

Business License Application

April 1 by noon

PO Box 207 • 69 N. Paradise Parkway • Garden City, Utah 84028
www.gardencityut.us • 435-946-2901 • 435-946-8852 Fax

Business Status: New Business
 (check all that apply) Additional Location = _____
 Name Change
 Ownership Change
 Location Change
 Transient Vendor
 Concessionaire Vendor

License Fee: Business License Fee pt. \$100. KSH
 Transient License Fee _____
 Concessionaire Fee _____
 Additional Location _____
 Other _____
 Beach Vendor License also requires a BCI background check.

Cash

Official Use Only:
Planning Commission: Approved Not Approved Date: _____
Town Council: Approved Not Approved Date: _____
Inspections: Building Insp.: Initial Date: _____ Final Date: _____
Fire Inspection: Initial Date: _____ Final Date: _____

Comments: _____

Zone: Commercial 1 2 3 Residential Beach Devel. Other ' _____

Business Name: Atlas Towing LLC
 If name change, previous name: _____
Location Address: 250 Lychee Ln
 City, State & Zip: Garden City Ut 84028
Business Phone: 775-374-0365
 Cell Phone: " "
Mailing Address: Po Box 631
 City, State & Zip: Garden City Utah 84028
E-mail Address: NVtoWguy@yahoo.com
Owners Name: Brian Garner
Owners Location: 250 Lychee Ln
 City, State & Zip: Garden City Ut 84028
Phone: _____
Cell Phone: 775-374-0365

Kind of Business Retail Lodging Restaurant
 Professional Contractor Other

Briefly Describe Your Business: Roadside Towing & Repair

Utah State Sales Tax Number: _____

Ut State Professional License No. _____

Will you be installing a sign?: not yet

This is an application for a business license, the actual license will be issued only when All inspections/Approvals are complete. Issuance of this business license shall in no way relieve the applicant of his/her responsibility of complying with applicable zoning, health, building, or fire regulations

I, We, Brian Garner hereby agree to conduct said business strictly in accordance with the Laws and Ordinances covering such business. I understand that I shall not begin nor cause to begin business at this location without first obtaining a business license and will not continue business without maintaining a valid license, in doing so, I will be subject to a penalty as stipulated by the Garden City Infraction Fee Schedule. Business License Fees are non-refundable.

Owners Signature: Brian Garner Date: 3-17-21

Please print your name: _____

Garden City Business License Application

PO Box 207 • 69 N. Paradise Parkway • Garden City, Utah 84028
www.gardencityut.us • 435-946-2901 • 435-946-8852 Fax

Business Status: <input checked="" type="checkbox"/> New Business (check all that apply) <input type="checkbox"/> Additional Location # _____ <input type="checkbox"/> Name Change <input type="checkbox"/> Ownership Change <input type="checkbox"/> Location Change <input type="checkbox"/> Transient Vendor <input type="checkbox"/> Concessionaire Vendor	License Fee: Business License Fee <u>\$100.00</u> Transient License Fee _____ Concessionaire Fee _____ Additional Location _____ Other _____ Beach Vendor License also requires a BCI background check
---	---

Official Use Only:

Planning Commission:	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	Date: _____	
Town Council:	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	Date: _____	
Inspections: Building Insp.:	<input type="checkbox"/> Initial	Date: _____	<input type="checkbox"/> Final	Date: _____
Fire Inspection:	<input type="checkbox"/> Initial	Date: _____	<input type="checkbox"/> Final	Date: _____

Comments: _____

Zone: Commercial 1 2 3 Residential Beach Devel. Other _____

Business Name: Zions Bank

If name change, previous name: _____

Location Address: 557 N. Ber Lake Blvd

City, State & Zip: Garden City, UT 84028

Business Phone: Pending (Temporary (208) 244-3527)

Cell Phone: (208) 251-2021

Mailing Address: PO Box 360

City, State & Zip: Garden City, UT 84028

E-mail Address: steven.allred@zionsbank.com

Owners Name: Publicly Traded

Owners Location: _____

City, State & Zip: _____

Phone: _____

Cell Phone: _____

Kind of Business

<input checked="" type="checkbox"/> Retail	<input type="checkbox"/> Lodging	<input type="checkbox"/> Restaurant
<input type="checkbox"/> Professional	<input type="checkbox"/> Contractor	<input checked="" type="checkbox"/> Other

Briefly Describe Your Business: Federally chartered financial institution

Utah State Sales Tax Number: _____

Ut State Professional License No.: _____

Will you be installing a sign?: Yes No

This is an application for a business license; the actual license will be issued only when **All** inspections/Approvals are complete. Issuance of this business license shall in no way relieve the applicant of his/her responsibility of complying with applicable zoning, health, building, or fire regulations.

I, We, Steve Allred hereby agree to conduct said business strictly in accordance with the Laws and Ordinances covering such business. I understand that I shall not begin nor cause to begin business at this location without first obtaining a business license and will not continue business without maintaining a valid license, in doing so, I will be subject to a penalty as stipulated by the Garden City Infraction Fee Schedule.

Business License Fees are non-refundable

Owners Signature:  **Date:** 3/22/2021

Please print your name: Steve Allred

Garden City Business License Application

PO Box 207 • 69 N. Paradise Parkway • Garden City, Utah 84028
www.gardencityut.us • 435-946-2901 • 435-946-8852 Fax

Business Status: <input checked="" type="checkbox"/> New Business (check all that apply) <input type="checkbox"/> Additional Location # _____ <input type="checkbox"/> Name Change <input type="checkbox"/> Ownership Change <input type="checkbox"/> Location Change <input type="checkbox"/> Transient Vendor <input type="checkbox"/> Concessionaire Vendor	License Fee: Business License Fee _____ Transient License Fee _____ Concessionaire Fee _____ Additional Location _____ Other _____ Beach Vendor License also requires a BCI background check
---	--

Official Use Only:

Planning Commission:	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	Date: _____
Town Council:	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	Date: _____
Inspections: Building Insp.:	<input type="checkbox"/> Initial	Date: _____	<input type="checkbox"/> Final
Fire Inspection:	<input type="checkbox"/> Initial	Date: _____	<input type="checkbox"/> Final

Comments: _____

Zone: Commercial 1 2 3 Residential Beach Devel. Other _____

Business Name: Bear Lake Cozy Cabins LLC.

If name change, previous name: _____

Location Address: 70 W Logan Rd

City, State & Zip: Garden City, Ut 84028

Business Phone: 435-227-5676

Cell Phone: 435-760-2327

Mailing Address: PO Box 381

City, State & Zip: Garden City, Ut 84028

E-mail Address: chuck@bearlakecozycabins.com

Owners Name: Charles Stocking

Owners Location: 30 W. Tamarind Way

City, State & Zip: Garden City, Ut 84028

Phone: 435-760-2327

Cell Phone: 435-760-2327

Kind of Business Retail Lodging Restaurant
 Professional Contractor Other

Briefly Describe Your Business: Nightly Vacation Rentals

Utah State Sales Tax Number: 15184416-003-STC

Ut State Professional License No. _____

Will you be installing a sign?: Yes No

This is an application for a business license; the actual license will be issued only when **All** inspections/Approvals are complete. Issuance of this business license shall in no way relieve the applicant of his/her responsibility of complying with applicable zoning, health, building, or fire regulations.

I, We, Charles Stocking hereby agree to conduct said business strictly in accordance with the Laws and Ordinances covering such business. I understand that I shall not begin nor cause to begin business at this location without first obtaining a business license and will not continue business without maintaining a valid license, in doing so, I will be subject to a penalty as stipulated by the Garden City Infraction Fee Schedule. Business License Fees are non-refundable.

Owners Signature: Charles Stocking Digitally signed by Charles Stocking
DN: cn=Charles Stocking & Inc, o=charstocking.com, ou=US
Date: 2011.03.17 16:22:54 -0700 **Date:** 3/17/2021

Please print your name: Charles Stocking

Garden City
Business License Application

PO Box 207 • 69 N. Paradise Parkway • Garden City, Utah 84028
www.gardencityut.us • 435-946-2901 • 435-946-8852 Fax

Business Status: New Business
(check all that apply) Additional Location # _____
 Name Change
 Ownership Change
 Location Change
 Transient Vendor
 Concessionaire Vendor

License Fee: Business License Fee _____
 Transient License Fee _____
 Concessionaire Fee _____
 Additional Location _____
 Other _____
Beach Vendor License also requires a BCI background check

Official Use Only:

Planning Commission: Approved Not Approved Date: _____
Town Council: Approved Not Approved Date: _____
Inspections: Building Insp.: Initial Date: _____ Final Date: _____
 Fire Inspection: Initial Date: _____ Final Date: _____

Comments:

Zone: Commercial 1 2 3 Residential Beach Devel. Other _____

Business Name: Bear Lake Summit Pizza
If name change, previous name: _____
Location Address: 70 W Logan Rd
 City, State & Zip: Garden City, Utah 84028
Business Phone: 435-946-2870
Cell Phone: 435-213-7791
Mailing Address: PO Box 151
 City, State & Zip: Laketown UT 84038
E-mail Address: Thad.willis@outlook.com

Owners Name: Thad Willis
Owners Location: 120 S 100 E
 City, State & Zip Laketown UT 84038
Phone: _____
Cell Phone: 435-213-7791

Kind of Business Retail Lodging Restaurant
 Professional Contractor Other

Briefly Describe Your Business: Pizza Restaurant

Utah State Sales Tax Number: 14866976-004-STC

Ut State Professional License No. _____

Will you be installing a sign?: Yes No

This is an application for a business license; the actual license will be issued only when **All** inspections/Approvals are complete. Issuance of this business license shall in no way relieve the applicant of his/her responsibility of complying with applicable zoning, health, building, or fire regulations.

I, We, Thad Willis hereby agree to conduct said business strictly in accordance with the Laws and Ordinances covering such business. I understand that I shall not begin nor cause to begin business at this location without first obtaining a business license and will not continue business without maintaining a valid license, in doing so, I will be subject to a penalty as stipulated by the Garden City Infraction Fee Schedule.

Business License Fees are non-refundable.
Owners Signature: _____ **Date:** 4-1-2021

Please print your name: Thad Willis

Emergency Contact Phone	Signature	Created Date	Parking Spots	Max Occup	Status
4255510760	Jacob Douglas Barnes	2021-03-22 01:32 PM	6		15 Pending

Parcel Number	Registration #	Registered Address	Registered Unit Number	Permit Holder Name 1	Contact Email
41172300003	STR21-00018	710 N Lochwood Dr, Garden City, U 3		Jake Barnes	barnes56@gmail.com

SHORT TERM/NIGHTLY RENTAL INSPECTION CHECKLIST

Address: 710 N Lockwood Dr #3

Date of inspection: March 16, 2021

Owner: Jake Barnes

Safety Inspections:		Time limit to correct:
Handrails/Guardrails	Y	
Outdoor lights	Y	
Water shut off	Needs labeled	(Corrected) 03/20/2021
Gas shut off	Needs labeled	(Corrected) 03/20/2021
Electrical outlet plates	Y	
Check address on unit	Y	
Other:		

Sleeping Room	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10
Sq Ft.	13.5 x 16	12 x 12	10 x 11	12 x 10	12.5 x 15					
Exit Required	Y	Y	Y	Y	Y					
Window(s)	Y	Y	Y	Y	Y					
Smoke Detector	Y	Y	Y	Y	Y					
Total Sq. Ft.	216	144	110	120	187.5	777.5 total				

Total Occupancy allowed at this address: 15, shall not include children under the age of three (3).

Minimum parking required at this address: 4 Total number of parking spots on Property 6. All vehicles include trailer's, boats, motor homes, etc., shall park on property. Each trailer is considered a vehicle.

Signatures: Inspector: Glen Gillies *Glen Gillies*

Date: 03/16/2021

Owner/Property Manager: Jake Barnes

Date: 3/22/2021

Short Term Rental Inspection Form

Owner/responsible party JAKE BARNES Date 3-22-21

Address 710 N. LOCHWOOD DR #3 Suite/Apt# _____

Access

- Maintain fire lane free of obstruction
- Provide address numbers visible from the street

Fire Extinguishers

- Have new or refurbished and tagged ABC type fire extinguisher for each kitchen or kitchenette
- Mount fire extinguishers in plain view and access of kitchen
(may be mounted behind closet or cabinet door with placard on door)
- Provide free and clear access to the fire extinguisher

Fire Alarms/CO Detectors

- Smoke/Fire alarms in every bedroom, great room, and halls immediately adjacent to bedrooms
- One CO detector installed for each level of the home
- Smoke detectors communicate and activate at the same time

Electrical, HAZMAT, and Storage

- Label electrical panel box breakers
- Cover plates on all junction boxes, outlets, switches. No exposed wiring/hazardous extension cords
- No flammable liquids or gasses in the utility/furnace room or closet. Free access to furnace/utilities

Safety

- No obvious safety hazards determined at the discretion of the inspecting officer

I certify that all items on this list are in compliance with National, State, and Local codes and ordinances and have been inspected by a qualified member of the Garden City Fire District. Pass Fail _____

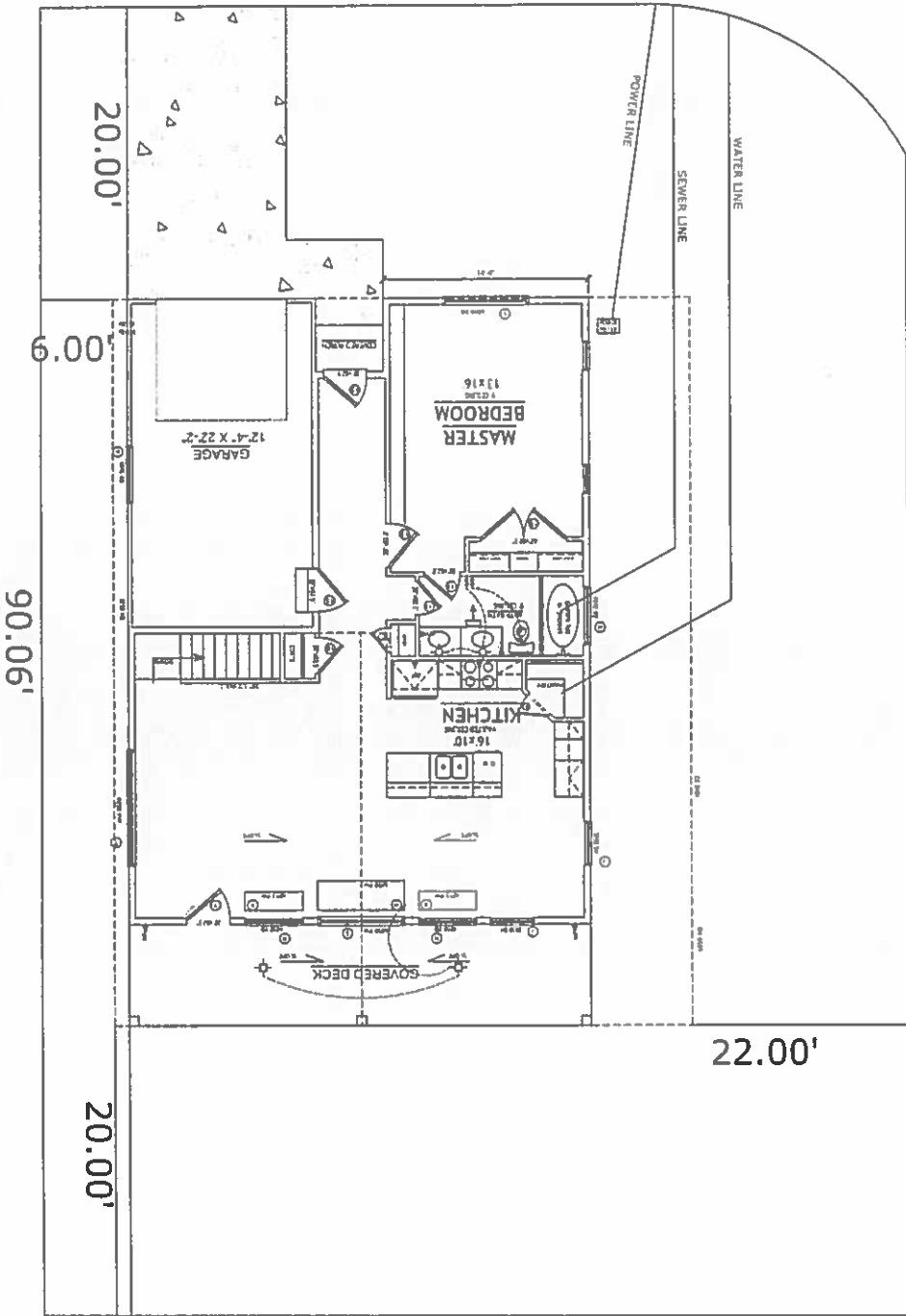
Inspected by: [Signature] Title: CHIEF

Date 3-27-21

Items that need to be corrected:

710 N LOCHWOOD DRIVE

42.67'



SCALE: 1/4" = 1'-0" IF PRINTED ON 24" X 36" PAPER
 SCALE: 1/8" = 1'-0" IF PRINTED ON 11" X 17" PAPER

LOT 3

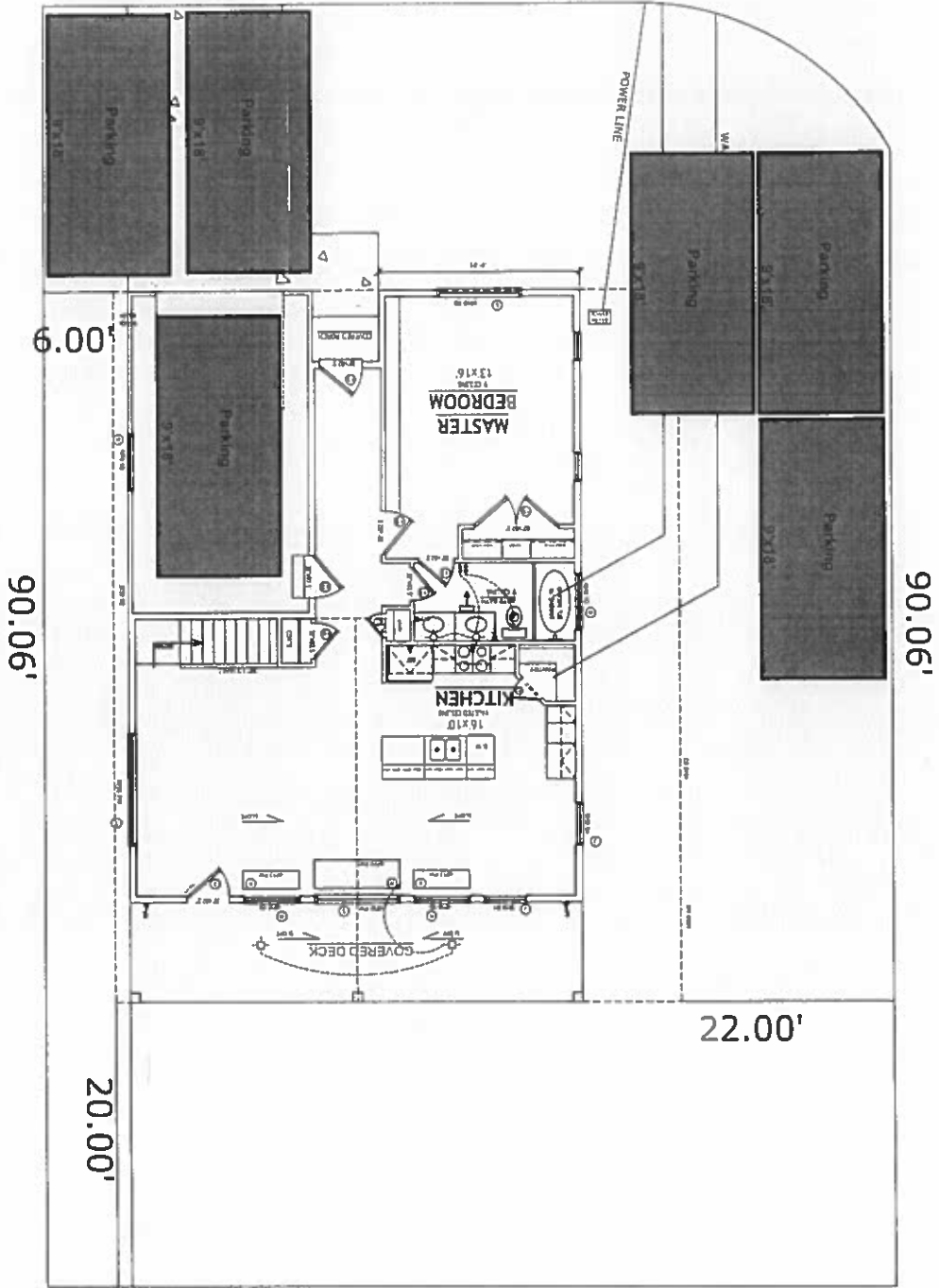
Lochwood
 Garden City, UTAH
 710 N Lochwood Dr.
 Garden City, UTAH
 (.16 ACRE)



CONTACT INFORMATION: LMC CONSTRUCTION, INC. 1801 S 245 W AVENUE, UT 84119 Phone: (435) 964-8900 E-mail: lmc@lmc-construction.com	
and 112 EAST 7000 SOUTH SALT LAKE CITY, UT 84120 Phone: (801) 487-1100, Fax: (801) 487-1101	
This plan is prepared for the use of the applicant and is not to be used for any other purpose without the written consent of the architect. The architect assumes no responsibility for the accuracy of the information provided by the applicant. The architect is not responsible for the accuracy of the information provided by the applicant. The architect is not responsible for the accuracy of the information provided by the applicant.	
VERSION INFORMATION: LOT 3 LOCHWOOD, GARDEN CITY 710 N LOCHWOOD DR.	
2020 LOCHWOOD Z090	2090
TOTAL SQUARE FEET: 2090	
SITE PLAN	
V3.1 3-22-20	3
LOCHWOOD	3
1 OF 5	

710 N LOCHWOOD DRIVE

42.67'



SCALE: 1/4" = 1'-0" IF PRINTED ON 24" X 36" PAPER
 SCALE: 1/8" = 1'-0" IF PRINTED ON 11" X 17" PAPER

LOT 3

Lochwood
 Garden City, UTAH
 710 N Lochwood Dr.
 Garden City, UTAH
 (.16 ACRE)



<p>CONTRACTOR INFORMATION: LMC CONSTRUCTION, INC. 188 S 145 W WINTON, UT 84115 Phone: (435) 944-0800 E-mail: lmc@lmc-construction.com</p>	
<p>DATE: 11/15/2019 TIME: 10:00 AM DRAWN BY: J. L. MCGEE CHECKED BY: J. L. MCGEE PROJECT: 2090</p>	
<p>VERSION INFORMATION: LOT 3 LOCHWOOD, GARDEN CITY 710 N LOCHWOOD DR.</p>	
<p>2020 LOCHWOOD 2090</p>	<p>2090 10/21 10/21</p>
<p>TOTAL SQUARE FEET: 2090</p>	
<p>DATE: 10/21</p>	
<p>SITE PLAN</p>	
<p>VERSION: V3.1 DATE: 3-22-20</p>	<p>DATE: 3-22-20</p>
<p>LOT: 3</p>	<p>LOT: 3</p>
<p>1 OF 5</p>	

After recording mail to:
Town of Garden City
PO Box 207
Garden City, Utah 84028

TOWN OF GARDEN CITY

TERMINATION OF ENCUMBRANCE AGREEMENT AND COVENANT TO RUN WITH THE LAND

ON THIS 8th DAY OF APRIL, 2021 COMES NOW the Town of Garden City, a Class 4 municipality, acting by and through its duly appointed Mayor, (hereinafter known as the "town"), and Jean Oelwang and Chris Waddell, property owners of the Town of Garden City, Utah (hereinafter known as the "owner") and owner of certain real property in the Town of Garden City, Rich County state of Utah, known generally as Parcel #'s 41-21-380-0014, and 41-21-380-0010 and more particularly described as follows:

Parcel #1: LOT 10, MAR VISTA SUBDIVISION
Parcel #2: LOT 14, MAR VISTA SUBDIVISION

(hereinafter know as "property").

Owner is desirous of releasing the Encumbrance Agreement and Covenant to run with the land (hereinafter known as "covenant") which was recorded October 28, 2010 filing no. 80631, in book A11, page 1965, in the office of the Recorder of Rich County, Utah. Owners hereby request this Termination of Encumbrance Agreement and Covenant to Run with the Land (hereinafter known as "termination") as follows:

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

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

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

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

Termination of Covenant to run with the land
Jean Oelwang
April 8, 2021
Page 2

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

To Terminate the Encumbrance Agreement and Covenant to Run with the Land, granted to Charles & Jessica Van Wagoner which was recorded October 28, 2010 filing no. 80631, in book A11, page 1965, in the office of the Recorder of Rich County, Utah, in the office of the Recorder of Rich County, Utah.

DATED this 8th day of April, 2021

APPROVED:

Attest;

Mike Leonhardt, Mayor

Kathy Hislop, Town Clerk/Recorder

Jean Oelwang, Owner

Chris Waddell, Owner

State of Utah)
)§
County of)

On the _____ day of _____, 2021, personally appeared before me Jean Oelwang and Chris Waddell who duly acknowledged to me that they executed the same.

Notary

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

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

Type of Application (check all that apply):	Ordinance Reference:
<input type="checkbox"/> Annexation	11A-301
<input type="checkbox"/> Appeal	11B-400
<input type="checkbox"/> Conditional Use Permit	11C-500
<input type="checkbox"/> Condominium/Townhouse	11E-524 or 11E-525
<input checked="" type="checkbox"/> Encumbrance <i>Terminate</i>	
<input type="checkbox"/> Extension of Time	Subdivision 11E-503/PUD or PRUD 11F-107-A-2
<input type="checkbox"/> Lot Split/Lot Line Adjustment	11E-506
<input type="checkbox"/> PUD Conceptual	11C-1950, 11E-100, and 11F-100
<input type="checkbox"/> PUD Phase Approval/Preliminary or Final	11C-1950, 11E-100, and 11F-100
<input type="checkbox"/> PRUD Conceptual	11C-1950, 11E-100, and 11F-100
<input type="checkbox"/> PRUD Phase Approval/Preliminary or Final	11C-1950, 11E-100, and 11F-100
<input type="checkbox"/> Subdivision	11E-100
<input type="checkbox"/> Vacation of Subdivision	11E-523
<input type="checkbox"/> Variance	11B-308
<input type="checkbox"/> Water Transfer	13A-1300
<input type="checkbox"/> Zone Change	
<input type="checkbox"/> Other Land Use Permit _____	

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

Property Address: 331 South 150 East Street

Parcel # 41 - 21 - 380 0014

Contact Person: Jean Oelwang Phone #: 646-402-1178

E-mail address: jean.oelwang@virgin.com

Mailing Address: Po Box 310, Garden City, UT 84028

Applicant (if different): _____ Phone #: _____

Mailing Address: _____

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

Mailing Address: _____

Project Start date: _____ Completion date: _____

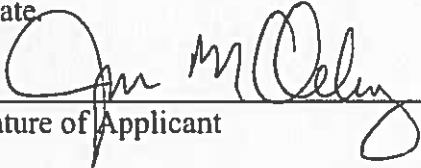
Describe the proposed project as it should be presented to the hearing body and in the public notices.

Un-Encumbrance of Lot 10 and Lot 14
Mar Vista Subdivision.

Lot Size in acres or square feet: ^{.13} Acres Number of dwellings or lots: _____

Non-residential building size: _____

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



Signature of Applicant

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



Signature of Owner of Record

Signature of Owner of Record

Email Form

Signature of Owner of Record

Office Use Only

Date Received: _____

Fee: _____

By: _____

MAR VISTA SUBDIVISION
 PART OF THE S.W. FRACTIONAL 1/4 OF SECTION 41, T14N, R.5E, S.L.D. & M.
 GARDEN CITY RICH COUNTY, UTAH

BOUNDARY DESCRIPTION
 Beginning at a point 2, 222.0' W. 1/4 Sec 41 and S. 1/4 Sec 41
 Adjoining from the N.E. corner of the S.W. fractional
 1/4 of Section 41, Township 14 North, Range 5 East,
 Salt Lake Meridian and running thence S89°45' E
 100.0' to the N.E. corner of the S.W. fractional
 1/4 of Section 41, Township 14 North, Range 5 East,
 Salt Lake Meridian and thence S89°45' E
 100.0' to the point of beginning.

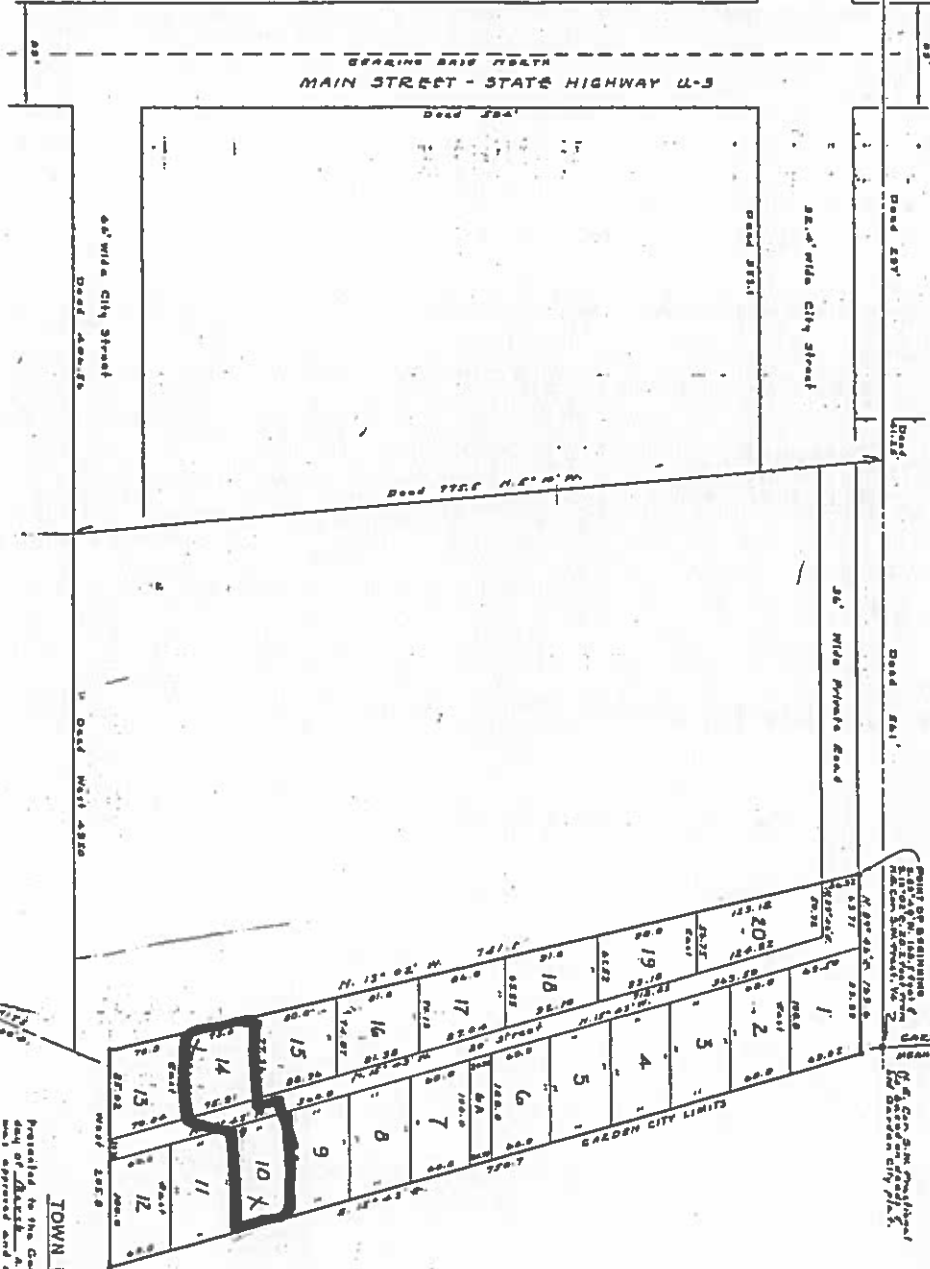
OWNER'S DEDICATION

These all men by these presents that we, the
 undersigned owners of the above described
 fractional 1/4 of Section 41, Township 14 North,
 Range 5 East, Salt Lake Meridian and streets hereafter
 known as the
MAR VISTA SUBDIVISION
 do hereby dedicate for perpetual use of the
 public all private public and common on this plat
 as in witness whereof we have hereunto set
 our hands this 3rd day of March A.D. 1964.

Donald S. Thompson
W. A. Blaylock
William H. Blaylock
Richard C. Miller
James D. Miller
John H. Miller
Ally P. Miller
Paul H. Miller
Robert H. Miller
David G. Miller

ACKNOWLEDGMENTS

STATE OF UTAH } ss.
 County of Davis } ss.
 On the 3rd day of March A.D. 1964, personally
 appeared before me, the undersigned Notary
 Public for the State of Utah, the signers of the above
 Owner's dedication, in number, who duly
 acknowledged to me that they signed it freely
 and voluntarily for the uses and purposes
 therein mentioned.
 My Commission expires March 1, 1964.
Ally P. Miller
 Notary Public for the State of Utah
 Rich County, Utah



SURVEYOR'S CERTIFICATE

I, Donald S. Thompson, do hereby certify that I am
 a Registered Professional Land Surveyor, and that I
 am duly licensed to practice my profession in the
 State of Utah, and that I have made a survey of
 the tract of land shown on this plat and described
 above, and have subdivided said tract of land into
 lots and streets as shown on this plat, and that the
 same have been correctly surveyed as shown on this plat.
 March 5, 1964
Donald S. Thompson

TOWN BOARD APPROVAL

Presented to the Garden City Town Board this 5th
 day of March A.D. 1964, at which time this subdivision
 was approved and accepted.
 Attest: *Donald S. Thompson*
 Town Clerk

COUNTY RECORDER

Book No. 12226
 Page No. 10
 Filed for Record March 10, 1964
 at SALT LAKE, in Book No. 12226, page 10.
James A. Stewart
 Rich County Recorder

BEAR LAKE

After Recording mail to:
Town of Garden City
PO Box 207
Garden City, Utah 84028

Recorded OCT 28 2010 Filing No. 80631
At 2:16 PM in Book All Page 1965
Fee No Fee Debra L. Ames Rich County Recorder
Requested by Town of Garden City

TOWN OF GARDEN CITY

Covenant to run with the land

ON THIS 12th DAY OF AUGUST, 2010 COMES NOW the Town of Garden City, a Class 4 municipality, acting by and through its duly appointed Mayor, (hereinafter known as the "town") and Gene Taylor, a resident of the Town of Garden City, Utah (hereinafter know as the "owners") and owners of certain real property in the Town of Garden City, Rich County, State of Utah, known generally as 41-21-38-010, and 41-21-38-014 and more particularly described as follows:

Parcel 1: LOT 10 MAR VISTA SUBDIVISION

Parcel 2: LOT 14 MAR VISTA SUBDIVISION

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

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

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

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

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

For and in consideration the encumbrance permit granted by the town, owners, their successors in interest heirs or assigns, covenant and irrevocably agree that the above described 4 parcels of real property shall remain in common ownership of the owners or their successors in interest heirs or assigns and shall not, under any circumstances so long as the encumbrance permit shall be effective, be sold separately or for any reason shall one parcel be segregated from ownership interest of the other parcel. In the event that such segregation or separate ownership shall occur, the owner of parcel 1, 2, 3 and 4, as described above, covenants and agrees to forthwith demolish and remove from the property any and all structures not in conformance with the Garden City Ordinances or regulations at the time of the segregation or separation. The structures not in

conformance with the Garden City Ordinances or requirements at the time of the segregation or separation will be removed or demolished within 30 days of any such segregation of ownership.

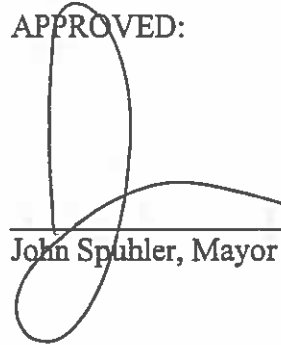
This would also require the owner to bring property into conformity with any and all Garden City requirements, ordinances and regulations at the time of segregation.

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

DATED this 12th day of August, 2010.

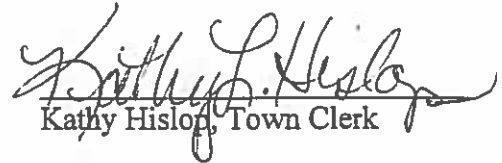
Encumbrance agreement and Covenant to run with the land
Gene Taylor
August 12, 2010
Page 3

APPROVED:


John Spuhler, Mayor



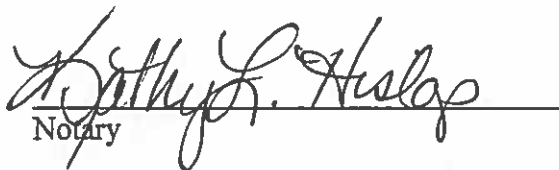
Attest:


Kathy Hislop, Town Clerk

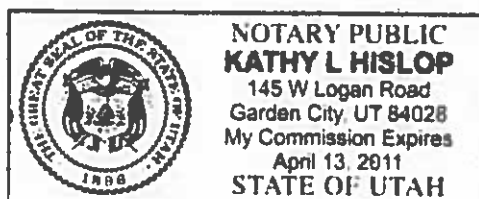

Gene Taylor, Owner

State of Utah)
)§
County of Rich)

On the 14th day of October, 2010, personally appeared before me Gene Taylor, who duly acknowledged to me that they executed the same.


Notary

My Commission expires: April 13, 2011
Residing in: Garden City, Utah



Application for Project Review Garden City, Utah

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

Type of Application (check all that apply):

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

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

Ordinance Reference:

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

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

Project Name: Waterdance Current Zone: PUD Proposed Zone: PUD

Property Address: 140 W 150 S Garden City, UT 84028

Parcel # 41 - 21 - 400 - 0271

Contact Person: Teri Eynon Phone #: 208-847-5263

E-mail address: teribearlake@gmail.com

Mailing Address: PO Box 87 Garden City, UT 84028

Applicant (if different): Norm Mecham Phone #: 435-757-6278

Mailing Address: nmecham@bearlake.com. PO Box 361 Garden City, UT 84028

Property Owner of Record (if different): Waterdance Holdings, LLC Phone #: 435-945-3500

Mailing Address: PO Box 361 Garden City, UT 84028

Project Start date: 6/2021 Completion date: 6/2023

Describe the proposed project as it should be presented to the hearing body and in the public notices.
Revised Preliminary Plat for Waterdance Subdivision Phase 3, consisting of 4 Buildings with 4 Townhomes
in each Building, for a total of 16 Townhomes.

Lot Size in acres or square feet: 1.78 acres Number of dwellings or lots: 16

Non-residential building size: NA

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



Signature of Applicant

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



Signature of Owner of Record

Signature of Owner of Record



Signature of Owner of Record

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

Revised Phase 3



Garden City Project Checklist

A complete application packet must be filed with the Garden City Town Clerk at least **fourteen (14)** days prior to the meeting when your project will be considered. Subdivisions, PUD/PRUD, and Condominium projects are required to follow the Subdivision/PUD/PRUD Process, which also requires an AEG pre-meeting before turning in this packet.

INCOMPLETE APPLICATION PACKETS WILL NOT BE ACCEPTED.

PLEASE REFER TO ORDINANCES FOR A LIST OF REQUIRED DOCUMENTS TO BE INCLUDED WITH THE FOLLOWING PROJECT APPLICATIONS:

- Subdivision Plat:** \$3,000 Deposit * 11E
Preliminary Plat: \$500 per plat + \$10 per lot 11E-400
Final Plat: \$500 per plat + \$10 per lot 11E-500
Subdivision packets must include A, 15 of B, 4 of C, D, E, & F for each plat
- Condominium Plat:** \$3,000 Deposit * Must follow Subdivision Ordinance, Chapter and/or Planned Unit Development Ordinance, Chapter 11F and:
Condominium Plat: \$500 per plat + \$10 per lot 11E-524
Townhouse Plat: \$500 per plat + \$10 per lot 11E-525
Condominium packets must include A, 15 of B, 4 of C, D, E, & F for each plat
- Planned Unit Development or Planned Residential Development (PUD or PRUD):**
\$3,000 Deposit * 11C-1950, 11F & 11 E
Preliminary PUD Development Plan: \$1,000 11F-103
Final Development Plan: \$1,000 11F-107
PUD/PRUD packets must include A, 15 of B, 4 of C, D, E, & F for each plat
- Readjustment of Lot Lines or Lot Splits:** \$250 11E-506
Packets must include A, B, C, D, E, & F, Also, a deed for each lot
- Vacation of Subdivision:** \$300 11E-523
Packets must include A, 15 of B, 4 of C, D, E, & F
- Conditional Use Permit:** \$300
CUP packets must include A, 9 of B, D, E, & F
- Variance:** \$250 11B-308
Variance Packets must include A, B, D, E, & F
- Annexation:** \$300 for first acre or less, \$20 per acre for each additional acre (Maximum of \$1,000) 11A-300
Annexation packets must include A, 15 of B, 4 of C, D, E, & F
- Zone Change:** \$300 for first acre or less, \$20 per acre for each additional acre (Maximum of \$1,000) 11A-302
Zone Change packets must include A, 15 of B, 4 of C, D, E, & F

- Encumbrance: \$250**
Encumbrance Packets must include A, B, D, E, & F
- Un-Encumbrance: \$250**
Un-Encumbrance Packets must include A, B, D, E, & F
- Appeal: \$250**
Appeal Packets must include A and a letter from the property owner outlining the reason for the appeal.
- Extension of Time:**
Extension of Time Packets must include A, and a letter from the Developer explaining the reason for the extension request.
- Other Land Use Permits: \$50**
Packets must include A, B, D, E, & F
- Water Share Transfer:**
Water Share Transfer Packets must include A

* The \$3,000 deposit is used to cover engineer costs, attorney costs, recording fees, etc. The balance will be refunded to developer.

PACKET DOCUMENTATION REQUIREMENTS

- A. Completed Garden City Application for Project Review@ form.
- B. 11"x14' or 11"x17' plot plan showing lot dimensions and area, and the location, uses dimensions, and set backs of all existing and proposed buildings. Any right-of-ways or easements must be shown if applicable.
- C. A AD@ size (22" x 34") plot plan showing lot dimensions and area, and the location, uses, dimensions, and set backs of all existing and proposed buildings. When appropriate, include the same information for property from which a new lot is being created. Plot at appropriate scale (e.g. 1"=50' or 1"=100')
- D. A legal description and current ownership plat of the property.
- E. A current Title Report or Preliminary Title Report showing ownership. Must match legal description on plat.
- F. An electronic copy of plat.

Please review Garden City ordinances for requirements for each type of project. Garden City ordinances can be found at www.gardencityut.us .

14. DEED OF TRUST
Trustor: LODGE AT BEAR LAKE HOLDINGS, LLC_
Trustee: RICH LAND TITLE COMPANY
Beneficiary: CACHE VALLEY BANK_
Recorded: 18 September 2018_
Entry No.: 93787_
Book/Page: Z11/1499

MODIFICATION OF DEED OF TRUST
Dated: December 19, 2019
as Filing No. 96228
Book F12/Page 316
Increases loan amount to \$3,000,000.00

NOTES:

Exception numbered 1-6 will be eliminated on the ALTA Extended Coverage Policy and the ALTA Homeowners Policy.

In the event this transaction fails to close, a minimum \$200.00 cancellation fee will be charged for services rendered in accordance with the rates that are on file with the Commissioner of Insurance of the State of Utah.

NOTICE TO APPLICANT AND/OR PROPOSED INSURED:

Commitment is subject to such other and further requirements and exceptions as they appear necessary to the Company.

If you require copies of any documents identified in this commitment for Title Insurance, the Company will furnish the same upon specific request, either free of charge or for the actual cost of duplication for those copies requiring payment by the Company to obtain.

The land described in this Commitment may be serviced by services provided by cities, towns, public utility companies and other firms providing municipal type services which do not constitute liens upon the land and for which no notice of the existence of such service charges is evidenced in the Public Records. The applicant and/or purposed insured should directly contact all entities providing such services and make the necessary arrangements to insure payment for such services and continuation of services to the land.

The policy to be issued contains an arbitration clause. Any matter in dispute between you and the Company may be subject to arbitration as an alternative to court action. You may review a copy of the arbitration rules at <http://www.alta.org>. Any decision reached by arbitration shall be binding upon both you and the Company. The arbitration award may include attorney's fees, if allowed by state law, and may be entered as a judgment in any court of proper jurisdiction.



112 North Main Street
Logan, UT 84321
www.HickmanTitle.com

11. CERTIFICATE OF CREATION OF THE BEAR LAKE SPECIAL SERVICE DISTRICT
By: BOARD OF COUNTY COMMISSIONERS OF RICH COUNTY, UTAH
Dated: December 22, 1982
Recorded: December 22, 1982
Entry No.: 27061
Book/Page: G4/337

RESOLUTION Electing that the West Shore Sewer District become Bear Lake Special Service District
By: THE BOARD OF TRUSTEES OF WEST SHORE SEWER DISTRICT
Dated: July 22, 1983
Recorded: July 27, 1983
Entry No.: 28533
Book/Page: K4/575

RESOLUTION NO. R-070801
By: BOARD OF COUNTY COMMISSIONERS OF RICH COUNTY, UTAH. Annexing certain real property
To: Bear Lake Special Service District
Recorded: September 14, 2007
Entry No.: 72683
Book/Page: L10/1499

CERTIFICATE OF ANNEXATION
A resolution annexing certain real property
By: GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH.
To: Bear Lake Special Service District.
Recorded: September 19, 2007
Entry No.: 72737
Book/Page: L10/1765

Said property is subject to charges and assessments for sewer services by this Special Service District.

12. Plat Annexation to Town of Garden City recorded December 30, 2005 as Filing No. 67466 in Book D10, Page 498 in the office of the Recorder of Rich County, Utah.

Resolution No. R05-13, A Resolution Extending the Corporate Limits of the Town of Garden City, Rich County, Utah, and Annexing Certain Territory Thereto recorded December 30, 2005 as Filing No. 67467 in Book D10, Page 499 in the office of the Recorder of Rich County, Utah.

Certificate of Annexation recorded February 1, 2006 as Filing No. 67662 in Book D10, Page 1077 in the office of the Recorder of Rich County, Utah.

13. UTILITY RIGHT-OF-WAY AND EASEMENT:
Grantee: BEAR LAKE SPECIAL SERVICE DISTRICT
Dated: May 21, 2009
Recorded: March 29, 2012
Entry No: 82969
Book/Page: F11/498



EXCEPTIONS

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims, or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
7. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
8. Taxes for the year 2021, and subsequent years, not yet due and payable.
Tax Parcel No. 41-21-400-0271. Taxes for the year 2020 were paid in full
9. **RESOLUTION ESTABLISHING A SERVICE DISTRICT FOR FIRE PROTECTION AND
AMBULANCE SERVICE**
By: THE BOARD OF COUNTY COMMISSIONERS OF RICH COUNTY
Executed: July 7, 1976
Recorded: July 5, 1977
Entry No.: F17,870
Book/Page: V2/320
10. Rights of others in and to the use of any drains and/or ditches located over, across, in or under the insured premises, and rights to enter upon said premises to maintain the same.



SCHEDULE B

Section 1

The following are the requirements to be complied with:

1. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
2. Pay us the premium, fees and charges for the policy.
3. Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded, as follows:
 - A) None
4. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
5. Release(s) or Reconveyance(s) of item(s): None
6. You must give us the following information:
 - A) Any off record leases, surveys, etc.
 - B) Statements of identity all parties.
 - C) Other

NOTES:

All parties in title within the last 8 years and all persons coming into title, including those listed below, have been checked for judgments and/or tax liens and there are none, unless listed in Schedule B Section 2.

THE LODGE AT BEAR LAKE HOLDINGS, LLC



112 North Main Street
Logan, UT 84321
www.HickmanTitle.com

SCHEDULE A

EXHIBIT A
Legal Description

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

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

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

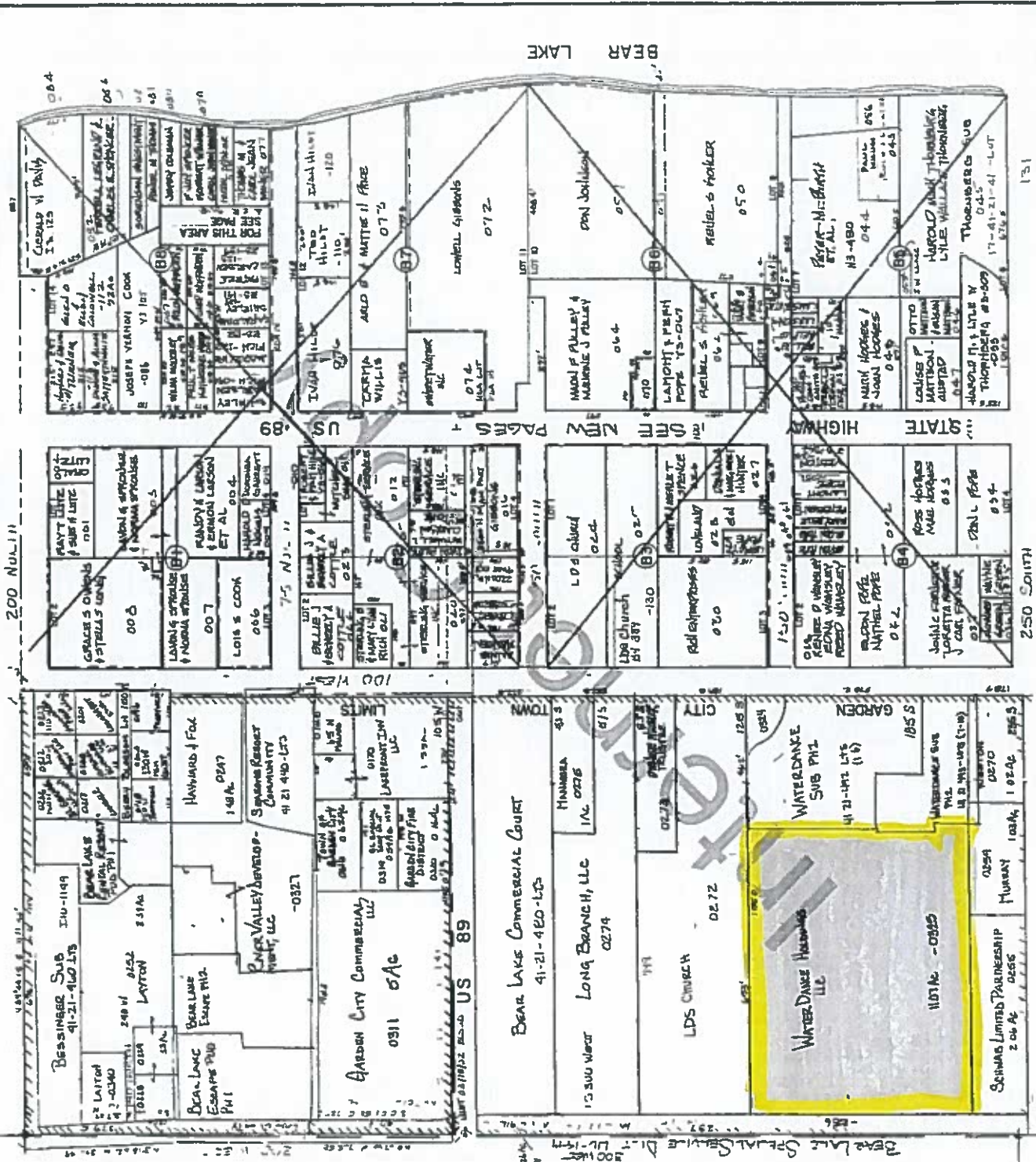
Less and Excepting therefrom all of WATERDANCE SUBDIVISION PHASE 1, as shown by the official plat filed 9/3/2019 as Filing No. 95584 in the office of the Recorder of Rich County, Utah; and also all of WATERDANCE SUBDIVISION PHASE 2, AMENDED, as shown by the official plat thereof filed 8/4/2020 as Filing No. 98080 in the office of the Recorder of Rich County, Utah.



RICH COUNTY

NW 1/4 SEC 21, T.14N., R.5E., S.1.B.M.

41-21-400-Parcel



Waterdance Holdings, LLC

EXHIBIT A

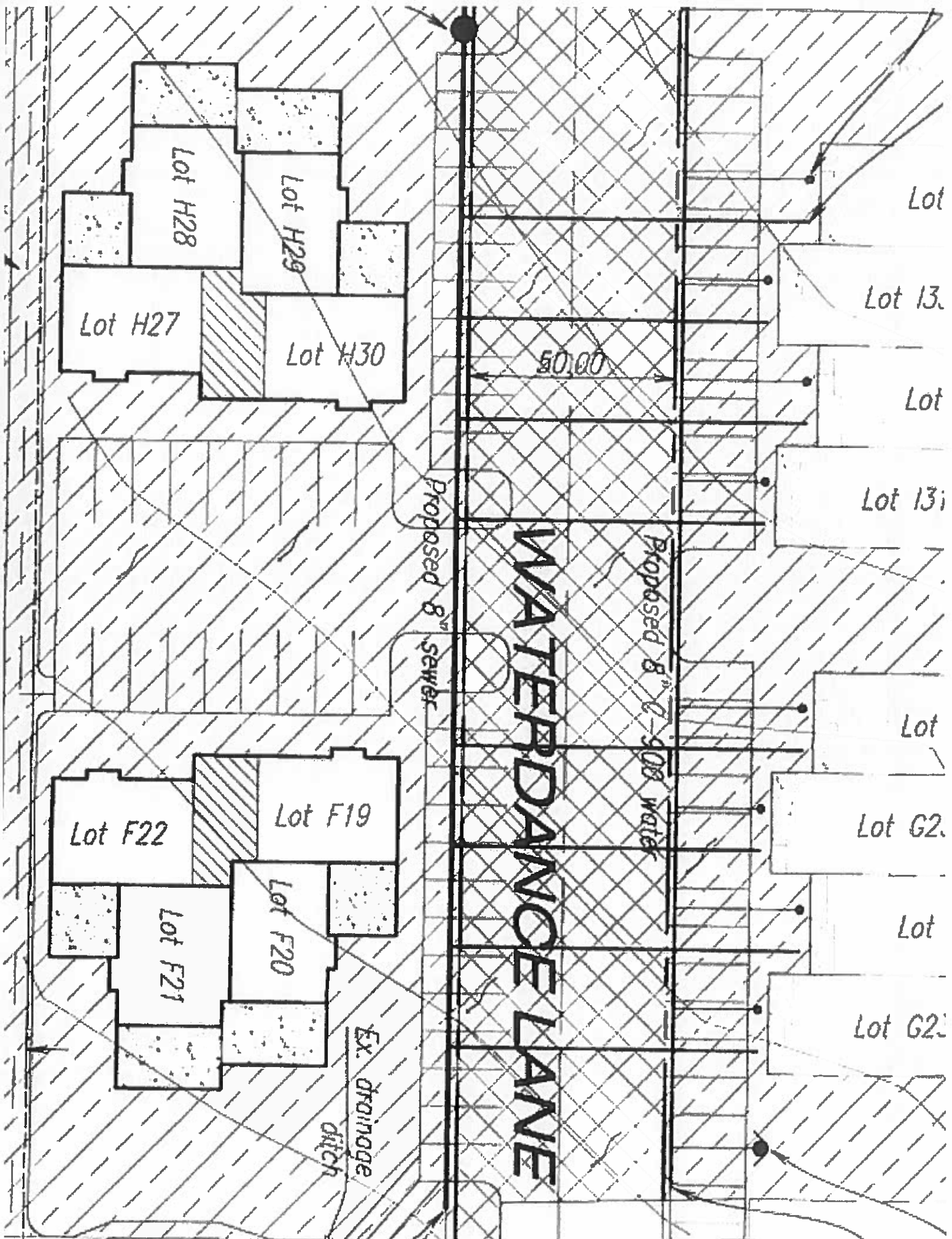
Legal Description

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

Commencing at a point which is North 00°52 '25" East 131.92 feet (North 1.9 chains by record) from the Southwest Corner of the Northwest Quarter of Section 21, Township 14 North, Range 5 East of the Salt Lake Base and Meridian, said point also being the Northwest Corner of the Price Minor Subdivision; and running thence South 89°11 '48" East 1167.55 feet (East 17.57 chains by record), along the North line of said Price Minor Subdivision to the West right of way line of 100 West Street; thence North 9 .45 chains, more or less, along said right of way line to a point which is described by record as being North 11.35 chains and East 17.57 chains from the Southwest Corner of the Northwest Quarter of said Section 21; thence West 17.57 chains, more or less, to the West line of said Section 21 and a point which is described by record as being North 11.35 chains from the Southwest Corner of the Northwest Quarter of said Section 21; thence South 9.45 chains, more or less, along said West line to the point of beginning.

Less and Excepting therefrom any portion of the above described property lying within the bounds of 300 West Street, as described in that certain Road Dedication Plat recorded in Book G1 1, Page 549 in the office of the Recorder of Rich County, Utah.

Less and Excepting therefrom all of WATERDANCE SUBDNISION PHASE 1, as shown by the official plat filed 9/3/2019 as Filing No. 95584 in the office of the Recorder of Rich County, Utah; and also all of WATERDANCE SUBDNISION PHASE 2, AMENDED, as shown by the official plat thereof filed 8/4/2020 as Filing No. 98080 in the office of the Recorder of Rich County, Utah.



Lot

Lot 13.

Lot

Lot 13i

Lot

Lot G2.

Lot

Lot G2.

WATERPANOCE LANE

Proposed 8" sewer

Proposed 8" 0-900 water

50.00

Ex. drainage ditch

Lot H28

Lot H29

Lot H27

Lot H30

Lot F22

Lot F19

Lot F21

Lot F20

Lot H30

Lot H29

Lot H28

Lot H27

Lot F22

Lot F21

Lot F20

Lot F19

drainage

Lot

Lot 133

Lot

Lot 131

Lot

Lot G25

Lot

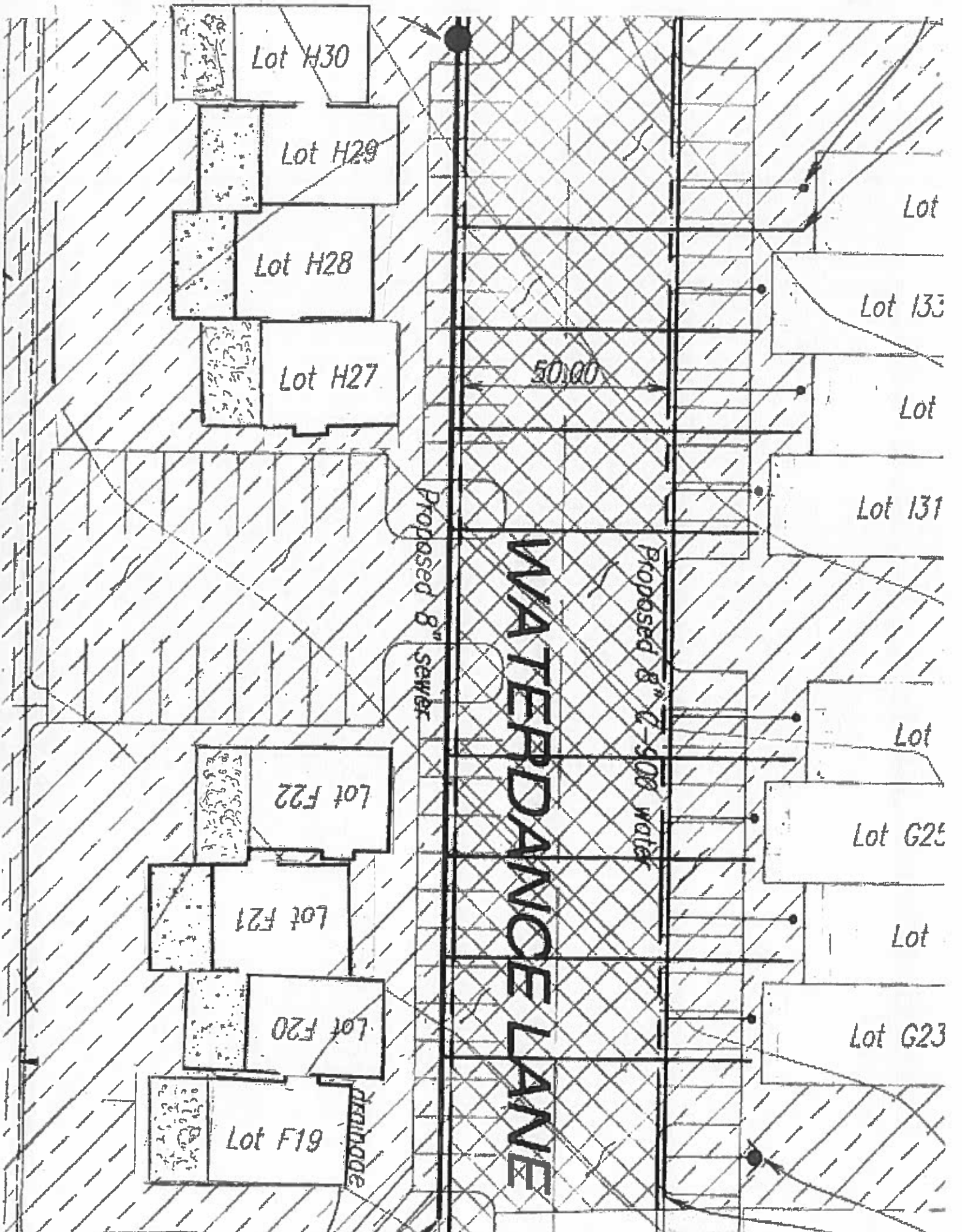
Lot G23

50.00

Proposed 8" sewer

Proposed 8" 2-900 water

WATERDANCE LANE



Back in April

Application for Project Review
Garden City, Utah

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

- | Type of Application (check all that apply): | Ordinance Reference: |
|--|---------------------------------|
| <input type="checkbox"/> Annexation | 11A-301 |
| <input type="checkbox"/> Appeal | 11B-400 |
| <input type="checkbox"/> Conditional Use Permit | 11C-500 |
| <input type="checkbox"/> Condominium/Townhouse | 11E-524 or 11E-525 |
| <input type="checkbox"/> Encumbrance | |
| <input type="checkbox"/> Extension of Time | Subdivision 11E-503/PUD or PRUD |
| | 11F-107-A-2 |
| <input type="checkbox"/> Lot Split/Lot Line Adjustment | 11E-506 |
| <input type="checkbox"/> PUD Conceptual | 11C-1950, 11E-100, and 11F-100 |
| <input type="checkbox"/> PUD Phase Approval, Preliminary or Final | 11C-1950, 11E-100, and 11F-100 |
| <input type="checkbox"/> PRUD Conceptual | 11C-1950, 11E-100, and 11F-100 |
| <input checked="" type="checkbox"/> PRUD Phase Approval/Preliminary or Final | 11C-1950, 11E-100, and 11F-100 |
| <input type="checkbox"/> Subdivision | 11E-100 |
| <input type="checkbox"/> Vacation of Subdivision | 11E-523 |
| <input type="checkbox"/> Variance | 11B-308 |
| <input type="checkbox"/> Water Transfer | 13A-1300 |
| <input type="checkbox"/> Zone Change | |
| <input type="checkbox"/> Other Land Use Permit | <u>Final Approval</u> |

Project Name: Legacy Beach Current Zone: _____ Proposed Zone: _____

Property Address: _____

Parcel # _____

Contact Person: GARTH DAY Phone #: 435 730 8208

E-mail address: garthd@sierrahomes.com

Mailing Address: 9 W. FOREST ST.

Applicant (if different): _____ Phone #: _____

Mailing Address: _____

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

Bear Lake Resort LLC.

Mailing Address: _____

Project Start date: _____ Completion date: _____

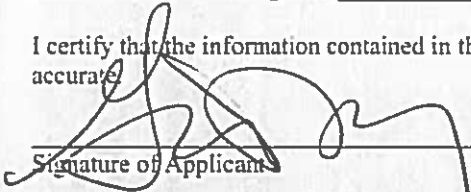
Describe the proposed project as it should be presented to the hearing body and in the public notices.

Condo / PUD PROJECT Phase 2


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

Non-residential building size: _____

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


Signature of Applicant

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


Signature of Owner of Record

Signature of Owner of Record

Email Form

Signature of Owner of Record

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

OLSON & HOGGAN, P.C.

ATTORNEYS AT LAW

L. BRENT HOGGAN
MILES P. JENSEN
JAMES C. JENKINS
KEVIN J. FIFE*
JEFFERY B. ADAIR**
KELLY J. SMITH
JEREMY S. RAYMOND
SETH J. TAIT*
JACOB A. WATTERSON
BRADLEY N. MUMFORD

—
CHARLES P. OLSON (1916-1975)

*also licensed in Idaho

**also licensed in Nevada

130 SOUTH MAIN, SUITE 200
P.O. BOX 525
LOGAN, UTAH 84323-0525
TELEPHONE (435) 752-1551
TOLL FREE (866) 752-1551
TELEFAX (435) 752-2295

—
TREMONTON OFFICE:
123 EAST MAIN
P.O. BOX 115
TREMONTON, UTAH 84337
TELEPHONE (435) 257-3885
TELEFAX (435) 257-0365

E-MAIL oh@oh-pc.com
www.oh-pc.com

January 28, 2021

Via Email

Town of Garden City
PO Box 207
Garden City, UT 84028
townofgardencity@gmail.com
mikel@gardencityut.us

Re: Legacy Beach Phase 2 / PUD Review
Our File: N - 4600.24

Sharlene:

We received and have reviewed the proposed Final Plat and Title Report for this PUD and have the following comments for the Town's review and consideration:

1. Utah Code § 10-9a-603(1)(c) and Garden City Code § 11E-504(B)(6) require that an address be provided for each lot. We did not see any addresses listed for the lots on this Plat.
2. Garden City Code § 11E-504(B)(14) requires the Plat be accompanied by a letter from the County Recorder certifying all property taxes are paid and current. We did not receive a copy of such a letter, but the Town should verify that has been done.
3. Garden City Code § 11E-504(C)(9) requires that the Plat reference the "instrument number" where the CC&Rs are recorded. Note 7 of the Plat mentions the project is subject to CC&Rs, but it needs to reference the recording information that identifies where they are recorded.

4. Garden City Code § 11E-504(C)(16) and § 11E-525(B) require a review of the formation documents for any homeowners association related to the Plat. We have not received any CC&Rs for review on this Plat. We are generally aware that CC&Rs were previously recorded and amended for the Legacy Beach PUD. However, the CC&Rs which were accessible through the Title Report for the Legacy Beach PUD do not show that this Phase 2 of the project is subject to the CC&Rs. The Town should verify that Phase 2 has been annexed into the current CC&Rs or that separate CC&Rs for Phase 2 are reviewed and recorded prior to approval of the Final Plat.

5. Garden City Code § 11E-504(C)(12) requires the developer to provide a "certification that all water rights have been transferred to the Town of Garden City." The Town should verify this is done.

6. Garden City Code § 11F-101 requires that the area for this proposed project be rezoned to the PUD zone before any final approval of the project. We assume this has taken place, but we do not have a way of verifying it for our file so we mention it here.

7. Garden City Code § 11F-102(A)(2) requires that "the aggregate area of all buildings proposed shall not exceed thirty percent (30%) of the entire lot area of the development." We are unable to assess this based on the documents we received, but the Town should ensure this requirement is met.

8. Garden City Code § 11F-102(A)(5) restricts height of buildings in a PUD to 35 feet. We are unable to assess this based on the documents we received, but the Town should ensure this requirement is met.

9. Garden City Code § 11F-102(A)(5) requires that the "yard and height requirements of the adjacent zone shall be required on the immediate periphery, and throughout the entire development." We are unable to assess this based on the documents we received, but the Town should ensure this requirement is met.

10. Garden City Code § 11F-102(A)(8) requires that the "where a PUD or PRUD adjoins any lot in any zone, there may be required along such property lines a fence and/or planting strip as determined by the Planning Commission."

11. Garden City Code § 11F-101 indicates that all PUDs are subject to the Garden City Subdivision Code (Title 11E of the Garden City Code). It appears that the requirements of Garden City Code § 11E-526(A) are applicable to this project which require both passive and active open space.¹ We are unable to assess this based on the documents we received, but the Town should ensure this requirement is met.

¹ "Passive" and "Active" open space appear to be partially defined in Garden City Code § 11C-1953(H).

12. The Town should ensure that the application contains all the submission requirements for a PUD development plan as outlined in Garden City Code § 11F-103.

13. The Planning Commission and Town Council should consider the review requirements set forth in Garden City Code §§ 11F-104 and 11F-105 in making recommendations and decisions on this project.

We will be happy to sign the Plat upon the Town's verification that the foregoing items are in conformity or that the underlying requirements have been waived and that there are no changes to the Final Plat. Feel free to contact me directly with any questions or concerns about this review.

OLSON & HOGGAN, P.C.

/s/ Seth J. Tait

SJT/tf

J:\mpj\cities\garden city\04 - subdivisions\legacy beach phase 2\tr subdivisionreview 1.docx



J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

MEMORANDUM

DATE: February 28, 2021
TO: Garden City Planning Commission
CC: Riley Argyle
FROM: Quinn Dance, E.I.T., Zan Murray, S.E.
SUBJECT: Legacy Beach Phase 2 – Final Plat

We received a final plat for Legacy Beach Phase 2 for review. The following items summarize the additional information that is needed prior to final approval. Refer the attached "Final Plat" checklist for detailed information.

Final Plat

1. North arrow needs to be adjusted 90-degrees.
2. Closure:
 - a. The overall property boundary closes along with the outside boundary of each building. But the interior units in two north buildings does not close within tolerances.
3. Provide addressing on final plat per Rich County Addressing System. **Complete**
4. Show fire hydrant locations on final plat. **Complete**
5. Outdated surveyor stamp, update stamp prior to final approval. **Complete**
6. Certificate of Dedication refers to an 8' public access easement along the southerly boundary which isn't shown and seems like a carryover from Phase 1. Also refers to incorrect year. **Complete**
7. Verify that enough water rights have been transferred for Phase 2.
8. The Garden City Fire District signature line refers to the City Engineer, update accordingly. **Complete**

We appreciate your cooperation on these matters and feel free to reach out with any questions or concerns.

LEGACY BEACH, PUD, PHASE 2 SITE PLAN



LEGEND

	Approved
	Contingency Area
	Low Impervious Surface Credit
	Unimproved Water Retention
	Land
	Water and Swales

SITE REFERENCE NOTES

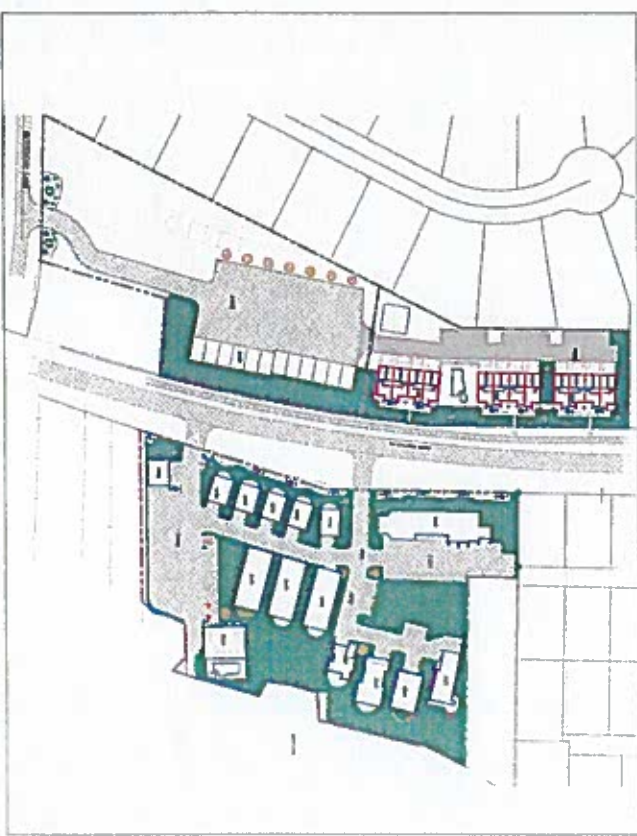
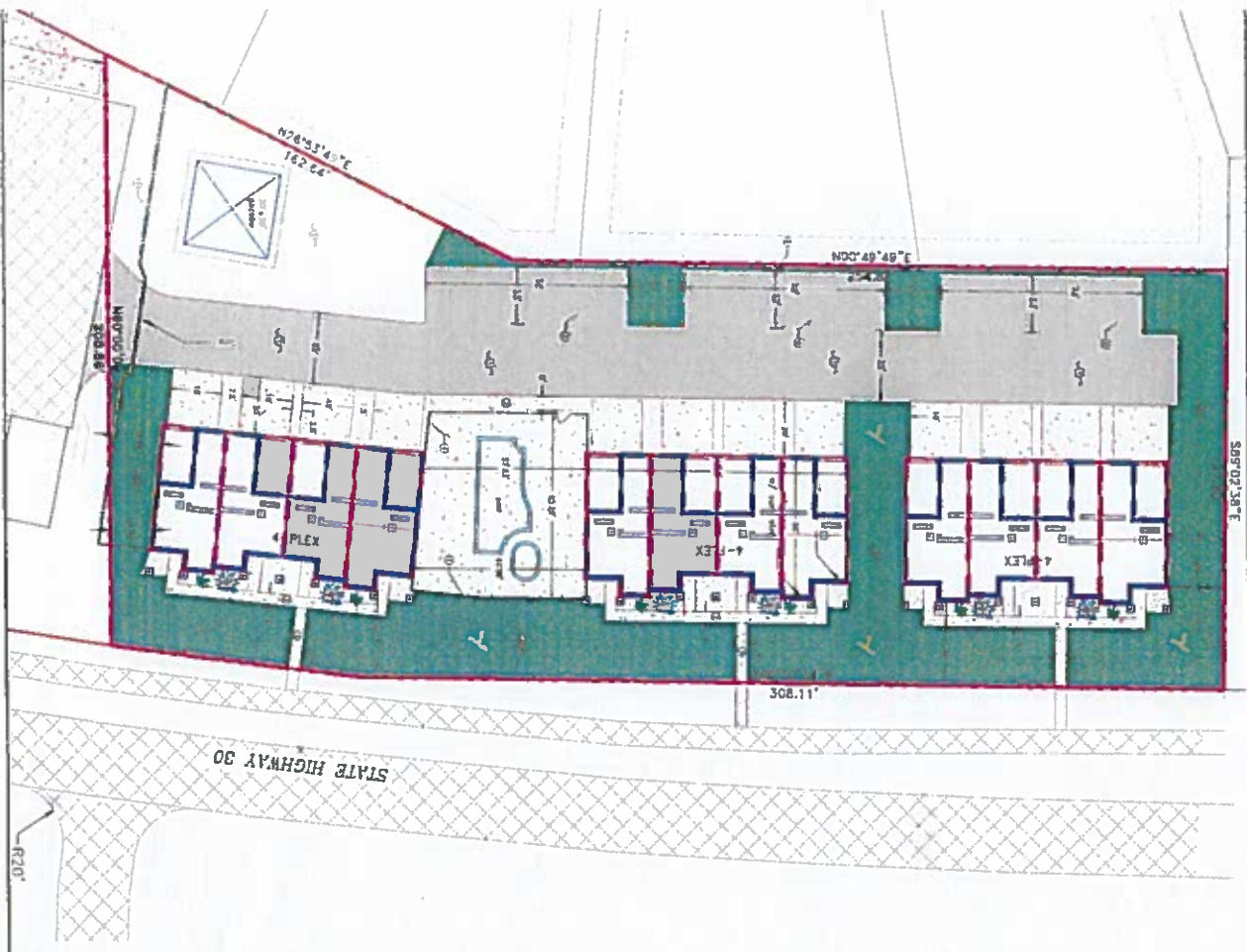
- 1. All areas shown are subject to change based on P&I
- 2. General/Standard Plan, SEE SHEET A/1
- 3. See Section 1.1.1 of Ord. 14/1
- 4. See Section 1.1.2 of Ord. 14/1
- 5. See Section 1.1.3 of Ord. 14/1
- 6. See Section 1.1.4 of Ord. 14/1
- 7. See Section 1.1.5 of Ord. 14/1
- 8. See Section 1.1.6 of Ord. 14/1
- 9. See Section 1.1.7 of Ord. 14/1
- 10. See Section 1.1.8 of Ord. 14/1
- 11. See Section 1.1.9 of Ord. 14/1
- 12. See Section 1.1.10 of Ord. 14/1
- 13. See Section 1.1.11 of Ord. 14/1
- 14. See Section 1.1.12 of Ord. 14/1
- 15. See Section 1.1.13 of Ord. 14/1
- 16. See Section 1.1.14 of Ord. 14/1
- 17. See Section 1.1.15 of Ord. 14/1
- 18. See Section 1.1.16 of Ord. 14/1
- 19. See Section 1.1.17 of Ord. 14/1
- 20. See Section 1.1.18 of Ord. 14/1
- 21. See Section 1.1.19 of Ord. 14/1
- 22. See Section 1.1.20 of Ord. 14/1
- 23. See Section 1.1.21 of Ord. 14/1
- 24. See Section 1.1.22 of Ord. 14/1
- 25. See Section 1.1.23 of Ord. 14/1
- 26. See Section 1.1.24 of Ord. 14/1
- 27. See Section 1.1.25 of Ord. 14/1
- 28. See Section 1.1.26 of Ord. 14/1
- 29. See Section 1.1.27 of Ord. 14/1
- 30. See Section 1.1.28 of Ord. 14/1
- 31. See Section 1.1.29 of Ord. 14/1
- 32. See Section 1.1.30 of Ord. 14/1
- 33. See Section 1.1.31 of Ord. 14/1
- 34. See Section 1.1.32 of Ord. 14/1
- 35. See Section 1.1.33 of Ord. 14/1
- 36. See Section 1.1.34 of Ord. 14/1
- 37. See Section 1.1.35 of Ord. 14/1
- 38. See Section 1.1.36 of Ord. 14/1
- 39. See Section 1.1.37 of Ord. 14/1
- 40. See Section 1.1.38 of Ord. 14/1
- 41. See Section 1.1.39 of Ord. 14/1
- 42. See Section 1.1.40 of Ord. 14/1
- 43. See Section 1.1.41 of Ord. 14/1
- 44. See Section 1.1.42 of Ord. 14/1
- 45. See Section 1.1.43 of Ord. 14/1
- 46. See Section 1.1.44 of Ord. 14/1
- 47. See Section 1.1.45 of Ord. 14/1
- 48. See Section 1.1.46 of Ord. 14/1
- 49. See Section 1.1.47 of Ord. 14/1
- 50. See Section 1.1.48 of Ord. 14/1
- 51. See Section 1.1.49 of Ord. 14/1
- 52. See Section 1.1.50 of Ord. 14/1
- 53. See Section 1.1.51 of Ord. 14/1
- 54. See Section 1.1.52 of Ord. 14/1
- 55. See Section 1.1.53 of Ord. 14/1
- 56. See Section 1.1.54 of Ord. 14/1
- 57. See Section 1.1.55 of Ord. 14/1
- 58. See Section 1.1.56 of Ord. 14/1
- 59. See Section 1.1.57 of Ord. 14/1
- 60. See Section 1.1.58 of Ord. 14/1
- 61. See Section 1.1.59 of Ord. 14/1
- 62. See Section 1.1.60 of Ord. 14/1
- 63. See Section 1.1.61 of Ord. 14/1
- 64. See Section 1.1.62 of Ord. 14/1
- 65. See Section 1.1.63 of Ord. 14/1
- 66. See Section 1.1.64 of Ord. 14/1
- 67. See Section 1.1.65 of Ord. 14/1
- 68. See Section 1.1.66 of Ord. 14/1
- 69. See Section 1.1.67 of Ord. 14/1
- 70. See Section 1.1.68 of Ord. 14/1
- 71. See Section 1.1.69 of Ord. 14/1
- 72. See Section 1.1.70 of Ord. 14/1
- 73. See Section 1.1.71 of Ord. 14/1
- 74. See Section 1.1.72 of Ord. 14/1
- 75. See Section 1.1.73 of Ord. 14/1
- 76. See Section 1.1.74 of Ord. 14/1
- 77. See Section 1.1.75 of Ord. 14/1
- 78. See Section 1.1.76 of Ord. 14/1
- 79. See Section 1.1.77 of Ord. 14/1
- 80. See Section 1.1.78 of Ord. 14/1
- 81. See Section 1.1.79 of Ord. 14/1
- 82. See Section 1.1.80 of Ord. 14/1
- 83. See Section 1.1.81 of Ord. 14/1
- 84. See Section 1.1.82 of Ord. 14/1
- 85. See Section 1.1.83 of Ord. 14/1
- 86. See Section 1.1.84 of Ord. 14/1
- 87. See Section 1.1.85 of Ord. 14/1
- 88. See Section 1.1.86 of Ord. 14/1
- 89. See Section 1.1.87 of Ord. 14/1
- 90. See Section 1.1.88 of Ord. 14/1
- 91. See Section 1.1.89 of Ord. 14/1
- 92. See Section 1.1.90 of Ord. 14/1
- 93. See Section 1.1.91 of Ord. 14/1
- 94. See Section 1.1.92 of Ord. 14/1
- 95. See Section 1.1.93 of Ord. 14/1
- 96. See Section 1.1.94 of Ord. 14/1
- 97. See Section 1.1.95 of Ord. 14/1
- 98. See Section 1.1.96 of Ord. 14/1
- 99. See Section 1.1.97 of Ord. 14/1
- 100. See Section 1.1.98 of Ord. 14/1
- 101. See Section 1.1.99 of Ord. 14/1
- 102. See Section 1.1.100 of Ord. 14/1

AREA CALC. (SF) (Phase 2 only)

Blgd: 13,160
 Roads/parking: 23,720
 Landscape: 25,659
 (requiring water):
 using wet rotators uses 40% less water

AREA CALC. (SF) (ALL OF LEGACY BEACH)

Blgd: 22,336
 Roads/parking: 51,269
 Landscape: 107,227 (59.39%)
 66,581 (48.30%)



<p>ALLIANCE CONSULTING ENGINEERS, INC. 12200 W. 40th Ave. Suite 200 Denver, CO 80231 (303) 555-0121</p>	<p>PROJECT LEGACY BEACH, PUD, PHASE 2</p>	<p>DATE 10-20-11</p>	<p>JOB NO. 11-000</p>
	<p>DRAWN BY AP</p>	<p>CHECKED BY JAC</p>	<p>DATE 10-20-11</p>

2 OF 4 SHEETS

Application for Project Review Garden City, Utah

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

Type of Application (check all that apply):

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

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

Ordinance Reference:

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

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

Project Name: Bear Lake Rental Resort Current Zone: Com Proposed Zone: ---

Property Address: 201 N. Bear Lake Blvd Garden City, UT 84028

Parcel # 41 - 16 - 001 - 0045

Contact Person: Nate Smoot Phone #: 435-757-2052

E-mail address: epicrecreation@gmail.com

Mailing Address: Po Box 376 Garden City ut 84028

Applicant (if different): --- Phone #: ---

Mailing Address: ---

Property Owner of Record (if different): Mark Smoot Phone #: 801-971-4003

Mailing Address: PO Box 376 Garden City UT 84028

Project Start date: June/July 2021 Completion date: April 2022

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

Construction of a new Bear Lake Adventure Center to replace the current "Epic Adventure Center" located on the corner of 200N and Bear Lake Blvd

Lot Size in acres or square feet: 1.55 Number of dwellings or lots: 1

Non-residential building size: 7,708 SF

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

Mathew Smoot

Signature of Applicant

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

Mathew Smoot

Signature of Owner of Record

Signature of Owner of Record

Email Form

Signature of Owner of Record

Office Use Only

Date Received: _____

Fee: _____

By: _____



Garden City Project Checklist

A complete application packet must be filed with the Garden City Town Clerk at least **fourteen** (14) days prior to the meeting when your project will be considered. Subdivisions, PUD/PRUD, and Condominium projects are required to follow the Subdivision/PUD/PRUD Process, which also requires an AEG pre-meeting before turning in this packet.

INCOMPLETE APPLICATION PACKETS WILL NOT BE ACCEPTED.

PLEASE REFER TO ORDINANCES FOR A LIST OF REQUIRED DOCUMENTS TO BE INCLUDED WITH THE FOLLOWING PROJECT APPLICATIONS:

- Subdivision Plat:** \$3,000 Deposit * 11E
 Preliminary Plat: \$500 per plat + \$10 per lot 11E-400
 Final Plat: \$500 per plat + \$10 per lot 11E-500
 Subdivision packets must include A, 15 of B, 4 of C, D, E, & F for each plat
- Condominium Plat:** \$3,000 Deposit * Must follow Subdivision Ordinance, Chapter and/or Planned Unit Development Ordinance, Chapter 11F and:
 Condominium Plat: \$500 per plat + \$10 per lot 11E-524
 Townhouse Plat: \$500 per plat + \$10 per lot 11E-525
 Condominium packets must include A, 15 of B, 4 of C, D, E, & F for each plat
- Planned Unit Development or Planned Residential Development (PUD or PRUD):**
 \$3,000 Deposit * 11C-1950, 11F & 11 E
 Preliminary PUD Development Plan: \$1,000 11F-103
 Final Development Plan: \$1,000 11F-107
 PUD/PRUD packets must include A, 15 of B, 4 of C, D, E, & F for each plat
- Readjustment of Lot Lines or Lot Splits:** \$250 11E-506
 Packets must include A, B, C, D, E, & F, Also, a deed for each lot
- Vacation of Subdivision:** \$300 11E-523
 Packets must include A, 15 of B, 4 of C, D, E, & F
- Conditional Use Permit:** \$300
 CUP packets must include A, 9 of B, D, E, & F
- Variance:** \$250 11B-308
 Variance Packets must include A, B, D, E, & F
- Annexation:** \$300 for first acre or less, \$20 per acre for each additional acre
 (Maximum of \$1,000) 11A-300
 Annexation packets must include A, 15 of B, 4 of C, D, E, & F
- Zone Change:** \$300 for first acre or less, \$20 per acre for each additional acre
 (Maximum of \$1,000) 11A-302
 Zone Change packets must include A, 15 of B, 4 of C, D, E, & F

- Encumbrance: \$250**
Encumbrance Packets must include A, B, D, E, & F
- Un-Encumbrance: \$250**
Un-Encumbrance Packets must include A, B, D, E, & F
- Appeal: \$250**
Appeal Packets must include A and a letter from the property owner outlining the reason for the appeal.
- Extension of Time:**
Extension of Time Packets must include A, and a letter from the Developer explaining the reason for the extension request.
- Other Land Use Permits: \$50**
Packets must include A, B, D, E, & F
- Water Share Transfer:**
Water Share Transfer Packets must include A

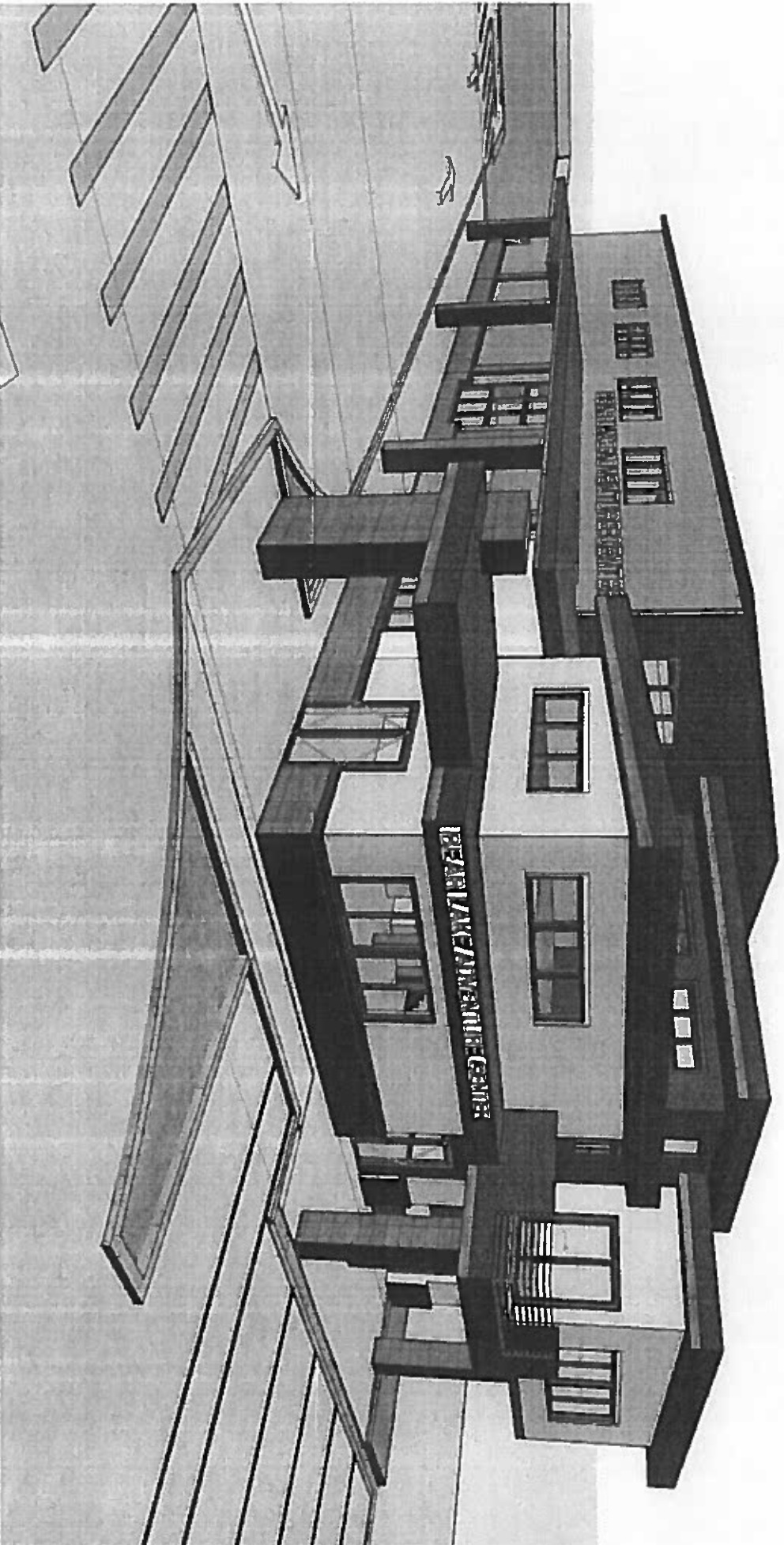
* The \$3,000 deposit is used to cover engineer costs, attorney costs, recording fees, etc. The balance will be refunded to developer.

PACKET DOCUMENTATION REQUIREMENTS

- A. Completed Garden City Application for Project Review@ form.
- B. 11"x14' or 11"x17' plot plan showing lot dimensions and area, and the location, uses dimensions, and set backs of all existing and proposed buildings. Any right-of-ways or easements must be shown if applicable.
- C. A AD@ size (22" x 34") plot plan showing lot dimensions and area, and the location, uses, dimensions, and set backs of all existing and proposed buildings. When appropriate, include the same information for property from which a new lot is being created. Plot at appropriate scale (e.g. 1"=50' or 1"=100')
- D. A legal description and current ownership plat of the property.
- E. A current Title Report or Preliminary Title Report showing ownership. Must match legal description on plat.
- F. An electronic copy of plat.

Please review Garden City ordinances for requirements for each type of project. Garden City ordinances can be found at www.gardencityvt.us.

*Kylie T@hickman title.com
Contact
Parcel #
limited Report*



SOLEARE DESIGN+BUILD
7279 Winesap Ct.
Cottonwood Heights, Utah 84121

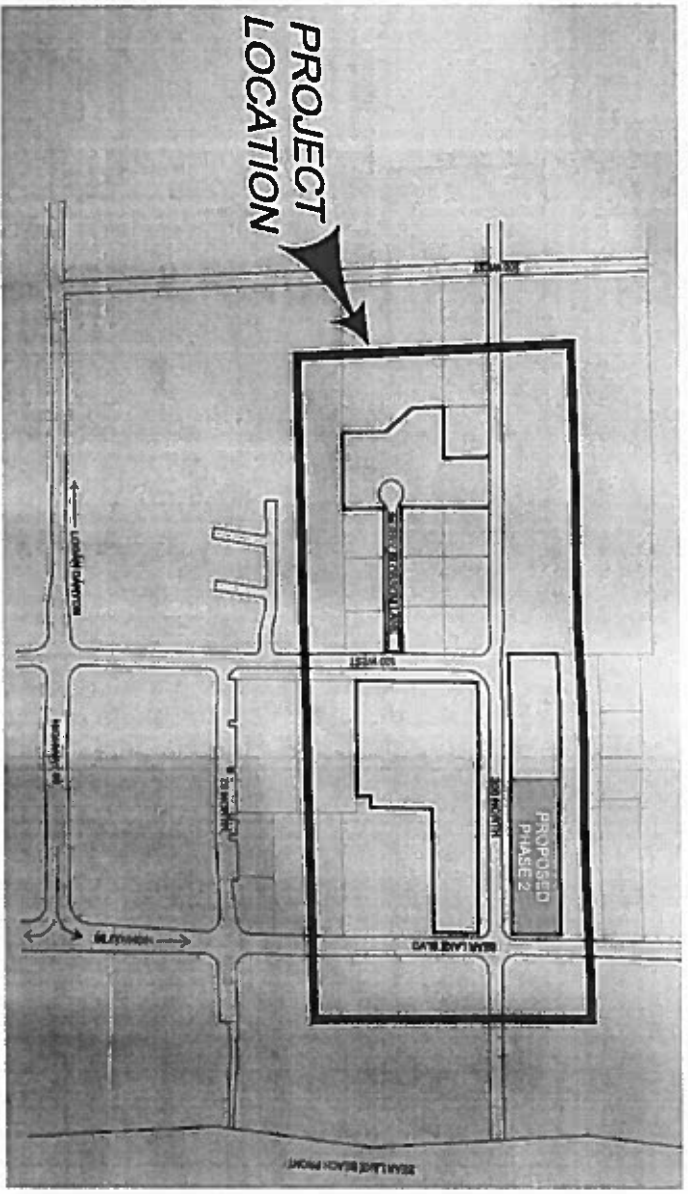


BEAR LAKE RENTAL RESORT
PROPOSED PHASE 2
200 N Bear Lake Blvd. Garden City, Utah 84028

BEAR LAKE
ADVENTURE CENTER

Cover Sheet
J/21/21
1

200 North
Mixed Use
Planned Unit Development
(Approved PUD)
Phase 2

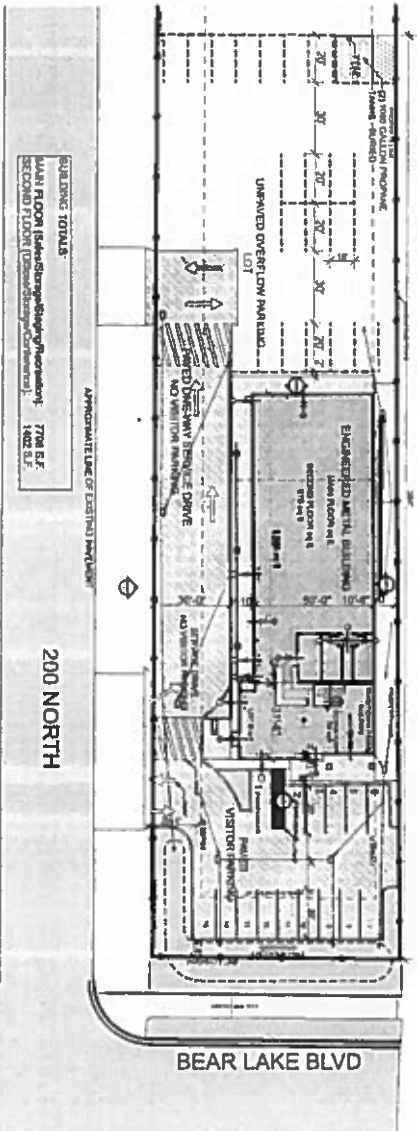


PROPOSED SQUARE FOOTAGE:

Building footprint:	@7708 sf
Second floor:	@1402 sf
TOTAL:	@9110 sf

PARKING:

	15 paved
	2 handicapped
	19+ overflow stalls



SOJARE DESIGN + BUILD
2279 Winesap Ct
Cottonwood Heights, Utah 84121



BEAR LAKE RENTAL RESORT
PROPOSED PHASE 2
200 N Bear Lake Blvd Garden City, Utah 84028

BEAR LAKE
ADVENTURE CENTER