

**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~~ (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
- ☐ AEG Meeting, (Affected Entity Group):
- ☐ 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: ERIC DERR

Current Zone: \_\_\_\_\_

Proposed Zone: \_\_\_\_\_

Property Address: \_\_\_\_\_

Parcel # 41 - 17 - 030 - 0015 #16 (Lots 15 & 16 of RPE, Unit 2)

Contact Person: ERIC DERR

Phone #: 4357702030

E-mail address: WONDERR44@GMAIL.COM

Mailing Address: 280 SOUTH 700 EAST HYRUM, UT 84319

Applicant (if different): \_\_\_\_\_

Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Property Owner of Record (if different): \_\_\_\_\_

Wonderr Holdings

Phone #: \_\_\_\_\_

435 770 2030

LLC

Mailing Address: 280 S 700 E Hyrum UT 84319

Project Start date: \_\_\_\_\_ Completion date: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


Lot 15 = 15,800; 16 = 14,985  
Lot Size in acres or square feet: \_\_\_\_\_ Number of dwellings or lots: 2 LOTS, 1 DWELLIN

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

**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 11F and:  
     and/or Planned Unit Development Ordinance, Chapter 11E-524  
     Condominium Plat: \$500 per plat + \$10 per lot 11E-525  
     Townhouse Plat: \$500 per plat + \$10 per lot  
     *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*

☐ **AEG Meeting, (Affected Entity Group): \$500 Deposit**

*Packets must include A, 10 of B*

\* 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](http://www.gardencityut.us).**

RT70344



## WARRANTY DEED

ERIC P. DERR and LORI M. DERR

Grantor(s) of Hyrum, of the State of Utah, do hereby CONVEY and WARRANT to

WONDERR HOLDINGS, LLC

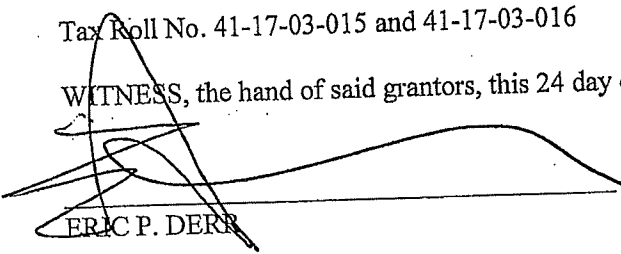
Grantee(s) of 280 South 700 East, Hyrum, Utah 84319; for the sum of TEN DOLLARS and other good and valuable consideration the following described tract of land in Rich County, State of Utah.

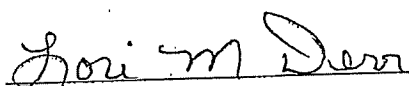
Lots 15 and 16, RASPBERRY PATCH ESTATES, UNIT NO. 2, as shown by the official plat filed October 20, 1987, as Filing No. 36053, in Book N5, at Page 53, in the office of the Recorder of Rich County, Utah.

LESS and EXCEPTING therefrom all those certain gas, oil and mineral rights as previously reserved in Warranty Deed in Book E5, at Page 461, in the office of the Recorder of Rich County, Utah.

Tax Roll No. 41-17-03-015 and 41-17-03-016

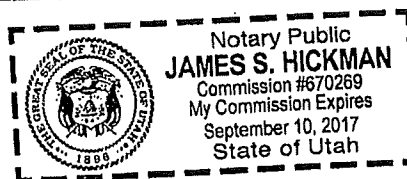
WITNESS, the hand of said grantors, this 24 day of September A.D. 2014.

  
ERIC P. DERR

  
LORI M. DERR

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF UTAH     )  
                              SS  
County of Cache    )



On the 24 day of September A.D. 2014 personally appeared before me ERIC P. DERR and LORI M. DERR the signer of the within instrument, who duly acknowledged to me that they executed the same.

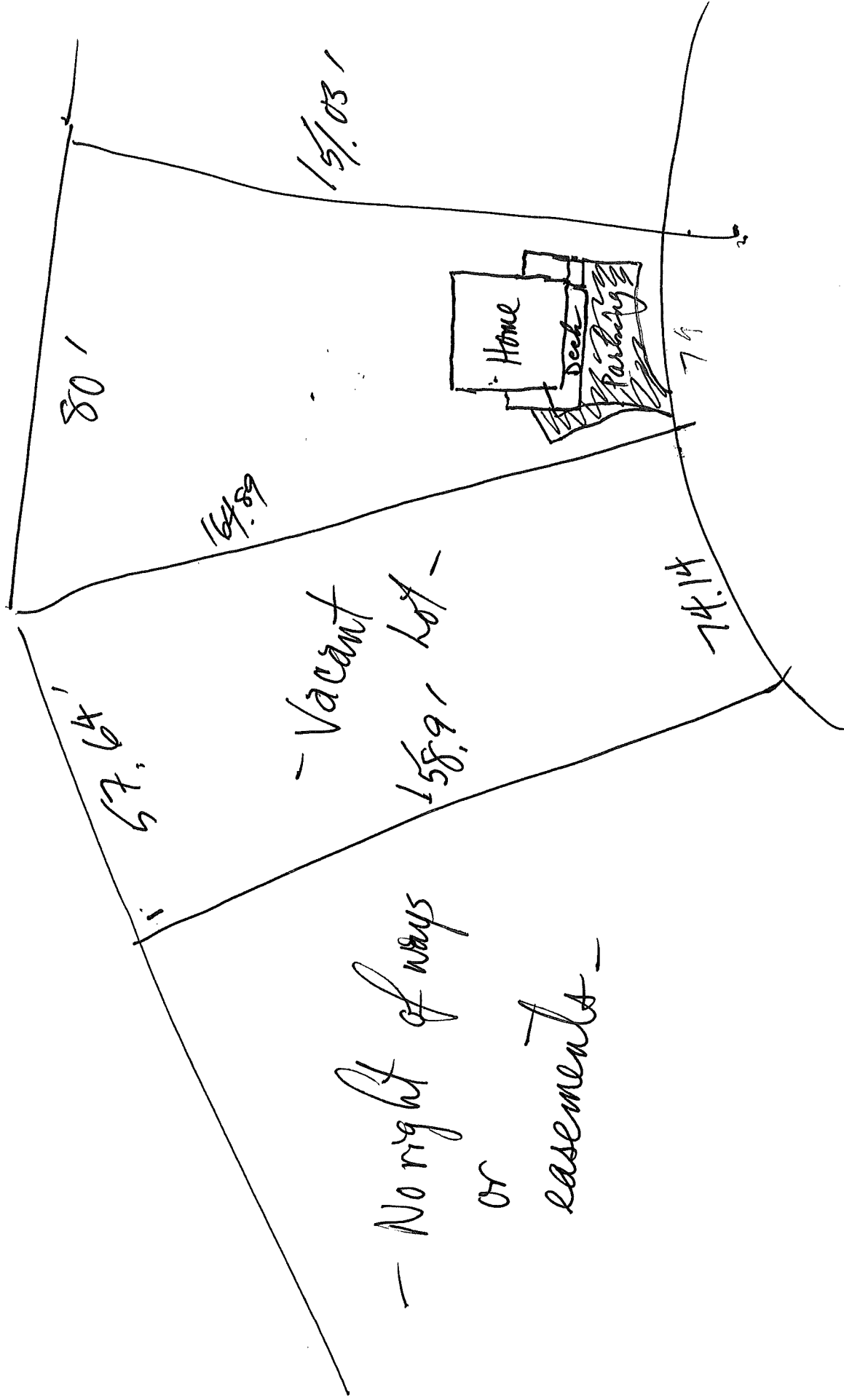
Commission expires: 09/10/2017  
Residing in: Logan, UT

  
Notary Public

# Plot Plan

Lots 16 & 15

\* No change in setbacks between 15 & 16 since cabin was permitted & built.



- No right of ways  
or  
easements -

GARDEN CITY, RICH COUNTY, UTAH.

## SURVEYOR'S CE

1. LOUIS C. KUZMAN, A REGISTERED  
COLLECTOR, ADVISED THAT THIS YEAR OF PASSING  
CITY, ELIZABETH COUNTY, UTAH, HAS BEEN COLLECTED  
IS A TRUCK AND COLLECTOR EMPLOYMENT OF THE  
LAND, BASED ON DATA COMPILED FROM THE  
A TRUCK MADE ON THE SECOND

6/22/87

# Escalator

[illegible]

# WINTER'S DEAD

KNOW ALL MEN BY THESE PRESENTS THAT I  
DOE DECREE PROPERTY, INWILL OUSED  
TODD, AND COMMON ARIING, TO HERITAGE  
IT #2, HEREBY DEDICATE ALL LAND IN  
THE COMMON USE OF THE LOT OWN  
SECTION 2-B-15.

10-7-87

# NEW! EDGE

STATE OF OHIO  
COURT OF COMMON PLEAS  
ON THE 13<sup>TH</sup> DAY OF OCT.,  
1918  
APPEARED BEFORE ME THE  
CLERK OF THE COURT,  
THE UNDERSIGNED, WHO  
DOES HEREBY CERTIFY  
THAT THEY EXECUTED THE  
SARVANT'S DEDICATION,  
11/25/18  
IN COMPLIANCE WITH  
THE  
NOTARY PUBLIC

| И | A        | T     | E      | C      | Б      |
|---|----------|-------|--------|--------|--------|
| 1 | 51-53-57 | 70    | 174-39 | 122-45 | 127-64 |
| 2 | 50-51-54 | 56-55 | 164-39 | 141-38 | 172-77 |
| 3 | 49-51-54 | 52-51 | 160-40 | 153-35 | 178-84 |
| 4 | 48-51-54 | 52-51 | 160-40 | 152-35 | 184-86 |
| 5 | 47-51-52 | 49-48 | 158-39 | 152-35 | 204-58 |
| 6 | 46-51-52 | 48-48 | 158-39 | 154-38 | 204-58 |
| 7 | 45-49-49 | 50    | 160-47 | 150-37 | 193-83 |
| 8 | 44-49-49 | 50    | 160-47 | 151-37 | 193-83 |
| 9 | 33-49-54 | 30-31 | 166-31 | 155-38 | 197-13 |

|    | A     | I     | E     |       |
|----|-------|-------|-------|-------|
| 10 | 28.55 | 30.79 | 32.29 | 62.79 |
| 11 | 19-30 | 19.42 | 17.29 | 53.64 |
| 12 | 15-25 | 16.42 | 14.29 | 37.70 |
| 13 | 11-21 | 12.50 | 10.60 | 23.26 |
| 14 | 7-13  | 9.50  | 8.00  | 18.55 |
| 15 | 3-9   | 6.50  | 5.00  | 13.55 |
| 16 | 24-30 | 27.11 | 25.00 | 52.57 |
| 17 | 21-27 | 24.00 | 22.00 | 46.00 |
| 18 | 18-24 | 21.00 | 19.00 | 40.00 |
| 19 | 15-21 | 18.00 | 16.00 | 34.00 |
| 20 | 12-18 | 15.00 | 13.00 | 28.00 |
| 21 | 9-15  | 12.00 | 10.00 | 22.00 |
| 22 | 6-12  | 9.00  | 7.00  | 16.00 |
| 23 | 3-6   | 6.00  | 4.00  | 10.00 |
| 24 | 24-30 | 27.00 | 25.00 | 52.00 |
| 25 | 21-27 | 24.00 | 22.00 | 46.00 |
| 26 | 18-24 | 21.00 | 19.00 | 40.00 |
| 27 | 15-21 | 18.00 | 16.00 | 34.00 |
| 28 | 12-18 | 15.00 | 13.00 | 28.00 |
| 29 | 9-15  | 12.00 | 10.00 | 22.00 |
| 30 | 6-12  | 9.00  | 7.00  | 16.00 |
| 31 | 3-6   | 6.00  | 4.00  | 10.00 |

**STATION**

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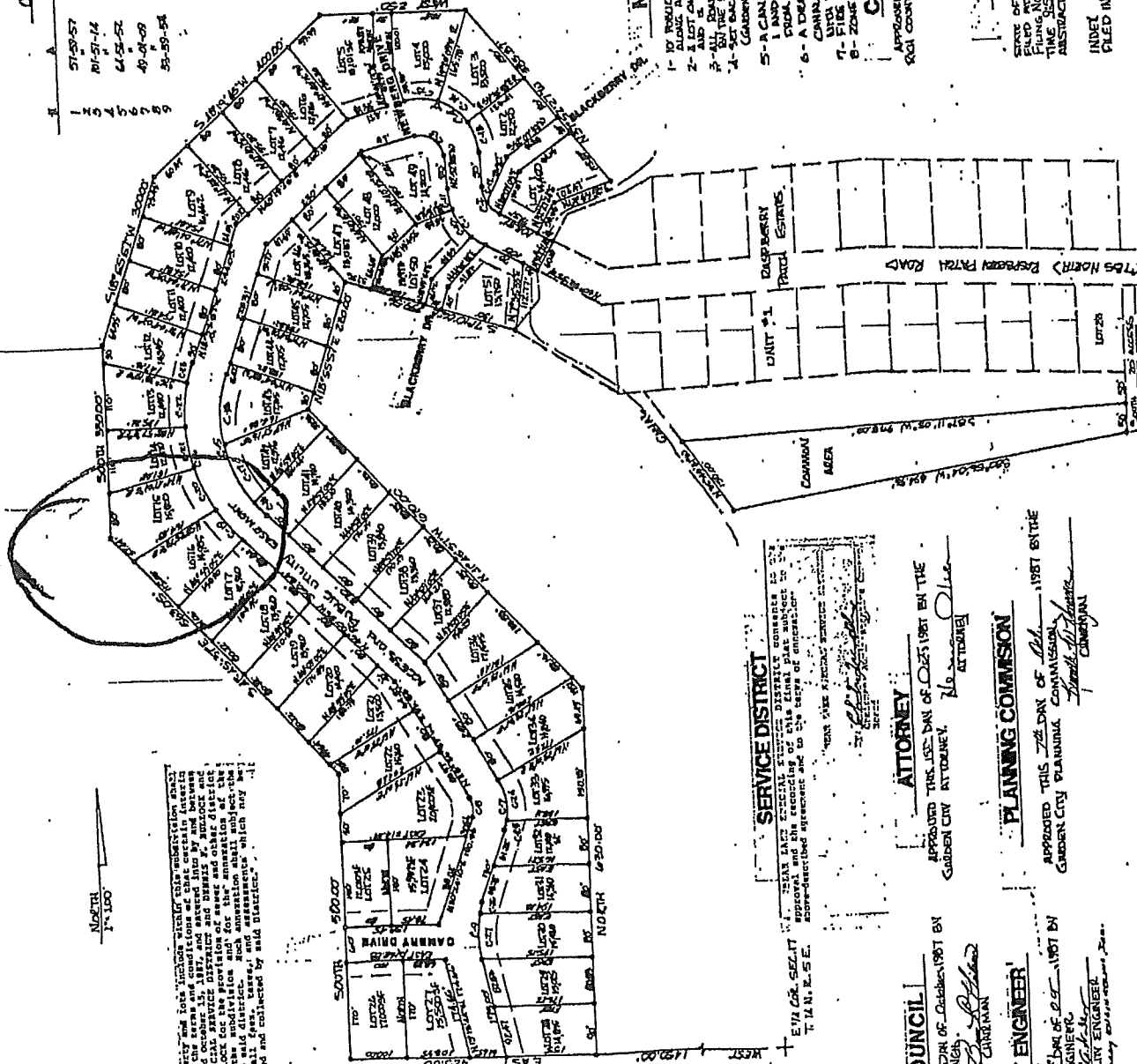
## COMMUNITY ENGINEER

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1987 BY THE \_\_\_\_\_

# RECORDED

STATE OF UTAH, RICH COUNTY, RECORDED AND  
FILED AT THE REQUEST OF RICH LAND LIFE COMPANY  
Filing No. 136053 DATE 11-2-00  
TIME 2:58 PM. PEE 45.30  
INSTRUMENT BOOK 45, PAGE 053

INDEX \_\_\_\_\_  
CREATED IN \_\_\_\_\_

[illegible]

## SERVICE DISTRICT

"THEY ARE KITCHEN SERVICE STAFFS"

*[Signature]*

WITNESSES

**ATTORNEY**

APPROVED THIS 1ST DAY OF OCTOBER 1981 IN THE  
GARDEN CITY ATTORNEY. Norman O. Lee  
ATTORNEY

# ANALYTICAL COMMISSION

APPROVED THIS 14<sup>th</sup> DAY OF Feb. 1987 BY THE  
GREEN CITY PLANNING COMMISSION.  
*David H. Lott*  
CHAIRMAN

# CITY ENGINEER

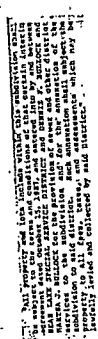
APPROVED THIS 6<sup>TH</sup> DAY OF 2<sup>ND</sup> 1987 BY  
THE CHIEF OF CITY ENGINEER  
W. J. J. J.  
CITY ENGINEER

# COUNCIL

APPROVED THIS 22<sup>ND</sup> DAY OF OCTOBER 1987 BY  
THE GARDEN CITY COUNCIL.

GARDEN CITY, RICH COUNTY, UTAH.

|    | A       | I       | E       |         |
|----|---------|---------|---------|---------|
| 10 | 15-25   | 35-75   | 75-25   | 45-75   |
| 11 | 25-35   | 75-15   | 15-75   | 75-15   |
| 12 | 35-45   | 15-25   | 25-35   | 15-25   |
| 13 | 45-55   | 25-35   | 35-45   | 25-35   |
| 14 | 55-65   | 35-45   | 45-55   | 35-45   |
| 15 | 65-75   | 45-55   | 55-65   | 45-55   |
| 16 | 75-85   | 55-65   | 65-75   | 55-65   |
| 17 | 85-95   | 65-75   | 75-85   | 65-75   |
| 18 | 95-105  | 75-85   | 85-95   | 75-85   |
| 19 | 105-115 | 85-95   | 95-105  | 85-95   |
| 20 | 115-125 | 95-105  | 105-115 | 95-105  |
| 21 | 125-135 | 105-115 | 115-125 | 105-115 |
| 22 | 135-145 | 115-125 | 125-135 | 115-125 |
| 23 | 145-155 | 125-135 | 135-145 | 125-135 |
| 24 | 155-165 | 135-145 | 145-155 | 135-145 |
| 25 | 165-175 | 145-155 | 155-165 | 145-155 |
| 26 | 175-185 | 155-165 | 165-175 | 155-165 |
| 27 | 185-195 | 165-175 | 175-185 | 165-175 |



**NOTES**

- 1-100% **INTEREST** AND **ONE** **100% DISCOUNT**
- 2-100% **INTEREST** AND **ONE** **100% DISCOUNT**
- 3-100% **INTEREST** AND **ONE** **100% DISCOUNT**
- 4-100% **INTEREST** AND **ONE** **100% DISCOUNT**
- 5-100% **INTEREST** AND **ONE** **100% DISCOUNT**
- 6-100% **INTEREST** AND **ONE** **100% DISCOUNT**
- 7-100% **INTEREST** AND **ONE** **100% DISCOUNT**
- 8-100% **INTEREST** AND **ONE** **100% DISCOUNT**
- 9-100% **INTEREST** AND **ONE** **100% DISCOUNT**
- 10-100% **INTEREST** AND **ONE** **100% DISCOUNT**

**COUNTY ENGINEER.**

COMMISSIONER, CHM 65 — 1967 — 1967

INDEXED \_\_\_\_\_  
 FILED \_\_\_\_\_  
 DEPT. OF UTAH, SALT LAKE COUNTY, RECORDS AND  
 COMMUNICATIONS SECTION  
 DATE \_\_\_\_\_  
 TIME \_\_\_\_\_  
 BY \_\_\_\_\_  
 BOOK NO. \_\_\_\_\_ PAGE NO. \_\_\_\_\_  
 EXTRACTED \_\_\_\_\_

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1907 BY THE  
COUNTY ENGINEER.

APPROXIMATELY 1961-1962 BY THE  
THEY WERE TAKEN BY THE

**MUSKIEGUMS**

APPROVED THIS 7th DAY OF Feb., 1957 BY THE  
PLANNING COMMISSION

CITY ENGINEER

APPROVED THIS 2<sup>ND</sup> DAY OF OCTOBER, 1907 BY  
THE CHIEF CITY ENGINEER.  
*Geo. W. [Signature]*  
CHIEF CITY ENGINEER

[illegible][illegible][illegible]

DATE 7-87 7-87  
NAME David J. Galt David J. Galt  
ADDRESS Franklin H. Black Franklin H. Black  
CITY                                            
STATE                                            
COUNTRY                                          

STATE OF TEXAS,  
COUNTY OF DALLAS.

BEFORE ME, the undersigned authority, on this 28th day of May, 1989, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 28th day of May, 1989.

\_\_\_\_\_  
Notary Public

My Comm. Expires 11/25/89

315  
315  
315

9/24/07





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 8<sup>th</sup> DAY OF JULY, 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 Eric Derr, resident of the Town of Garden City, Utah (hereinafter known as the "owner") and owner of certain real property in the Town of Garden City, Rich County state of Utah, known generally as 41-17-030-0015, and 41-17-030-0016 and more particularly described as follows:

Parcel #1: LOT 15, RASPBERRY PATCH ESTATES UNIT #2  
Parcel #2: LOT 16, RASPBERRY PATCH ESTATES UNIT #2  
(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 February 7, 2019 filing no. 94461, in book B12, page 166, 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  
Eric Derr  
July 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 Eric Derr which was recorded February 7, 2019 filing no. 94461, in book B12, page 166, in the office of the Recorder of Rich County, Utah.

DATED this 8<sup>th</sup> day of July, 2021.

APPROVED:

Attest:

\_\_\_\_\_  
Mike Leonhardt, Mayor

\_\_\_\_\_  
Kathy Hislop, Town Clerk/Recorder

\_\_\_\_\_  
Eric Derr, Owner

State of Utah       )  
                          )§  
County of Rich     )

On the \_\_\_\_\_ day of \_\_\_\_\_, 2021, personally appeared before me Eric Derr who duly acknowledged to me that he executed the same.

\_\_\_\_\_  
Notary

**SCHEDULE A**

---

1. Effective Date: June 25, 2021 at 3:14PM
2. Preliminary Title Report Only
3. The estate or interest in the land described or referred to in this Commitment and covered herein is: FEE SIMPLE
4. Title to the estate or interest in said land is at the effective date hereof vested in:

**WONDERR HOLDINGS, LLC**

5. The land referred to in this Commitment is in the State of Utah, County of Rich, and is described as follows:

**Lots 15 and 16, RASPBERRY PATCH ESTATES UNIT #2, as shown by the official plat thereof filed October 20, 1987 as Filing No. 36053 in Book N5, Page 53, in the office of the Recorder of Rich County, Utah.**

**Less and Excepting therefrom all those oil, gas and mineral rights as previously reserved in Warranty Deed recorded in Book E5, Page 461, in the office of the Recorder of Rich County, Utah.**

We appreciate your business and thank you for choosing Rich Land Title Company.  
Please call your Title Officer, with any questions or concerns regarding this commitment.  
Your Title Officer will be Jason Steiner, phone (801) 416-8900

For informational purposes only.  
The property address is purported to be:  
553 West Raspberry Patch Road, Garden City, UT 84028  
555 West Raspberry Patch Road, Garden City, UT 84028



112 North Main Street  
Logan, UT 84321  
[www.HickmanTitle.com](http://www.HickmanTitle.com)

## 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.  
WONDERR HOLDINGS, LLC



112 North Main Street  
Logan, UT 84321  
[www.HickmanTitle.com](http://www.HickmanTitle.com)

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### 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. 41-17-030-0015. Taxes for the year 2020 were paid in the amount of \$3,504.02  
Tax Parcel No. 41-17-030-0016. Taxes for the year 2020 were paid in the amount of \$419.90.
9. Rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, violated restrictive covenants, deficiency in quantity of ground, or any matters not of record, which would be disclosed by an accurate survey and inspection of the premises.
10. Access to subject property is by and through a private road as disclosed by recorded subdivision plat.
11. PATENT  
Recorded: December 13, 1911  
Book: 'J' of Official Records at Page 208
12. PATENT  
Recorded: October 15, 1912  
Book: 'J' of Official Records at Page 466



13. RIGHT OF WAY EASEMENT  
By: JAS W. GIBBONS AND LYDIA L. GIBBONS, his wife  
To: THE STATE ROAD COMMISSION OF UTAH  
Executed: April 6, 1935  
Recorded: April 24, 1935  
Entry No.: 2280  
Book/Page: R/405
14. RIGHT OF WAY EASEMENT  
By J.W. GIBBONS  
To: THE MOUNTAIN STATES TELEPHONE  
Executed: May 30, 1935  
Recorded: July 8, 1935  
Book/Page: R/466
15. EASEMENT  
By: LOWELL GIBBONS AND MERINDA GIBBONS, his wife  
To: UTAH POWER & LIGHT COMPANY  
Executed: April 8, 1965  
Recorded: October 8, 1965  
Entry No. F10,484  
Book/Page: C2/191
16. 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
17. The right of way/roadway servicing this project and other projects, some of which are the other side of the  
current HARBOR VILLAGE & RASPBERRY PATCH ESTATES SUBDIVISION which adjoin to the  
West right of way of the State Highway, are affected by the following:  
  
A) Notice of Option executed June 28, 1978 by KEHL BUILDING COMPANY PROFIT SHARING  
TRUST, referring to that certain option executed June 28, 1978 by LOWELL GIBBONS aka J. LOWELL  
GIBBONS AND MARINDA GIBBONS, Trustees of the LOWELL GIBBONS FAMILY INTER VIVOS  
TRUST to KEHL BUILDING COMPANY PROFIT SHARING TRUST. Recorded June 30, 1978 as  
Filing No. F19,145, in Book A3, at Page 529, in the office of the Recorder of Rich County, Utah.  
  
B) Agreement executed May 17, 1983 by LOWELL GIBBONS FAMILY INTER VIVOS  
REVOCABLE TRUST, MCKAY M. LOVELAND, GWEN P. LOVELAND, DEAN C. SMITH AND  
DELORES L. SMITH, dba GARDEN CITY WEST SUBDIVISION and THE GARDEN CITY WEST  
SUBDIVISION. Recorded October 9, 1984 as Filing No. 30535, in Book S4, at Page 534, in the office of  
the Recorder of Rich County, Utah.  
  
C) Rights of others as tenants in common to use of and enjoyment of said right of way and the various  
individual documents affecting the right of way.

18. ANNEXATION PLAT TO GARDEN CITY TOWN

Recorded: May 7, 1979

Entry No.: F20,607

Book/Page: G3/489

Affects part of Sec. 17, T14N, R5E SLB&M

RESOLUTION Extending the Corporate Limits of the Town of Garden City, Rich County, Utah and annexing certain territory

Executed: May 4, 1979

Recorded: May 7, 1979

Entry No.: F20,608

Book/Page: G3/490

CERTIFICATE

By: THE OFFICE OF THE LIEUTENANT GOVERNOR/SECRETARY OF STATE OF UTAH

Executed: May 7, 1979

Recorded: May 11, 1979

Entry No.: F20,622

Book/Page: G3/520

Affects property in Sections 16, 17, 19, 20, 29, 30 and 31, T14N, R5E SLB&M

19. CERTIFIED LAND CORNER RECORDATION

By: PAUL N. SCHERBEL, Surveyor

Dated: February 13, 1981

Recorded: February 25, 1981

Entry No.: F23,723

Book/Page: U3/163

20. 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 ANNEXING CERTAIN REAL PROPERTY TO THE BEAR LAKE SPECIAL SERVICE DISTRICT  
By: BOARD OF COUNTY COMMISSIONERS  
Executed: November 7, 2001  
Recorded: March 18, 2002  
Entry No.: 58874  
Book/Page: F9/188

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 may be subject to fees, collections and assessments from said district for sewer services.

21. CERTIFIED LAND CORNER RECORDATION  
By: PAUL N. SCHERBEL  
Executed: October 29, 1981  
Recorded: April 14, 1983  
Entry No.: 27979  
Book/Page: J4/170  
North between Sections 16 and 17 for the meander corner on the South bank of Bear Lake



22. Subject to reservations in that certain Warranty Deed  
By: J. LOWELL GIBBONS FAMILY INTER VIVOS REVOCABLE TRUST  
To: DENNIS F. BULLOCK AND MARTHA J. BULLOCK  
Executed: July 17, 1986  
Filing No: 33738  
Book/Page: E5/461
23. AGREEMENT  
By and Between: DENNIS F. BULLOCK, Developer and HODGES CANAL COMPANY, INC., and  
SWAN CREEK CANAL COMPANY, INC.  
Executed: May 15, 1987  
Recorded: May 20, 1987  
Entry No.: 35336  
Book/Page: K5/109
24. INTERIM AGREEMENT TO PROVIDE FOR SEWER SERVICES  
By and Between THE RICH COUNTY BEAR LAKE SPECIAL SERVICE DISTRICT and DENNIS F.  
BULLOCK and MARTHA J. BULLOCK  
Dated: October 15, 1987  
Recorded: October 20, 1987  
Entry No: 36051  
Book/Page: N5/42
25. AGREEMENT  
By and Between: CITY OF GARDEN CITY, UTAH and DENNIS BULLOCK, developer and owner of  
Raspberry Patch Estates Unit No. 2  
Executed: November 19, 1987  
Recorded: October 20, 1987  
Entry No.: 36052  
Book/Page: N5/52
26. Subject to all matters as shown by the official plat of said subdivision filed October 20, 1987 as Filing  
No. 36053 in Book N5, Page 53, in the office of the Recorder of Rich County, Utah.
27. PROTECTIVE COVENANTS, including the terms and conditions therein, of said subdivision, but  
deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based  
on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants,  
conditions or restrictions violate 42 USC 3604(c).  
Recorded: October 20, 1987  
Entry No.: 36054  
Book/Page: N5/54

28. RIGHT OF WAY for temporary and permanent water lines  
By: DENNIS F. BULLOCK AND MARTHA J. BULLOCK  
To: THE TOWN OF GARDEN CITY  
Recorded as follows:  
A) Recorded: September 18, 1989  
Entry No.: 38778  
Book/Page: W5/437  
  
B) Recorded: September 18, 1989  
Entry No.: 38779  
Book/Page: W5/439  
  
C) Recorded: September 18, 1989  
Entry No.: 38781  
Book/Page: W5/445  
  
D) Recorded: September 18, 1989  
Entry No.: 38786  
Book/Page: W5/461
29. NOTICE OF ADOPTION OF A REDEVELOPMENT PLAT  
"Bear Lake Boulevard Redevelopment Project Area"  
By: Garden City  
Dated: June 13, 1991  
Executed: December 27, 1991  
Recorded: December 30, 1992  
Entry No.: 42035  
Book/Page: H6/496
30. AGREEMENT  
by: RASPBERRY PATCH ESTATES HOMEOWNER'S ASSOCIATION, INC., and FRANK T. SMITH  
Dated: May 14, 2001  
Recorded: December 31, 2003  
Entry No.: 62810  
Book/Page: W9/280
31. TOWN OF GARDEN CITY COVENANT TO RUN WITH THE LAND  
Recorded: February 7, 2019  
Entry No: 94461  
Book/Page: B12/166
32. Said property may be subject to fees, collections and assessment from Rich County for Garbage collection.

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**NOTES:**

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



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For informational purposes only, vesting document and a **24 month chain of title** is provided: A review of the records contained in the County Recorder's Office was conducted thru the effective date of this commitment as shown in Schedule "A" herein and the following Deeds of Conveyance and/or Real Estate Purchase Contracts were found:

Warranty Deed from ERIC P. DERR and LORI M. DERR to WONDERR HOLDINGS, LLC recorded September 25, 2014 as Entry No. 87188 in Book/Page M11/1843

**No existing Deed of Trust appears of record.** If this information is not correct, please notify the Company as soon as possible to provide information regarding the existing loan.

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.

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**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](http://www.HickmanTitle.com)

## 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
- ☐ AEG Meeting, (Affected Entity Group):
- ☐ 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  
11E-100  
11E-523  
11B-308  
13A-1300

Project Name: Conestoga Ranch Expansion Current Zone: PUD Proposed Zone: \_\_\_\_\_

Property Address: 427 North Paradise Parkway

Parcel # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Contact Person: Seth Porter Phone #: 801-573-9016

E-mail address: seth.porter@conestogaranch.com

Mailing Address: Po Box 512 Garden City UT 84028

Applicant (if different): \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Property Owner of Record (if different): Michael Knapp Phone #: 435-770-2084

Mailing Address: PO Box 512 Garden City Utah 84028

Project Start date: \_\_\_\_\_ Completion date: \_\_\_\_\_

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

Development of 35 motorcoach sites and 32 cabin lots  
lots will be sold and Conestoga Ranch will manage rentals

Lot Size in acres or square feet: Cabins - 2500 Sq Ft Number of dwellings or lots: Cabins - 32  
RV - Approx 2250 Sq. Ft. RV - 35

Non-residential building size: Ranch - 3000 Sq. Ft.

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

[Signature]  
Signature of Applicant

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

[Signature]  
Signature of Owner of Record

[Signature]  
Signature of Owner of Record

Email Form

Signature of Owner of Record

Office Use Only

Date Received: \_\_\_\_\_

Fee: 4,000. 5-19-21

By: \_\_\_\_\_

# OLSON & HOGGAN, LLC

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](mailto:oh@oh-pc.com)  
[www.oh-pc.com](http://www.oh-pc.com)

June 22, 2021

Via Email

Town of Garden City  
Attn: Sharlene  
Attn: Mayor  
Attn: Town Engineer  
PO Box 207  
Garden City, UT 84028  
[mikel@gardencityut.us](mailto:mikel@gardencityut.us)  
[townofgardencity@gmail.com](mailto:townofgardencity@gmail.com)  
[qdance@jub.com](mailto:qdance@jub.com)

**Re: Conastoga Ranch PUD / CC&R Review**  
**Our File: N - 4600.25**

Mayor:

We received and have reviewed the proposed CC&Rs for the above-referenced subdivision and have the following items for your review:

1. Although there is a slight discrepancy in the name of the project in the title to the CC&Rs and the introductory paragraph of the CC&Rs, the body and content of them appear to comply with Garden City Code § 11E-526(C) and include all necessary elements required by that section. The Town should ensure the name discrepancy is cleared up, but otherwise, the CC&Rs are adequate for the purposes of Garden City Code.

2. The CC&Rs did not yet contain legal descriptions for the property in question. That should be reviewed and approved by the engineer prior to recording of the Plat to ensure the CC&Rs encumber the same property covered by the Final Plat.

3. The Association created by the CC&Rs does not appear to be of record yet, but the Town should ensure the Association is formed and on record with the State of Utah before recording the Plat.

Other than the above-referenced items, the CC&Rs appear to be compliant with Garden City Code. We do not review the CC&Rs for any other purpose other than for compliance with the minimum requirements of Garden City Code § 11E-526(C). We have not yet received or reviewed a final plat for this project. Feel free to contact me directly with any questions or concerns about this review.

OLSON & HOGGAN, LLC

/s/ Seth J. Tait

SJT/tf

j:\mpj\cities\garden city\04 - subdivisions\conestoga ranch\ltr.cc&rreview.1.docx



TC- Prelim  
July 8.2021

### Application for Project Review Garden City, Utah

This application must be accompanied with the necessary and appropriate materials, as listed 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. This 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-001                               |
| <input type="checkbox"/> Appeal                                   | 11B-000                               |
| <input type="checkbox"/> Conditional Use Permit                   | 11C-510                               |
| <input type="checkbox"/> Condominium/Townhome                     | 11B-524 or 11E-220                    |
| <input type="checkbox"/> Encumbrance                              |                                       |
| <input type="checkbox"/> Extension of Time                        | Subdivision (11E-504, 11D or 11B-000) |
| <input type="checkbox"/> Lot Split/Lot Line Adjustment            | 11B-107-A                             |
| <input checked="" type="checkbox"/> PUD Conceptual                | 11E-504                               |
| <input type="checkbox"/> PUD Phase Approval/Preliminary or Final  | 11C-1950, 11B-100, and 11B-101        |
| <input type="checkbox"/> PRUD Conceptual                          | 11C-1950, 11B-100, and 11B-101        |
| <input type="checkbox"/> PRUD Phase Approval/Preliminary or Final | 11C-1950, 11B-100, and 11B-101        |
| <input type="checkbox"/> Subdivision                              | 11B-100                               |
| <input type="checkbox"/> Location of Subdivision                  | 11E-525                               |
| <input type="checkbox"/> Variance                                 | 11B-103                               |
| <input type="checkbox"/> Easement Transfer                        | 11A-1300                              |
| <input type="checkbox"/> Easement Changes                         |                                       |
| <input type="checkbox"/> Other Filing (Affected Entity Group)     |                                       |
| <input type="checkbox"/> Other Land Use Permit                    |                                       |

Project Name: Season's Amenities Current Zone: 2 Proposed Zone: 2

Property Address: Not assigned, Lot N of The Meadows at Garden City

Project ID: 10-0247

Owner Name: Stan & Ronda Goodell

Project Location: Millbrook Way project

Project Description: Millbrook Way development

Project Contact: Stan Goodell Phone: 202-271-7501

Project Status: Submitted

Project Date: 6/24/2021

Project Review Date: MM/EE/LL Reviewer: 202-271-7501

Season's Amenities  
Stan & Ronda Goodell



Mailing Address: 1510 E. Millbrook Way, Birmingham, AL 35210

Project Start date: June 2021 Completion date: November 2021

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

An amenities area in conjunction with  
The Seasons HOA. We would like to construct an  
"overflow parking lot", amenities of pickleball court, pavilion,  
play equipment, splash pad, BBA pits, lawn. We have a plan of  
a site. We want to parcel off the parking portion and the amenities area.  
Lot size in acres or square feet: 1.48 Number of dwellings or lots: 100  
Non-residential building size: Mixed use garage (storage garage) - 100,000 sq ft

I certify that the information contained in this application and supporting documents is true and accurate.

[Signature]  
Signature of Applicant

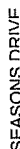
I certify that I am the Owner of Record of the subject property and that I consent to the submission of this application. Owner of Record MUST sign the application prior to submission to Planning Commission.

[Signature]  
Signature of Owner of Record

Signature of Owner of Record

Signature of Owner of Record

|           |  |
|-----------|--|
| Received: |  |
| For:      |  |
| By:       |  |



AMENITIES PARKING:  
30 STALLS

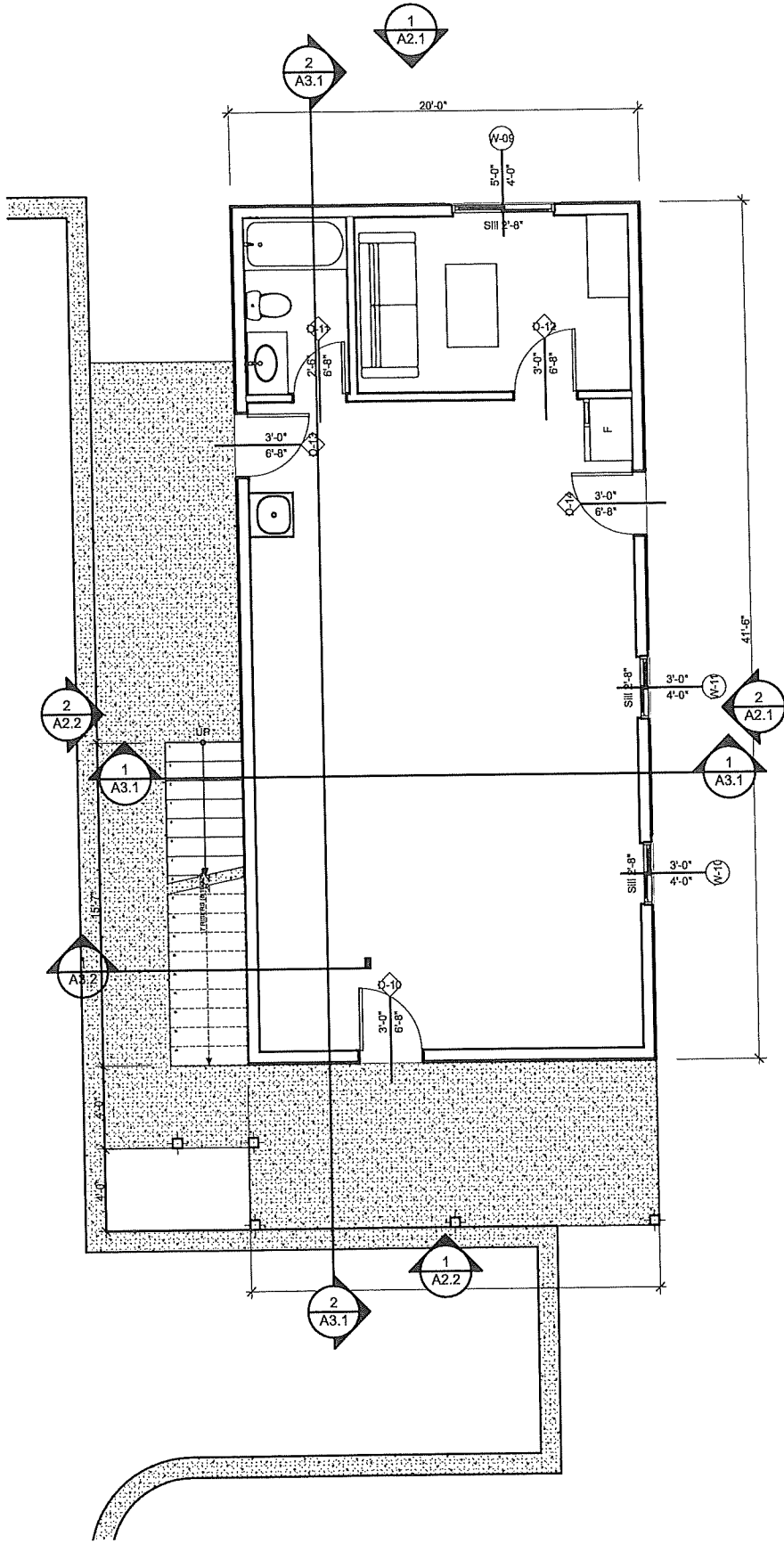
19 Regular Stalls (9'x18')  
11 Large Vehicle Stalls (10'x55')

SCALE: 1" = 40'

LAUNDRY BUILDING

LAUNDRY: 830 S.F.  
APARTMENT: 830 S.F.  
BUILDING TOTAL: 1660 S.F.

DECK: 120 S.F.  
PARKING: 6 STALLS



# Laundry First Floor

SCALE: 1/8" = 1'-0"

LAUNDRY - MAIN FLOOR

6/23/21

L-2

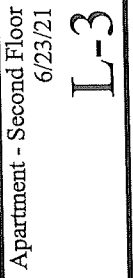
SEASONS AMENITIES  
Seasons Drive at N 100 West Garden City Utah

MEMBER  
**A I**  
**B D**  
AMERICAN INSTITUTE OF  
BUILDING DESIGN

SOLARE Design+Build  
7279 Winesap Ct.  
Cottonwood Heights, UT 84121

Drawn/Checked/Designed: SOLARE/PROJECT/0001 PROJECT/118 SEASONS/118230604-4.pdf

SCALE: 1/8" = 1'-0"



## SEASONS AMENITIES

Seasons Drive at N 100 West Garden City Utah

**MEMBER**  
**AIA**  
**B.D.**  
**AMERICAN INSTITUTE of  
BUILDING DESIGN**

**SOLARE Design+Build**  
7279 Winesap Ct.  
Cottonwood Heights, UT 84121

For TC

July 8, 2021

Prelim

### 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
- 11E-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: Buttercup acres Current Zone: RA Proposed Zone: 12000 gpa

Property Address: Buttercup Lane - Buttercup Cir.

Parcel # 41 - 29 - 000 - 0002

Contact Person: Matt Nielson Phone #: 435-257-3070

E-mail address: mattnielson@yahoo.com

Mailing Address: 2745 No Juniper No Logan UT 84341

Applicant (if different): \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

☒ Property Owner of Record (if different): Don T. Olson Phone #: 801-940-6755  
Donna N. Olson

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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Lot Size in acres or square feet: 564 Number of dwellings or lots: 15 lots

Non-residential building size: \_\_\_\_\_

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

*Mark Nelson*  
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.

*Dennis T. Olson*  
Signature of Owner of Record

*Dennis T. Olson*  
Signature of Owner of Record

*Red Calder*  
Signature of Owner of Record



Office Use Only

Date Received: \_\_\_\_\_

Fee: \_\_\_\_\_

By: \_\_\_\_\_



Bringing  
copies

### 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 \*  
Preliminary Plat: \$500 per plat + \$10 per lot <sup>\$650</sup>  
Final Plat: \$500 per plat + \$10 per lot  
*Subdivision packets must include A, 15 of B, 4 of C, D, E, & F for each plat*  
11E  
11E-400  
11E-500
- ☐ **Condominium Plat:** \$3,000 Deposit \* Must follow Subdivision Ordinance, Chapter  
and/or Planned Unit Development Ordinance, Chapter  
Condominium Plat: \$500 per plat + \$10 per lot  
Townhouse Plat: \$500 per plat + \$10 per lot  
*Condominium packets must include A, 15 of B, 4 of C, D, E, & F for each plat*  
11F and:  
11E-524  
11E-525
- ☐ **Planned Unit Development or Planned Residential Development (PUD or PRUD):**  
\$3,000 Deposit \*  
Preliminary PUD Development Plan: \$1,000  
Final Development Plan: \$1,000  
*PUD/PRUD packets must include A, 15 of B, 4 of C, D, E, & F for each plat*  
11C-1950, 11F & 11 E  
11F-103  
11F-107
- ☐ **Readjustment of Lot Lines or Lot Splits:** \$250  
*Packets must include A, B, C, D, E, & F, Also, a deed for each lot*  
11E-506
- ☐ **Vacation of Subdivision:** \$300  
*Packets must include A, 15 of B, 4 of C, D, E, & F*  
11E-523
- ☐ **Conditional Use Permit:** \$300  
*CUP packets must include A, 9 of B, D, E, & F*  
11B-308
- ☐ **Variance:** \$250  
*Variance Packets must include A, B, D, E, & F*  
11A-300
- ☐ **Annexation:** \$300 for first acre or less, \$20 per acre for each additional acre  
(Maximum of \$1,000)  
*Annexation packets must include A, 15 of B, 4 of C, D, E, & F*  
11A-302
- ☐ **Zone Change:** \$300 for first acre or less, \$20 per acre for each additional acre  
(Maximum of \$1,000)  
*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](http://www.gardencityut.us).**





July 1, 2021

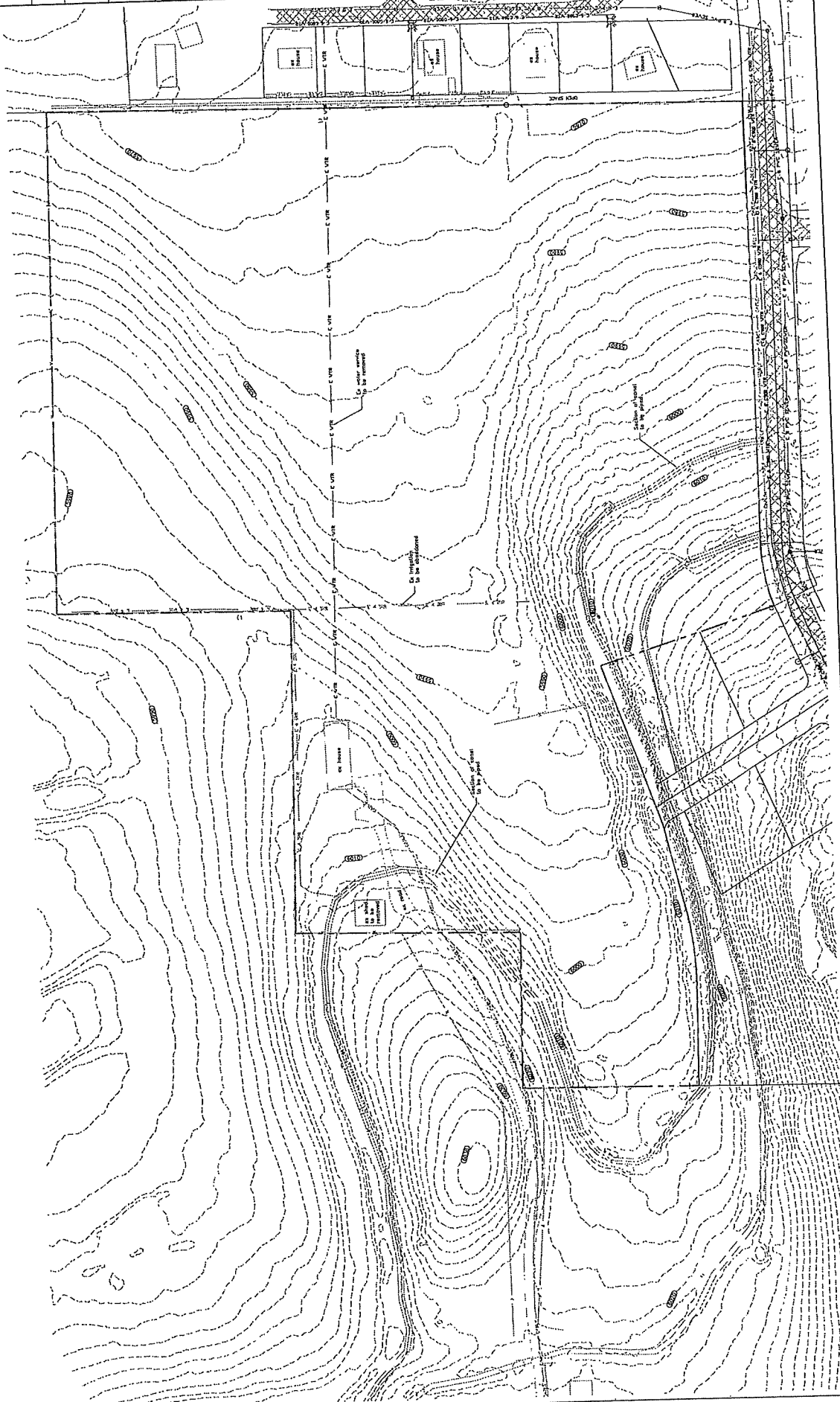
BUTTERCUP ACRES SUBDIVISION  
EXISTING SITE

NORTH



SCALE 1" = 80'-0"

- LEGEND
- PROJECT BOUNDARY
  - EXISTING FENCE
  - EXISTING IRRIGATION
  - EXISTING WATER
  - EXISTING SEWER
  - EXISTING TRAIL
  - EXISTING TRAIL/ROAD
  - EXISTING DITCH
  - EXISTING MAJOR CONTOUR (2')
  - EXISTING MAJOR CONTOUR (10')



|            |        |
|------------|--------|
| DATE       | 5-2021 |
| JOB NO.    |        |
| SCALE      |        |
| DRAWN BY   | AL     |
| CHECKED BY | AL     |

PROJECT  
BUTTERCUP ACRES SUBDIVISION  
EXISTING SITE

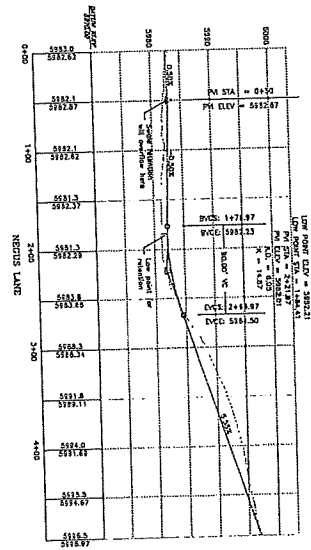
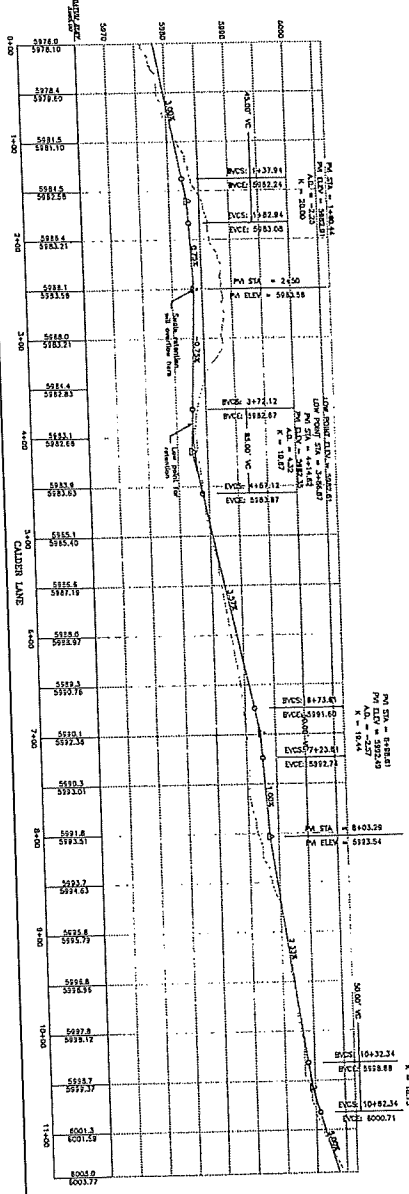
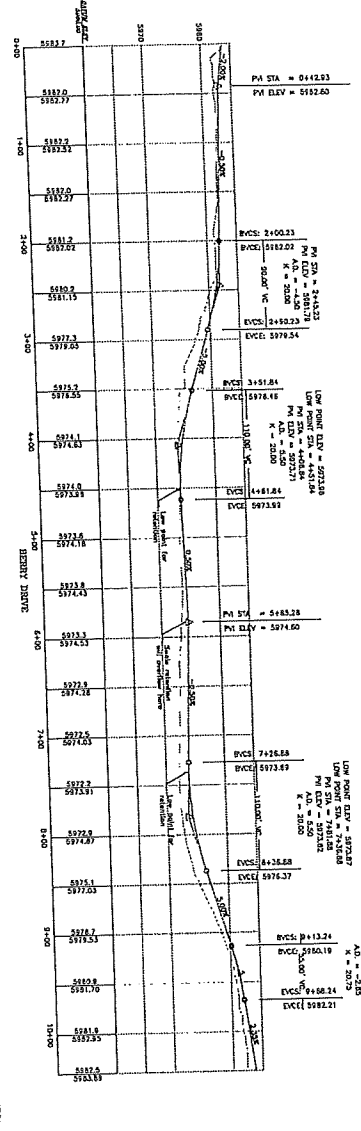
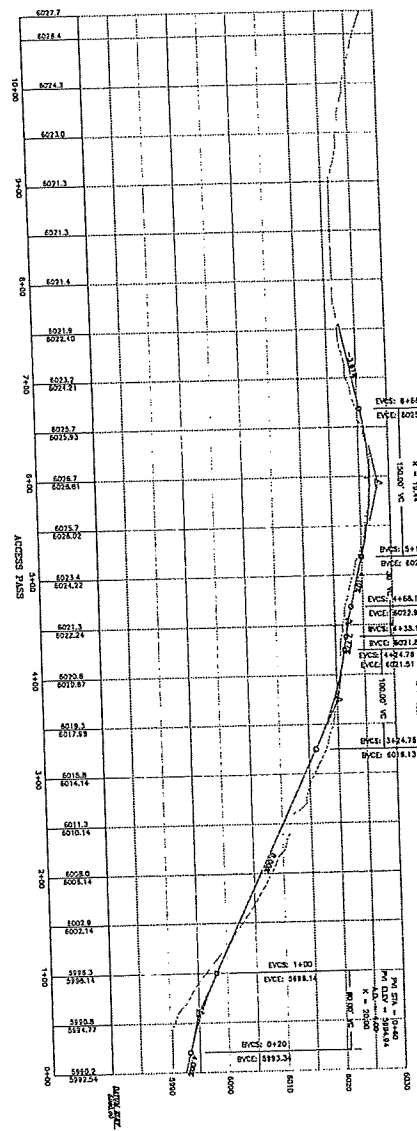
ALLIANCE CONSULTING  
ENGINEERS, INC.  
150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321  
(435) 735-9121

SHEET  
2  
OF  
4 SHEETS



# BUTTERCUP ACRES SUBDIVISION PRELIMINARY PROFILES

NORTH  
SCALE 1"=30' VERTICAL  
1"=100' HORIZONTAL



**SCHEDULE A**

1. Effective Date: March 23, 2021 at 2:40PM
2. Preliminary Title Report Only
3. The estate or interest in the land described or referred to in this Commitment and covered herein is: FEE SIMPLE
4. Title to the estate or interest in said land is at the effective date hereof vested in:

**DENNIS T. OLSON and BONNIE N. OLSON, or their successor(s) in Trust, Trustees of the DENNIS T. AND BONNIE N. OLSON FAMILY TRUST UAD April 11, 2016**

5. The land referred to in this Commitment is in the State of Utah, County of Rich, and is described as follows:

Part of the North Half of the Northeast Quarter of the Northeast Quarter of Section 29, Township 14 North, Range 5 East of the Salt Lake Base and Meridian, described as follows:  
Beginning at the Northeast Corner of said Section 29 and running thence North 88°48'35" West along the North line of said Section 798.391 feet to the East line of Lot 41, BUTTERCUP ESTATES SUBDIVISION; thence South 17°05'35" East in said line and its extension 373.660 feet to the North right-of-way line of Buttercup Lane; thence Easterly following the North line of said lane in two courses: 1) following the arc of a 229.180 foot radius curve to the right 85.800 feet; 2) thence East 599.250 feet to said Section line; thence North by record (North 00°51'27" East 324.540 feet by survey) to the point of beginning.

**SAID PROPERTY NOW BEING DESCRIBED BY SURVEY AS FOLLOWS:**

A portion of the Northeast Quarter of Section 29, Township 14 North, Range 5 East of the Salt Lake Base and Meridian, located in Garden City, Utah, more particularly described as follows:  
Beginning at the Northeast Corner of Section 29, Township 14 North, Range 5 East of the Salt Lake Base and Meridian; thence South 01°46'30" West along the Section Line 324.66 feet (South 00°51'27" West 324.54 feet by record) to the Northerly line of Buttercup Lane as defined and described as part of Buttercup Estates Subdivision, according to the Official Plat thereof on file in the Office of the Rich County Recorder; thence along the exterior of said Subdivision the following 3 (three) courses and distances: West 594.05 feet (599.25 feet by record); thence along the arc of a 229.18 foot radius curve to the left 86.31 feet through a central angle of 21°34'39" (chord South 79°12'41" West 85.80 feet); thence North 17°05'36" West 373.66 feet to the North line of said Section; thence South 88°48'35" East along the Section line 798.39 feet to the point of beginning.

We appreciate your business and thank you for choosing Rich Land Title Company.  
Please call your Title Officer, with any questions or concerns regarding this commitment.  
Your Title Officer will be Kylie D. Trautvein, phone (435) 752-0582

For informational purposes only.  
The property address is purported to be:  
Address Not Assigned



112 North Main Street  
Logan, UT 84321  
[www.HickmanTitle.com](http://www.HickmanTitle.com)

**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.

CANSON, LLC

DENNIS T. AND BONNIE N. OLSON FAMILY TRUST UAD April 11, 2016

### 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. 41-29-000-0002. Taxes for the year 2020 were paid in the amount of \$317.55.
9. Rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, violated restrictive covenants, deficiency in quantity of ground, or any matters not of record, which would be disclosed by an accurate survey and inspection of the premises.
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.
11. EASEMENT AND CONDITIONS CONTAINED THEREIN:  
Grantor: ORIS K. COOK and BEATRICE W. COOK  
Grantee: THOMAS F. GREEN  
Dated: November 9, 1955  
Recorded: May 15, 1956  
Entry No: F6330a  
Book/Page: X/220

12. 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

13. 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 may be subject to fees, collections and assessments from said district for sewer services.

14. RESOLUTION NO. R05-10 to Create Buttercup Special Improvement District

By TOWN COUNCIL OF GARDEN CITY

Recorded: September 16, 2005

Entry No.: 66628

Book/Page: B10/1893



- 
15. GARDEN CITY ORDINANCE, ORDINANCE NO. 06-16  
By: TOWN OF GARDEN CITY regarding the Buttercup Project Special Improvement District.  
Recorded: June 8, 2006  
Entry No.: 68662  
Book/Page: F10/49
16. Subject to any fees, charges or assessments due to Garden City.
- 

**NOTES:**

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

**No existing Deed of Trust appears of record.** If this information is not correct, please notify the Company as soon as possible to provide information regarding the existing loan.

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.

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**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.



RT-30342

# WARRANTY DEED

R.P. BAXTER, a debtor in possession under Bankruptcy Case No. 388-34308-HCA-11 in the United States Bankruptcy court for the Northern District of Texas, Dallas Division

grantor of County of State of Texas  
~~State of Texas~~, hereby CONVEY and WARRANT to

DENNIS T. OLSON and BONNIE N. OLSON, husband and wife,  
as joint tenants and not as tenants in common, with full rights of survivorship

grantees of 1363 North 7275 East Huntsville, UT 84317  
for the sum of TEN DOLLARS and other good and valuable consideration  
the following described tract of land in Rich County, State of Utah.

Part of the North half of the Northeast Quarter of the Northeast Quarter of Section 29, Township 14 North, Range 05 East, of the Salt Lake Base and Meridian, described as follows: Beginning at the Northeast Corner of said Section 29 and running thence North 88°48'35" West along the North line of said Section, 798.391 feet to the East line of Lot 41, BUTTERCUP ESTATES SUBDIVISION; thence South 17°05'35" East in said line and its extension 373.660 feet to the North right-of-way line of Buttercup Lane; thence Easterly following the North line of said lane in two courses: 1) following the arc of a 229.180 foot radius curve to the right 85.800 feet; 2) thence East 599.250 feet to said Section line; thence North by record (North 0°51'27" East 324.540 feet by survey) to the point of beginning.

\*\*This Warranty Deed is being executed by authority given in that certain Motion to Approve Sale of Encumbered Real Estates filed on July 19, 1999 as Filing No. 54218 in Book H8 at Page 457 in the office of the Recorder of Rich County, Utah. Said motion was approved by an Order Approving Sale of Encumbered Real Estate filed on July 19, 1999 as Filing No. 54219 in Book H8 at Page 460 in the office of the Recorder of Rich County, Utah.

Tax Roll No. 41-29-00-002

WITNESS, the hand of said grantor, this 2nd day of August A.D. 1999.

Signed in the presence of

*R.P. Baxter*  
R.P. BAXTER, a debtor in possession under Bankruptcy Case No. 388-34308-HCA-11 in the United States Bankruptcy Court for the Northern District of Texas, Dallas Division

STATE OF TEXAS }  
County of *pmas* ss }

On the 2 day of *Aug*,  
A.D. 1999 personally appeared before me

R.P. BAXTER, a debtor in possession under Bankruptcy Case No. 388-34308-HCA-11 in the United States Bankruptcy Court for the Northern District of Texas, Dallas Division

the signer of the within instrument, who duly acknowledged to me that he executed the same.

*David Kaplan*

Notary Public  
Commission expires: *1999*  
Residing in: *177*

*AUG 03 1999* Filing No. **54339**  
*2:40* *18* *177*  
*10:00* *10:00* L. Amos, Rich County Recorder  
Requested by Rich Land Title Company

RICH LAND TITLE COMPANY

29-14-S  
N<sup>2</sup>NE NE 1.1

TC - Prelim  
July 8. 2021

## 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: Long Ridge @ Bear Lake Phase 5 Current Zone: HE Proposed Zone: \_\_\_\_\_

Property Address: Approx 100 to 300 West and 1300 to 1400 South, Garden City, UT

Parcel # 41 - 28 - 00 - 016 +\*

Contact Person: Jeffrey M. Jorgensen Phone #: 435-881-1999

E-mail address: jeffjorg2@gmail.com

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

Applicant (if different): R.Hansen & B.Jorgensen-CoTrustees Phone #: Randall - 435-881-1343

Mailing Address: Randall Hansen - 1359 S Bear Lake Blvd., Garden City, UT 84028

Property Owner of Record (if different): J.K & N.B. Hansen Family Trust Phone #: \_\_\_\_\_

Mailing Address: Bonnie Jorgensen - 1069 E 2100 N, North Logan, UT 84341

Project Start date: n/a Completion date: n/a

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

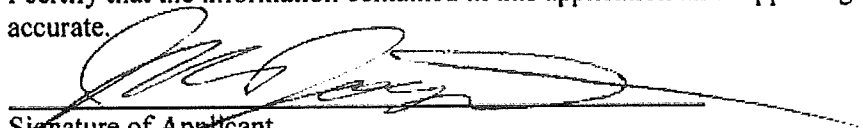
This is phase 5 of the ongoing Long Ridge @ Bear Lake Subdivision. It consists of ten single family residential lots using the density based subdivision option.

\* The property to be subdivided is within two different parcels - part of 41-28-000-0016 and some of the remaining parcel of 41-29-000-0008

Lot Size in acres or square feet: 9.8 ac total Number of dwellings or lots: 10 Lots

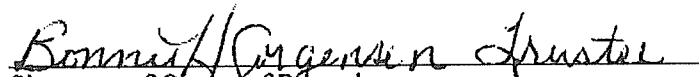
Non-residential building size: n/a

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

  
Signature of Applicant

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

  
Signature of Owner of Record

  
Signature of Owner of Record

**Email Form**

\_\_\_\_\_  
Signature of Owner of Record

**Office Use Only**

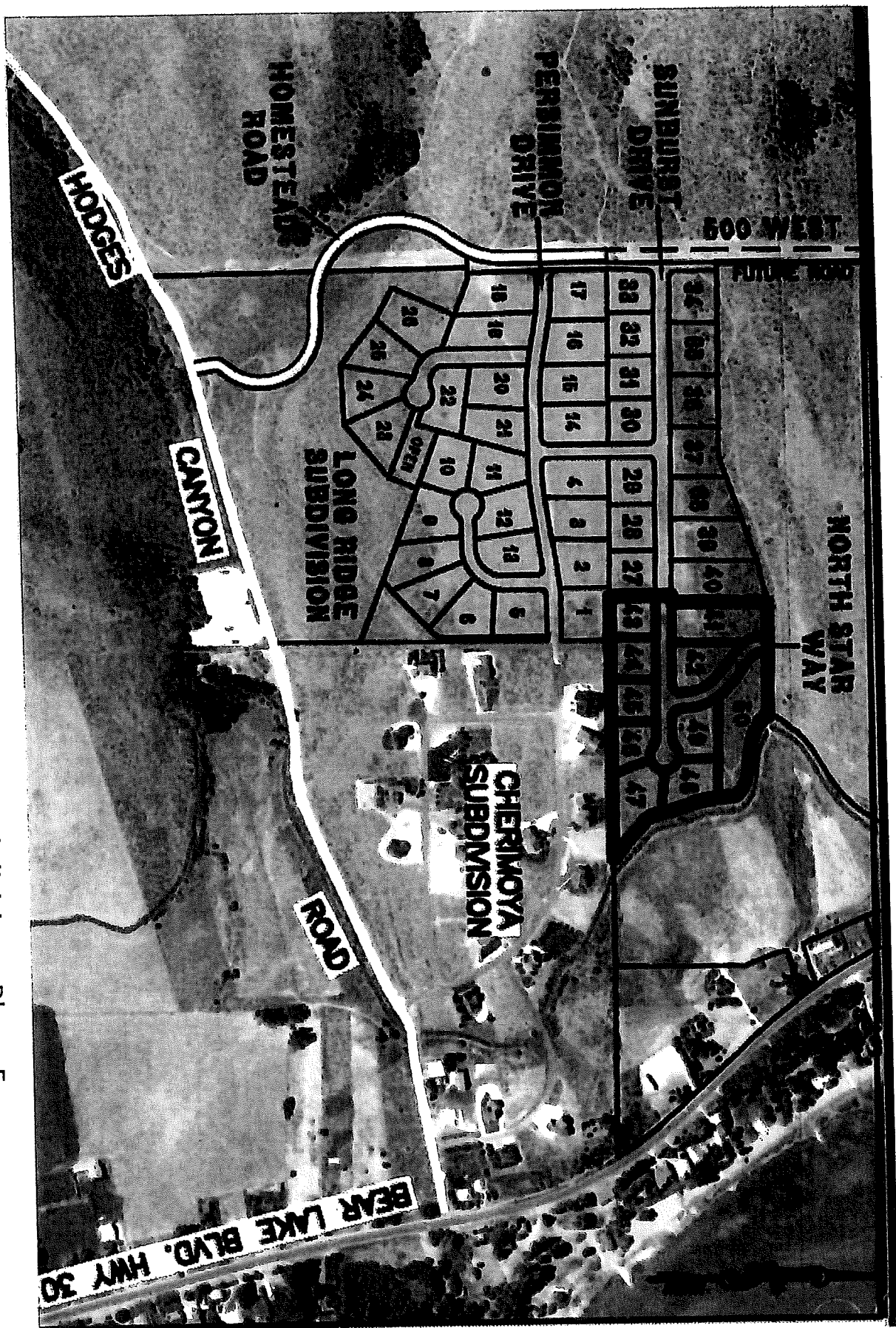
Date Received: \_\_\_\_\_

Fee: \_\_\_\_\_

By: \_\_\_\_\_

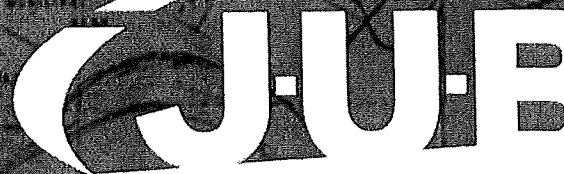






Vicinity Map – Long Ridge @ Bear Lake Subdivision – Phase 5

HELPING EACH OTHER  
CREATE BETTER COMMUNITIES



THE  
LANGDON  
GROUP



GATEWAY  
MAPPING  
INC.

J-U-B FAMILY OF COMPANIES

## MEMORANDUM

DATE: June 27, 2021  
TO: Town of Garden City Planning Commission  
CC: Riley Argyle  
FROM: Quinn Dance, E.I.T., Zan Murray, S.E.  
SUBJECT: Long Ridge Phase 5 Preliminary Plat Review

---

Preliminary plat comments below are based on drawings dated June 2021. The review items discussed below can be found in Chapter 11E-400 of the Municipal Code.

### **Preliminary Plat**

#### **Proposed Plan**

1. Boundary Information: Overall boundary is good but additional clarification needed for Lots 45, 46 and 49. Marked plat has been provided to developer.

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

