the manager of _____ and that said instrument was signed in behalf of said L.C. and acknowledged to me that said L.C. executed the same.

Residing at: _____
Commission Expires: _____

Print Name _____ A Notary Public

Acceptance by Heber City Council

The City of Heber City approves this subdivision and hereby accepts the dedication of all easements intended for public purposes for perpetual use of the public this _____ day of _____, 20____.

Owner's Dedication

Know all men by these presents that the undersigned owner(s) of the above described tract of land, having caused the same to be subdivided into lots and streets to be hereafter known as Meadow Walk at Valley Station do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use.

In witness whereby _____ have hereunto set _____ this _____ day of _____ AD, 20____.

By: _____
Bryson Garbett

Meadow Walk at Valley Station Subdivision

Being a part of the Southeast 1/4 of Section 6, and the Northeast 1/4 of Section 7, Township 4 South, Range 5 East, Salt Lake Base and Meridian, U.S. Survey Heber City, Wasatch County, Utah

Recorded # _____
State of Utah, County of Wasatch, Recorded and Filed at the Request of _____
Date _____ Time _____ Book _____ Page _____
Fee \$ _____ Salt Lake County Recorder



Owner - Developer
Carbett Homes
Bryson Garbett
273 North East Capitol Street
Salt Lake City, Utah 84103

Heber City Fire Marshall
Approved this _____ Day of _____ A.D., 20____.
Heber City Fire Marshall

Health Department
Approved this _____ Day of _____ A.D., 20____.
Health Department Director

Heber City Engineer
I hereby certify that this office has examined this plat and it is correct in accordance with information on file in this office.
Heber City Engineer

Heber City Attorney
Approved as to Form this _____ Day of _____ A.D., 20____.
Heber City Attorney

Planning Commission
Approved this _____ Day of _____ A.D., 20____ by the Heber City Planning Commission.
Planning Commission Chairperson

Heber City Approval
Presented to Heber City this _____ Day of _____ A.D., 20____. At which time this subdivision was approved and accepted.
Attest: City Recorder Heber City Mayor

HEBER CITY PLANNING COMMISSION

Report by: Anthony L. Kohler

Meeting date: August 8, 2013

Re: Red Ledges Phase 2D

Red Ledges is proposing Phase 2D with 9 single family lots. There is a 20 foot setback requirement from the front right of way, and a 16 foot building to building setback (6 feet on one side, 10 feet on the other) and lots 2-4 and 7 need to be pushed back a couple of feet from the right of way, and most of the lots need to be nudged slightly for the 16 foot side setback. There should be sufficient room to accommodate these movements as the lots are surrounded by open space.

RECOMMENDATION

The proposed final plat for phase 2D is consistent with the adopted Red Ledges Master Plan, Preliminary Approval, and the PC Zone, conditional upon lots 2-4 and 7 being pushed back to meet the 20 foot setback requirement and each of the lots being modified to meet the 16 foot building to building setback and addresses be assigned to each lot on the final plat.

Vicinity Map



July 31, 2013

Heber City Corporation
Attn: Bart Mumford P.E.
75 North Main
Heber City, Utah 84032

Subject: Red Ledges Phase 2D – Final Review

Dear Bart:

Horrocks Engineers recently reviewed the final plans for the above referenced project located in the Red Ledges Development near the future golf clubhouse. The following items need to be addressed on the final plans.

General

- The plans have not yet been completely reviewed. Any redline comments will need to be addressed and incorporated into the plan.
- The plat needs to show street names and addresses.

Streets

- With respect to the future phase shown on page C201, the allowance of a shared driveway in place of the 40 foot standard right-of-way needs to be discussed. If the reduced right-of-way (shared driveway) is allowed, this type of corridor will need to be incorporated into the Red Ledges standards so that requirements and/or allowances are understood for future phases. Previous agreements and discussions should be reviewed to ensure all right-of-way requirements are being met.
- Some of the platted roads have been previously paved. The City will need the reports showing the cross section that was built and the compaction results for the areas that will be part of the platted right-of-way.
- The existing road down the connection at Red Ledges Blvd needs to be shown on the plan.

Storm Drain

- A storm drain report needs to be submitted and reviewed.

- The temporary storm drain culverts under the roadway that were put in with the improvements around the golf amenities will need to be replaced to minimum size requirements or larger depending on flow calculations.
- The existing sedimentation ponds that collect storm water prior to discharge into the wetlands will need to be relocated, or modifications to the storm drain plan will be needed to direct the storm water to an alternate location.

Please call our office with any questions or concerns regarding this project.

Sincerely,

HORROCKS ENGINEERS


Willa Motley

cc: file
Wilding Engineering
Red Ledges
Heber Planning Department

RED LEDGES PHASE 2D SUBDIVISION FINAL PLAT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP
3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN
WASATCH COUNTY, UTAH

NOTES

- ALL OF THE PROPERTY INCLUDED IN THIS PLAT IS SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR RED LEDGES AND ANY AMENDMENTS THERETO ("DECLARATION") RECORDED IN THE OFFICE OF THE WASATCH COUNTY RECORDER IN HEBER CITY, UTAH. THE USE OF ANY RED LEDGES LOT IS GOVERNED BY THE TERMS OF THE DECLARATION. PURSUANT TO THE DECLARATION, ALL LOT OWNERS WITH RED LEDGES COMMUNITY ARE MEMBERS OF THE RED LEDGES COMMUNITY ASSOCIATION, INC. (THE "ASSOCIATION"). CERTAIN LOTS AND PARCELS MAY ALSO BE COVERED BY THE TERMS OF THE SUPPLEMENTAL DECLARATION AND NEIGHBORHOOD DECLARATIONS AS CONTEMPLATED BY THE TERMS OF THE DECLARATION. EACH LOT IS SUBJECT TO AND BENEFITED BY ALL EASEMENTS AND USE RIGHTS SET FORTH IN THESE PLAT NOTES, ON THIS PLAT AND IN THE DECLARATION TO THE EXTENT PROVIDED HEREIN AND IN THE DECLARATION.
- NO IMPROVEMENTS OR LANDSCAPING MAY BE MADE TO ANY LOT WITHOUT THE REVIEW AND APPROVAL OF THE DECLARANT OR, IF DELEGATED BY DECLARANT, THE ARCHITECTURAL REVIEW COMMITTEE OF RED LEDGES IN ACCORDANCE WITH THE DECLARATION AND THE RED LEDGES DESIGN GUIDELINES ("DESIGN GUIDELINES") AND ANY SUPPLEMENTAL DESIGN GUIDELINES WHICH MAY BE PROMULGATED THERE UNDER FROM TIME TO TIME, WHICH DESIGN GUIDELINES AND SUPPLEMENTAL DESIGN GUIDELINES INCORPORATE OR INCLUDE LIGHTING, LANDSCAPING, GRADING, SIGNAGE, AND OTHER GUIDELINES. THE DESIGN GUIDELINES REQUIRE THE ESTABLISHING OF STRICT LIMITS OF DISTURBANCE FOR ANY CONSTRUCTION ACTIVITY. CERTAIN LOTS IN VISUALLY SENSITIVE AREAS MAY BE SUBJECT TO SUPPLEMENTAL DESIGN GUIDELINES FOR SENSITIVE AREAS ("SUPPLEMENTAL DESIGN GUIDELINES") AS PROVIDED IN THE "DEVELOPMENT AGREEMENT" (DEFINED IN NOTE 9 BELOW). THE DECLARANT OR ARCHITECTURAL REVIEW COMMITTEE, WHICHEVER HAS DESIGN REVIEW AUTHORITY, IS REFERRED TO AS THE "DESIGN REVIEW ENTITY."
- BUILDING ENVELOPES MAY BE ESTABLISHED IN THE DESIGN GUIDELINES AND SUPPLEMENTAL DESIGN GUIDELINES AND MODIFIED BY THE DECLARANT, OR THE ARCHITECTURAL REVIEW COMMITTEE, WITH THE CONSENT OF THE DECLARANT, IN THE EXERCISE OF THE DECLARANT'S (AND IF APPLICABLE ARCHITECTURAL REVIEW COMMITTEE'S) SOLE DISCRETION, PROVIDED SUCH BUILDING ENVELOPE SHALL INCORPORATE ALL APPLICABLE BUILDING SETBACKS UNDER THE DEVELOPMENT AGREEMENT (DEFINED IN NOTE 5 BELOW), THE MASTER PLAN (DEFINED IN NOTE 5 BELOW) AND THE DESIGN GUIDELINES SHALL COMPLY WITH ANY ADDITIONAL SETBACK REQUIREMENTS PROVIDED FOR IN THIS FINAL PLAT. THE MAXIMUM HEIGHT OF ANY STRUCTURE SHALL BE ESTABLISHED BY THE DESIGN GUIDELINES. OWNERS OF LOTS SHALL HAVE NO RIGHTS, EXPECTATIONS OR GUARANTEES WITH RESPECT TO THE FINAL LOCATION OF A BUILDING SITE ON ANY LOT, THE PARTICULAR VIEW FROM ANY LOT, THE LOCATION, SCALE, OR HEIGHT OR OTHER DESIGN FEATURES, OR ANY IMPROVEMENTS THAT MAY BE APPROVED FOR CONSTRUCTION ON ANY LOT.
- RED LEDGES IS SERVED BY OR INCLUDED WITHIN THE BOUNDARIES OF TWIN CREEKS SPECIAL SERVICE DISTRICT (TCCSD) AND THE HEBER CITY FIRE SERVICE DISTRICT (HCFSD) AND HEBER CITY.
- RED LEDGES IS GOVERNED BY THE TERMS OF A MASTER PLAN APPROVED BY HEBER CITY A SUBDIVISION AGREEMENT BETWEEN RED LEDGES LLC AND HEBER CITY, A DEVELOPMENT AGREEMENT BETWEEN HEBER CITY AND THE RED LEDGES LLC, AN ANNEXATION AGREEMENT BETWEEN HEBER CITY AND RED LEDGES, LLC, AND AN INTER LOCAL AGREEMENT BETWEEN RED LEDGES LLC, HEBER CITY, TWIN CREEKS SPECIAL SERVICE DISTRICT AND WASATCH COUNTY. THE ABOVE REFERENCED AGREEMENTS GOVERN USE AND IMPOSES REGULATIONS APPLICABLE WITHIN RED LEDGES.
- ALL ROADS WITHIN RED LEDGES ARE PRIVATE AND WILL BE MAINTAINED BY THE ASSOCIATION SUBJECT TO THE TERMS OF THE DECLARATION. PRIVATE DRIVEWAYS SERVING RESIDENCES AND THE LANDSCAPING ON EACH LOT SHALL BE THE MAINTENANCE RESPONSIBILITY OF THE LOT OWNER. GUARDBOUSES, GATES, LANDSCAPING, SIGNAGE AND OTHER SIMILAR FACILITIES MAY BE CONSTRUCTED WITHIN THE ROAD RIGHTS OF WAY OR ADJOINING COMMON AREA PARCELS. PRIVATE DRIVEWAYS AND OTHER IMPROVEMENTS SERVING MORE THAN ONE LOT SHALL BE THE SHARED MAINTENANCE RESPONSIBILITY OF THE OWNERS OF THE LOTS SERVED THEREBY, PROVIDED THE ASSOCIATION MAY, IN ITS SOLE DISCRETION, UNDERTAKE THE MAINTENANCE OF SUCH SHARED FACILITIES AND ESTABLISH SPECIAL ASSESSMENTS APPLICABLE TO THE BENEFITED LOTS TO COVER THE COSTS OF SUCH MAINTENANCE. AT THE TIME OF ANY RESURFACING OF ROADS WITHIN RED LEDGES, THE ASSOCIATION SHALL BE RESPONSIBLE TO RAISE MANHOLES TO GRADE, ACCORDING TO HEBER CITY SPECIFICATIONS. COMMON AREA TRACTS ARE NOT TO BE CONSTRUED TO BE DEDICATED FOR THE USE OF THE GENERAL PUBLIC BUT ARE DECLARED COMMON AREAS FOR THE USE AND ENJOYMENT OF THE ASSOCIATION AND LOT OWNERS WITHIN THE ENTIRE RED LEDGES COMMUNITY.
- RED LEDGES CONTAINS EXTENSIVE AREAS OF OPEN SPACE. OPEN SPACE AREAS DESIGNATED ON THE PLAT SHALL BE PRESERVED IN OPEN SPACE CONDITION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT AGREEMENT, DESIGN GUIDELINES AND THE DECLARATION.
- ALL ROAD RIGHT OF WAY AND OPEN SPACES SHOWN ON THIS PLAT ARE SUBJECT TO DECLARANT'S RIGHT TO GRANT EASEMENTS FOR UTILITIES.
- EACH LOT IS SUBJECT TO ADDITIONAL EASEMENTS FOR DRAINAGE, NATURAL DRAINAGE WAYS, TRAILS, UTILITIES AND OTHER MATTERS WHICH MAY AFFECT PORTIONS OF LOTS OUTSIDE OF THE PORTION OF THE LOT COVERED BY RESIDENTIAL IMPROVEMENTS. THESE EASEMENTS ARE IN ADDITION TO EASEMENTS GRAPHICALLY DESCRIBED ON THE PLAT. DECLARANT ALSO RESERVES PERMANENT EASEMENTS ACROSS THE PORTIONS OF LOTS ALONG ROADWAYS AND OUTSIDE OF THE RESERVED ROAD CORRIDOR FOR THE FINISHING OF CUT AND FILL SLOPES REQUIRED TO COMPLETE THE ROADS IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY HEBER CITY.
- TWIN CREEKS, HEBER CITY AND PUBLIC UTILITY COMPANIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY AND DEDICATED EASEMENTS IDENTIFIED ON THIS PLAT MAP. PRIVATE ROADS, TRAIL EASEMENTS AND OPEN SPACE AREAS AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE PUE AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE PUE OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE PUE WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE PUE.
- ALL LOT CORNERS WILL BE SET WITH A 5/8" REBAR AND ORANGE CAP MARKED WILDING ENGINEERING INC
- THE RECREATIONAL FACILITIES DEVELOPED ON THE SUBJECT PROPERTY AND OPERATED AS PART OF THE RED LEDGES CLUB ARE NOT COMMON AREA OF PROPERTY OWNERS' ASSOCIATION, BUT RATHER ARE PRIVATELY OWNED. THE USE OF SUCH FACILITIES MAY ONLY BE OBTAINED BY ACQUIRING A MEMBERSHIP AT RED LEDGES CLUB AND PAYING THE REQUISITE FEES AND CHARGES ASSOCIATED THERE WITH. OWNERSHIP OF A RESIDENCE OR HOMESITE IN RED LEDGES DOES NOT GIVE ANY VESTED RIGHT OR EASEMENT, PRESCRIPTIVE OR OTHERWISE, TO USE SAID RECREATIONAL FACILITIES AND DOES NOT GRANT ANY OWNERSHIP OR MEMBERSHIP INTEREST IN RED LEDGES CLUB OR ITS FACILITIES. THE DECLARATION ESTABLISHES CERTAIN RIGHTS AND EASEMENTS IN FAVOR OF THE RED LEDGES CLUB.
- ALL STORM WATER IMPROVEMENTS AND EASEMENTS ARE DEDICATED TO RED LEDGES COMMUNITY ASSOCIATION, INC. AND ARE TO BE MAINTAINED BY THE ASSOCIATION.
- ALL UNITS WITHIN THIS DEVELOPMENT SHALL BE FIRE SPRINKLED.



VICINITY MAP

SURVEYOR'S CERTIFICATE

I, GREGORY D. WILDING, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 6418582 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE PARCELS OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

DATE _____

PROPERTY DESCRIPTION:

BEGINNING AT A POINT SOUTH 89°48'57" WEST 1065.45 FEET AND NORTH 1125.03 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, SAID POINT ALSO BEING A COMMON POINT TO THE RED LEDGES PHASE 1 AMENDED SUBDIVISION FINAL PLAT, AS RECORDED IN THE WASATCH COUNTY RECORDERS OFFICE, AND RUNNING THENCE NORTH 79°24'38" WEST 145.56 FEET; THENCE SOUTH 29°12'55" WEST 40.00 FEET; THENCE SOUTHWESTERLY 29.76 FEET ALONG THE ARC OF A 20.50 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 77°37'51" WEST 27.21 FEET; THENCE SOUTHWESTERLY 152.17 FEET ALONG THE ARC OF A 320.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 49°40'09" WEST 150.74 FEET); THENCE SOUTH 63°17'32" WEST 34.01 FEET; THENCE SOUTHWESTERLY 71.33 FEET ALONG THE ARC OF A 180.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 51°56'23" WEST 70.86 FEET); THENCE NORTH 49°24'47" WEST 40.00 FEET; THENCE NORTHEASTERLY 28.73 FEET ALONG THE ARC OF A 20.50 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH 00°26'04" EAST 26.44 FEET); THENCE NORTH 39°43'05" WEST 25.57 FEET; THENCE NORTHWESTERLY 45.04 FEET ALONG THE ARC OF A 93.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH 53°35'29" WEST 44.60 FEET); THENCE SOUTH 47°21'21" WEST 109.07 FEET; THENCE NORTH 74°08'54" WEST 298.48 FEET TO A POINT ON THE RED LEDGES PHASE 1 AMENDED PLAT BOUNDARY; THENCE ALONG SAID BOUNDARY THE FOLLOWING THREE (3) COURSES: 1) NORTH 13°26'15" EAST 107.41 FEET; 2) NORTH 89°27'53" EAST 83.47 FEET; 3) NORTH 37°43'21" EAST 43.79 FEET; THENCE LEAVING SAID BOUNDARY, NORTH 67°19'25" EAST 558.56 FEET; THENCE SOUTH 52°45'56" EAST 95.79 FEET; THENCE NORTHEASTERLY 70.16 FEET ALONG THE ARC OF A 170.00 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 61°40'09" EAST 69.67 FEET); THENCE NORTH 73°29'34" EAST 27.80 FEET; THENCE NORTHEASTERLY 32.91 FEET ALONG THE ARC OF A 20.50 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH 27°29'43" EAST 29.49 FEET; THENCE NORTH 77°03'41" EAST 43.57 FEET; THENCE SOUTH 17°54'22" EAST 61.55 FEET; THENCE SOUTHEASTERLY 63.45 FEET ALONG THE ARC OF A 130.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 31°53'22" EAST 62.83 FEET); THENCE SOUTHEASTERLY 2.70 FEET ALONG THE ARC OF A 20.50 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 49°39'11" EAST 2.70 FEET) TO A POINT ON THE SAID PHASE 1 AMENDED BOUNDARY; THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: 1) SOUTH 32°21'08" WEST 131.48 FEET; THENCE SOUTH 09°45'47" WEST 86.41 FEET TO THE POINT OF BEGINNING.

CONTAINS 5.22 ACRES, MORE OR LESS.

BASIS OF BEARINGS:

THE BASIS OF BEARING FOR THIS PLAT IS SOUTH 89°48'57" WEST BETWEEN THE SOUTHWEST CORNER OF SECTION 34 AND THE SOUTH QUARTER CORNER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN.

NARRATIVE:

THIS PROPERTY IS AN INTERNAL PHASE OF THE RED LEDGES PROJECT. SEE THE RECORD OF SURVEY ON FILE WITH THE WASATCH COUNTY SURVEYORS OFFICE FOR THE BOUNDARY SURVEY OF THE RED LEDGES PROJECT.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOWN ALL MEN BY THESE PRESENT: THAT THE UNDERSIGNED IS THE OWNER OF THE HEREON DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS "RED LEDGES PHASE 2D SUBDIVISION", DOES HEREBY DEDICATE TO RED LEDGES COMMUNITY ASSOCIATION INC. ALL PARCELS OF LAND INDICATED ON THIS PLAT AS PRIVATE ROADWAYS FOR PERPETUAL USE FOR ACCESS, INGRESS AND EGRESS OF THE LOT OWNERS WITHIN THE RED LEDGES COMMUNITY AND DOES HEREBY SET ASIDE ALL PARCELS OF LAND DESIGNATED AS OPEN SPACE FOR SUCH USE BY RED LEDGES COMMUNITY ASSOCIATION INC. AND THE LOT OWNERS WITHIN THE RED LEDGES COMMUNITY AS MAY BE PERMITTED BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR RED LEDGES AND SUBJECT TO AND IN ACCORDANCE WITH SUCH RULES AND REGULATIONS AND MAY BE APPROVED BY THE RED LEDGES COMMUNITY ASSOCIATION INC.

ALSO, THE OWNER HEREBY GRANTS TO WASATCH COUNTY, HEBER CITY, TWIN CREEKS SSD AND WASATCH COUNTY FIRE DISTRICT, A NON-EXCLUSIVE EASEMENT OVER PRIVATE ROADS, PRIVATE DRIVEWAYS, INDICATED COMMON AREA TRACTS AND ALL OTHER EASEMENTS SHOWN ON THIS PLAT FOR THE PURPOSE OF PROVIDING UTILITY INSTALLATION, MAINTENANCE, OPERATION, AND EVENTUAL REPLACEMENT.

EXECUTED THIS _____ DAY OF _____, 20____.

BY: RED LEDGES LAND DEVELOPMENT, INC.,
A FLORIDA CORPORATION

ITS: VICE PRESIDENT, TODD R. GATES

ACKNOWLEDGMENT

STATE OF UTAH }

COUNTY OF WASATCH }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 20____.

BY _____

NOTARY PUBLIC:

MY COMMISSION EXPIRES:

RESIDING AT:

RED LEDGES PHASE 2D SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3
SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN
WASATCH COUNTY, UTAH

RECORDED

ENTRY NO. _____, BOOK _____, PAGE _____

STATE OF _____ UTAH, COUNTY OF _____ WASATCH

DATE _____ TIME _____

RECORDED AND FILED AT THE REQUEST OF: _____

COUNTY SURVEYOR

APPROVED AS TO FORM ON THIS _____ DAY OF _____, 20____.

ROS# _____

COUNTY SURVEYOR

APPROVAL AS TO FORM

APPROVED ON:

THIS _____, DAY OF _____, 20____.

TWIN CREEKS SPECIAL SERVICE DISTRICT MANAGER

APPROVAL AS TO FORM

APPROVED AS TO FORM ON:

THIS _____, DAY OF _____, 20____.

HEBER CITY MAYOR

ATTESTED BY HEBER CITY RECORDER

APPROVAL AS TO FORM

APPROVED ON:

THIS _____, DAY OF _____, 20____.

CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AND ACCEPTED BY:

THE HEBER CITY PLANNING CHAIRMAN.

THIS _____, DAY OF _____, 20____.

CHAIRMAN

G:\DATA\10093 Red Ledges\dwg\Plat\RL Phase 2D Plat.dwg
PLOT DATE: Aug 02, 2013



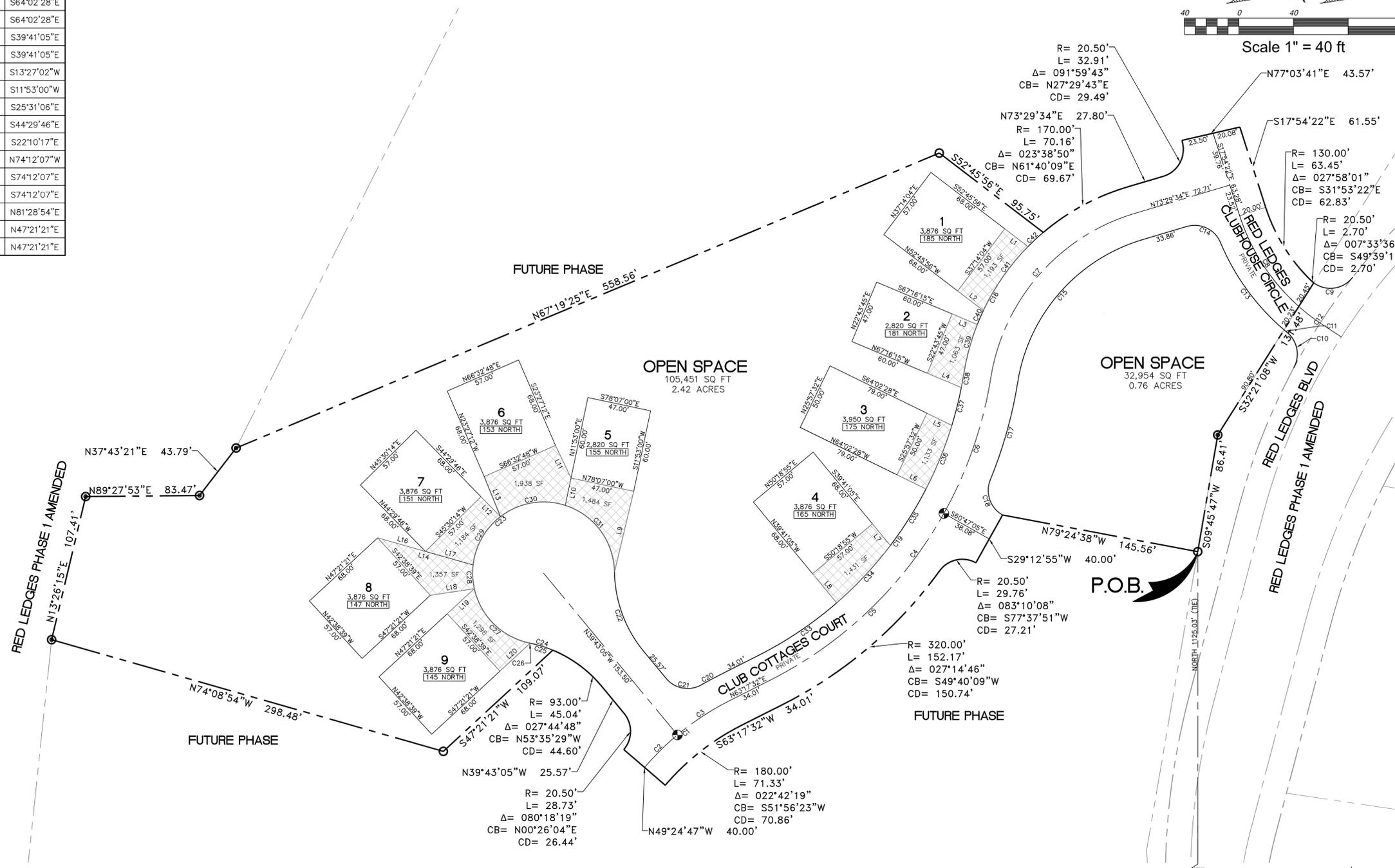
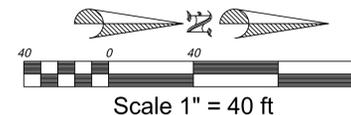
RED LEDGES PHASE 2D SUBDIVISION

FINAL PLAT

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP
3 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN
WASATCH COUNTY, UTAH

LINE #	LENGTH	DIRECTION
L1	21.44	S52°45'56"E
L2	23.62	S52°45'56"E
L3	20.00	S67°16'15"E
L4	27.02	S67°16'15"E
L5	20.26	S64°02'28"E
L6	23.55	S64°02'28"E
L7	20.57	S39°41'05"E
L8	27.65	S39°41'05"E
L9	60.60	S13°27'02"W
L10	20.38	S11°53'00"W
L11	26.34	S25°31'06"E
L12	20.39	S44°29'46"E
L13	31.59	S22°10'17"E
L14	72.69	N74°12'07"W
L16	36.40	S74°12'07"E
L17	36.29	S74°12'07"E
L18	32.59	N81°28'54"E
L19	26.98	N47°21'21"E
L20	30.17	N47°21'21"E

CURVE TABLE					
#	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	79.26'	200.00'	22°42'19"	S51°56'23"W	78.74'
C2	33.84'	200.00'	9°41'41"	S45°26'04"W	33.80'
C3	45.41'	200.00'	13°00'37"	S56°47'13"W	45.32'
C4	283.71'	300.00'	54°11'05"	N36°12'00"E	273.26'
C5	178.43'	300.00'	34°04'37"	N46°15'13"E	175.81'
C6	105.28'	300.00'	20°06'27"	N19°09'41"E	104.74'
C7	168.56'	150.00'	64°23'07"	S41°18'01"W	159.83'
C8	80.09'	150.00'	30°35'31"	S33°12'08"E	79.14'
C9	31.71'	20.50'	88°37'05"	N82°15'28"E	28.64'
C10	28.23'	20.50'	78°54'49"	N11°06'38"W	26.06'
C11	2.92'	170.00'	0°59'06"	S50°04'29"E	2.92'
C12	78.52'	468.50'	9°36'09"	S33°08'51"W	78.43'
C13	79.67'	170.00'	26°51'10"	S36°09'21"E	78.95'
C14	29.98'	20.50'	83°46'40"	N64°37'06"W	27.38'
C15	146.09'	130.00'	64°23'07"	S41°18'01"W	138.52'
C16	120.87'	170.00'	40°44'17"	S29°28'36"W	118.34'
C17	74.15'	320.00'	13°16'35"	N15°44'45"E	73.98'
C18	29.76'	20.50'	83°10'08"	S19°12'01"E	27.21'
C19	264.80'	280.00'	54°11'05"	N36°12'00"E	255.04'
C20	12.73'	220.00'	3°18'56"	S61°38'04"W	12.73'
C21	28.73'	20.50'	80°18'19"	S79°52'15"E	26.44'
C22	62.98'	93.00'	38°48'09"	S20°19'01"E	61.79'
C23	233.79'	52.00'	257°36'18"	S50°16'55"W	81.05'
C24	17.95'	93.00'	11°03'21"	N72°59'34"W	17.92'
C25	17.38'	93.00'	10°42'18"	N72°49'02"W	17.35'
C26	0.57'	93.00'	0°21'03"	N78°20'43"W	0.57'
C27	59.86'	52.00'	65°57'26"	S45°32'31"E	56.61'
C28	17.41'	52.00'	19°11'17"	S02°58'10"E	17.33'
C29	41.68'	52.00'	45°55'28"	S29°35'13"W	40.57'
C30	50.15'	52.00'	55°15'23"	S80°10'39"W	48.23'
C31	64.69'	52.00'	71°16'43"	N36°33'18"W	60.60'
C33	69.29'	280.00'	14°10'41"	N56°12'11"E	69.11'
C34	56.72'	280.00'	11°36'20"	N43°18'41"E	56.62'
C35	48.89'	280.00'	10°00'15"	N32°20'15"E	48.83'
C36	50.17'	280.00'	10°16'02"	N22°12'07"E	50.11'
C37	28.50'	280.00'	5°49'53"	N14°09'09"E	28.49'
C38	10.41'	280.00'	2°07'46"	N10°10'20"E	10.41'
C39	37.22'	170.00'	12°32'44"	S15°22'49"W	37.15'
C40	11.10'	170.00'	3°44'26"	S23°31'24"W	11.10'
C41	57.31'	170.00'	19°18'58"	S35°03'06"W	57.04'
C42	15.24'	170.00'	5°08'09"	S47°16'40"W	15.23'



G:\DATA\10093 Red Ledges\dwg\Plat\RL Phase 2D Plat.dwg
PLOT DATE: Aug 05, 2013

WILDING
ENGINEERING

14721 SOUTH HERITAGE CREEK WAY
BLUFFDALE, UTAH 84065
801.553.8112
WWW.WILDINGENGINEERING.COM

SOUTHWEST CORNER SECTION 34, TOWNSHIP
3 SOUTH, RANGE 5 EAST, SALT LAKE BASE
AND MERIDIAN
FOUND BRASS CAP PER RED LEDGES PHASE
1 AMENDED SUBDIVISION PLAT

SOUTH QUARTER CORNER SECTION 34,
TOWNSHIP 3 SOUTH, RANGE 5 EAST, SALT
LAKE BASE AND MERIDIAN
FOUND BRASS CAP PER RED LEDGES PHASE
1 AMENDED SUBDIVISION PLAT

LEGEND

- SECTION LINE
- FOUND SECTION CORNER
- SET 5/8 REBAR AND CAP (WILDING ENGINEERING)
- FOUND REBAR AND CAP (JACK JOHNSON COMPANY)
- STREET MONUMENT (TO BE SET)
- PROPERTY LINE
- PROPERTY LINE
- FOUND STREET MONUMENT
- LIMITED COMMON AREA

SHEET 2 OF 2

RECORDED

ENTRY NO. _____, BOOK _____, PAGE _____
STATE OF _____ UTAH, COUNTY OF _____ WASATCH
DATE _____ TIME _____
RECORDED AND FILED AT THE REQUEST OF: _____

Heber City Planning Commission
Reprot by: Anthony L. Kohler
Meeting date: August 8, 2013

Re: Gardner Annexation

The city is proposing to annex 4 acres of land that is sandwiched between Heber City and Daniel Town. The purpose of the annexation is to simply bring the property into Heber City consistent with the rest of the airport. The city does not intend to develop the property, but continue utilizing the property in an agricultural use and clear zone for the runway. There will be no need for additional city services for this property. The General Plan identifies this property as being zoned I-1 Industrial.

The City Recorder has certified the annexation petition as being consistent with Utah State Code. Affected Entities have until August 30 to object to the proposed annexation. The City Recorder has sent letters to adjoining property owners notifying them of the protest period. After August 30, the City Council will hold a public hearing and make a final decision on the proposed Annexation.

Recommended Motion

The proposed annexation is consistent with the Heber City Annexation Policy Plan and General Plan, and the property should be zoned I-1 Industrial, consistent with the General Plan.

PETITION FOR ANNEXATION

We the undersigned owners of certain real property lying contiguous to the present municipal limits of Heber City hereby submit this Petition for Annexation and respectfully represent the following:

1. This petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated:
2. The property subject to this petition is an unincorporated area contiguous to the boundaries of Heber City and the annexation thereof will not leave or create an unincorporated island or peninsula;
3. The signatures affixed hereto are those of the owners of private real property that:
 - a. is located within the area proposed for annexation;
 - b. covers a majority of the private land area within the area proposed for annexation;
 - c. is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation; and
 - d. lies contiguous to the present boundary of Heber City’s corporate limits and is described in the attached **Exhibit A** and located at _____
2530 South Southfield Rd

 (briefly describe street address and/or location)
4. Title to the property by those signing this petition is as shown in the deeds or title report attached hereto as **Exhibit B**. (Copies of the deeds or title report must accompany this petition.) **See attached Deeds, Entry # 288112 and Entry # 89990**
5. The manner in which it was established that at least 1/3 of the value of all the private property sought to be annexed is owned by the signers of this petition is shown in the attached **Exhibit C. N/A**
6. The **total** acres and **total** assessed value of **all** the lands sought to be annexed are 4.014 acres and \$ 0 assessed value; and the ownership interests and assessed values of the lands owned by the signers of this petition are as follows:

12. Per the Heber City Annexation Policy Plan, a Concept Plan is attached as **Exhibit E**. This Concept Plan is a very preliminary plan -- the petitioner is not strictly bound by it. However, it is the hope of the Heber City Council that the Concept Plan submitted is the primary intention of the developer at the time annexation is being requested.

WHEREFORE, the Petitioners hereby request that this Petition be considered by the Heber City Council at its next regular meeting, or as soon thereafter as possible; that a resolution or motion be adopted or passed as required by law accepting this Petition for Annexation for further consideration; and that the governing body take such steps as required by law to complete the annexation herein petitioned.

DATED this **11th** day of **July**, **2013**.

PETITIONER(S)

ADDRESS AND PHONE NUMBER

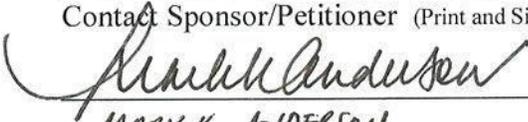
Mark Anderson, City Manager

75 N. Main St.

Heber City, UT 84032

435-654-0757

Contact Sponsor/Petitioner (Print and Sign Name)


MARK K. ANDERSON

Designate at least one but not more than five of the signers of this petition as "Sponsors", one of whom must be designated as the "Contact Sponsor", and provide the mailing address and phone number of each sponsor. Any person signing in behalf of a corporation or LLC must show and provide verification that they are authorized to sign for said corporation or LLC and sign as designated on such authorization. We are asking that each signature be notarized.

State of Utah
County of Wasatch

On this 11th day of July, 2013, Mark K. Anderson
personally appeared before me,

X who is personally known to me,
_____ whose identity I verified on the basis of _____
_____ who is authorized to sign on behalf of the entity/(ies) that own the property

to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.



Michelle Kellogg
Notary Public

My Commission Expires: 6-07-2015

State of _____
County of _____

On this _____ day of _____, _____,
personally appeared before me,

_____ who is personally known to me,
_____ whose identity I verified on the basis of _____
_____ who is authorized to sign on behalf of the entity/(ies) that own the property

to be the signer of the foregoing document, and he/she acknowledged that he/she signed it.

Notary Public

My Commission Expires: _____

EXHIBIT A

Location and Description



Gardner Annexation

June 2013



EXHIBIT B

Title to Properties

Recording Requested by:
First American Title Insurance Agency, LLC
81 South Main Street
Heber, UT 84032
(435) 654-1414

Ent 288112 Bk 782 Pg 762-763
Date: 01-SEP-2005 4:24PM
Fee: \$12.00 Check Filed By: MWC
ELIZABETH PALMIER, Recorder
WASATCH COUNTY CORPORATION
For: FIRST AMERICAN TITLE HEBER

AFTER RECORDING RETURN TO:
Heber City Corporation
2530 S. Southfield Road
Heber City, UT 84032

SPACE ABOVE THIS LINE (3 1/4" X 5") FOR RECORDER'S USE

WARRANTY DEED

Escrow No. 380-4547495 (nh)
A.P.N.: OWC-1311-2

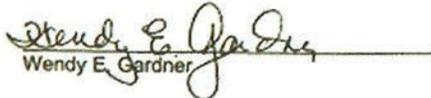
Wendy E. Gardner, Grantor, of Heber City, Wasatch County, State of Utah, hereby CONVEY AND WARRANT to

Heber City Corporation, Grantee, of Heber City, Wasatch County, State of UT, for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in Wasatch County, State of Utah:

BEGINNING AT A POINT 302.9 FEET SOUTH OF THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 532.88 FEET ALONG THE EAST LINE OF SECTION 13; THENCE NORTH 90° WEST 316.49 FEET; THENCE NORTH 40°28'00" WEST 200 FEET; THENCE NORTH 49°32'00" EAST 568.62 FEET ALONG THE EAST PROPERTY LINE OF THE HEBER CITY AIRPORT TO THE POINT OF BEGINNING.

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year 2005 and thereafter.

Witness, the hand(s) of said Grantor(s), this August 25th, 2005.


Wendy E. Gardner

A.P.N.: OWC-1311-2

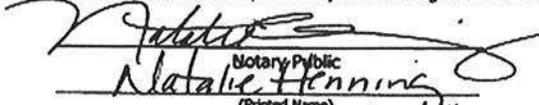
Warranty Deed - continued

File No.: 380-4547495 (nh)

Ent 288112 Bk 0782 Pg 0763

STATE OF UTAH)
)ss.
COUNTY OF WASATCH)

On August 29, 2005, personally appeared before me, Wendy E. Gardner the signer of the within instrument, who duly acknowledged to me that he/she executed the same.



Notary Public
Natalie Henning
(Printed Name)

My Commission expires: 6/10/06

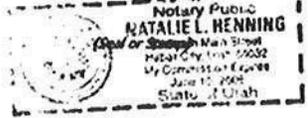


EXHIBIT C

Assessed Value of Property

The property is publicly owned and the assessed value is \$0.

EXHIBIT D

Property Owners Within 300 Feet

Record Owners

Mailing Address & Phone Number

Richard Erickson

**PO BOX 220
Wallsburg, UT 84082**

Brian & Natalie Henning

**2533 S. Southfield Rd
Heber City, UT 84032**

Fred & Mary Lynn Evans

**2093 Kathy Dr.
Sandy, UT 84092**

Helen Van Wagoner

**536 S. 100 W.
Heber City, UT 84032**

Kenneth McCarthy

**2671 S. Southfield Rd.
Heber City, UT 84032**

Cindy Wilde

**2690 S. 1200 W.
Heber City, UT 84032**

EXHIBIT E

Aerial Photo & Concept Plan

The property is proposed for annexation to bring it into Heber City, consistent with the status of the rest of airport. The property is undeveloped agricultural property as shown on the attached aerial photo, and is intended to remain undeveloped.



Gardner Annexation

June 2013



Heber City Annexation Policy Plan

June 1, 2006

Heber City Corporation

ANNEXATION POLICY PLAN

In accordance with the provisions of 10-2-400, Utah Code Annotated, all municipalities within the State, except Salt Lake County, are required to adopt an Annexation Policy Plan. In this Annexation Policy Plan, the cities are required to develop an expansion area map or plan for the future growth of the community for the next 20 years. The annexation area plan shall incorporate the long range planning objectives contained in the general plan of the community and shall represent a graphic illustration/representation of the areas that the city intends to provide services to within the 20-year period.

The Annexation Policy Plan is created by the City to guide decision making regarding future annexations. It also helps the City plan for future expansion in conjunction with neighboring political entities. Open communication between the City and other political entities, particularly the County, is a priority in the process of developing the Annexation Policy Plan.

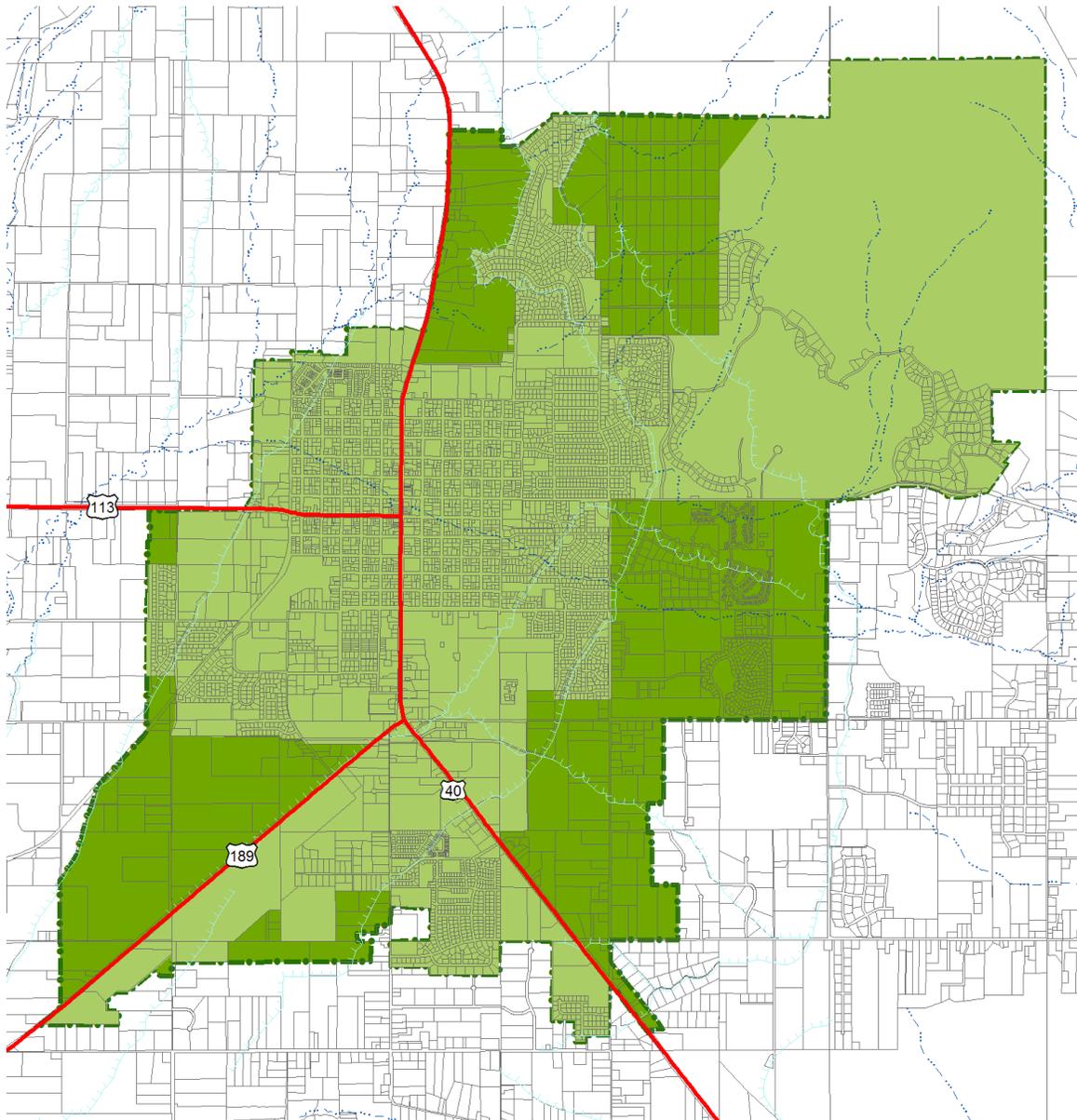
EXPANSION AREA MAP 20-Year Growth Boundary

The City shall adopt and maintain an expansion area map that represents the 20-year growth boundary which includes territories outside, but adjacent to, the community that may be annexed into the City. This map is consistent with the Heber City Future Land Use Map. These areas are not bordered by any other municipality. Even though the proposed properties may lie within the expansion area, there is no guarantee that the annexation request will be approved by the City. The petition for annexation may require additional requirements than those contained in the current Annexation Policy Plan.

Areas to be annexed must be contiguous to the corporate limits of Heber City at the time of submission of the annexation request.

Heber City shall avoid gaps between or overlaps with the expansion areas of other municipalities.

Proposed annexations will not be approved if they create an island or peninsula, as described in the State Code, of the unincorporated area.



Heber City Annexation Policy Plan

-  Parcels
-  Heber City Boundary
-  Annexation Boundary



ANNEXATION POLICY

The following is a statement of the criteria Heber City will use in determining whether or not to approve future annexation proposals.

I. CHARACTER OF THE COMMUNITY

Heber City is located about 45 miles from Salt Lake City, 20 miles from Park City and 27 miles from the Orem/Provo area. Heber is a high-amenity mountain valley community which provides an excellent location for individuals and families interested in an outdoor lifestyle surrounded by a scenic environment. The relatively close commute to surrounding areas has attracted, and will continue to attract, a large number of people who want to live in this community but are willing to commute to work and shopping within reasonable driving distances from the City. This poses a rather unique problem for the community that affects its growth and development. For this and other reasons, Heber City's tax base needs more diversification, specifically permanent jobs and commercial services. Thus, developing an annexation policy that deals with the specific issues of Heber City will have a significant impact on the future quality of life and development of Heber City.

Recently Heber City's bedroom community problem has been complicated by a significant number of commuters from Summit County who are service area workers supporting the tourist and winter sports activities of the Park City area who have difficulty finding affordable housing in the area of their employment. They find the quick drive to Heber on the newly improved four-lane roads an attractive alternative. However, the problem with this is that it places a larger burden upon Heber and its residential services. It is very important that Heber City's policies on dealing with growth and annexation support a balanced tax base and diversification of commercial, economic, and resident employment opportunities.

Heber City's development patterns are somewhat unique from smaller communities that are not part of a suburban environment but are separated from major population centers. Heber's existing City boundaries, with a few exceptions, are fairly well built out, especially residential areas. New residential or general growth expansion will require annexation. It is very important that Heber City take a long-range view, at least 20 years if not longer, at its potential for expansion. The City may run out of developable land in 10 years and may find itself surrounded by County-developed properties with different standards which could impede further development of the City in its natural growth area. Identifying the 20-year growth boundary needs to be a little generous so that it does not limit beneficial growth which Heber may experience. At the same time, it needs to be in areas where the City can efficiently extend municipal services and always discourage leap frog or rural sprawl development which increases the costs and places a higher tax burden on the citizens.

POLICY STATEMENT:

DEVELOPMENT IN ANNEXED AREAS CONSISTENT WITH THE MASTER PLAN

Heber City has adopted a Master Plan for future development in those extraterritorial areas of interest for future annexation as indicated in this Policy Declaration. This Master Plan defines

proposed land uses as well as the nature and density of development desired in each particular area. Any proposed development in an area to be annexed must be consistent with the Master Plan, notwithstanding the said Master Plan may be amended from time to time as deemed necessary and appropriate.

POLICY STATEMENT:

PLANNING AND ZONING COMMISSION TO REVIEW ANNEXATION

In order to facilitate orderly growth and development in Heber City, the Planning Commission shall review all proposed annexations and make recommendations to the City Council as set forth in the State Statute.

POLICY STATEMENT:

ANNEXATION TO BE CONSIDERED ONLY IN AREAS OF POTENTIAL URBAN SERVICE

Heber City's policy is to consider annexation only in those areas where the City has the potential to provide urban service (either directly or through inter-local cooperative agreement). These areas may include locations served or to be served by urban services. See Section VII, Item 2.

POLICY STATEMENT:

ISLANDS AND PENINSULAS OF UNINCORPORATED AREAS TO BE ANNEXED

Heber City encourages islands and peninsulas to become annexed to Heber City. As provided for by State Code, Heber City will provide services for up to one year. Heber City may, upon the initiative of the City Council and without receipt of a petition therefore, extend its corporate boundaries to include such territory, notwithstanding filing of a written protest for such annexation as provided by law. It is the intent of Heber City to exercise their initiative in this regard.

POLICY STATEMENT:

TIME PERIOD TO COMPLETE ANNEXATION PETITION STUDY

After an annexation petition has been certified, the protests period over, and the petition forwarded to the Planning Commission for study, a period of one year is allowed to finish the study and a recommendation submitted to the City Council. If action is not taken in that one-year period, the annexation request will be null and void. However, one 6-month extension may be allowed to complete the study and prepare a recommendation to the City Council if approved by the City Council.

II. MUNICIPAL SERVICES IN UNDERDEVELOPED AND UNINCORPORATED AREAS

In the past, Heber City has had limited extension of urban services in the unincorporated areas. A fundamental policy is that if some one desires urban services, he ought to be annexed into the City. A few exceptions include some development south on Daniel Road and along Lake Creek

Road. However, these areas will eventually be annexed into the City and full services will be provided to them. Another exception is where development has occurred further away from the City but the development is an important component of the community such as the airport/industrial area, where urban services have been extended.

In most of the residential areas, urban services have been extended. In the commercial area along Highway 40, there has been a limited amount of municipal services provided; however, full service needs to eventually be extended as the areas further develop.

**POLICY STATEMENT:
MUNICIPAL SERVICES IN THE UNINCORPORATED AREAS**

The City Council may extend municipal services to the unincorporated areas if they find that such expansion is consistent with the overall Annexation Policy Plan and General Plan and will not present barriers for future annexation consistent with the General Plan and Annexation Plan. The petitioner will be charged 1 2 times the hook-up fee and 1 2 times the monthly service charges. The petitioner will also be required to enter into an agreement to annex when the City reaches his property.

**POLICY STATEMENT:
IMPROVEMENT DISTRICT BOUNDARIES**

Where feasible, the City favors annexation along the boundaries of water and sewer improvements or special service districts and may include portions of or all of said districts.

III. PLAN FOR EXTENSION OF MUNICIPAL SERVICES

The plan for extension of municipal services is represented in the General Plan and the Master Plan for Public Facilities. These two adopted policy documents are developed around the physical land use plan development map which includes the 20-year growth boundary. An important component of this extension of municipal services is the ability of the City to effectively serve these areas.

**POLICY STATEMENT:
HIGH QUALITY MUNICIPAL SERVICES TO BE PROVIDED**

It is the policy of Heber City to extend a high quality of municipal services delivered efficiently throughout the City, including areas of annexation. Further, the City promotes the equitable distribution of community resources and obligations. Such services may be provided directly by Heber City, through inter-local cooperative service agreements, or through creation of such special improvement districts as determined by Heber City to be in the best public interest of its citizens.

POLICY STATEMENT:
COMPLIANCE WITH STANDARDS AND REGULATIONS

It is the policy of Heber City to require development in annexed areas to comply with City standards and regulatory laws. This includes the City's Building Code, Subdivision and Zoning Ordinances, and Construction Standards for street width, curbs, gutters, sidewalks, street lighting, road signs, and other utilities. However, existing development may be annexed as legal nonconforming development and uses, consistent with Heber City's Code dealing with nonconforming uses.

POLICY STATEMENT:
AVOID ENVIRONMENTALLY SENSITIVE AREAS

It is the policy of the City to avoid development of wetlands, steep-slope, critical environmental habitat areas, shrink-swell soils or any other environmental conditions that threaten the integrity of the City infrastructure unless, in the annexation agreement, the developer can show how they will mitigate these issues in conformance with the City Ordinances, Code and Federal and State Regulations.

IV. FINANCING SERVICES

It has been a fundamental policy of the City that developments finance their extension of municipal services. Impact fees derived from the development may fill some of the gaps in providing services to the developed areas; but development within expanded areas needs to be the primary responsibility of the developer or property owner.

POLICY STATEMENT:
MUNICIPAL SERVICES ON AN AS-NEEDED BASIS

In areas where municipal services are not presently extended, services will be extended on an as-needed basis at the cost of the developer. All extensions of municipal services must comply with all City ordinances and policy criteria and will be paid for by the individual developer or property owner.

POLICY STATEMENT:
ANNEXATION AGREEMENT

An annexation agreement, which will be recorded, will be prepared between the City and property owners outlining specific circumstances relating to water, sewer, and streets, and other specific improvements after review by the Planning Commission, and prior to final annexation approval by the City Council.

Water rights of the type and quantity acceptable to Heber City that can be utilized for underground water rights (culinary, secondary), shall be required to be conveyed to Heber City as a condition of development, subdivision approval or issuance of a building permit on property annexed into the Heber City limits.

It is the intent that land annexed to Heber City be accompanied by water rights sufficient to accommodate the needs of the existing and potential occupants of said land when development occurs. The water rights conveyance requirements of development shall be in addition to any requirement that may be imposed upon development of land after annexation and in addition to appropriate Heber City impact fees.

Water requirements, as referenced by the previous paragraphs, will be established on a case-by-case basis utilizing, among other things, Division of Drinking Water Standards. Specific requirements will be contained in the annexation agreement; but the general guideline of one (1) acre foot of water per residential building permit will be a minimum standard.

The annexation will allow developers of the annexed property access to culinary water, sewer, and other services. In accordance with the Utah Code and the Heber City Code, all developments are required to meet City Specifications, comply with all applicable development ordinances, and ensure all improvements are installed pursuant to Heber City Standards.

POLICY STATEMENT:

EXTENSION OF ROADS, STREETS AND OTHER VITAL PUBLIC FACILITIES

As a condition of annexation, developments may be required to extend streets, water and sewer, and other vital public facilities consistent with the Heber City Public Facilities Master Plan. Development of improvements shall be extended to the edge property lines.

V. ESTIMATE OF TAX CONSEQUENCES

The following is an estimate of tax consequences to residents both currently within the municipal boundaries and in the expansion area.

It is anticipated that areas annexed into the City will increase in value, and the tax assessment on newly developed areas, along with impact fees, development fees, and additional revenue assessments will generate revenue to help support the new services. However, the City needs to constantly monitor and advocate for a balanced tax base through economic promotion and development and by encouraging commercial and service industry.

POLICY STATEMENT:

REVENUE AND ANNEXATION

Consistent with State Law, it is not Heber City's intent to annex territory for the sole purpose of acquiring revenue. However, it is important for a community like Heber City to maintain a balanced tax base.

POLICY STATEMENT:

AVOIDING DOUBLE TAXATION

At the time of the proposed annexation the City will give consideration to the tax consequences to property owners within the area proposed for annexation, as well as the property owners

within the municipality, in order to prevent double taxation and to ascertain the annexation will not be a tax liability to taxpayers within the municipality.

VI. INTERESTS OF AFFECTED ENTITIES

The affected entities are municipalities, the school district, special service districts and County government. Input from affected entities shall be requested. After a draft Annexation Policy Plan is developed, or amendments are incorporated thereto, affected entities will be notified. Each Petition for Annexation shall include a concept plan. What is required in the concept plan at the time of filing the Petition for Annexation is limited to the best knowledge of the Petitioner at the time of said filing. This requirement to submit a concept plan with the petition, shall in no way limit or restrict changes, amendments, alterations or modifications to said concept plan throughout the annexation and development process as may be desired either by the Petitioner, Developer, Planning Commission or City Council.

It is important that both the school district and the County be notified of the policies and guidelines for annexation. The school district should coordinate their future development and facility needs consistent with the growth plans for the City. The County should have growth policies that reinforce and are complementary to the City's growth policies so that a cooperative and coordinated development within the County and City occur.

POLICY STATEMENT: ANNEXATION OF SCHOOLS

Due to their neighborhood character, annexation of schools will be considered when the immediate neighborhoods served by the school are annexed into Heber City.

POLICY STATEMENT: COMPLY WITH CITY STANDARDS

It is the desire of Heber City that, in the event that parcels of land within the expansion area are developed and are not at the time able to be annexed into the City, such development will be consistent with Heber City's standards and specifications for streets and public facilities and the County will refer all developments to the City for review and recommendations.

VII. ANNEXATION ANALYSIS

During the annexation process, and prior to referral to the City Council by the Planning Commission, the Planning Commission shall evaluate the following items where applicable and may require additional items from the petitioner, if deemed necessary.

1. Property Features

Map(s) and documents showing the features on and surrounding the property, including present and proposed City boundaries, existing land use, proposed zoning, existing buildings, location of existing septic tanks and culinary wells, existing and proposed water, pressurized irrigation,

canals and sewer mains and proposed extensions, existing streets and public areas, acreage of property to be annexed, existing utility service providers (including culinary water, sewer, pressurized irrigation, special service districts, and/or other municipal service providers).

2. Service Needs Assessment

The applicant shall provide maps and documents listing and describing in detail those City services that must be expanded to meet the needs of the proposed annexation. Future services needed to adequately serve the proposed annexation should be estimated for the following: 1. Police protection (personnel, equipment, and police stations), 2. Fire protection (personnel, equipment, hydrants, fire stations), 3. Public works (additional street lighting, maintenance, construction, garbage collection, street mileage), 4. Parks and recreation (additional park acreage, recreational programs, new facilities), 5. Water (water main construction, maintenance, replacement of old lines, valid water rights), and 6. Sewers (new interceptor lines, additional treatment plan costs and capacity constraints, pump station costs to maintain). 7. Storm drainage (retention vs. detention, connection to existing storm drain systems, flood channels, and outlets).

3. Proposed Services: City Costs and Revenue

The cost of development statement should include the additional cost incurred by the City for all services provided by the City resulting from the proposed annexation and development. The petitioner should also provided a summary statement of all anticipated building permit, impact fee, sales tax, property tax, and other public revenue generation resulting from the project at build out. This analysis should also include the number of proposed residential, commercial, and industrial units, estimated population at build out of proposed annexation area, current assessed valuation of the proposed annexation area and anticipated assessed valuation at build out, and a summary statement of any financial commitments bound to the property by a Special Service District.

Plan of Services for Proposed Annexation Area

If the property can be serviced with City services only through the future construction of onsite or offsite facilities, the City may negotiate terms and a time frame with the developer for the construction of these services through an annexation agreement with the developer. The annexation analysis should serve as a guide for the City in its decision as to the form, extent, and content of the annexation agreement.

The following are definitions added to the new annexation statute:

1) "Affected Entity:" A county in whose unincorporated area the area proposed for annexation is located; an independent special district under Title 17A, Chapter 2, Independent Special Districts, whose boundaries include any part of an area proposed for annexation; a school district whose boundaries include any part of an area proposed for annexation; and/or a city whose boundaries are within a 2-mile of an area proposed for annexation.

- 2) "Expansion Area:" the unincorporated area that is identified in an annexation policy plan as the area that the City anticipates annexing in the future.
- 3) "Specified County:" a county of the second, third, fourth, fifth, or sixth class.
- 4) "Urban Development:" A housing development with more than 15 residential units and an average density greater than one residential unit per acre; or a commercial or industrial development for which cost projections exceed \$750,000 for all phases.